



Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Scott Burnett (1st), Chairman, Henry C. Rizzo (2nd AL), Vice-Chairman,
Robert A. Stringfield, (1st AL), Fred Arbanas (3rd AL),
Ronald E. Finley (2nd), Dennis Waits (3rd), Dan Tarwater (4th),
Rhonda L. Shoemaker (5th), Bob Spence (6th)

Monday, May 24, 2004

2:30 PM

Twenty First Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 5/17/2004.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Kelly Markham-Stegall, Legislative Auditor, handed out copies from the Certified Public Accounting firms who submitted bids for the audit of the COMBAT financial's. She also handed out a brief overview of the process in terms of what is the next step in evaluating the bids. The Finance & Audit Committee will review the proposals and if the Legislature so desires they can interview the firms and ask any additional questions to help in the final selection.

Scott Burnett, Chairman, asked for an anticipated schedule.

Ms. Stegall said that the proposals have been handed out for review. Her office has created a form that will assist in objectively reviewing the qualifications of each firm. These forms will be sent to the Legislators tomorrow. If the Legislature would like to interview any or all of these firms she asked that they let her office know by tomorrow so they can contact the firms and have the review process completed by next week. Her office will then have information regarding a recommendation by the next Legislative meeting.

Scott Burnett verified with the Auditor that on May 19, 2004 she received from each firm one package with their qualifications and another envelope with the price for the work.

Kelly Markham-Stegall said that each firm was instructed in the RFQ to include their pricing information in a sealed envelope. That information will not be opened until the Legislature makes its choice of which firm it would like to negotiate with. This week her office will be contacting the references that each firm listed. She will then provide a summary of the responses to the Legislature.

Bob Spence, County Legislator, said it is the hope of the Finance & Audit Committee to make a recommendation at the next Legislative meeting in two weeks.

Rhonda L. Shoemaker, County Legislator, wanted to clarify that the Legislature would pick one company to do business with from the firms submitting bids and then the price quote would be opened.

Ms. Stegall said that it is her understanding from the Purchasing Department, that we will open the price quote from the firm chosen by the Legislature. If we negotiate with this firm and are not able to reach some type of agreement we will proceed to the second choice.

Rhonda L. Shoemaker asked if only three firms replied. She also asked how many proposals were sent out.

Ms. Stegall said that fifteen to twenty firms were sent proposals. They were sent out to all the major firms as well as regional and local firms. No response was received from the national firms. Six responded to the proposal and they were either regional or local. Three submitted bids and there were three no bids.

Bob Spence asked members of the Finance & Audit Committee to check their schedules to see if a committee meeting can be set for next week to discuss the proposals in detail.

Ronald E. Finley, County Legislator, asked if there was a fiscal note with this. He understood that the committee was directed to obtain an audit but was wondering about the revenue.

Jay Haden, Acting County Counselor, said that when the committee makes a recommendation it will be in the form of an Ordinance or Resolution which will go through Finance who will identify the money.

Mr. Finley asked if there was any idea of what the figure would be before we start talking to the firm.

Fred Arbanas, County Legislator, said it would not be wise to throw figures around. It might hurt the leverage we have before we start negotiating.

Robert A. Stringfield, County Legislator, asked if we sent anything to Mr. Funkhauser with the City of Kansas City, Missouri.

Kelly Markham-Stegall said that a proposal was sent to Kansas City and we did not get a response.

Ronald E. Finley said he understood it was necessary for the City Council to authorize Mr. Funkhauser's involvement and that has not occurred.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

Ronald E. Finley asked Jay Haden about the effort to compile a list of those who received waivers.

Jay Haden said he will have a report for the Legislature on June 14, 2004. He should have most of what they are asking for at that time.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinance #3490 through #3493.

Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing regarding Ordinances #3490, #3491, #3492 and #3493 on Thursday, May 27, 2004 at 1:00 p.m. at Fleming Hall.

[3490](#)

AN ORDINANCE granting a conditional use permit (CUP) in District LI (Light Industrial) for a period of twenty-five (25) years to construct a 190-ft. aerial tower as to a certain 20 ± acre tract.

(Land Use Committee - 3rd. Perfection)

[3491](#)

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of ninety-nine (99) years to construct a 161 KV electrical transmission line as to a certain 3 ± acre tract.

(Land Use Committee - 3rd. Perfection)

[3492](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order changing from District A (Agricultural) to District RE (Residential Estates), a certain 10 ± acre tract.

(Land Use Committee - 3rd. Perfection)

[3493](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 6.87 ± acre tract.

(Land Use Committee - 3rd. Perfection)

[3495](#)

Health and Justice Committee moved to perfect. Consent Agenda.

[3498](#)

AN ORDINANCE repealing section 9303., Jackson County Code, 1984, relating to the anti-drug sales tax and enacting, in lieu thereof, one new section relating to the same subject.

(Finance and Audit Committee - 2nd. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3494](#) Consent Agenda.

[3496](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[15013](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15014](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15015](#) Land Use Committee moved do pass. Consent Agenda.

[15016](#) Public Works Committee moved do pass. Consent Agenda.

[15017](#) A RESOLUTION awarding a contract for the furnishing of firearms training for use by the Department of Corrections to the Kansas City, Missouri Police Department, at a cost to the County not to exceed \$5,500.00, as a sole source purchase.
(Health and Justice Committee - 1st. Meeting)

[15018](#) Public Works Committee moved do pass. Consent Agenda.

[15019](#) Land Use Committee moved do pass. Consent Agenda.

[15020](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15022](#) Land Use Committee moved do pass. Consent Agenda.

[15024](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15025](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15026](#) A RESOLUTION authorizing a twelve-month extension to and increasing the term and supply contract for the furnishing of HVAC service and repair for use by various County departments, with U. S. Engineering Company of Kansas City, MO, at an estimated cost to the County of \$412,741.23.
(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

- [3495](#) AN ORDINANCE reappropriating \$300,000.00 from the unappropriated surplus of the 2004 General Fund to make available unexpended, unencumbered funds from the Family Court's FY2003 budget to provide supplemental funding for the Family Court's capital improvement program.
(PERFECTED)
- [3494](#) AN ORDINANCE repealing sections 5510. and 5511., Jackson County Code, 1984, relating to petty offenses and enacting in lieu thereof five new sections relating to petty offenses and noise regulation, with a penalty provision.
(ADOPTED)
- [3496](#) AN ORDINANCE transferring \$150,000.00 within the 2004 Capital Projects Fund and appropriating \$300,000.00 from the unappropriated surplus of the 2004 Grant Fund to cover a grant awarded by the United States National Park Service for the Fort Osage Education Center and authorizing the County Executive to execute a Modification of the Agreement regarding this project.
(ADOPTED)
- [15013](#) A RESOLUTION authorizing the County Executive to execute an agreement with the Missouri Valley AAU for its Night Hoops REBOUND programs, to provide a local match to a city grant, in an amount not to exceed \$64,680.00.
(ADOPTED)
- [15014](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for Services with the City of Kansas City, Missouri, and the Pan-Educational Institute, for the KC Futures 150 program, at an actual cost to the County of \$52,000.00, as a local match to a federal grant.
(ADOPTED)
- [15015](#) A RESOLUTION awarding a contract on Bid No. 14-04 for the repair of chain link fence for use by the Parks and Recreation Department at the 140th and Holmes softball complex to Acme Fence Co., Inc., of Grandview, MO, in the actual amount of \$14,920.00.
(ADOPTED)
- [15016](#) A RESOLUTION awarding a twelve month term and supply contract on Electronic Solicitation Bid No. BB200411 for the furnishing of auto/truck brake parts and service for use by the Public Works and Parks and Recreation Departments to O'Reilly Auto Parts of Springfield, MO, in the estimated amount of \$15,000.00.
(ADOPTED)

- [15018](#) A RESOLUTION authorizing the Director of Public Works to modify the departmental construction priorities for its share of the proceeds of the Public Building Corporation Leasehold Revenue Bonds (Capital Improvements Project) Series 2003.
(ADOPTED)
- [15019](#) A RESOLUTION awarding a contract on Electronic Solicitation No. BB200413 for the furnishing of boats for use by the Parks and Recreation Department to TMBC, LLC. of Springfield, MO (\$18,210.00), Play Craft Boats of Richland, MO (\$56,610.00), and Blue Springs Marine of Blue Springs, MO (\$7,100.00), in the actual aggregate amount of \$81,920.00.
(ADOPTED)
- [15020](#) A RESOLUTION authorizing the County Executive to execute a Fourth Addendum to the Agreement with the Salvation Army, to provide housing for homeless Drug Court referrals, for the Prosecuting Attorney's Deferred Prosecution and Drug Court Programs, at an increased cost to the County not to exceed \$25,000.00 and extending the Agreement for a period of twelve months.
(ADOPTED)
- [15022](#) A RESOLUTION awarding a term-and-supply contract on Electronic Solicitation No. BB200422 for the furnishing of concessions deli sandwiches and frozen entrees for use by the Parks and Recreation Department to Landshire, Inc., of Belleville, IL (\$10,000.00), and US Food Service of Lenexa, KS (\$5,000.00), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$15,000.00.
(ADOPTED)
- [15024](#) A RESOLUTION awarding a twelve-month term and supply contract on Electronic Solicitation No. BB20047 for the furnishing of telephone equipment for use by the MIS department to GBH Communications, Inc., of Glendale, CA (\$10,000.00), Call One Inc., of Cape Canaveral, FL (\$7,000.00), and Nextworks, Inc., of Palm Harbor, FL (\$10,000.00), in the estimated aggregate amount of \$27,000.00.
(ADOPTED)
- [15025](#) A RESOLUTION authorizing the three-year renewal of the contract for the furnishing of data circuits with Southwestern Bell (SBC-ASI Division) of San Antonio, TX, at an annual cost to the County of \$32,589.12 and a total three-year cost of \$97,767.36, as a sole source purchase.
(ADOPTED)
- To perfect Ordinance 3495. To adopt Ordinances 3494, 3496. To adopt Resolutions 15013, 15014, 15015, 15016, 15018, 15019, 15020, 15022, 15024, 15025.
Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits and Bob Spence
Absent: 1 - Rhonda L. Shoemaker

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3499](#) Appropriating \$2,500.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Missouri Department of Natural Resources Dam Safety Permit grant for the inspection costs at the Prairie Lee Lake dam, funded by the Missouri Department of Conservation.

(Land Use Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15027](#) Awarding a contract on Request for Proposals No. 9-04 for the furnishing and installation of a pre-manufactured modular restroom/office building and ADA compliant platform and ramp system for use by the Parks and Recreation Department at the 140th & Holmes softball complex to Satellite Shelters, Inc., of Kansas City, MO, at an actual cost to the County of \$52,185.00.

(Land Use Committee)

[15028](#) Congratulating Historic Northeast Restoration Corporation on its 10th anniversary and recognizing the collaborative efforts of the businesses and neighborhood residents for their promotion of rebirth of the Northeast Kansas City area.

(Legislature As A Whole)

[15029](#) Transferring \$70,727.00 within the 2004 Special Road and Bridge Fund and awarding a contract on Bid No. PW 02-2004 for the 2004 Pavement Maintenance Project, Phase 2, Project No. 3002, to Vance Brothers, Inc., of Kansas City, MO, in the actual amount of \$70,727.00.

(Public Works Committee)

[15030](#) Authorizing the County Executive to execute an Agreement with Missouri River Relief, Inc., to partially fund the organization's cleanup efforts along the banks of the Missouri River in Jackson County, at the actual cost of \$2,000.00.

(Land Use Committee)

[15031](#) Increasing the term and supply contract for the furnishing of office furniture for use by various County departments, with Corporate Express of Kansas City, MO, at an estimated cost to the County of \$198,996.17.

(Finance and Audit Committee)

[15032](#) Authorizing the County Executive to execute a Memorandum of Understanding with the City of Independence, to allow for the patrolling of the Little BlueTrace bike trail by volunteers of the City of Independence Police Department's Volunteers in Police Service program.

(Land Use Committee)

[15033](#) Nominating candidates for appointment to the Jackson County Sports Complex Authority, for a term to expire July 15, 2007.

(Legislature As A Whole)

[15034](#) Nominating candidates for appointment to the Jackson County Sports Complex Authority, for a term to expire July 15, 2008.

(Legislature As A Whole)

[15035](#) Nominating candidates for appointment to the Jackson County Sports Complex Authority, for a term to expire July 15, 2009.

(Legislature As A Whole)

Scott Burnett, Chairman, said that on the last day of the Missouri Legislature there were changes made to the structure of the Jackson County Sports Authority. These changes are not entirely clear and the Governor's Office says they will sign this bill some time in July. He is not sure if there is an emergency clause or if it becomes effective immediately. By next week we will try to have the effective date of this piece of Legislation.

The Legislature will begin accepting resumes. If you submitted your resume earlier this spring they are on file in the County Clerk's office. Persons wishing to check if their resume is still on file call the County Clerk's Office at 881-3242. To apply for one of the three Sports Complex Authority positions kindly fax your resume to the County Clerk at 881-3234.

Dan Tarwater, County Legislator, said that these three Sports Authority positions are Democratic.

Dennis Waits, County Legislator, said that we have sent panels to the Governor before and he has not selected anyone. The Legislature needs to be aware of the status of the new bill. He doesn't know if there is a provision that addresses what happens if the Governor does not select a person from our panel.

Fred Arbanas, County Legislator, asked if anyone knew why the State Legislature put in an incomplete change and if the Governor has a certain time to make the appointment.

Dennis Waits said there is a certain time to make the appointment but the question is what happens if he doesn't. This was added on to another bill in the last days of the Legislature and he suspects there will be modifications but presently it could create a problem.

Scott Burnett, Chairman, read from the House Bill and it said "If the County Commission does not submit a panel of three names to the Governor within 30 days of the expiration, the Governor shall immediately make an appointment to the Commission with the advice of the Senate. In the event the Governor does not appoint a replacement, no Commissioner shall continue to serve beyond the expiration of that Commissioner's term."

Ronald E. Finley asked if there is a schedule for the Sports Authority interviews.

Scott Burnett said he will come up with a schedule by the next Legislative meeting. He would like to have it completed by July 12, 2004. The number of the bill is HB795.

Jay Haden said he will review the bill very carefully and look for the emergency clause.

[15036](#)

Awarding a contract on Bid No. PW 01-2004 for the 2004 Pavement Maintenance, Phase 1, Project No. 3001, to Superior Bowen Asphalt Company, of Kansas City, MO, in the actual amount of \$336,200.18.

(Public Works Committee)

[15037](#)

Dan Tarwater moved the passage of Resolution #15037, authorizing the Jackson County Legislature to hold a closed meeting on Monday, May 24, 2004, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation, and closing all records prepared for discussion at said meeting. Seconded by Robert A. Stringfield.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

Jay Haden does not anticipate any public business being discussed after the closed session.

Legislature goes into closed session.

Legislature reconvenes.

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, June 7, 2004 at 2:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.

The Legislature will not meet on May 31, 2004 due to the Memorial Day Holiday.