



# Jackson County Missouri

## JOURNAL

### County Legislature

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

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

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Monday, May 16, 2005

2:30 PM

Twentieth Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

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Dan Tarwater, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

Present: Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Bob Spence moved to approve the journal of the previous meeting held on 5/10/2005.  
Seconded by Eugene Standifer Jr..

**The motion passed by a voice vote.**

(APPROVED)

**4 HEARINGS**

*Resolutions #15490 and #15491 were adopted at this time. See pages 7 and 8 for details.*

*The Anti-Drug Committee conducted their public hearing at this time.*

*Bill Gnefkow, Attorney for Joe Reed, was present to testify on Mr. Reed's behalf. Marty Kerr, Joe Reed's former attorney, had no understanding of how the County works and was under the impression that when Mr. Reed talked to the Legislative Auditor, he was talking to the County. There has been some discussion that Mr. Reed has not been cooperating. He has given a six page plus statement and is willing to talk to whoever he needs to talk to. Mr. Reed has been suspended from his job with the Prosecutor's Office and there has also been some discussion on where the paper work is but his client said he was suspended.*

*Scott Burnett, County Legislator, asked Mr. Gnefkow when he was retained by Joe Reed.*

*Bill Gnefkow said we was retained this week. He said he has a faxed copy of the statement dated May 16, 2005, so he assumes the statement given by Mr. Reed was given before that date. His client feels like he is being witch hunted and is being attacked from many different directions. Mr. Gnefkow believes, along with his client, that he has done nothing wrong and is willing to be completely cooperative. If the Legislature would give them some kind of direction he will make sure Mr. Reed talks to whoever he needs to talk to.*

*Henry C. Rizzo, County Legislator, asked if Mr. Reed could talk to Gary Dannaldson, Director of Purchasing. Mr. Gnefkow said he will make sure Mr. Reed talks to Gary Dannaldson.*

*Scott Burnett wanted to clarify that Mr. Reed's attorney, when the statement was taken, is no longer representing him. Mr. Gnefkow said that was correct.*

*Bob Spence, County Legislator, asked if Mr. Reed was suspended with or without pay. Mr. Gnefkow said he does not know. He believes that any employee who is under investigation is suspended with pay. There is no reason to financially punish him if he is under investigation.*

*Dennis Waits, County Legislator, said that Marty Kerr and Bill Gnefkow have worked together over the years and that maybe this got into an area Marty was not as comfortable with and asked for Bill's help. This does not mean anyone is unhappy with Mr. Kerr's representation. Mr. Gnefkow said that Marty is a fantastic criminal defense lawyer. He has know him for over 25 years but Marty had never dealt with the County. He thinks it is important that someone who understands the different departments and different agendas represent Mr. Reed.*

*Dan Tarwater, Chairman, asked how long a person can be suspended with pay. Mr. Gnefkow said he had no idea but suggested they ask the Personnel Department. Dennis Waits believes it is until the investigation is complete.*

*Bob Stringfield, County Legislator, asked Kelly Markham-Stegall if there was a memorandum from Gary Dannaldson on the Joe Reed investigation. Kelly said if there is she is not aware of it. Gary Dannaldson said he has a report and will distribute it to everyone.*

*Scott Burnett asked Jim Nunnely, Anti-Drug Program Administrator, whether the Drug Court is still at the Valentine Shopping Center. They were supposed to be out by April 18, 2005. Jim said it was their intent to be out by that date but when they went to the owner he required a 30 day leave based on the month. He wanted a 30 day notice beginning May 1, 2005. The new location is not quite ready, but they will vacate by May 31, 2005.*

*Gary Dannaldson presented a report as requested by the Legislature of all the events relating to the drug court treatment contract. Each Legislator was given an executive summary with key exhibits. The total package of documentation will be made available to anyone who requests it.*

*Scott Burnett asked where they should go to find the footnotes in the report. Gary Dannaldson said to contact him and he will have his staff provide a copy.*

*Henry C. Rizzo and Rhonda L. Shoemaker asked for a week to review the report. Gary Dannaldson said he will return next week to answer any questions.*

*Fred Arbanas, County Legislator, asked for a copy of the complete report.*

**5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE**

*Katheryn Shields, County Executive, said she thinks that with every issue, the more information we can bring to the public, the more comfortable the public will be with it. She has been speaking with a number of neighborhood groups, with assessment as the topic. She has tried to explain that every two years assessment is mandated by the State of Missouri. She said it is a mass appraisal which means that we take information that we get from a number of sources, such as certificates of value and then come up with numbers that apply to neighborhoods. Statistically, this is an accurate process but it may not be accurate to a particular house. Even if staff visits a house, they do not go inside. She said there is a clear appeal process because this is a mass appraisal. The informal appeal process is with the assessment department and it ends on Friday, May 20, 2005. The changes from the informal process need to be made by the assessor before May 31, 2005. There is also a formal appeal process through the Board of Equalization and the filing deadline is 5 P.M. on the 3rd Monday in June. She explained that fair market value is based not on what they paid for the house but on what a willing buyer and seller would exchange for the property. She said Bob Spence and Scott Burnett, County Legislators, they are looking to amend the ordinance to allow Certificate of Value (COV) to be on the Internet. This would make it easier for people to find comparable sales.*

*Katheryn Shields said while Jackson County collects the taxes for all the taxing jurisdictions, it only keeps 8% of the money collected. She said 60% of the money collected is distributed to school districts, and the remaining percentages are distributed to municipalities, fire districts, library districts and water district. She thinks that public meetings would be helpful in the northeast area or central city, where assessments are low.*

*Dan Tarwater, County Legislator, requested a copy of a DVD with the Certificates of Value, because he has a meeting on Tuesday evening.*

*Katheryn Shields agreed. She said staff will not deal with specific properties during the public meetings, but could answer questions about the process and clear up any misconceptions. They will also inform seniors about the Homestead Act and Circuit Breakers.*

*Katheryn Shields said last month the Legislature approved the \$28 million leasehold revenue bonds. The expected sale date for the bonds is Wednesday, May 18, 2005. She said Jackson County received a "Double A-3" rating from Moody's Investors Service, the same high rating received for the 2003 issue. In assigning this high rating, Moody's once again cited the County's history of strong financial management: "... the high-grade rating and positive outlook reflect a sizable and diverse economic base, consistently well-managed financial operations with increasing reserves even throughout the current economic cycle, and a reasonable debt position." Katheryn thanked the Legislature for their support, as Jackson County begins Phase II of their improvements.*

*Katheryn Shields said one of the most important projects from the 2003 bond issue is the historic preservation of the 1933 Art Deco Courthouse in downtown Kansas City. As mentioned in her State of the County Address, the Historic Kansas City Foundation honored the project with a 2005 Preservation Award. She accepted an award on Wednesday during a ceremony at Union Station. She said it is wonderful to see this building ready to serve another 70 years as a house of government and a seat of justice.*

Henry C. Rizzo, County Legislator, commended Katheryn Shields for the restoration done on the courthouse.

Scott Burnett said he is in favor of putting COV's on-line and there is an ordinance that will be introduced today regarding this issue. He said for comparables he used programs like Ascend and Sigma, tools that were hard to use. He said comparables are needed and he suggested that we include comparables on the tax bill, like Johnson County. He also asked if the Board of Equalization (BOE) forms could be put on-line.

Katheryn Shields said she will check into these issues and report to the Legislature next week. She said she has been taking BOE forms with her to the neighborhood meetings.

Scott Burnett asked Ken Evans if an abbreviated tax sheet on Board of Equalization to be put on-line.

## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3618](#)

AN ORDINANCE repealing Schedule III to Chapter 2, Jackson County Code, 1984, relating to the salary ranges of employees not under the Merit System and enacting, in lieu thereof, one new schedule relating to the same subject for the purpose of establishing the position of COMBAT Program Auditor/Evaluator.

*(Anti-Drug Committee - 8th. Perfection)*

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3629](#)

Consent Agenda.

## 8 RESOLUTIONS IN COMMITTEE

[15478](#)

Fred Arbanas moved the passage of Resolution #15478, authorizing and directing the Jackson County Counselor to delay entering into an agreement for binding arbitration of the issues and determination of liability arising from any claims that Jackson County may assert for trespass and damage to County park property by an adjacent landowner, until after May 30, 2005. Seconded by Robert A. Stringfield.

Yes: 2 - Robert A. Stringfield and Fred Arbanas

No: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

Absent: 1 - Dennis Waits

(DEFEATED)

[15480](#)

Health and Justice Committee moved do pass. Consent Agenda.

[15482](#)

Health and Justice Committee moved do pass. Consent Agenda.

[15484](#)

Finance and Audit Committee moved do pass. Consent Agenda.

[15485](#)

Public Works Committee moved do pass. Consent Agenda.

**9 CONSENT AGENDA**

[3629](#) AN ORDINANCE reappropriating \$300,000.00 from the unappropriated surplus of the 2005 General Fund to make available unexpended, unencumbered funds from the Family Court's FY2004 budget to provide supplemental funding for the Family Court's capital improvement program.

(ADOPTED)

[15480](#) A RESOLUTION authorizing the transfer of certain surplus personal property to the Blue Springs School District without compensation for use by its Department of Public Safety.

(ADOPTED)

[15482](#) A RESOLUTION requesting a reappropriation of funds from the unappropriated surplus of the 2005 Health Fund for the first (1st) phase of the mental health needs assessment which was not executed during the last fiscal year.

(ADOPTED)

[15484](#) A RESOLUTION authorizing the County Executive to execute the documents necessary to terminate the Software License and Use Agreement and Addendum with Eden Systems Inc. of Seattle Washington, a division of Tyler Technologies Inc., previously authorized by Resolution No. 15376.

(ADOPTED)

[15485](#) A RESOLUTION authorizing the purchase of two (2) 2005 Ford F-150 Pick-up Trucks from Shawnee Mission Ford of Shawnee, KS for the Public Works Department under the terms and conditions of the MACPP (Mid-America Council of Public Purchasing) Cooperative Fleet bid issued for vehicles for the 2005 model year by the City of Overland Park, KS, at a total cost not to exceed \$36,495.00.

(ADOPTED)

To adopt Ordinance 3629. To adopt Resolutions 15480, 15482, 15484, 15485.

Dennis Waits moved the passage of the consent agenda. Seconded by Henry C. Rizzo. The motion passed by a roll call vote:

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

**10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

[3630](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 20 ± acres from District A (Agricultural) to District RU (Residential Urban) District and approving the preliminary plat "The Fields of Highland Park" creating seventy (70) residential subdivision lots.

*(Land Use Committee)*

[3631](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 15 ± acres from District A (Agricultural) to District RE (Residential Estates) District.

*(Land Use Committee)*

*The Land Use Committee Amendment of May 16, 2005 for Ordinance #3631 deletes the letter "R" and inserts the letter "E" after the letter "R" in the heading only.*

[3632](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 54.5 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District and approving the preliminary plat "Robinson Estates" creating ten (10) residential subdivision lots.

*(Land Use Committee)*

[3633](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 10 ± acres from District A (Agricultural) to District RU (Residential Urban) District and approving the preliminary plat "Golden Fields" creating thirty-one (31) residential subdivision lots.

*(Land Use Committee)*

[3634](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 10 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.

*(Land Use Committee)*

*The Land Use Committee Amendment of May 16, 2005 for Ordinance #3634 deletes the word "Estates" and inserts the word "Ranchette" after the word "Residential" in the heading and in Section 1 of the body, it deletes the letter "E" and inserts the letter "R" after the letter "R" in Section 1 of the body.*

*The Land Use Committee will have a public hearing on Ordinances #3630, #3631, #3632, #3633, and #3634 on Friday, June 3, 2005 at 1:00 p.m. at Fleming Hall.*

*No dissenting vote to consider Ordinance #3635 - not on printed agenda.*

*Scott Burnett moved to perfect Ordinance #3635. Seconded by Bob Spence.  
The motion passed by a voice vote. (PERFECTED)*

*Scott Burnett moved to suspend the rules to consider final passage of Ordinance #3635. Seconded by Bob Spence.  
The motion passed by a voice vote. (APPROVED)*

*Scott Burnett moved to adopt Ordinance #3635. Seconded by Bob Spence.*

*Roll Call: Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence.*

*(ADOPTED)*

*Fred Arbanas moved to reconsider Ordinance #3635. Seconded by Bob Spence.  
The motion passed by a voice vote. (APPROVED)*

[3635](#) Fred Arbanas moved to perfect the floor substitute of 5/16/2005. Seconded by Robert A. Stringfield.  
**The motion passed by a voice vote.** (PERFECTED)

[3635](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3635. Seconded by Rhonda L. Shoemaker.  
**The motion passed by a voice vote.** (APPROVED)

[3635](#) Fred Arbanas moved to adopt floor substitute of 5/16/2005, repealing section 9034., Jackson County Code, 1984, relating to the filing of certificates of value on real estate transactions. Seconded by Rhonda L. Shoemaker.  
Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence  
Absent: 1 - Dennis Waits  
(ADOPTED)

*Henry C. Rizzo asked to be added as a sponsor for Ordinance #3635.*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15488](#) Fred Arbanas moved the passage of Resolution #15488, authorizing the Jackson County Legislature to hold a closed meeting on Monday, May 16, 2005, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under Section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Eugene Standifer Jr..  
Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence  
Absent: 1 - Dennis Waits  
(ADOPTED)

[15489](#) Bob Spence moved the passage of Resolution #15489, authorizing the County Executive to execute Change Order No. 5 and further authorizing the Director of Finance to unencumber \$165,314.83 and issue final payment on the contract. Seconded by Eugene Standifer Jr..  
Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence  
Absent: 1 - Dennis Waits  
(ADOPTED)



[15490](#)

Scott Burnett moved the passage of Resolution #15490, commemorating the life of Jesse Lascon Garcia. Seconded by Henry C. Rizzo.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

*No dissenting vote to consider Resolution #15491 - not on printed agenda.*

[15491](#)

Fred Arbanas moved the passage of Resolution #15491, commending Will Staller on his retirement from the Jackson County Parks and Recreation Department after thirty-five (35) years of dedicated service. Seconded by Dennis Waits.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

## 12 COUNTY EXECUTIVE ORDERS

*None.*

*The motion to reconsider Ordinance #3635 was done at this time.  
See page 6 for details.*

*Resolution #15488 was adopted at this time. See page 7 for details.*

*Legislature goes into closed session.*

*Legislature reconvenes.*

*Resolution #15478 was adopted at this time. See page 4 for details.*

*Ordinance #3635 was perfected and adopted at this time. See page 7 for details.*

## 13 UNFINISHED BUSINESS

*None.*

## 14 NEW BUSINESS

*None.*

## 15 ADJOURNMENT

*Meeting adjourned until Monday, May 23, 2005 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*