



Office of
Mary Jo Spino
Clerk of the County Legislature

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,
Theresa A. Garza (1st AL), Fred Arbanas (3rd AL), Scott Burnett (1st),
James D. Tindall (2nd), Dennis Waits (3rd),
Greg Grounds (5th), Bob Spence (6th)*

Monday, September 17, 2007

2:30 PM

Thirty-Fifth Regular Meeting

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

Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence
Absent: Scott Burnett and Dan Tarwater

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2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 9/10/2007.
Seconded by Theresa A. Garza.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Henry C. Rizzo opened the public hearing regarding the property tax rates of Jackson County, Missouri, Board of Services for the Developmentally Disabled, the Mental Health Fund and the Merchants and Manufacturers' Inventory Replacement.

Jake Jacobs, Executive Director for Jackson County Board of Services for the Developmentally Disabled was present to answer any questions.

Bruce Eddy, Executive Director for Jackson County Community Mental Health Fund was present to answer questions.

Henry C. Rizzo closed the public hearing.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Fred Siems, Chief Administrative Officer, announced the new Director of Corrections.

The Reduction in Force (RIF) Plan was distributed to members of the County Legislature.

Discussion regarding the problem that occurred at the detention center on Sunday evening.

Henry C. Rizzo presented a 20 year service pin to John Strauss, an employee in the Assessment Department.

Henry C. Rizzo presented a 20 year service pin to Melinda Taylor, an employee in the Collections Department.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3923, #3924 and #3925. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

The Land Use Committee will have a public hearing regarding the above mentioned Ordinances on Friday, September 21, 2007 at 1:00 P.M. at Fleming Hall.

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[3923](#)

AN ORDINANCE repealing Chapter 81, Jackson County Code, 1984, relating to the Plan Commission and amending subsections 24001.11 and 24003.2, Jackson County Code, 1984, relating to the Plan Commission and development fees.

(Land Use Committee - 2nd. Perfection)

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[3924](#)

AN ORDINANCE amending the zoning districts established by the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 4.4 ± acre tract for a one-lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

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[3925](#)

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of ten (10) years to continue operation of a private aviation field as to a certain 53± acre tract, subject to specified conditions.

(Land Use Committee - 2nd. Perfection)

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- [3930](#) Dennis Waits moved to perfect Ordinance #3930. Seconded by Theresa A. Garza.
The motion passed by a voice vote. (PERFECTED)
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- [3930](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3930.
Seconded by Theresa A. Garza.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3931](#) Dennis Waits moved to perfect Ordinance #3931. Seconded by Theresa A. Garza.
The motion passed by a voice vote. (PERFECTED)
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- [3931](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3931.
Seconded by Theresa A. Garza.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3932](#) Dennis Waits moved to perfect Ordinance #3932. Seconded by Theresa A. Garza.
The motion passed by a voice vote. (PERFECTED)
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- [3932](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3932.
Seconded by Theresa A. Garza.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3933](#) Dennis Waits moved to perfect Ordinance #3933. Seconded by Theresa A. Garza.
The motion passed by a voice vote. (PERFECTED)
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- [3933](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3933.
Seconded by Theresa A. Garza.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES[Play Video](#)

[3916](#) Consent Agenda.

[Play Video](#)

[3926](#) Consent Agenda.

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[3927](#) Consent Agenda.

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[3928](#) Consent Agenda.

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[3929](#) Consent Agenda.

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[3930](#) Consent Agenda.

[3931](#) Consent Agenda.

[3932](#) Consent Agenda.

[3933](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[16387](#) Authorizing the County Executive to execute Cooperative Agreements with the cities of Greenwood, Lone Jack, and Sugar Creek, Missouri, for environmental health services relating to food establishment inspections, on-site sewage disposal, and animal control services.

(WITHDRAWN BY SPONSOR GARZA. CONCURRED BY GROUNDS AND WAITS.)

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9 CONSENT AGENDA

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- [3916](#) AN ORDINANCE repealing section 1540., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan, and enacting in lieu thereof one new section relating to the same subject.
(ADOPTED)
- [3926](#) AN ORDINANCE appropriating \$51,080.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the School Based Prevention and Diversionary Program.
(ADOPTED)
- [3927](#) AN ORDINANCE appropriating \$36,000.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the Community Restitution Diversion Program.
(ADOPTED)
- [3928](#) AN ORDINANCE appropriating \$67,212.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the After School Supervision Education and Treatment Project.
(ADOPTED)
- [3929](#) AN ORDINANCE appropriating \$131,576.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the Facilitating Treatment Delivery Project.
(ADOPTED)
- [3930](#) AN ORDINANCE setting the 2007 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.
(ADOPTED)
- [3931](#) AN ORDINANCE setting the 2007 Jackson County, Missouri, tax levy.
(ADOPTED)
- [3932](#) AN ORDINANCE setting the 2007 merchants and manufacturers' inventory replacement tax levy.
(ADOPTED)
- [3933](#) AN ORDINANCE setting the 2007 Jackson County Community Mental Health Fund Levy.
(ADOPTED)

To adopt Ordinances 3916, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933.

Dennis Waits moved the passage of the consent agenda. Seconded by Greg Grounds.
The motion passed by a roll call vote:

Yes: 6 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Dennis Waits, Greg Grounds
and Bob Spence

Absent: 3 - Scott Burnett, James D. Tindall and Dan Tarwater

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[3934](#)

Appropriating \$10,000.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of the Sheriff's Office's "Hazardous Moving Violation" grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds.

(Health and Justice Committee)

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[3935](#)

Appropriating \$5,000.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of the Sheriff's Office's "DWI Enforcement" grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of the grant funds.

(Health and Justice Committee)

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[3936](#)

Appropriating \$8,000.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of the Sheriff's Office's "Sobriety Checkpoint" grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of the grant funds.

(Health and Justice Committee)

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[3937](#)

Appropriating \$5,000.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of the Sheriff's Office's "Youth Alcohol" grant, awarded by the Missouri Department of Transportation, Highway Safety Division and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of the grant funds.

(Health and Justice Committee)

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16398](#) Extending for twelve (12) months the term and supply contract for the furnishing of Workers' Compensation and Employer's Liability Excess Insurance for use by the Finance and Purchasing Department with Corporate Insurance Group, Inc., of Overland Parks, KS, under the terms and conditions of Bid No. 51-04.

(Finance and Audit Committee)

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[16399](#) Awarding a twenty-four (24) month term and supply contract, with annual options to extend for an additional total period not to exceed twenty-four (24) months, for the furnishing of holiday lighting supplies for use by the Parks and Recreation Department to American Lighting of Denver, CO, under the terms and conditions of Electronic Solicitation No. BB200742.

(Land Use Committee)

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[16400](#) Authorizing the County Executive to execute a Cooperative Agreement with the Fellowship of Christian Athletes for Heart of America Leadership Camp scholarships for Jackson County student/athlete leaders, at a cost to the County not to exceed \$2,400.00.

(Anti-Drug Committee)

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[16401](#) Awarding a contract under the terms and conditions of Request for Proposal No. PP20071 for the Sliding Device Retrofit Project for use by the Public Works Department at the Jackson County Detention Center, to The Bratton Corporation of Kansas City, Missouri, at an actual cost to the County not to exceed \$91,300.00.

(Public Works Committee)

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[16402](#) Declaring certain surplus property within the Parks and Recreation Department as obsolete and unusable personal property and authorizing its disposal.

(Land Use Committee)

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[16403](#) Transferring \$30,000.00 within the 2007 Special Road and Bridge Fund to cover the Public Works Department's increased fuel expenses.

(Public Works Committee)

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[16404](#) Authorizing the County Executive to execute a Consulting Agreement with Dr. John S. Rabun of St. Louis, MO, for services needed in the prosecution of two homicide cases at a cost to the County not to exceed of \$7,500.00.

(Health and Justice Committee)

(Not in Compliance)

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- [16405](#) Authorizing the County Executive to execute a Child Support Enforcement Cooperative Agreement with the Missouri Department of Social Services, Family Support Division.
(Health and Justice Committee)
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- [16406](#) Authorizing the County Executive to execute a Supplemental Cooperative Agreement for Jackson County Family Court Staff with the Missouri Department of Social Services, Family Support Division.
(Health and Justice Committee)
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- [16407](#) Authorizing the County Executive to execute a General Warranty Deed conveying the 0.19 acre of park property within the Little Blue Trace Park to the City of Independence, Missouri, and accepting as a replacement parcel the conveyance of a 0.28 acre tract adjacent to Little Blue Trace Park from the City of Independence, Missouri.
(Land Use Committee)
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- [16408](#) Authorizing the County Executive to execute a Cooperative Agreement with the Resource Development Institute of Kansas City, Missouri, for the facilitation of a substance abuse needs assessment for Lee's Summit, Missouri, and to sponsor a parolee Re-Entry Conference, at a cost to the County not to exceed \$15,000.00.
(Anti-Drug Committee)

No objection to the consideration of Resolution #16409 - not on printed agenda.
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- [16409](#) Dennis Waits moved the passage of Resolution #16409, recognizing the Honorable Brian C. Wimes for his six years of distinguished service to the Jackson County Drug Court. Seconded by Theresa A. Garza.
Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence
Absent: 2 - Scott Burnett and Dan Tarwater

(ADOPTED)
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12 COUNTY EXECUTIVE ORDERS

- [07-32](#) I hereby appoint Kenneth T. Conlee as Director of Corrections effective November 1, 2007. A copy of Mr. Conlee's resume is attached.
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[07-33](#)

I hereby appoint Cynthia E. Canady to the Land Trust of Jackson County, MO, to fill the vacancy occasioned by the resignation of David A. Fenley, for a term to expire February 01, 2010. A copy of Mrs. Canady's resume is attached.

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13 UNFINISHED BUSINESS

Question regarding James D. Tindall's vote on the Consent Agenda.

Jay Haden, Chief Deputy County Counselor, said he would look into it and advise the County Clerk.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Greg Grounds moved to adjourn the meeting. Seconded by Theresa A. Garza.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, September 24, 2007 at 2:30 P.M. at the Independence Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.