



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
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Kansas City, Missouri 64106
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*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, August 6, 2007

2:30 PM

Twenty-Ninth 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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 7/30/2007.
Seconded by Greg Grounds.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Resolution #16375 was adopted at this time. See page 8 for details.

Resolution #16370 was presented at this time; it was adopted July 30, 2007.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said Mr. Spence asked for an opinion from the County Counselor's office on the Pension Board and the liability of particular appointments. It is his understanding that the opinion is done. In the meantime, his office will reappoint all nine members until the issue can be further studied and a task force can be formed. Part of the legal opinion from the County Counselor stated that until the nine members are reappointed by the County Executive they cannot serve in that function on the Pension Board.

The Ethics report is being completed. After the Ethics Task Force presents the report to the County Legislature, it will be put out for public comment on the web site and public hearings will be scheduled.

Theresa A. Garza, County Legislator, asked who to direct her questions regarding the audit (CAFR).

Mike Sanders suggested she talk to Fred Siems, Chief Administrative Officer.

Theresa A. Garza said she was contacted by a constituent who was unable to attend the COMBAT Blue Ribbon Committee meeting and they wanted an email address or contact information so they could ask questions or provide input.

Mike Sanders said they will get the information to her.

James D. Tindall, County Legislator, asked for the names of the nine members of the Pension Board.

Mike Sanders said he will get the names to the County Legislature and prepare an Executive Order for their reappointments.

Theresa A. Garza asked why constituents are unable to click on the Boards and Commission lists on Jackson County's web site and view a brief description of the board or commissions as well as a list of the members.

Mike Sanders said the information has not been created on the web site.

Mike Sanders announced that the COMBAT Task Force will meet on August 9, 2007 at 6 P.M.

Henry C. Rizzo, County Legislator, asked if there are any qualifications for members of the Pension Board.

Mike Sanders said that is one of the legal issues they are reviewing. It was originally drafted that some requirements existed; one from the courts, one from the prosecutor's office etc. regarding their appointees. However, under the Jackson County Charter, only the County Executive can make appointments to Boards and Commissions.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinance #3907. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

The Land Use Committee will have a public hearing regarding Ordinance #3907 on Thursday, August 9, 2007 at 1 P.M. at Fleming Hall.

- [3907](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from A (Agricultural) to District RS (Residential Suburban) a certain 177± acre tract and approving the preliminary plat "Woodland Trails," creating a 114-lot residential subdivision subject to specified conditions.
(Land Use Committee - 4th. Perfection)
Fred Arbanas moved to waive the reading of Ordinances #3908, #3909, #3910, #3911 and #3912. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
- [3908](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3908](#) Fred Arbanas moved to perfect Ordinance #3908. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3908](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3908. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3909](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3909](#) Fred Arbanas moved to perfect Ordinance #3909. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3909](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3909. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3910](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3910](#) Fred Arbanas moved to perfect Ordinance #3910. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)

- [3910](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3910. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3911](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3911](#) Fred Arbanas moved to perfect Ordinance #3911. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3911](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3911. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3912](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3912](#) Fred Arbanas moved to perfect Ordinance #3912. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3912](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3912. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3914](#) Anti-Drug Committee moved to perfect. Consent Agenda.
- [3915](#) Budget Committee moved to perfect. Consent Agenda.
- [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.
(Finance and Audit Committee - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

- [3908](#) Consent Agenda.

[3909](#) Consent Agenda.

[3910](#) Consent Agenda.

[3911](#) Consent Agenda.

[3912](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[16361](#) Public Works Committee moved do pass. Consent Agenda.

[16362](#) Health and Justice Committee moved do pass. Consent Agenda.

[16363](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with Omega 7, Inc., of Kansas City, Kansas, for sponsorship of an anti-crime vehicle, at a cost to the County not to exceed \$1,000.00.

(Anti-Drug Committee - 1st. Meeting)

[16365](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16366](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16367](#) Health and Justice Committee moved do pass. Consent Agenda.

[16368](#) Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3914](#) AN ORDINANCE transferring \$81,029.00 within and appropriating \$324,115.00 from the unappropriated surplus of the 2007 Anti-Drug Sales Tax Fund, in acceptance of a grant awarded by the U.S. Department of Justice for the Multi-Jurisdictional Task Force Project for the 2007-2008 period.

(PERFECTED)

[3915](#) AN ORDINANCE enacting sections 555. and 556., Jackson County Code, 1984, relating to County Fiscal Policy.

(PERFECTED)

- [3908](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 5 ± acre tract, for a one-lot residential subdivision to be known as "Lot 4 of Lone Hickory-3rd Plat." (ADOPTED)
- [3909](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 10± acre tract, for a three-lot residential subdivision to be known as "Aubuchon Estates." (ADOPTED)
- [3910](#) AN ORDINANCE vacating a 1.96± acre tract within the subdivision "Llewellyn Acres." (ADOPTED)
- [3911](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 10± acre tract, for a two-lot residential subdivision to be known as "Stony Bluffs - Lots 1A and 1B." (ADOPTED)
- [3912](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code, by changing from District RR-p (Residential Ranchette - Planned Development) and District RE (Residential Estates) to District A (Agricultural), a certain 57.3± acre tract, and by changing from District RR-p to District RE, a certain 9.6 acre tract, for a three-lot subdivision to be known as "Llewellyn Acres 2nd Plat." (ADOPTED)
- [16361](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract, with annual options to extend for an additional total period of twenty-four (24) months, for the furnishing of aggregate materials (sand) for use by the Public Works and Parks and Recreation Departments to Holliday Sand and Gravel Co. of Lenexa, KS, under the terms and conditions of Electronic Solicitation No. BB200721. (ADOPTED)
- [16362](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of on-line legal publications and legal research services for use by the Prosecuting Attorney's and County Counselor's Offices and the Department of Corrections to West Group of Carol Stream, IL, as a sole source purchase. (ADOPTED)
- [16365](#) A RESOLUTION supporting the efforts of the Liberty Memorial and National World War I Museum to make Kansas City a place of reflection and scholarship during the World War I Centennial years. (ADOPTED)

[16366](#) A RESOLUTION awarding a twelve (12) month term and supply contract with one (1) twelve (12) month extension option for the furnishing of fuel fleet card services for use by various departments to Voyager Fleet Systems, Inc. of Houston, TX, under the terms and conditions of State of Missouri contract no. C105009001, an existing government contract.

(ADOPTED)

[16367](#) A RESOLUTION extending for twelve (12) months the term and supply contract for the furnishing of maintenance on non-Motorola radios for use by the Sheriff's Office and Parks and Recreation Department with K.C. Wireless of Independence, MO, under the terms and conditions of Electronic Solicitation No. BB200518.

(ADOPTED)

[16368](#) A RESOLUTION 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 sludge removal service for use by various County departments to Alton Sewer Service of Independence, MO, under the terms and conditions of Electronic Solicitation No. BB200728.

(ADOPTED)

To perfect Ordinances 3914, 3915. To adopt Ordinances 3908, 3909, 3910, 3911, 3912.
To adopt Resolutions 16361, 16362, 16365, 16366, 16367, 16368.

Dennis Waits moved the passage of the consent agenda. Seconded by Theresa A. Garza. The motion passed by a roll call vote:

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3917](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 18.4 ± acre tract for a three lot residential subdivision to be known as "Hillside Corner."

(Land Use Committee)

[3918](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 3.4 ± acre tract for a one lot residential subdivision to be known as "Oak Hill Manor."

(Land Use Committee)

[3919](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 3.4 ± acre tract for a one lot residential subdivision to be known as "Lawson Moore Estates."

(Land Use Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[16372](#)

James D. Tindall moved the passage of Resolution #16372, commending the Teamster National Black Caucus on its 2007 Kansas City conference and its unwavering dedication to minorities and the community. Seconded by Dennis Waits.

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)

[16373](#)

Dennis Waits moved the passage of Resolution #16373, honoring the memory and the lifetime of achievements, dedication, and loyalty of Richard F. Schmidt, who served as a County Legislator from 1981 to 1985. Seconded by James D. Tindall.

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)

[16374](#)

Awarding a contract for the furnishing of design consultant services for the Greens Renovation Project at the Fred Arbanas Golf Course to Schreiner Golf, Inc., of Myrtle Beach, South Carolina, under the terms and conditions of Request for Proposals No.12-07 at a cost to the County not to exceed \$79,000.00, and authorizing an additional contract with Schreiner Golf, Inc., for shaping the greens at the Fred Arbanas Golf Course, at a cost to the County not to exceed \$85,500.00 as a sole source purchase.

(Land Use Committee)

[16375](#)

Dennis Waits moved the passage of Resolution #16375, congratulating Mike Macias on his retirement from the United States Navy after twenty-one years of notable service. Seconded by Fred Arbanas.

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)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Theresa A. Garza.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 13, 2007 at 2:30 P.M. at the Independence Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.