



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

*Dennis Waits (3rd), Chairman, Dan Tarwater (4th), Vice-Chairman,
Theresa Garza Ruiz (1st AL), Henry C. Rizzo (2nd AL), Fred Arbanas (3rd AL),
Scott Burnett (1st), James D. Tindall (2nd), Greg Grounds (5th),
Bob Spence (6th)*

Tuesday, January 22, 2008

2:30 PM

Third Regular Meeting

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

Dennis Waits, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

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2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 1/14/2008.
Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

None.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

*Mike Sanders, County Executive, spoke about the testimony regarding Ordinance #3969,
Executive Order 08-02 (Assessment Review Commission) and the COMBAT Review
Commission Report.*

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Dan Tarwater assumes the Chair.

Fred Arbanas moved to waive the reading of Ordinances #3967 and #3968. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

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[3967](#)

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 34 ± acre tract and approving the preliminary plat "Highland Estates," creating a six-lot residential subdivision.

(Land Use Committee - 1st. Perfection)

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[3968](#)

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of five (5) years to operate a therapeutic horseback riding center and horse boarding facility on a 10 ± acre tract .

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing regarding Ordinances #3968 and #3969 on Thursday, January 31, 2008 at 1:00 P.M. at Fleming Hall.

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[3969](#)

Legislature As A Whole moved to perfect.

Dennis Waits objects to the Consent Agenda.

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[3969](#)

Dennis Waits moved to perfect Ordinance #3969. Seconded by Henry C. Rizzo.

The motion passed by a voice vote. (PERFECTED)

[3969](#)

Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3969. Seconded by Henry C. Rizzo.

The motion passed by a voice vote. (APPROVED)

[3969](#)

Dennis Waits moved the passage of Ordinance #3969 as perfected, repealing chapters 43 and 59, Jackson County Code, 1984, relating to Massage Establishments and Pornography and enacting, in lieu thereof, one new chapter relating to Adult Live Entertainment and Adult Entertainment Businesses, consisting of 39 sections, with a severability clause, penalty provision, and an effective date. Seconded by Henry C. Rizzo.

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[3965](#) Consent Agenda.

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[3966](#) Consent Agenda.

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8 RESOLUTIONS IN COMMITTEE

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[16492](#) A RESOLUTION authorizing the County Executive to execute agreements with certain outside agencies funded by the County's Anti-Drug Sales Tax Fund for the 2008 fiscal year, which are engaged in anti-drug treatment activities and purposes, at an aggregate cost to the County not to exceed \$2,965,378.00.

(Anti-Drug Committee - 2nd. Meeting)

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[16497](#) Health and Environment Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16497](#) James D. Tindall moved the passage of Resolution #16497, authorizing the County Executive to execute a Cooperative Agreement with United Inner City Services to provide funding in the areas of emergency assistance, youth services, and day camp, at a cost to the County not to exceed \$175,538.00. Seconded by Scott Burnett.

Yes: 6 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D.

Tindall and Dan Tarwater

No: 2 - Greg Grounds and Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

[16498](#) Land Use Committee moved do pass. Consent Agenda.

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[16499](#) Health and Environment Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16499](#)

James D. Tindall moved the passage of Resolution #16499, authorizing the County Executive to execute agreements with the Mid-America Regional Council to subcontract with certain outside agencies funded by the County's Health Fund, for various public health purposes, at an aggregate cost to the County not to exceed \$265,943.00. Seconded by Henry C. Rizzo.

Yes: 7 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

(Adopted Pending Compliance)

Discussion regarding Resolution #16501.

[16501](#)

Finance and Audit Committee moved do pass. Consent Agenda.

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[16502](#)

Public Works Committee moved do pass. Consent Agenda.

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[16503](#)

Health and Environment Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16503](#)

James D. Tindall moved the passage of Resolution #16503, authorizing the County Executive to execute Cooperative Agreements with the Mid-America Regional Council for various public purposes funded by the County's General and Health Funds, at an aggregate cost to the County not to exceed \$210,377.00. Seconded by Scott Burnett.

Yes: 7 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

(Adopted Pending Compliance)

Discussion regarding Resolution #16504.

[16504](#)

Henry C. Rizzo moved the passage of Resolution #16504, authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's General Fund, for various public purposes, at an aggregate cost to the County not to exceed \$128,625.00. Seconded by James D. Tindall.

Yes: 5 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall and Dan Tarwater

No: 3 - Theresa Garza Ruiz, Greg Grounds and Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

(Adopted Pending Compliance)

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[16505](#)

Land Use Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16505](#)

Fred Arbanas moved the passage of Resolution #16505, authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's Park Fund, for various parks and recreation public purposes, at an aggregate cost to the County not to exceed \$53,800.00. Seconded by James D. Tindall.

Yes: 7 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

(Adopted Pending Compliance)

[16506](#)

Health and Environment Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16506](#)

James D. Tindall moved the passage of Resolution #16506, authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's Health Fund, for various public health purposes, at an aggregate cost to the County not to exceed \$1,993,272.00. Seconded by Henry C. Rizzo.

Yes: 6 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Abstain: 1 - Theresa Garza Ruiz

Absent: 1 - Dennis Waits

(ADOPTED)

(Adopted Pending Compliance)

9 CONSENT AGENDA

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[3965](#)

AN ORDINANCE repealing sections 1540. and 1541., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan, and enacting in lieu thereof two new sections relating to the same subject.

(ADOPTED)

[3966](#)

AN ORDINANCE transferring \$16,457.00 within and appropriating \$164,581.00 from the unappropriated surplus of the 2008 Anti-Drug Sales Tax Fund in acceptance of a grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute Cooperative Agreements with Arts Tech and Deana Bellamaganya for the Prosecuting Attorney's Office's Sentenced to the Arts program, at an aggregate cost to the County not to exceed \$164,581.00.

(ADOPTED)

[16498](#)

A RESOLUTION awarding a twenty-four (24) month term and supply contract with two (2) twelve month extension options for the furnishing of grass seed for use by the Parks & Recreation Department to Williams Lawn Seed of Maryville, MO, under the terms and conditions of Electronic Solicitation No. BB200746.

(ADOPTED)

[16501](#)

A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the University of Missouri Extension Council of Jackson County to assist in providing secretarial salaries, office facilities, telephone, postage, travel, equipment, printing, and supplies to support extension staff in programs and services for citizens of Jackson County, at a cost to the County not to exceed \$165,280.00.

(ADOPTED)

[16502](#)

A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Soil and Water Conservation District of Jackson County to provide education and information on soil and water conservation at a cost to the County not to exceed \$19,092.00.

(ADOPTED)

To adopt Ordinances 3965, 3966. To adopt Resolutions 16498, 16501, 16502.

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

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[3970](#) Appropriating \$66,009.00 from the unappropriated surplus of the 2008 Anti-Drug Sales Tax Fund to cover a grant received from the United States Executive Office of the President's Midwest High Intensity Drug Trafficking Area Investigative Support Center for use by the Jackson County Sheriff's Office and authorizing the County Executive to execute an agreement with Woody Poole, the designated investigative analyst, at a cost to the County not to exceed \$66,009.00.

(Anti-Drug Committee)

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[3971](#) Appropriating \$15,000.00 from the unappropriated surplus of the 2008 Grant Fund in acceptance of the Juvenile Detention Alternative Initiative grant awarded by the Missouri Office of the State Courts Administrator and extending the contract period through October 31, 2008.

(Health and Environment Committee)

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[3972](#) Enacting chapter 18, Jackson County Code, 1984, relating to the County Municipal Court, consisting of thirteen new sections, with a penalty provision and an effective date.

(Budget Committee)

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16508](#) Authorizing the County Executive to execute a Memorandum of Understanding with Carpenters' District Council of Kansas City & Vicinity regarding the terms and conditions of employment of members of its bargaining unit within the Office of the Prosecuting Attorney.

(Budget Committee)

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[16509](#) Authorizing the County Executive to execute a Cooperative Agreement with Truman Medical Center Behavioral Health Services, a division of Truman Medical Center, Inc., to provide for a substance abuse treatment program for inmates of the Jackson County Detention Center, at a cost to the County not to exceed \$66,000.00.

(Anti-Drug Committee)

No objection to the consideration of Resolution #16510 - not on printed agenda.

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[16510](#)

James D. Tindall moved the passage of Resolution #16510, authorizing the County Executive to execute Agreements with certain organizations which provide assistance to homeless persons, at an aggregate cost to the County not to exceed \$421,835.45. Seconded by Henry C. Rizzo.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Dennis Waits

(ADOPTED)

(Adopted Pending Compliance)

Henry C. Rizzo, County Legislator, asked Mike Sanders to provide him with a list of legislative priorities set by the Administration.

Mike Sanders said he would try to have it to the County Legislature in two weeks. He said he will meet with the Missouri delegation in Jefferson City on February 6, 2008 and invited legislators to attend.

Discussion.

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[16511](#)

Awarding a contract on Bid No. PW 11-2006 for the Woods Chapel Road Improvements, Project No. 2293, to Amino Brothers Co., Inc., of Kansas City, KS, at an actual cost to the County not to exceed \$7,823,471.06.

(Public Works Committee)

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[16512](#)

Awarding a contract for the furnishing of investment advisor services for the Jackson County, MO Employees' Pension Plan to Callan Associates of Chicago, IL, under the terms and conditions of Request for Proposals No. 34-07, at a cost to the County not to exceed \$85,000.00.

(Finance and Audit Committee)

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12 COUNTY EXECUTIVE ORDERS

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[08-02](#)

I hereby make the following appointments to the Assessment Review Commission to examine the assessment and appraisal process for Jackson County property owners to ensure that seniors and families are not forced from their homes due to rising property tax bills. The Commission will present its findings and recommendations within 120 days of the Commission's first meeting:

Fred C. Buckley III, Director of Missouri Government Affairs for the Home Builders Association of Greater Kansas City; Rafaela "Lali" Garcia, Neighborhood Activist; Kim L. Gladney, Pastor of Oak Grove MBC; Angelo Mancini, retired Executive Vice President of Bank Operations for Mercantile Bank; Molly Korth Williams, Attorney; and Ex-Officio Member Curtis Koons, Jackson County Director of Assessment.

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[08-03](#)

I hereby make the following appointment and reappointments to the Stormwater Commission:

Appointments

M. Craig Davis is appointed to replace the expired term of Pat Beer, Lake Lotawana for such term to expire December 11, 2010. A copy of Mr. Davis's resume is attached.

Mayor Phyllis Dieckmann is appointed to fill the vacancy occasioned by the resignation of Mayor Richard DeCourcy, Greenwood, such term to expire December 11, 2008. A copy of Ms. Dieckmann's resume is attached.

Reappointments

James Mellem is reappointed for such term to expire December 11, 2010.

Lawrence Creek is reappointed for such term to expire December 11, 2010.

13 UNFINISHED BUSINESS

Henry C. Rizzo commended the County Executive on the establishment of the Assessment Review Commission.

Discussion regarding the assessment and Board of Equalization process.

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14 NEW BUSINESS

Fred Arbanas, County Legislator, suggested including the issue of the State of Missouri funding the University of Missouri Extension Council on the list of legislative priorities.

Dan Tarwater asked James D. Tindall, Chairman of the Inter-Governmental Affairs Committee, to have a committee meeting with Fred Dreiling and W.T. Dawson so they could compile a list of legislative priorities. James D. Tindall agreed.

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15 ADJOURNMENT

James D. Tindall moved to adjourn the meeting. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, January 28, 2008 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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