



# Jackson County Missouri

## JOURNAL

### County Legislature

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

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

---

Monday, November 27, 2006

2:30 PM

Forty-Seventh Regular Meeting

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

---

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

#### 1 ROLL CALL

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

#### 2 THE PLEDGE OF ALLEGIANCE

Recited.

#### 3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Rhonda L. Shoemaker moved to approve the journal of the previous meeting held on  
11/20/2006. Seconded by Eugene Standifer Jr..

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

(APPROVED)

#### 4 HEARINGS

*Bob Spence, County Legislator, recognized Cub Scout Pack 201 from Maywood Baptist Church for winning the Kansas City Chiefs Kids Recycling Challenge. He said they recycled 5 1/2 tons of paper. With 244 organizations entered in the contest, Cub Scout Pack 201 was the only pack that won first place. Their cub scout leader thanked the County Legislature for recognizing their efforts. She said they have tried to win this challenge for three years and finally did it. This recycling program teaches the boys the importance of recycling.*

*Henry C. Rizzo introduced the new Deputy County Clerk, Carole Plattner.*

*Mike Sanders, Prosecuting Attorney, asked the County Legislature for 20 minutes of their time next week on their agenda to discuss transition plans. He said he enjoys an excellent working relationship with the County Legislature. He said they will have challenges in 2007, but he believes that the challenges will present great opportunities to Jackson County. He asked the County Legislature to scrutinize expenditures over the next 30 days that might impact the 2007 budget. He said he will report on the 2007 budget next week and would like input from the County Legislature.*

*Fred Arbanas, County Legislator, said the Land Use Committee has tried to hold expenditures to the minimum. He said they will have a public hearing and Land Use Committee meeting tomorrow. Mike Sanders said he would attend.*

*Mike Sanders said he will make an informal presentation of the Prosecuting Attorney's budget but a more formal presentation will be given by the next Prosecuting Attorney to the County Legislature. The next Prosecutor cannot be selected until after January 2nd, when Mike Sanders will be sworn in as County Executive. He said he would like to model the selection process for the new Prosecutor after the Missouri plan for the selection of judges to remove politics as much as possible even though it is a political process. He said he will discuss this process next week.*

## 5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

*None.*

*Henry C. Rizzo asked the County Counselor to explain how a new court ruling impacts Jackson County.*

*Ed Rucker, County Counselor, said the court upheld a ruling regarding Revised Statutes of Missouri 67.2555 which restricts executive authority to spend over \$5000.00 without the competitive bid process. It is effective when the court issues a mandate, which may be between 10 -15 days. He said we should proceed extremely cautiously. There will not be much activity in terms of professional service contracts between now and the end of the year.*

## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3840, #3841, #3842 and #3843. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

The Land Use Committee will have a public hearing on Tuesday, November 28, 2006 at 1:00 P.M. at Fleming Hall regarding the above mentioned ordinances.

[3840](#) 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 5.4 ± acre tract.  
(Land Use Committee - 3rd. Perfection)

[3841](#) 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 3 ± acre tract.  
(Land Use Committee - 3rd. Perfection)

[3842](#) 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 10.5 ± acre tract, creating a two-lot residential subdivision.  
(Land Use Committee - 3rd. Perfection)

- [3843](#) AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of five (5) years to operate a horse boarding stable and equine training facility as to a 12 ± acre tract.  
*(Land Use Committee - 3rd. Perfection)*
- [3849](#) Public Works Committee moved to perfect.  
*Bob Spence objects to the Consent Agenda.*
- [3849](#) Bob Spence moved to perfect Ordinance #3849. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)
- [3849](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3849. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*  
*Public Works Committee recommended do not pass for Ordinance #3850.*
- [3850](#) Bob Spence moved to perfect Ordinance #3850, repealing section 4401., Jackson County Code, 1984, relating to nuisances, and enacting, in lieu thereof, one new section relating to the same subject. Seconded by Dan Tarwater.  
Yes: 0  
No: 7 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Rhonda L. Shoemaker, Bob Spence and Bob Spence  
Absent: 2 - Scott Burnett and Dennis Waits  
(FAILED)
- [3851](#) Health and Justice Committee moved to perfect. Consent Agenda.
- [3852](#) Finance and Audit Committee moved to perfect.  
*Bob Spence objects to the Consent Agenda.*
- [3852](#) Bob Spence moved to perfect Ordinance #3852. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [3852](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3852. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

[3848](#) AN ORDINANCE appropriating \$10,000.00 from the unappropriated surplus of the 2006 Park Fund and authorizing the County Executive to execute an addendum to the cooperative agreement with Cave Spring Association, Inc., at a cost to the County not to exceed \$10,000.00.  
*(PERFECTED)*

[3849](#) Consent Agenda.

[3852](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

[16066](#) A RESOLUTION transferring \$40,000.00 within the 2006 Public Building Corporation Fund to cover the purchase and installation of a new fire protection system for use by the 16th Judicial Circuit Court of Missouri.  
*(Finance and Audit Committee - 3rd. Meeting)*

[16079](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16080](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16081](#) Land Use Committee moved do pass. Consent Agenda.

[16082](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16083](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16084](#) Public Works Committee moved do pass. Consent Agenda.

[16085](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16086](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16087](#) Land Use Committee moved do pass. Consent Agenda.

[16088](#) Health and Justice Committee moved do pass. Consent Agenda.

[16089](#) Health and Justice Committee moved do pass. Consent Agenda.

[16090](#) A RESOLUTION authorizing the Director of Parks and Recreation to execute agreements with certain Parks and Recreation Department employees, authorizing the employees to occupy County-owned property.

*(Land Use Committee - 1st. Meeting)*

[16091](#) Finance and Audit Committee moved do pass. Consent Agenda.

**9 CONSENT AGENDA**

[3851](#) AN ORDINANCE appropriating \$51,173.00 from the unappropriated surplus of the 2006 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Public Safety for the VOCA-Victim Advocacy Project.

(PERFECTED)

[3849](#) AN ORDINANCE repealing section 3606., Jackson County Code, 1984, relating to the Stormwater Commission, and enacting, in lieu thereof, one new section relating to the same subject, with a transition provision and effective date.

(ADOPTED)

[3860](#) AN ORDINANCE appropriating \$290,270.00 from the unappropriated surplus of the 2006 Public Building Corporation Fund and awarding a contract on Invitation to Bid No. 20-06 for the furnishing of a fire pump, sprinkler, and stand pipe system upgrade for use by the Facilities Management Department at the downtown Kansas City Courthouse to American Fire Sprinkler of Mission, KS, in the actual amount of \$539,254.00 and authorizing the County Executive to execute change orders in an amount not to exceed \$53,925.00, for a total obligation not to exceed \$593,179.00.

[3852](#) AN ORDINANCE appropriating \$14,419,778.40 from the unappropriated surplus of the 2006 Public Building Corporation Capital Projects Fund to make available the proceeds of the Leasehold Refunding and Improvement Revenue Bonds, Series 2006B, for the purpose of funding certain road and bridge projects within the County.

(ADOPTED)

[16079](#) A RESOLUTION authorizing the County Executive to execute an addendum to the Cooperative Agreement with the National Center for Fathering extending the contract period through March 31, 2007, at no additional cost to the County.

(ADOPTED)

[16080](#) A RESOLUTION authorizing a twenty-four month extension to the term and supply contract with Health Productivity Systems of Kansas City, MO, for the furnishing of certified laboratory urinalysis testing for use by the Prosecuting Attorney's Drug Court Deferred Prosecution Program.

(ADOPTED)

- [16081](#) A RESOLUTION awarding a contract for the furnishing of an upgrade to the fuel dispensing system at the Longview Marina for use by the Parks and Recreation Department, to Petroleum Equipment Inc. (PEI) of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 31-06, at an actual cost to the County not to exceed \$35,500.00.
- (ADOPTED)
- [16082](#) A RESOLUTION transferring \$95,000.00 within the 2006 Assessment Fund to cover the cost of postage for the mailing of individual personal property declarations for use by the Assessment Department.
- (ADOPTED)
- [16083](#) A RESOLUTION authorizing two twelve-month extensions to the term and supply contract with Deffenbaugh Industries, Inc., of Shawnee, KS, for the furnishing of trash removal service for use countywide under the terms and conditions of Electronic Solicitation No. BB200596.
- (ADOPTED)
- [16084](#) A RESOLUTION authorizing two twelve-month extensions to the term and supply contract with Damon Pursell Construction Co. of Liberty, MO, for the rental of heavy equipment with operator service for use by the Parks and Recreation and Public Works Departments, under the terms and conditions of Electronic Solicitation No. BB200598.
- (ADOPTED)
- [16085](#) A RESOLUTION authorizing twelve-month extensions to the term and supply contracts with Ferguson Enterprises of Kansas City, MO, and Reeves-Wiedeman Co. of Kansas City, MO, for the furnishing of pipe and plumbing supplies for use countywide under the terms and conditions of Electronic Solicitation No. BB200547.
- (ADOPTED)
- [16086](#) A RESOLUTION authorizing two twelve-month extensions to the term and supply contract with R. D. Mann of Kansas City, KS, for the purchase, installation, and recycling of carpet for use countywide under the terms and conditions of Electronic Solicitation No. BB200588.
- (ADOPTED)
- [16087](#) A RESOLUTION awarding a contract for the furnishing of modular playground equipment for use by the Parks and Recreation Department to Gametime c/o Cunningham Associates, Inc., of Charlotte, NC, under the terms and conditions set forth in Contract No. 040376, an existing government contract issued by the State of North Carolina, at an actual cost to the County of \$32,564.02.
- (ADOPTED)

[16088](#) A RESOLUTION authorizing the County Executive to execute Cooperative Agreements with Hope House, New House, and Rose Brooks domestic violence shelters in order to provide assistance to victims of domestic violence during 2007, at an aggregate cost to the County not to exceed \$130,000.00.

(ADOPTED)

[16089](#) A RESOLUTION authorizing the County Executive to execute addendums to the Cooperative Agreements with Hope House, New House, and Rose Brooks domestic violence shelters, at an aggregate cost to the County not to exceed \$13,515.30.

(ADOPTED)

[16091](#) A RESOLUTION authorizing the County Executive to execute an addendum to the contract with Mobile Video Services for the furnishing of sketch vectoring services for use by the Assessment Department, at no additional cost to the County.

(ADOPTED)

To perfect Ordinance 3851. To adopt Ordinances 3849, 3852. To adopt Resolutions 16079, 16080, 16081, 16082, 16083, 16084, 16085, 16086, 16087, 16088, 16089, 16091.

Dan Tarwater moved the passage of the consent agenda. Seconded by Eugene Standifer Jr.. The motion passed by a roll call vote:

Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 1 - Scott Burnett

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3853](#) Transferring \$140,612.00 and appropriating \$387,942.00 within the unappropriated surplus of the 2006 Anti-Drug Sales Tax Fund, in acceptance of the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office awarded by the Missouri Department of Public Safety and authorizing the County Executive to execute a Memorandum of Understanding with the City of Kansas City, MO, and the Kansas City Board of Police Commissioners relating to the DART program, at a cost to the County not to exceed \$91,000.00.

*(Anti-Drug Committee)*

[3854](#) Repealing section 1206., Jackson County Code, 1984, relating to the fees for reproduction of County records, and enacting, in lieu thereof, one new section relating to the same subject.

*(Finance and Audit Committee)*

[3855](#) Repealing section 255., Jackson County Code, 1984, relating to fees charged by the Clerk of the Legislature, and enacting, in lieu thereof, one new section relating to the same subject.

*(Finance and Audit Committee)*

[3856](#) Appropriating \$17,847.00 from the unappropriated surplus of the 2006 Special Road and Bridge Fund for the purchase of a vehicle under the terms and conditions of the Mid-America Council of Public Purchasing (MACPP) Cooperative Fleet Bid No. 2754-0-2006/RP from Robert's Auto Plaza of Platte City, MO, at a total cost to the County of \$22,847.00.

*(Public Works Committee)*

[3857](#) Transferring \$6,992.00 within the 2006 General Fund and \$2,997.00 within the 2006 Anti-Drug Sales Tax Fund and appropriating \$49,945.00 from the unappropriated surplus of the 2006 Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety.

*(Anti-Drug Committee)*

[3858](#) Transferring \$12,685.00 within the 2006 General Fund and \$5,436.00 within the 2006 Anti-Drug Sales Tax Fund, and appropriating \$99,409.00 from the unappropriated surplus of the 2006 Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety.

*(Anti-Drug Committee)*

[3859](#) Transferring \$5,085.00 within the 2006 General Fund, appropriating \$11,752.00 from the unappropriated surplus of the 2006 Anti-Drug Sales Tax Fund, and authorizing a two-month extension of the Community Gun Violence Prosecution Grant awarded by the United States Department of Justice, Office of Justice Programs.

*(Anti-Drug Committee)*



**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**

- [16093](#) Transferring \$48,500.00 within the 2006 Park Fund to cover the Jackson County Parks and Recreation Department increased fuel expenses.  
*(Land Use Committee)*
- [16094](#) Authorizing the County Executive to execute an agreement with the Blue Springs School District - Department of Public Safety, in the amount of \$29,166.00, as partial funding for its Drug Abatement Coordinator.  
*(Anti-Drug Committee)*
- [16095](#) Authorizing the County Executive to execute a cooperative agreement with 40 Acres and a Mule Activity Campus for its Children's Connection program in the amount of \$6,666.70 as a local match to private grants.  
*(Anti-Drug Committee)*
- [16096](#) Authorizing the County Executive to execute an agreement with Whatsoever Community Center, for the Chance for Change program, in the amount of \$86,667.00.  
*(Anti-Drug Committee)*
- [16097](#) Authorizing the County Executive to execute agreements with certain organizations to provide services in connection with the 2006 Christmas in the Park event, at a cost to the County not to exceed \$40,000.00.  
*(Land Use Committee)*
- [16098](#) Authorizing the County Executive to execute a cooperative agreement with Della Lamb Community Services for its youth after school programs at a cost to the County of \$46,666.66, as a local grant match.  
*(Anti-Drug Committee)*
- [16099](#) Authorizing the County Executive to execute a cooperative agreement with Children's Mercy Hospital for its TIES program at a cost to the County of \$93,750.00 as a local match to a private grant.  
*(Anti-Drug Committee)*
- [16100](#) Authorizing the County Executive to execute a cooperative agreement with Genesis School, Inc. for its Genesis School mentoring program at a cost to the County of \$31,250.00 as a local match to a private grant.  
*(Anti-Drug Committee)*
- [16101](#) Authorizing the County Executive to execute a License Agreement with the Art in the Loop Foundation, for the procurement, placement, and maintenance of original art work within Oppenstein Park, at no cost to the County.  
*(Land Use Committee)*

[16102](#) Transferring \$276,728.00 within the 2006 Anti-Drug Sales Tax Fund to cover the salaries of drug court employees for use by the Jackson County Drug Court program for the period of October 1, 2006 through December 31, 2007.

*(Anti-Drug Committee)*

[16103](#) Authorizing a twelve month extension to the term and supply contracts with Ed Roehr Safety of St. Louis, MO, Gil Hebard Guns of Knoxville, IL, Alamar Uniforms of Kansas City, MO, and Galls, Inc., of Lexington, KY, for the furnishing of police supplies and ammunition for use by various departments.

*(Anti-Drug Committee)*

[16104](#) Partially rescinding Ordinance 3804, dated September 11, 2006, and amending the grant period for the Child Protection Center - Health Care Foundation grant awarded to the Family Court Division by the Health Care Foundation of Greater Kansas City.

*(Health and Justice Committee)*

[16105](#) Authorizing the County Executive to execute warranty deeds for right of way and easements in favor of the City of Kansas City, Missouri, in connection with road improvements to Red Bridge Road crossing Blue River Parkway.

*(Land Use Committee)*

[16106](#) Authorizing the County Executive to execute a Cooperative Agreement with the Concerned Clergy Coalition, in support of a program targeting at risk youth in the Kansas City, Missouri, School District, at an actual cost to the County not to exceed \$2,500.00.

*(Anti-Drug Committee)*

[16107](#) Dan Tarwater moved the passage of Resolution #16107, amending Rule Nine of the Rules of the Legislature relating to Standing and Special Committees. Seconded by Eugene Standifer Jr..

Yes: 6 - Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Rhonda L. Shoemaker, Bob Spence and Bob Spence

Abstain: 1 - Robert A. Stringfield

Absent: 2 - Scott Burnett and Dennis Waits

(ADOPTED)

[16108](#) Amending Rule Nine of the Rules of the Legislature relating to Standing and Special Committees.

*(Rules Committee)*

## 12 COUNTY EXECUTIVE ORDERS

*None.*

**13 UNFINISHED BUSINESS**

Henry C. Rizzo asked if executive contracts could be let while waiting for the court mandate.

Ed Rucker responded no. He said Jackson County is waiting for the mandate as well as a definition for expenditure.

Henry C. Rizzo asked if there would be another contract for Gary Panethiere since Katheryn said last week that she was hiring him to help with the bond audit.

Ed Rucker said Gary will be hired as an employee as opposed to professional services. He said they were looking at a contract extension when the opinion came down which is why they are hiring him.

Dan Tarwater, County Legislator, said Truman Medical Center is responsible for the health of Jackson County inmates. He asked that legislation appropriating \$100,000.00, which was put in the budget for TMC, be included on the printed agenda on December 4th.

Jay Haden, Deputy County Counselor, said he will work on the TMC contract this week.

Henry C. Rizzo asked if there is anything we can do to resolve the issue with the Chiefs playing an international game.

Ed Rucker said the Chiefs counsel negotiated the leases.

Jay Haden, Deputy County Counselor, said he only knows what he read in the newspaper about discussions to try to recapture some of the revenue.

Dan Tarwater said it may only happen once every 16 years so discussions may be premature.

Robert A. Stringfield, County Legislator, said he submitted 80 questions last week to the Jackson County Election Board and said he would like them answered prior to his departure from the County Legislature. He said Neal McGregor may hire an attorney.

Henry C. Rizzo asked Mary Jo Spino, Clerk of the County Legislature, to contact the Jackson County Election Board and request that they answer the questions in writing or attend the legislative meeting next Monday, December 4th.

**14 NEW BUSINESS**

None.

15      **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Eugene Standifer Jr..

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

(APPROVED)

*The next legislative meeting is scheduled to be held on Monday, December 4, 2006 at 2:30 P.M. in the Kansas City Legislative Assembly Area.*

*REVISED 12/4/06*