



Jackson County Missouri

JOURNAL

County Legislature

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

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

Monday, September 20, 2004

2:30 PM

Thirty-seventh Regular Meeting

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

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits and Bob Spence
Absent: Rhonda L. Shoemaker

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 9/13/2004.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

A 20 year service pin was presented to Barbara Baston, Secretary to the Director of the Office of Human Relations and Citizen Complaints.

Kelly Markham Stegall, Legislative Auditor, said she has received the final report from Duncan Fowler and will distribute them to legislators tomorrow.

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.

Scott Burnett, Chairman, opened the hearing. No one was present to speak on the issue. The hearing was closed.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

- [3533](#) Finance and Audit Committee moved to perfect. Consent Agenda.
- [3539](#) Legislature As A Whole moved to perfect.
Dan Tarwater objects to the Consent Agenda.
- [3539](#) Dennis Waits moved to perfect Ordinance #3539. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3539](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3539.
Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3540](#) Legislature As A Whole moved to perfect.
Dennis Waits objects to the Consent Agenda.
- [3540](#) Dennis Waits moved to perfect Ordinance #3540. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3540](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3540.
Seconded by Fred Arbanas.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3541](#) Legislature As A Whole moved to perfect.
Dan Tarwater objects to the Consent Agenda.
- [3541](#) Dan Tarwater moved to perfect Ordinance #3541. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3541](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3541.
Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

- [3542](#) Legislature As A Whole moved to perfect.
Dan Tarwater objects to the Consent Agenda.
- [3542](#) Dan Tarwater moved to perfect Ordinance #3542. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3542](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3542.
Seconded by Fred Arbanas.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- Dan Tarwater moved to waive the reading of Ordinance #3543. Seconded by Dennis Waits.*
- The motion passed by a voice vote.* (APPROVED)
- [3543](#) Anti-Drug Committee moved to perfect the Anti-Drug Committee Amendment of 9/20/2004, to delete the word "and" and insert a "," after the word "Safety", to insert the words "in the amount of \$107,410.00," after the word "funds", to insert the words "in the amount of \$262,969.00 at a cost to the County not to exceed \$370,379.00" after the word " Safety," to insert the word "further" after the word "and", to delete the words "at a cost to the County not to exceed \$91,000.00" after the words "DART program", all in the heading. Consent Agenda.
- [3544](#) Anti-Drug Committee moved to perfect. Consent Agenda.
- [3545](#) Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

Fred Arbanas objects to the Consent Agenda.

- [3536](#) Dan Tarwater moved the passage of Ordinance #3536 as perfected, repealing sections 280. and 7030., Jackson County Code, 1984, relating to the salary of certain elected officials, and enacting, in lieu thereof, two new sections relating to the same subject.
Seconded by Dennis Waits.
Yes: 5 - Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits and Bob Spence
No: 2 - Robert A. Stringfield and Fred Arbanas
Absent: 1 - Rhonda L. Shoemaker
(ADOPTED)
- [3539](#) Consent Agenda.
- [3540](#) Consent Agenda.

[3541](#) Consent Agenda.

[3542](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[15155](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

- [3533](#) AN ORDINANCE repealing sections 9020., 9025., 9050., 9051. and 9054., Jackson County Code, 1984, relating to the recording of documents by the Department of Records, and enacting, in lieu thereof, five new sections relating to the same subject.
(PERFECTED)
- [3539](#) AN ORDINANCE setting the 2004 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.
(ADOPTED)
- [3540](#) AN ORDINANCE setting the 2004 Jackson County, Missouri, tax levy.
(ADOPTED)
- [3541](#) AN ORDINANCE setting the 2004 merchants and manufacturers' inventory replacement tax levy.
(ADOPTED)
- [3542](#) AN ORDINANCE setting the 2004 Jackson County Community Mental Health Fund Levy.
(ADOPTED)
- [3543](#) AN ORDINANCE transferring \$107,410.00 within and appropriating \$370,379.00 from the unappropriated surplus of the 2004 Anti-Drug Sales Tax Fund, to cover the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office funded by the Missouri Department of Public Safety, the transfer of matching funds in the amount of \$107,410.00, accepting said grant from the Missouri Department of Public Safety, in the amount of \$262,969.00 at a cost to the County not to exceed \$370,379.00 and further 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 regarding the DART program.
(PERFECTED)
- [3544](#) AN ORDINANCE transferring \$100,033.00 within and appropriating \$414,532.00 from the unappropriated surplus of the 2004 Anti-Drug Sales Tax Fund, to cover the Multi-Jurisdictional Task Force Grant received from the Missouri Department of Public Safety.
(PERFECTED)
- [3545](#) AN ORDINANCE appropriating \$25,896.00 from the unappropriated surplus of the 2004 Health Fund and authorizing the Director of the Department of Finance to issue a check in the amount \$25,895.39 to the Mid-America Regional Council as a pass-through of funds received from the Missouri Emergency Response Commission.
(PERFECTED)

[15155](#) A RESOLUTION awarding a twelve-month term and supply contract under Bid No. 39-04 for the furnishing of maintenance, repair and operating supplies for use by various County departments to Lowe's Home Improvement Warehouse of Independence, MO, in the estimated amount of \$165,000.00.

(ADOPTED)

To perfect Ordinances 3533, 3543, 3544, 3545. To adopt Ordinances 3539, 3540, 3541, 3542. To adopt Resolution 15155.

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

Yes: 6 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Dennis Waits and Bob Spence

Absent: 2 - Ronald E. Finley and Rhonda L. Shoemaker

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3546](#) Appropriating \$20,000.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Family Court Division's Child Protection Center -Jewish Heritage Foundation Grant received from the Jewish Heritage Foundation.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15158](#) Awarding a term and supply contract under Bid No. 43-04 for the furnishing of rock salt for use by the Public Works Department to Independent Salt Company of Kanopolis, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$160,000.00.

(Public Works Committee)

[15159](#) Awarding a contract for the furnishing of DARE specialty items for use by the Sheriff's Office to DARE America (John Nadel, Inc.) of Culver City, CA (\$3,784.00) and Tee's Plus of Groton, CT (\$1,810.00), at an actual aggregate cost to the County not to exceed \$5,594.00, as a sole source purchase.

(Anti-Drug Committee)

[15160](#) Robert A. Stringfield moved the passage of Resolution #15160, honoring Carmelinda Maria Rossi as she celebrates her 100th birthday. Seconded by Scott Burnett.

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits and Bob Spence

Absent: 1 - Rhonda L. Shoemaker

(ADOPTED)

[15161](#) Authorizing the County Executive to execute permanent and temporary easements and permanent right of ways for a road improvement project along Colbern Road and to execute any necessary documents involving property under the administrative control of the Parks and Recreation Department.

(Public Works Committee)

Dan Tarwater moved to adopt Resolution #15162. Seconded by Robert A. Stringfield.

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Henry C. Rizzo and Rhonda L. Shoemaker (ADOPTED)

Discussion.

Fred Arbanas moved to reconsider Resolution #15162. Seconded by Ronald E. Finley.

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Henry C. Rizzo and Rhonda L. Shoemaker (APPROVED)

[15162](#) Authorizing the Jackson County Legislature to hold a closed meeting on Monday, September 20, 2004, for the purpose of conducting a privileged and confidential meeting and closing all records prepared for discussion at said meeting.

(WITHDRAWN BY SPONSOR BURNETT, CONCURRED BY WAITS AND TARWATER)

[15163](#) Authorizing the County Executive to execute a cooperative Utility Agreement with Aquila, Inc., of Raytown, Missouri, for the Colbern Road Phase II street and sewer improvement project at a cost to the County not to exceed \$50,106.00.

(Public Works Committee)

[15164](#) Transferring \$33,116.78 within the 2004 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an Addendum to the Agreement with Pan Educational Institute for the "Night Lights/Sentenced to the Arts" programs, at a cost to the County not to exceed \$33,116.78.

(Anti-Drug Committee)

No dissenting vote to consider Resolution #15165 - not on printed agenda.

[15165](#) Dan Tarwater moved the passage of Resolution #15165, authorizing the County Executive to execute an agreement with L. E. Montgomery of Lone Jack, MO, to provide for crop harvesting at Longview and Monkey Mountain Parks for the Fall 2004 harvest season at no cost to the County as an emergency purchase pursuant to Section 1062. of the Jackson County Code, 1984. Seconded by Fred Arbanas.

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits and Bob Spence

Absent: 1 - Rhonda L. Shoemaker

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

Resolution #15162 was withdrawn at this time. See page 6 for details.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, September 27, 2004 at 2:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.