



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

*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, December 4, 2006

2:30 PM

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

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 11/27/2006.
Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Resolution #16109 was adopted at this time. See page 13 for details.

Resolution #16110 was adopted at this time. See page 13 for details.

Resolution #16122 was adopted at this time. See page 16 for details.

Resolution #16116 was adopted at this time. See page 15 for details.

Resolution #16115 was adopted at this time. See page 15 for details.

Resolution #16111 was adopted at this time. See page 14 for details.

Dennis Waits requested that Ordinance #3850 be reconsidered for the purpose of sending it back to committee for discussion.

*Rhonda Shoemaker moved to reconsider Ordinance #3850. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)*

Henry C. Rizzo sent Ordinance #3850 back to the Public Works Committee.

Resolution #16123 was adopted at this time. See page 17 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Dennis Waits, County Legislator, thanked Katheryn Shields for her excellent job as County Executive for the past 12 years. He said Jackson County is a better place now since she has served as County Executive. He said being County Executive is a difficult position. Some of the accomplishments during her tenure include: extending the leases with the teams who have committed to stay in Jackson County; renovations of the stadiums to make them first class; environmental policies that win annual awards which he challenged Mike Sanders to continue; and roads and bridges have improved dramatically due to the policy and leadership in the Public Works Department. He thanked Katheryn for leaving Jackson County better than she found it and wished her the best.

Henry C. Rizzo thanked Katheryn and said one of her crowning achievements is the restoration of the downtown courthouse. On behalf of the County Legislature, he presented Katheryn with a Plaza gift certificate.

Dan Tarwater, County Legislator, said he enjoyed working with Katheryn for the past 12 years and said he always learned something. He said she always tried to do what was best for the taxpayers and they tried to reach that common goal together. He wished her well in the future and said he knows she will be successful.

Scott Burnett, County Legislator, thanked Katheryn for her leadership and her help. He said he looks forward to working with her in the future.

Henry C. Rizzo said Katheryn was always just a phone call away and always available, she never hid from the responsibilities of the job.

Eugene Standifer, County Legislator, thanked Katheryn for her help and for listening.

Katheryn Shields, County Executive, presented a 10 year service pin to Sandae Custard, an employee in the County Executive's office.

Katheryn said Christmas in the Sky held on Thanksgiving Eve was a great event with record crowds as a result of the warm weather. She thanked the Parks and Recreation Department, KUDL - the main sponsor, and all the volunteers that worked hard to make it happen. She invited everyone to visit Christmas in the Park which runs through December 31st. Hours of operation are Sunday through Thursday 5:30 P.M. until 10:30 P.M. and Friday and Saturday 5:30 P.M. until 11:00 P.M. This is a great gift that the County Legislature, County Executive and Parks and Recreation gives to the citizens of the metropolitan area.

She thanked the legislators for their kind remarks. She said she has enjoyed her 12 years as County Executive. She loves public service and working with people. Her accomplishments would not have been possible without the support of the Jackson County Legislature and the employees of Jackson County. She thanked the Legislature and the employees and wished both a very happy holiday season.

Bob Spence, County Legislator, said Merry Christmas.

Mike Sanders, County Executive-elect, said he appreciates the support of the Legislature in passing Resolutions #16122 and #16123 for his transition team. He said he looks forward to working with the County Legislature in terms of reaching collective decisions.

Henry C. Rizzo asked about the time line on the selection of the Prosecuting Attorney.

Mike Sanders responded that he will be sworn in on January 2nd, along with the County Legislature and at that point the office of the Prosecutor will be vacant. He said they committed to the taxpayers that they would have an open and transparent process. They want to remove politics from the process as much as possible. According to the Charter, if a vacancy occurs in the office of Prosecuting Attorney, the County Executive selects the Prosecutor. They will model the selection process for the Prosecutor after the Missouri Plan, coupled with the Missouri Bar Association and the State of the Missouri in terms of the non-partisan plan for the selection of judges. History has shown it to be an effective plan. Therefore, they have created a five person commission that will accept all applications for the job of Prosecuting Attorney. The commission consists of Judge Ralston, a federal judge, Garry Helm, a municipal judge, Teresa Hensley, Cass County Prosecutor, Bridget Williams and Rita Valenciano. Under the Missouri plan there are three lawyers and/or judges and two lay individuals, which is what he chose for his commission. The commission will interview all applicants, select three individuals and forward their selection to the County Executive. The job will be advertised in different periodicals. Mike Sanders has asked that they have the 3 individuals selected by December 22nd. He will then review the selection and chose a Prosecutor to take office the week of January 2nd. Mike Sanders said if an interim Prosecutor is necessary, it will not be one of the three member panel selected by the commission. The Charter dictates the budget does not need to be approved until January 31st. Keeping that in mind, the new Prosecutor will be involved in the budget process.

Mike Sanders said since this is the last legislative meeting, he needed the annual fiscal audit to go out for bid. He requested that the County Legislature authorize staff to begin the bid process.

Jay Haden, Deputy County Counselor, suggested a voice vote directing the Director of Finance/Purchasing to proceed.

Bob Spence said KPMG performed the audit last year.

Dan Tarwater moved that the Director of Finance/Purchasing put the annual audit out for bid so it will be ready for December 2006. Eugene Standifer, Jr. seconded the motion. The motion passed by a voice vote. (APPROVED)

Mike Sanders said Mark Funkhauser, former city auditor, has agreed to help put together a plan for a program of audits, to analyze not just financial statements, but to do performance audits for county government throughout 2007. As the work is completed, Mike will present the plan to the County Legislature in detail.

Mike Sanders said they are compiling a budget prospectus and looking at the budget for 2007. He said the process has started. He introduced Larry Blick, former City Manager of Independence, Anita Maltbia, former employee of the City of Kansas City, Missouri for over 20 years, and Fred Siems, former employee of the City of Blue Springs for over 30 years. This transition team has already began analyzing the budget. He proposes that by December 18th, they will have a handle on the financials.

Henry C. Rizzo welcomed the transition team.

Mike Sanders said this transition team along with Troy Thomas and Jeremy Willmoth will compile initial budget numbers that will be available by December 18, 2006. He said they will also have a search for the Chief Financial Officer for Jackson County. He said any questions, concerns or considerations should be directed to him or his transition team. He said the selection team for the Prosecutor will meet at 2 P.M. today.

Mike Sanders suggested a public hearing to discuss the budget.

Henry C. Rizzo said the newly formed Budget Committee will meet to discuss the 2007 budget.

Mike Sanders explained that his transition team began working in October and did not bill Jackson County, which is why they will have numbers by December 18th. He said we owe them gratitude for the work they have done for the citizens of Jackson County, the County Legislature and County Executive-elect.

Henry C. Rizzo asked when Mike would hope to have the financial audit back.

Mike Sanders explained that by state law, it is required that the County's finances be audited annually. The performance audit will be done later.

Jim Nunnally, Anti-Drug Program Administrator, said at the end of the legislative meeting he will distribute an evaluation report from Research Development Institute to the legislators for their review. He said they will discuss this at a legislative meeting sometime in January 2007.

Bob Spence asked for a report from the Legislative Auditor on her assignment from the County Legislature.

Kelly Markham Stegall, Legislative Auditor, said she is drafting the report and it will be ready Monday, December 11, 2006.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3840](#) Land Use Committee moved to perfect.

Bob Spence objects to the Consent Agenda.

[3840](#) Bob Spence moved to perfect Ordinance #3840. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

[3840](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3840. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3841](#) Land Use Committee moved to perfect.

Bob Spence objects to the Consent Agenda.

[3841](#) Bob Spence moved to perfect Ordinance #3841. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

- [3841](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3841. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3842](#) Land Use Committee moved to perfect.
Bob Spence objects to the Consent Agenda.
- [3842](#) Bob Spence moved to perfect Ordinance #3842. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3842](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3842. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3843](#) Land Use Committee moved to perfect.
Bob Spence objects to the Consent Agenda.
- [3843](#) Bob Spence moved to perfect Ordinance #3843. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3843](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3843. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3853](#) Anti-Drug Committee moved to perfect.
Dan Tarwater objects to the Consent Agenda.
- [3853](#) Dan Tarwater moved to perfect Ordinance #3853. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3853](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3853. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3854](#) Finance and Audit Committee moved to perfect. Consent Agenda.

- [3855](#) Finance and Audit Committee moved to perfect. Consent Agenda.
- [3856](#) Public Works Committee moved to perfect.
Bob Spence objects to the Consent Agenda.
- [3856](#) Bob Spence moved to perfect Ordinance #3856. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3856](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3856.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3857](#) Anti-Drug Committee moved to perfect.
Dan Tarwater objects to the Consent Agenda.
- [3857](#) Dan Tarwater moved to perfect Ordinance #3857. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3857](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3857.
Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3858](#) Anti-Drug Committee moved to perfect.
Dan Tarwater objects to the Consent Agenda.
- [3858](#) Dan Tarwater moved to perfect Ordinance #3858. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3858](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3858.
Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3859](#) Anti-Drug Committee moved to perfect.
Dan Tarwater objects to the Consent Agenda.

[3859](#)

Dan Tarwater moved to perfect Ordinance #3859. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(PERFECTED)

[3859](#)

Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3859. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

Scott Burnett moved to waive the reading of Ordinance #3860. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

[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.

(Finance and Audit Committee - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3840](#) Consent Agenda.

[3841](#) Consent Agenda.

[3842](#) Consent Agenda.

[3843](#) Consent Agenda.

[3848](#) Consent Agenda.

[3851](#) Consent Agenda.

[3853](#) Consent Agenda.

[3856](#) Consent Agenda.

[3857](#) Consent Agenda.

[3858](#) Consent Agenda.

[3859](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[16066](#) 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.

(WITHDRAWN BY BURNETT, CONCURRED BY TARWATER AND SHOEMAKER.)

[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 - 2nd. Meeting)

[16093](#) Land Use Committee moved do pass. Consent Agenda.

[16094](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16095](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16096](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16097](#) Land Use Committee moved do pass. Consent Agenda.

[16098](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16099](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16100](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16101](#) Land Use Committee moved do pass. Consent Agenda.

Bob Spence assumes the Chair.

[16102](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16103](#) Anti-Drug Committee moved do pass. Consent Agenda.

Henry C. Rizzo resumes the Chair.

[16104](#) Health and Justice Committee moved do pass. Consent Agenda.

[16105](#) Land Use Committee moved do pass. Consent Agenda.

[16106](#) Anti-Drug Committee moved do pass. Consent Agenda.

(Resolution #16106 was adopted pending compliance.)

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

(Rules Committee - 1st. Meeting)

9 CONSENT AGENDA

[3854](#) AN ORDINANCE 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.

(PERFECTED)

- [3855](#) AN ORDINANCE 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.
(PERFECTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [3853](#) AN ORDINANCE 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.
(ADOPTED)

- [3856](#) AN ORDINANCE 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.
- (ADOPTED)
- [3857](#) AN ORDINANCE 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.
- (ADOPTED)
- [3858](#) AN ORDINANCE 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.
- (ADOPTED)
- [3859](#) AN ORDINANCE 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.
- (ADOPTED)
- [16093](#) A RESOLUTION transferring \$48,500.00 within the 2006 Park Fund to cover the Jackson County Parks and Recreation Department increased fuel expenses.
- (ADOPTED)
- [16094](#) A RESOLUTION 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.
- (ADOPTED)
- [16095](#) A RESOLUTION 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.
- (ADOPTED)
- [16096](#) A RESOLUTION 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.
- (ADOPTED)

- [16097](#) A RESOLUTION 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.
(ADOPTED)
- [16098](#) A RESOLUTION 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.
(ADOPTED)
- [16099](#) A RESOLUTION 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.
(ADOPTED)
- [16100](#) A RESOLUTION 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.
(ADOPTED)
- [16101](#) A RESOLUTION 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.
(ADOPTED)
- [16102](#) A RESOLUTION 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.
(ADOPTED)
- [16103](#) A RESOLUTION 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.
(ADOPTED)
- [16104](#) A RESOLUTION 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.
(ADOPTED)

[16105](#) A RESOLUTION 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.

(ADOPTED)

[16106](#) A RESOLUTION 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.

(ADOPTED)

To perfect Ordinances 3854, 3855. To adopt Ordinances 3840, 3841, 3842, 3843, 3848, 3851, 3853, 3856, 3857, 3858, 3859. To adopt Resolutions 16093, 16094, 16095, 16096, 16097, 16098, 16099, 16100, 16101, 16102, 16103, 16104, 16105, 16106.

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

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3861](#) Rhonda L. Shoemaker moved to perfect Ordinance #3861. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[3861](#) Rhonda L. Shoemaker moved to suspend the rules to consider final passage of Ordinance #3861. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

[3861](#) Rhonda L. Shoemaker moved the passage of Ordinance #3861 as perfected, appropriating \$147,138.00 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 Social Services, Children's Division, for the Child Protection Center Project. Seconded by Dan Tarwater.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

- [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.
Earlier in the meeting, Resolution #16090 was sent to the Consent Agenda in error.
Bob Spence moved to reconsider Resolution #16090 and send it back to the Land Use Committee. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
- [3862](#) Rhonda L. Shoemaker moved to perfect Ordinance #3862. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3862](#) Rhonda L. Shoemaker moved to suspend the rules to consider final passage of Ordinance #3862. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
- [3862](#) Rhonda L. Shoemaker moved the passage of Ordinance #3862 as perfected, transferring \$6,439.00 within the 2006 General Fund, appropriating \$24,915.00 from the unappropriated surplus of the 2006 Grant Fund, and authorizing an extension of the Coordinated Community Response to Domestic Violence Grant funded by the U.S. Department of Justice. Seconded by Dan Tarwater.
Yes: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Rhonda L. Shoemaker, Bob Spence and Bob Spence
Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits
(ADOPTED)
- [3863](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 6 ± acre tract.
(Land Use Committee)
- [3864](#) Rhonda L. Shoemaker moved to perfect Ordinance #3864. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3864](#) Rhonda L. Shoemaker moved to suspend the rules to consider final passage of Ordinance #3864. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)

[3864](#)

Rhonda L. Shoemaker moved the passage of Ordinance #3864 as perfected, appropriating \$15,000.00 from the unappropriated surplus of the 2006 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, 2007. Seconded by Dan Tarwater.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[16109](#)

Dennis Waits moved the passage of Resolution #16109, recognizing Rhonda Shoemaker for her commitment to the citizens of Jackson County as the 5th District legislative representative. Seconded by Eugene Standifer Jr..

Yes: 7 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 2 - Robert A. Stringfield and Fred Arbanas

(ADOPTED)

[16110](#)

Dennis Waits moved the passage of Resolution #16110, recognizing Eugene Standifer, Jr., for his commitment to the citizens of Jackson County as the 2nd District legislative representative. Seconded by Rhonda L. Shoemaker.

Yes: 6 - Henry C. Rizzo, Scott Burnett, Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Abstain: 1 - Eugene Standifer Jr.

Absent: 2 - Robert A. Stringfield and Fred Arbanas

(ADOPTED)

Scott Burnett said it was a pleasure working with Eugene Standifer. He said Eugene was steadfast to his job and to his duties. He thanked Eugene Standifer and Rhonda Shoemaker for their friendship and dedication to this job.

Dennis Waits said Rhonda and Eugene are outstanding citizens of Jackson County. They have come in doing the right thing for the right reasons. It has been a pleasure to work with them and he has found that their word is absolutely good. He commended Rhonda's efforts for the registration of sexual offenders in eastern Jackson County and said she would not give up until she got it done.

Henry C. Rizzo said as Chairman he had to speak with all members. Every time he called Rhonda and Eugene it was always pleasant and in the best interest of the County. They were always advocates for their districts. He thanked them for their service.

Dan Tarwater said both legislators were not only concerned about their districts but also about Jackson County. He said it was a pleasure working with them and he appreciates their time and hard work.

Rhonda Shoemaker, County Legislator, said she has enjoyed working with the Legislature and it was great representing the 5th District. She said it has been an honor and a privilege.

Eugene Standifer, County Legislator, said it has been a pleasure working with the County Legislature. He has served the 2nd District and he will continue to work for the citizens of Jackson County.

Bob Spence said he intends to vote no on Resolution #16111 because he does not make it a habit to honor people who sue him, especially when they sue him for doing no more than what they did.

Rhonda Shoemaker and Dan Tarwater agreed.

[16111](#)

Dennis Waits moved the passage of Resolution #16111, recognizing Robert A. Stringfield for his commitment to the citizens of Jackson County as the 1st District at Large legislative representative. Seconded by Eugene Standifer Jr..

Yes: 2 - Eugene Standifer Jr. and Dennis Waits

No: 4 - Henry C. Rizzo, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Abstain: 1 - Scott Burnett

Absent: 2 - Robert A. Stringfield and Fred Arbanas

(DEFEATED)

[16112](#)

Eugene Standifer Jr. moved the passage of Resolution #16112, acknowledging Melesa Nicole Johnson for her athletic, academic, and community service achievements. Seconded by Dan Tarwater.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16113](#)

Rhonda L. Shoemaker moved the passage of Resolution #16113, partially rescinding Resolution 16008, dated August 28, 2006, and amending the cost to the County to an amount not to exceed \$344,000.00 for the first year of the lease for office space for the Prosecuting Attorney's Family Support Division. Seconded by Dan Tarwater.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16114](#)

Dan Tarwater moved the passage of Resolution #16114, authorizing the County Executive to execute a Cooperative Agreement with the Fort Osage School District for its Drug Prevention/Tuancy Neglect Program, at a cost to the County not to exceed \$6,333.00. Seconded by Eugene Standifer Jr..

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16115](#)

Dennis Waits moved to adopt floor substitute of 12/4/2006, expressing the intent of the Legislature to provide funding for the 2007 Martin Luther King Birthday Celebration in an amount not to exceed \$60,000.00, in connection with the adoption of the 2007 annual Jackson County budget. Seconded by Eugene Standifer Jr..

Yes: 4 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr. and Dennis Waits

No: 3 - Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 2 - Robert A. Stringfield and Fred Arbanas

(ADOPTED)

Henry C. Rizzo said it is his understanding that this appropriation will be allocated from 2007 funds. He said Mr. Taylor Fields, member of the board of the Southern Leadership Conference, was present to answer any questions.

Bob Spence said there is no doubt that this is an admirable use of the money. However, he thinks it is inappropriate to allocate \$60,000.00 for one city in this County for the celebration, but it is even more inappropriate to use taxpayers money for this celebration.

Eugene Standifer encouraged people in Lee's Summit to participate in this event.

Bob Spence said Lee's Summit has a Martin Luther King celebration but they do it without money from Jackson County.

Scott Burnett said this is not just for Kansas City but it is the regional effort.

Dan Tarwater said the County Legislature expects direct accounting of how the money is spent in 2007.

Henry C. Rizzo said participation in this celebration shows Jackson County's commitment to diversity.

[16116](#)

Scott Burnett moved the passage of Resolution #16116, awarding a contract and authorizing the County Executive to execute an Agreement for service as Historic Preservation Manager for the County's Jane Fifiield Flynn Historic Resource Commission, to Sally Schwenk Associates of Kansas City, MO, under the terms and conditions of Request for Qualifications No. 30-06, at an annual cost to the County not to exceed \$25,000.00. Seconded by Eugene Standifer Jr..

Yes: 7 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 2 - Robert A. Stringfield and Fred Arbanas

(ADOPTED)

[16117](#) Bob Spence moved the passage of Resolution #16117, authorizing the County Executive to execute a Memorandum of Understanding, with the Missouri Department of Conservation for the construction and operation of an outdoor skills facility at Landahl Park, at no cost to the County. Seconded by Rhonda L. Shoemaker.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16118](#) Dan Tarwater moved the passage of Resolution #16118, transferring \$56,455.00 within the 2006 Anti-Drug Sales Tax Fund to supplement the Family Court's Night Light program. Seconded by Rhonda L. Shoemaker.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16119](#) Awarding a contract on Bid No.PW09-2006 to R. A. Knapp Construction of Kansas City, KS, for the Courtney-Atherton Road Bridge Replacement Project, No. 3007, at an actual cost to the County not to exceed \$431,093.65.

(Public Works Committee)

[16120](#) Dan Tarwater moved the passage of Resolution #16120, transferring \$154,600.00 within the Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an addendum to the Cooperative Agreement with Pan Educational Institute for the MyArts program, at a cost to the County not to exceed \$154,600.00. Seconded by Eugene Standifer Jr..

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16121](#) Dan Tarwater moved the passage of Resolution #16121, transferring \$58,307.00 within the 2006 Health Fund and authorizing the Director of Finance and Purchasing to make payment to Truman Medical Center, Inc., in the amount of \$100,688.00, to restore funding previously cut in the 2006 County budget. Seconded by Rhonda L. Shoemaker.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

No objection to the consideration of Resolution #16122 - not on printed agenda.

[16122](#)

Dan Tarwater moved the passage of Resolution #16122, transferring \$15,000.00 within the 2006 General Fund and authorizing the County Executive to execute Consulting Agreements with Larry Blick, Fred Siems, and Anita Maltbia, to serve as the County Executive-elect's transition team, at an aggregate cost to the County of \$15,000.00. Seconded by Dennis Waits.

Yes: 7 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence
Absent: 2 - Robert A. Stringfield and Fred Arbanas

(ADOPTED)

No objection to consideration of Resolution #16123 - not on printed agenda.

[16123](#)

Dennis Waits moved the passage of Resolution #16123, transferring \$6,000.00 within the 2006 General Fund and authorizing the County Executive to execute a Cooperative Agreement with the Mid-America Regional Council to provide support staff for the County Executive-elect's transition team and to conduct personnel search activities, at a cost to the County not to exceed \$6,000.00. Seconded by Scott Burnett.

Yes: 7 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence
Absent: 2 - Robert A. Stringfield and Fred Arbanas

(ADOPTED)

No objection to consideration of Resolutions #16124 or #16125 - not on printed agenda.

[16124](#)

Dan Tarwater moved the passage of Resolution #16124, authorizing the County Executive to execute a Cooperative Agreement with the Samuel U. Rodgers Health Center, for sponsorship of a goal setting program featuring Dr. Bill Cosby and a substance abuse issues workshop presented by COMBAT, at a cost to the County not to exceed \$3,000.00. Seconded by Eugene Standifer Jr..

Yes: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Rhonda L. Shoemaker, Bob Spence and Bob Spence
Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

[16125](#)

Eugene Standifer Jr. moved the passage of Resolution #16125, authorizing the County Executive to execute a Cooperative Agreement with the Bruce R. Watkins Cultural Heritage Center, for sponsorship of a traveling exhibit and educational seminars highlighting the contributions of jazz great Charlie "Yardbird" Parker and other Kansas City early jazz musicians, at a cost to the County not to exceed \$15,000.00. Seconded by Dan Tarwater.

Yes: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Rhonda L. Shoemaker, Bob Spence and Bob Spence
Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

Dan Tarwater asked if the County Legislature could disapprove the Executive Orders.

Jay Haden said with regards to the Merit System Commission appointments, the Ordinance requires the outgoing County Executive to make the appointment. It is unusual as it is the the only County Ordinance like that.

Ed Rucker, County Counselor, said the Executive Order for the Chief Operating Officer is a way to put him on the payroll. He said he has seen Mr. Panethiere's resignation letter effective December 31, 2006.

Jay Haden explained that a motion to approve is not necessary. A motion to disapprove would be an appropriate motion for Executive Orders.

06-25

Dan Tarwater moved to disapprove Executive Orders #06-25, reappointing Melinda Bunyard to the Merit System Commission pursuant to Jackson County Code § 7501.1 for such term to expire December 31, 2010. Seconded by Rhonda L. Shoemaker.

Yes: 3 - Henry C. Rizzo, Eugene Standifer Jr. and Rhonda L. Shoemaker

No: 3 - Scott Burnett, Bob Spence and Bob Spence

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(FAILED)

(DISAPPROVAL FAILED)

06-26

Dan Tarwater moved to disapprove Executive Orders #06-26, making the following appointment and reappointments to the Stormwater Commission:

Appointment

John Reece to fill the vacancy created by the resignation of Steve Gildehaus for such term to expire December 11, 2008. A copy of Mr. Reece's resume is attached.

Reappointments

Pat Beer for such term to expire December 11, 2007.

Dick Champion for such term to expire December 11, 2009.

Jason Hanson for such term to expire December 11, 2008.

James Mellem for such term to expire December 11, 2007.

Dena Mezger for such term to expire December 11, 2009.

James Parcel for such term to expire December 11, 2007.

Stan Salva for such term to expire December 11, 2009.

Bob Spence for such term to expire December 11, 2008. Seconded by Rhonda L. Shoemaker.

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

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Dennis Waits

(APPROVED)

(DISAPPROVED)

[06-27](#)

I hereby appoint Gary Panethiere as Chief Operating Officer to fill the vacancy occasioned by the resignation of Rick D. Perry as Chief Operating Officer. A copy of Mr. Panethiere's resume is attached.

14 UNFINISHED BUSINESS

Henry C. Rizzo said he has enjoyed his year as Chairman, being the first bi-partisan Chairman, serving with a Republican Vice-Chairman. He said Bob Spence has always been there when called upon and he has done a great job.

Bob Spence said Henry has executed his office with integrity and has always been a gentleman.

Scott Burnett said he appreciates the work of the Chair and Vice Chair this year.

15 NEW BUSINESS

None.

16 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, January 8, 2007 at 2:30 P.M. at the Independence Courthouse Annex. 308 W. Kansas, Ground Floor, Legislative Chambers.