



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)

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Monday, June 2, 2008

2:30 PM

Twentieth Regular Meeting

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

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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

**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 5/19/2008.  
Seconded by Henry C. Rizzo.

**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, said Scott Bergholdt was present to speak about the adult entertainment regulations and the amendment to the Ordinance.*

*He also said the Jackson County TIF policy now includes the suggestion made by Bob Spence, County Legislator.*

*Scott Bergholdt gave the highlights of the amendment to Ordinance #3993.*

*Ordinance #3993 was adopted at this time. See page 3 for details.*

*Discussion regarding 85th Street Bridge Project.*

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*Resolution #16649 was adopted at this time. See page 8 for details.*

*Resolution #16646 was adopted at this time. See page 7 for details.*

*Resolution #16650 was adopted at this time. See page 8 for details.*

*Henry C. Rizzo, County Legislator, acknowledged Jim Kanatzar for his hard work in the Prosecutor's office as well as his support of other programs such as COMBAT and MyARTS.*

*Scott Burnett, County Legislator, presented a five year service pin to his legislative aide, Rebecca Regan.*

## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[3988](#)

Bob Spence moved to approve the Land Use Committee Amendment dated 5/27/08, to delete "E" and insert "R" after the letter "R" in the heading and also in both places in the paragraph titled "Section 1.", to delete the word "Estates" and insert the word "Ranchette" after the word "Residential" in the heading and also in the paragraph titled "Section 1." all on page one. Seconded by Dan Tarwater.

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

(ADOPTED)

[3988](#)

Bob Spence moved to perfect Ordinance #3988. Seconded by Dan Tarwater.

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

(PERFECTED)

[3988](#)

Bob Spence moved to suspend the rules to consider final passage of Ordinance #3988. Seconded by Dan Tarwater.

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

(APPROVED)

*Consent Agenda. See Final Passage of Proposed Ordinances.*

*Bob Spence moved to waive the reading of Ordinances #3989, #3990 and #3991. Seconded by James D. Tindall.*

*The motion passed by voice vote.*

(APPROVED)

[3989](#)

Land Use Committee moved to perfect.

*Fred Arbanas objects to the Consent Agenda.*

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[3989](#)

Fred Arbanas moved to perfect Ordinance #3989. Seconded by Dan Tarwater.

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

(PERFECTED)

- [3989](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3989. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3990](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [3990](#) Fred Arbanas moved to perfect Ordinance #3990. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)
- [3990](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3990. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3991](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*
- [3991](#) Fred Arbanas moved to perfect Ordinance #3991. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)
- [3991](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3991. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*  
  
*Dan Tarwater moved to substitute Ordinance #3993 with the Floor Substitute dated June 2, 2008. Seconded by Theresa Garza Ruiz.*  
  
*Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence.*
- [3993](#) Dan Tarwater moved to perfect the floor substitute of 6/2/2008. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (PERFECTED)
- [3993](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3993. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (APPROVED)

[3993](#)

Dan Tarwater moved the passage of Ordinance #3993 as perfected, repealing chapter 43, Jackson County Code, 1984, relating to Adult Businesses and Adult Entertainment Businesses, and enacting, in lieu thereof, one new chapter relating to Adult Entertainment Businesses, consisting of 20 sections, with a severability clause, penalty provision, and an effective date. Seconded by Theresa Garza Ruiz.

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)

[3995](#)

Transferring \$70,000.00 within the 2008 General Fund and authorizing the County Executive to execute an intergovernmental agreement with the City of Kansas City, Missouri, for the purpose of jointly funding a performance audit of the Kansas City and Jackson County Boards of Election Commissioners, at a cost to the County not to exceed \$70,000.00.

*(WITHDRAWN BY SPONSOR BURNETT. CONCURRED BY TARWATER AND SPENCE.)*

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**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

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[3988](#) Consent Agenda.

[3989](#) Consent Agenda.

[3990](#) Consent Agenda.

[3991](#) Consent Agenda.

[3994](#) Consent Agenda.

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**8 RESOLUTIONS IN COMMITTEE**

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[16638](#) Public Works Committee moved do pass. Consent Agenda.

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[16639](#) Land Use Committee moved do pass. Consent Agenda.

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**9 CONSENT AGENDA**

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[3988](#) 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, for a two-lot residential subdivision.

(ADOPTED)

[3989](#) 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 39.4 ± acre tract, and approving the preliminary plat "Timber Ridge Meadows," creating an eleven-lot residential subdivision.

(ADOPTED)

[3990](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 5 ± acre tract, for a one-lot residential subdivision. (ADOPTED)

[3991](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District LB-p (Local Business - Planned Development) a certain 26 ± acre tract, for the purpose of operating a retail antique business. (ADOPTED)

[3994](#) AN ORDINANCE appropriating \$190,545.00 from the unappropriated surplus of the 2008 General Fund to establish the budget of the County Municipal Court. (ADOPTED)

[16638](#) A RESOLUTION awarding eight-month term and supply contracts for the furnishing of tires and related services for use by the Departments of Public Works and Parks and Recreation to Cross Midwest Tire of Kansas City, KS, for Firestone tires and Wingfoot Commercial Tire Systems, LLC of Kansas City, MO, for Goodyear tires, under the terms and conditions of existing State of Missouri government contracts No. C106068001 and C106068002. (ADOPTED)

[16639](#) A RESOLUTION awarding a twenty-four month term and supply contract, with an option to extend for an additional twelve months, for the furnishing of security services for use by the Parks and Recreation Department to Wardlow Protective Services of Oak Grove, MO, under the terms and conditions of Electronic Solicitation No. BB20087. (ADOPTED)

To adopt Ordinances 3988, 3989, 3990, 3991, 3994. To adopt Resolutions 16638, 16639.

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

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

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[3996](#) Appropriating \$46,660.00 from the fund balance of the 2008 Grant Fund in acceptance of the Emergency Management Performance Grant awarded by the Missouri State Emergency Management Agency.

*(Finance and Audit Committee)*

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[3997](#) Dan Tarwater moved to perfect Ordinance #3997. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)

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[3997](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3997. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)

[3997](#) Dan Tarwater moved the passage of Ordinance #3997 as perfected, appropriating \$257,570.00 from the fund balance of the 2008 Anti-Drug Sales Tax Fund to cover the operating expenses for the Drug Commission. Seconded by Bob Spence.  
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)

[3998](#) Dan Tarwater moved to perfect Ordinance #3998. Seconded by Henry C. Rizzo.  
**The motion passed by a voice vote.** (PERFECTED)

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[3998](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3998. Seconded by Henry C. Rizzo.  
**The motion passed by a voice vote.** (APPROVED)

[3998](#) Dan Tarwater moved the passage of Ordinance #3998 as perfected, appropriating \$338,574.00 from the fund balance of the 2008 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute contracts with certain agencies that engage in community crime prevention activities at an aggregate cost to the County not to exceed \$1,063,591.00, and contracts with certain agencies that engage in community crime prevention activities, to supplement the programs provided by the primary prevention agencies, at an aggregate cost to the County not to exceed \$169,344.00 both for the purpose of preventing illegal drug use and drug-related activity, authorizing the County Executive to execute an addendum to the contract with the National Council on Alcohol and Drug Dependence for the JAM program in the Jackson County Detention Center, at a cost to the County not to exceed \$15,000.00, and authorizing the County Executive to execute an addendum to the contract with Truman Medical Center Behavioral Health for the JAM program, at a cost to the County not to exceed \$65,000.00. 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)

\*\*\* Ordinance #3998 was adopted pending compliance. \*\*\*

*Dennis Waits instructed Tom Wyrsh to advise the County Counselor's office by the end of the week of those agencies not in compliance so new legislation could be drafted to delete those agencies. This will allow the agencies that are in compliance to get their funding without delay.*

[3999](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 10 ± acre tract, for a two-lot residential subdivision.

*(Land Use Committee)*

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[4000](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates) a certain 9 ± acre tract, for a three-lot residential subdivision.

*(Land Use Committee)*

*The Land Use Committee will have a public hearing regarding Ordinances #3999 and #4000 on Friday, June 20, 2008 at 1 P.M. at Fleming Hall.*

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[4001](#) Transferring \$29,631.62 within the 2008 Sheriff's Revolving Fund for the creation of one new clerical position in the Sheriff's Office.

*(Health and Environment Committee)*

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## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16641](#) Dan Tarwater moved the passage of Resolution #16641, transferring \$150,592.00 within the 2008 Anti-Drug Sales Tax Fund for the Drug Commission's office staff and operating costs. Seconded by James D. Tindall.

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)

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[16642](#) Bob Spence moved the passage of Resolution #16642, expressing the support of the Legislature for the Tax Increment Financing Policy and Guidelines recently promulgated by the County Executive. Seconded by Dan Tarwater.

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)

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[16643](#) Declaring certain surplus property within Family Court and the Public Works and Records Departments as obsolete and unusable personal property and authorizing its disposal.

*(Finance and Audit Committee)*

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[16644](#)

Fred Arbanas moved the passage of Resolution #16644, commissioning Angela Collins and Gary Eicholz as park rangers pursuant to section 64.335, RSMo 2000. Seconded by Bob Spence.

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)

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[16645](#)

Authorizing the County Executive to execute a Cooperative Agreement with the Calvary Community Outreach Network for the HYPE (Helping Youth Plan for Excellence) Program, at a cost to the County not to exceed \$5,000.00.

*(Anti-Drug Committee)*

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[16646](#)

Dan Tarwater moved the passage of Resolution #16646, recognizing James E. Autry for his service to Jackson County, Missouri, and congratulating him upon his retirement. 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)

*Jim Kanatzar, Prosecuting Attorney, invited all legislators to attend the reception for Mr. Autry on Friday, June 6, 2008 at 4 P.M. in the Family Support Division.*

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[16647](#)

Awarding a contract on Bid No. PW-01-2008 for the construction of the O'Donnell Road Bridge Replacement, Project No. 2403, to Harry F. Houf & Sons Contractors, Inc., of Mexico, MO, at a total cost to the County not to exceed \$542,921.80, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

*(Public Works Committee)*

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[16648](#)

James D. Tindall moved the passage of Resolution #16648, recognizing Audrey Bullard for her service as Dean of Education for the Afrikan Centered Taskforce, Inc., and congratulating her upon her retirement. 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)

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[16649](#)

Henry C. Rizzo moved the passage of Resolution #16649, recognizing the 2008 MyARTS Fundraiser and honoring all those involved for their time, dedication and commitment to Jackson County and the Arts. Seconded by Dan Tarwater.

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)

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[16650](#)

James D. Tindall moved the passage of Resolution #16650, recognizing Stefan C. Hughes for his service to Jackson County, Missouri, as an Assistant Prosecuting Attorney, and wishing him well on his future endeavors as an Assistant United States Attorney. 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)

*Jim Kanatzar invited all legislators to attend the reception for Mr. Hughes on June 13th or June 20th. He will confirm the date, place and time and advise them.*

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## 12 COUNTY EXECUTIVE ORDERS

None.

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## 13 UNFINISHED BUSINESS

None.

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## 14 NEW BUSINESS

Dan Tarwater, County Legislator, said the Kansas City Mayor and Council will be present at the legislative meeting next week to discuss light rail.

Dennis Waits said the legislative meeting next week has been changed to 1:30 P.M. and will be held in Kansas City.

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**15      ADJOURNMENT**

James D. Tindall moved to adjourn the meeting. Seconded by Dan Tarwater.

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

(APPROVED)

*Meeting adjourned until Monday, June 9, 2008 at 1:30 P.M. in the Kansas City Legislative Assembly Area.*

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