



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Crystal Williams (2nd AL) Chair, Theresa Galvin (6th) Vice Chair,
Garry J. Baker (1st AL), Tony Miller (3rd AL), Scott Burnett (1st),
Alfred Jordan (2nd), Dennis Waits (3rd), Dan Tarwater III (4th), Greg Grounds (5th)*

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

Monday, June 20, 2016

2:30 PM

Twenty-third Regular Meeting

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

Crystal Williams, Chair, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Theresa Galvin to approve the journal of the previous meeting held on June 13, 2016. The motion passed by a voice vote.

4 HEARINGS

Public Hearing regarding Resolution #19196, expressing the intent of the Legislature to enact an ordinance establishing a prescription drug monitoring program in Jackson County.

Bradford Hart, Program Officer at Health Care Foundation of Greater Kansas City, Dr. Sara Martin Anderson, Manager of Community Engagement, Policy and Accountability, Kansas City Health Department, Brian Colby, Director of Policy and Outreach, Missouri Health Advocacy Alliance were present to speak in favor of Resolution #19196.

Discussion.

The County Executive will be traveling to St. Louis with his staff on Tuesday, June 28th, 2016 to meet with Steve Stenger, County Executive of St. Louis County and staff to discuss their Prescription Monitoring Program.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Frank White Jr., County Executive, commended Crystal Williams, Dan Tarwater III and the County Legislature for bringing the prescription drug monitoring issue to light and moving it forward.

Crystal Williams, Chair, thanked Mary Lou Brown, Chief Administrative Officer, Lisa Hohn, Senior Administrative Officer and Jay Haden, Chief Deputy County Counselor for their assistance with Resolution #19196.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[4839](#)

The Finance and Audit Committee recommended perfection of the Finance and Audit Committee Amendment dated June 20, 2016, to delete the words "dago bombs;" in paragraph 5612.1. on page two; to delete the word and number "forty-five (45)" and insert the word "forty-three" before the word "days", to delete the number "21st" and insert the number "23rd" before the word "day" in paragraph number 5627. on page two; to delete the words "After July 5, 2009" and insert the word "Annually" after the words "Jackson County", to delete the time "5:00 p.m. on" before the word "February" in paragraph 5627.1, to delete the words "for 2009" after the word "Permits" in the heading of paragraph 5627.3., to delete the words "Commencing with the 2009 permit year, a" and insert "A" on the word "any" as the first word of paragraph 5627.3., to delete the date "March 1st" and insert the date "May 6" after the word "before", to delete the phrase "in 2009 or subsequent years" after the word "permit" all in paragraph 5627.3. on page three; to delete the phrase "meet the following conditions: it shall" after the word "shall", to delete the words and number "fifty (50)" after the word "least" and insert the phrase "one hundred (100)" before the word "feet", to insert the phrase "; it shall be at least one hundred (100) feet from any gasoline pump, gasoline filling station, gasoline bulk station, or any building in which gasoline or volatile liquids are sold in quantities in excess of one (1) gallon, or any dispensing unit for ignitable liquids or gases" after the word "building", to delete the word "three" after the word "least", to delete the number "300" after the word "hundred", to delete the phrase "; and it must be at least three hundred (300) feet from any Adult Entertainment Business as defined in section 4301 of this code" after the word "gases", to insert the sentence "An exception to the one hundred (100) foot setback from a gasoline pump, gasoline filling station, gasoline bulk station, or any building in which gasoline or volatile liquids are sold in quantities in excess of one (1) gallon, or any dispensing unit for ignitable liquids or gases shall apply if an applicant's site location is within four hundred forty (440) yards or one quarter (1/4) mile of a fire station or other fire department facility with the capability to respond to fires and/or other emergencies." after the word "gases" all in paragraph 5627.3.2 on pages four and five; to delete the phrase "2009 or in the year" after the word "year", to delete the date "April 29" and insert the date "May 6" after the word "before" to delete the number "6" and insert the number "11"

after the word "before", to delete the word and number "seven (7)" and insert the words and number "five (5)" after the word "within" in paragraph 5627.5. at the top of page six; to insert the phrase "must have a business location in Jackson County" after the word "distributor", to delete the phrase "and owned by the applicant within one (1) year of the adoption of this section" after the word "County" all in paragraph 5628.2. at the top of page eight; to delete the sentence "The provisions of section 5627.3.2 of this chapter regarding location shall also apply." after the word "variances" in paragraph 5628.4. on page nine; to delete the phrase "Commencing with the 2009 license year, a" and insert "A" on the word "any" as the first word of paragraph 5628.6., to delete the date "March 1st" and insert the date "May 6" after the word "before", to delete the phrase "in 2009 or subsequent years" after the word "license", to delete the word "succeeding" and insert the word "any" after the word "for", to delete the letter "s" on the word "years" after the word "any", to delete the phrase "2009 or in the year" after the word "year", to delete the date "March 1st" and insert the date "May 6" after the word "before", to delete the date "March 16th" and insert the date "May 11" after the word "before", to delete the word and number "fifteen (15)" and insert the word and number "seven (7)" after the word "have", to delete the word and number "thirty (30)" and insert the word and number "five (5)" after the word "within", to delete the word "fifteen" and insert the word "seven" before the word "-day" all in paragraph 5628.6. on page ten; Consent Agenda.

A motion was made by Tony Miller, seconded by Dennis Waits, to waive the reading of Ordinances #4846, #4847, #4848 and #4849. The motion passed by a voice vote.

[4846](#) AN ORDINANCE renewing a conditional use permit (CUP) in District AG (Agricultural) for a period of fifteen years to operate an equine learning center, subject to specified conditions on a 20 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[4847](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 5.0 ± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

(Land Use Committee - 2nd. Perfection)

[4848](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.15 ± acre tract from District AG (Agricultural) to District RE (Residential Estates).

(Land Use Committee - 2nd. Perfection)

[4849](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 15.0 ± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing regarding Ordinances #4846, #4847, #4848 and #4849 on Monday, June 27, 2016 at 1:30 P.M. at the Eastern Jackson County Courthouse, 308 W. Kansas, Ground Floor, Legislative Chambers.

[4852](#) Finance and Audit Committee moved to perfect.

Dennis Waits objected to the Consent Agenda.

[4852](#) A motion was made by Dennis Waits, seconded by Dan Tarwater III to perfect Ordinance #4852. The motion passed by a voice vote.

(PERFECTED)

[4852](#) A motion was made by Dennis Waits, seconded by Dan Tarwater III to suspend the rules to consider final passage of Ordinance #4852. The motion passed by a voice vote.

(APPROVED)

Consent Agenda.

[4855](#) Public Works Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[4852](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[19185](#) Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[4839](#) AN ORDINANCE repealing sections 5612., 5627., and 5628., Jackson County Code, 1984, relating to fireworks, and enacting, in lieu thereof, three new sections relating to the same subject.

(PERFECTED)

[4855](#) AN ORDINANCE appropriating \$187,667.00 from the undesignated fund balance of the 2016 Special Road and Bridge Fund in acceptance of auction proceeds from the sale of surplus vehicles and equipment, for use by the Public Works Department.

(PERFECTED)

[4852](#) AN ORDINANCE enacting sections 9105., 9125., 9126., and 9127., Jackson County Code, 1984, relating to the Board of Equalization.

(ADOPTED)

[19185](#)

A RESOLUTION awarding a contract for the rental of radios and accessories for use by the Parks + Rec Department to Event Radio Rentals of New York, NY, at a cost to the County not to exceed \$330.00.

(ADOPTED)

Ordinances #4839 and #4855 were moved to the Consent Agenda for perfection. Ordinance #4852 and Resolution #19185 were moved to the Consent Agenda for adoption.

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[4858](#)

Appropriating \$5,000.00 from the undesignated fund balance of the 2016 Grant Fund in acceptance of grants received from the U.S. Food and Drug Administration Grant Program, for use by the Environmental Health Division of the Public Works Department.

(Assigned to the Public Works Committee.)

[4859](#)

Appropriating \$23,341.00 from the undesignated fund balance of the 2016 General Fund and \$56,565.00 from the undesignated fund balance of the 2016 Special Road and Bridge Fund for additional work and upgrades within the renovated Eastern Jackson County Courthouse.

(Assigned to the Finance and Audit Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[19188](#)

Transferring \$19,500.00 within the 2016 Anti-Drug Sales Tax Fund and awarding a six-month contract with three twelve-month options to extend, for the furnishing of data tracking software maintenance, for use by COMBAT, to First Call Alcohol/Drug Prevention & Recovery, at a cost to the County not to exceed \$19,500.00, as a sole source purchase.

(Assigned to the Anti-Drug Committee.)

[19189](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to adopt Resolution #19189, authorizing the Director of Finance and Purchasing to issue a check in the amount of \$500.00 to Bowties & Ties for sponsorship of its Leadership Conference Program to be held June 25, 2016. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

Resolution #19196 was adopted at this time. See page 8 for details.

[19190](#) Transferring \$340,473.00 within the 2016 Special Road and Bridge Fund and \$61,500.00 within the 2016 Park Fund and awarding a contract on Bid No. PW 01-2016 for the 2016 Pavement Maintenance Project, Phase 1 (asphaltic concrete overlay), No. 3195, to Superior Bowen Asphalt Co., LLC, of Kansas City, MO, at an actual cost to the County not to exceed \$1,336,484.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[19191](#) Awarding a contract on Bid No. PW 02-2016 for the 2016 Pavement Maintenance Project, Phase 2 (Chip Seal), No. 3196, to Vance Brothers, Inc., of Kansas City, MO, at an actual cost to the County not to exceed \$795,372.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[19192](#) Awarding a contract on Bid No. PW 03-2016 for the 2016 Pavement Maintenance Project, Phase 3 (Mastic Surface Seal - Onyx), No. 3197, to Musselman & Hall Contractors, LLC, of Kansas City, MO, at an actual cost to the County not to exceed \$193,320.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[19193](#) Awarding a contract on Bid No. PW 04-2016 for the 2016 Pavement Maintenance Project Phase 4 - Pavement Marking, No. 3198, to Streetwise, Inc., of Grandview, MO, at an actual cost to the County not to exceed \$68,995.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[19194](#) Awarding a contract on Bid No. PW 05-2016 for the 2016 Pavement Maintenance Project, Phase 5 (Crack Seal), No. 3199, to Vance Brothers, Inc., of Kansas City, MO, at an actual cost to the County not to exceed \$56,552.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[19195](#) Authorizing the Chief Financial Officer to issue a check in the amount of \$10,143.02 in settlement of a claim made by Maher Oil Company of Kansas City, Missouri.

(Assigned to the Land Use Committee.)

[19196](#)

A motion was made by Dennis Waits, seconded by Dan Tarwater III, to adopt Resolution #19196, expressing the intent of the Legislature to enact an ordinance establishing a prescription drug monitoring program in Jackson County. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

Stephen Nixon, County Counselor, explained that since the City of Independence and Kansas City, Missouri have their own health departments they are excluded from this Resolution.

[19197](#)

A motion was made by Dan Tarwater III, seconded by Alfred Jordan, to adopt Resolution #19197, authorizing the County Executive to execute an Interlocal Agreement with the Cities of Kansas City and Independence related to the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Program Grant award application. The motion passed by a roll call vote:

Yes: 8 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dan Tarwater III, Greg Grounds and Theresa Galvin

Absent: 1 - Dennis Waits

(ADOPTED)

Mike Mansur, Public Information Officer, Prosecuting Attorney's office, explained Resolution #19197.

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Scott Burnett, County Legislator, said he read in the June 8th edition of the Labor Beacon that Roofers Local 20 and Quality Roofing donated their time and efforts to install a new roof at 816 Bicycle Collective, a non-profit organization in Kansas City, Missouri. He wanted to publicly recognize and thank them for their generosity.

15 ADJOURNMENT

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, June 27, 2016 at 2:30 P.M. at the Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri, Ground Floor, Legislative Chambers.