



# Jackson County Missouri

## JOURNAL

### County Legislature

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

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

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**Monday, August 1, 2005**

**2:30 PM**

**Thirtieth Regular Meeting**

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

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Henry C. Rizzo, Vice-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 and Rhonda L. Shoemaker  
Absent: Scott Burnett, Dan Tarwater and Bob Spence

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

*Henry C. Rizzo, Vice-Chairman, asked for a moment of silence for former State  
Representative Alex Fazzino who passed away Thursday, July 28, 2005.*

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Rhonda L. Shoemaker moved to approve the journal of the previous meeting held on  
7/25/2005. Seconded by Eugene Standifer Jr..

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

**(APPROVED)**

**4 HEARINGS**

*None.*

**5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE**

*Katheryn Shields, County Executive, announced the resignation of J.D. Stokes, Director  
of Public Works. Ali Roohanirad will be the acting Public Works Director.*

*J. D. Stokes said it was a pleasure working with the Legislature, Administration, his staff  
and colleagues as well as the public. He is honored and privileged to have had the  
opportunity to be the team leader that allowed public roads to reform into the twenty-first  
century.*

*Ali Roohanirad thanked everyone for the opportunity he has been given. The Public Works Department was given the freedom to try new ideas and has saved more than \$7 million dollars. Ali hopes one day to come before the Legislature and tell them how Public Works spends their money, how they saved money and how they are improving the quality of their service.*

*Katheryn Shields said that Sam Ryan is a great example of the young men and women we have in this community. Sam participated in the Fringe Festival last weekend. The festival is an arts presentation for plays, visual art, film and music that are not in the mainstream and give young artists the opportunity to show their talent. Sam and his colleague Chris Plant, who are from Kansas City, go to school in New York. They wrote, produced, directed and acted in a one act play whose concept was Albert Einstein. She said it was a wonderful show and congratulated Sam on his work.*

*Sam Ryan said the Fringe Festival was a great opportunity and hopes everyone will go next year to see some of the events. It was the festival's first year and there were over forty groups participating from across the country.*

*Katheryn said she was connected to the festival because the Rockhurst High School theater department was invited to perform "Jesus Christ Superstar". They will be leaving for Scotland, along with her son Phillip, to perform at the Edinburgh Festival.*

*Henry C. Rizzo, Chairman, asked about the progress on the Chiefs and Royals issue?*

*Katheryn Shields said they are moving along with discussions. There is much work to be done. She said by early fall they should have some good things to report back to the Legislature.*

*Fred Arbanas, County Legislator, said he saw Carl Peterson being interviewed on television. He said Mr. Peterson was upset with the State Legislature. He asked if that issue would be reviewed this summer.*

*Katheryn Shields responded yes. She said there have been meetings with leadership in both the House and the Senate. The Senate was very supportive last year and our efforts were approved. The House was not supportive and did not have a vote last year. Katheryn said they have met with significant people from this community in the Missouri General Assembly and she thinks they should understand the significance of the two teams to the metropolitan area, the economy and the whole State of Missouri. She thinks there will be a very focused determined effort in Jefferson City this year. She thinks the local elected representatives will be playing key leadership roles.*

*Fred Arbanas asked for an update on "Dutch" Newman.*

*Michelle Newman said "Dutch" is out of the hospital and doing better.*

## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3643](#) Land Use Committee moved to perfect.

*Fred Arbanas objects to the consent agenda.*

[3643](#) Fred Arbanas moved to perfect Ordinance #3643. Seconded by Dennis Waits.

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

**(PERFECTED)**

- [3643](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3643. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3644](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*
- [3644](#) Fred Arbanas moved to perfect Ordinance #3644. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [3644](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3644. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3645](#) Land Use Committee recommended do not perfect.
- [3645](#) Fred Arbanas moved to perfect Ordinance #3645, amending the zoning districts established by the Unified Development Code by rezoning a certain 15 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District. Seconded by Dennis Waits.  
Yes: 0  
No: 6 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits and Rhonda L. Shoemaker  
Absent: 3 - Scott Burnett, Dan Tarwater and Bob Spence  
(FAILED)
- [3646](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 78.8 ± acres from District A (Agricultural) to District RE (Residential Estates) District and approving preliminary plat "Leisure Acres" creating a twenty-two (22) lot residential subdivision.  
*(Land Use Committee - 3rd. Perfection)*
- [3649](#) AN ORDINANCE exempting the Prosecuting Attorney's Office, Sheriff's Department and three vacant Park Ranger positions in the Parks and Recreation Department from application and effect of Ordinance #3642 passed by the Legislature on July 11, 2005.  
*(Finance and Audit Committee - 2nd. Perfection)*
- [3651](#) Health and Justice Committee moved to perfect. Consent Agenda.

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

[3643](#) Consent Agenda.

[3644](#) Consent Agenda.

[3648](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

[15568](#) Land Use Committee moved do pass. Consent Agenda.

[15571](#) Public Works Committee moved do pass. Consent Agenda.

[15572](#) Public Works Committee moved do pass. Consent Agenda.

[15573](#) Health and Justice Committee moved do pass. Consent Agenda.

[15575](#) Public Works Committee moved do pass. Consent Agenda.

Land Use Committee moved do not pass Resolution #15576.

Dennis Waits, County Legislator, asked if Resolution #15576 was assigned to committee properly. His understanding was that it did not receive a second and therefore would die without a vote.

Bill Snyder, Deputy County Counselor, said he thought what Mr. Stringfield moved for was immediate adoption to keep it from being assigned to a committee. A second was not received for immediate adoption.

Dennis Waits said he thought a motion was made and then failed for lack of a second. Until it can be reviewed he would like to hold the resolution.

Robert A. Stringfield, County Legislator, said he wanted it to go to the Legislature as a Whole. Someone made the suggestion to send the resolution to the Inter-governmental Affairs committee. He said the Inter-governmental Affairs committee has not functioned in two years. Then someone said to send it to Land Use and Fred Arbanas said he would take it. He thinks with that interpretation a second was made to move it to committee. What he wanted was an up or down vote but he was not able to get a second. All he wants is an up or down vote to see where we stand on the issue.

Fred Arbanas, County Legislator, said he had no problem with it going to committee. They did talk about it in Land Use and he is not in favor of it because we have a legal process going on now. We have already filed a lawsuit against McClain and House. The Park Department would like to be involved and they have identified two parcels of ground. He thinks the courts should decide.

Discussion. (Refer to audio/video tape for details.)

Robert A. Stringfield moved to adopt Resolution #15576. Seconded by Fred Arbanas.

Dennis Waits objects and said he would like to wait until the County Counselor can review what took place at last week's legislative meeting.

Henry C. Rizzo reassigned R. #15576 to Legislature as a Whole.

[15576](#)

For restitution for loss of parkland.

*(Legislature As A Whole)*

**9 CONSENT AGENDA**

- [3651](#) AN ORDINANCE appropriating \$270,757.00 from the unappropriated surplus of the 2005 Grant Fund to cover the Jackson County Health Department's Jail Diversion by Law Enforcement Crisis Intervention grant received from the U. S. Department of Health and Human Services and authorizing the County Executive to execute contracts with Community Network for Behavioral Healthcare, Inc. ("CommCare") in the amount of \$95,592.00, Re-Discover Mental Health Services ("Re-Discover") in the amount of \$40,500.00, Swope Health Services ("Swope") in the amount of \$45,500.00, and Truman Medical Center ("TMC") in the amount of \$3,000.00.
- (PERFECTED)
- [3643](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 1.6 ± acres from District LI (Light Industrial) to GB-P (General Business-Planned Zoning) District.
- (ADOPTED)
- [3644](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 10.3 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.
- (ADOPTED)
- [3648](#) AN ORDINANCE transferring \$10,468.00 from the After School Supervision Education and Treatment grant and appropriating \$10,468.00 to the Community Restitution Diversion Program for a reallocation of funds as approved by the grantor.
- (ADOPTED)
- [15568](#) A RESOLUTION awarding a contract for flotation replacement at the Blue Springs Marina and replacement of the fish cleaning station top at the Longview Marina for the Parks and Recreation Department to Galva Foam Marine Ind., of Camdenton, MO, under the terms and conditions of Invitation to Bid No. 11-05 in an amount not to exceed \$70,000.00.
- (ADOPTED)
- [15571](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of International Truck parts and service for use by the Public Works and Parks and Recreation Departments from KCR International Truck, Inc., of Kansas City, MO, under the terms and conditions set forth in the City of Kansas City, MO's contract No. PA4415, an existing government contract.
- (ADOPTED)
- [15572](#) A RESOLUTION accepting a temporary construction easement and authorizing a payment to Aquila Inc., in the total amount of \$10,000.00, for the Colbern Road, Phase II Project.
- (ADOPTED)

[15573](#) A RESOLUTION declaring certain property as surplus personal property and authorizing its disposal.

(ADOPTED)

[15575](#) A RESOLUTION accepting temporary and permanent construction easements, and authorizing payment to the property owners, E.J. and Mary Purnell, in the total amount of \$10,000.00 for the Colbern Road Phase III Project.

(ADOPTED)

To perfect Ordinance 3651. To adopt Ordinances 3643, 3644, 3648. To adopt Resolutions 15568, 15571, 15572, 15573, 15575.

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

Yes: 5 - Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits and Rhonda L. Shoemaker

Abstain: 1 - Robert A. Stringfield

Absent: 3 - Scott Burnett, Dan Tarwater and Bob Spence

#### 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3653](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 14 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.

*(Land Use Committee)*

[3654](#) Amending Chapter 241, Jackson County Code, 1984, relating to the development of land, by repealing Sections 24103 B., 24103 M., and 24106 E., and enacting, in lieu thereof, three new sections relating to the same subject.

*(Land Use Committee)*

*The Land Use Committee will have a public hearing on Wednesday, August 17, 2005 at 1:00 p.m. at Fleming Hall regarding Ordinances #3653 and #3654.*

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

[15578](#) Awarding a twenty-four (24) month term and supply contract for the furnishing of armored car service for use by various County departments to PSI Armored of Topeka, KS, under the terms and conditions of Electronic Solicitation No. BB200557.

*(Finance and Audit Committee)*

[15579](#) Awarding a twelve (12) month term and supply contract for the furnishing of tires for use by the Parks and Recreation and Public Works Departments to C&M Tire, Inc., d/b/a Cross Midwest Tire Co., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. BB200575.

*(Public Works Committee)*

[15580](#) Rhonda L. Shoemaker moved the passage of Resolution #15580, authorizing the County Executive to execute an Agreement for Services with the Mid-America Local Emergency Planning Committee and the Mid-America Regional Council. Seconded by Eugene Standifer Jr..

Yes: 6 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits and Rhonda L. Shoemaker

Absent: 3 - Scott Burnett, Dan Tarwater and Bob Spence

(ADOPTED)

[15581](#) Fred Arbanas moved the passage of Resolution #15581, authorizing the County Executive to execute the agreements necessary to grant permanent and temporary construction easements to the Public Water Supply District #15 to permit the installation, operation and maintenance of a water line through a portion of Blue and Gray Park. Seconded by Dennis Waits.

Yes: 6 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits and Rhonda L. Shoemaker

Absent: 3 - Scott Burnett, Dan Tarwater and Bob Spence

(ADOPTED)

[15582](#) Authorizing the County Executive to enter into a Cooperative Agreement with the City of Grain Valley, MO, for road maintenance and snow removal services.

*(Public Works Committee)*

[15583](#) Authorizing the County Executive to enter into a Cooperative Agreement with the City of Lee's Summit, MO, for road maintenance and snow removal services.

*(Public Works Committee)*

[15584](#) Dennis Waits moved the passage of Resolution #15584, commemorating the life of Roger Wayne Cunningham and his service to Jackson County as a Legislator. Seconded by Fred Arbanas.

Yes: 6 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits and Rhonda L. Shoemaker

Absent: 3 - Scott Burnett, Dan Tarwater and Bob Spence

(ADOPTED)

*No dissenting vote to consider Resolution #15585 - not on printed agenda.*



[15585](#)

Rhonda L. Shoemaker moved the passage of Resolution #15585, transferring \$40,000.00 within the 2005 Special Road and Bridge Fund to cover the cost of road oil needed to increase the total miles of strip reconstruction in the 2005 Road Program for an additional ten miles in rural county roads. Seconded by Dennis Waits.

Yes: 6 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits and Rhonda L. Shoemaker

Absent: 3 - Scott Burnett, Dan Tarwater and Bob Spence

(ADOPTED)

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

*None.*

**14 NEW BUSINESS**

*None.*

**15 ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Rhonda L. Shoemaker.

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

(APPROVED)

*Meeting adjourned until Monday, August 8, 2005 at 2:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*