



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

Dan Tarwater (4th) Chairman, Henry C. Rizzo (2nd AL), Vice-Chairman,
Theresa A. Garza (1st AL), Fred Arbanas (3rd AL), Scott Burnett (1st),
James D. Tindall (2nd), Dennis Waits (3rd),
Greg Grounds (5th), Bob Spence (6th)

Monday, July 23, 2007

2:30 PM

Twenty-Seventh Regular Meeting

Fort Osage Education Center, 107 Osage, Sibley, MO

Dan Tarwater, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater,
Greg Grounds and Bob Spence
Absent: James D. Tindall and Dennis Waits

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Bob Spence moved to approve the journal of the previous meeting held on 7/16/2007.
Seconded by Theresa A. Garza.

The motion passed by a voice vote.

(APPROVED)

Resolution #16359 was adopted at this time. See page 8 for details.

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said he attended the National Association of Counties (NACO) Conference held last week in Richmond, Virginia. He said there were roughly 5,000 attendees in Virginia, which included guests and family members. He said it was big event and Hillary Clinton spoke at the conference. Next year, Jackson County will host the conference in July 2008 which will be a great opportunity to showcase all the great work going on in Jackson County and Kansas City and surrounding communities.

With regards to deferred maintenance, Mike Sanders said it was discussed in committee about the electrical equipment and the circuit breakers. He said they are finding a litany of items that the County has not maintained in a number of years that pose some risk to the County. In a couple of weeks the Administration will come before the County Legislature with a list of repair projects. He said the electrical emergency (R. #16360) is a risk not only to the physical safety of employees but also to the important records kept by County departments. Finally, he reiterated Bob Spence's point, that there is no money in the general fund to pay for this so the money will be taken from the contingency fund. This is the first time in years that Jackson County has had to dip into the fund, an example of the difficult financial situation the county is facing.

The COMBAT Review Commission will meet on August 1, 2007 from 6 - 8 P.M. at the Fellowship of Christian Athletes (across from Truman Sports Complex), 8701 Leeds Road, Kansas City, MO. They will also meet on August 9, 2007 from 6 - 8 P.M. at the Pioneer Building located at 18th and Prospect. During these public hearings they will be asking for public input on what they want COMBAT to look like in the years going forward.

Mike Sanders said Jackson County announced two weeks ago the prescription drug plan at the request of Fred Arbanas. He said they have received incredible feedback on the plan. Roughly 90,000 cards have been distributed to date.

He introduced Shelley Temple-Kneuvean, whom he appointed Deputy Chief Administrative Officer. (Executive Order 07-23)

Fred Arbanas, County Legislator, said the 911 tax needs to be shared between land lines and cell phone users. He stressed the importance of having a good effort in Jefferson City to promote this legislation.

Mike Sanders responded that he has spoke to the lobbyists about this issue. He said the Administration will come before the County Legislature in a few weeks to discuss the legislative agenda and the 911 issue is one of the foremost items. He said this is a national problem not just a local or statewide problem.

Theresa Garza, County Legislator, asked if COMBAT meetings will be held in other areas such as South Kansas City, Grandview, Lee's Summit, Waldo or Brookside.

Mike Sanders replied that the two meetings he mentioned earlier are scheduled by the commission. He said neither the Executive Office nor the County Legislature are involved in the process. They will be using Jackson County's web site to notice the meetings and he will let everyone know when the site is available. The commission is planning to bring the finished product some time in September 2007.

Henry C. Rizzo, County Legislator, asked Mike Sanders to ask the Finance Department to monitor the 911 tax and when it reaches a surplus to advise the County Legislature so they can review it.

Scott Burnett, County Legislator, asked the start date for streaming video.

Mary Jo Spino, Clerk of the County Legislature, said it is tentatively set for August 13, 2007.

Michele Newman, Acting Director of Parks and Recreation, welcomed everyone to the Fort Osage National Historic landmark. She thanked the County Legislature for having the meeting at this location so they could showcase the new Fort Osage Education Center. It is still under construction but the official opening will occur in mid to late September 2007.

She introduced Ron Fuhrken, Deputy Director of Park Operations. Ron is the landscape architect and he is over planning and development in the park system. He worked closely with the architect team during the design process of Fort Osage Education Center.

She introduced Gordon Julich, Superintendent of Historic Sites and Outdoor Education. He has an extensive background in construction management as well as historic preservation.

She said Ron and Gordon have been working on the Fort Osage project for the past 6 years. Additionally, they represented Jackson County in terms of forging partnerships with state and federal agencies which have also contributed to this project.

For those who took the tour, Michele said she hopes they found the design, technology and displays both remarkable and unique. The Lewis and Clark Expedition camped below this site and its strategic location so impressed William Clark that he returned to this spot in 1808 and initiated the construction of what we see today as Fort Osage. In recognition of its role in our history the Department of Interior designated Fort Osage as a national historic landmark, an honor reserved only for sites demonstrating significant influence in our national heritage. Michele said there are only 3 other national historic landmarks in Jackson County and only 36 throughout the State of Missouri. The Federal Government has included Fort Osage on the National Register of Historic Places as an archeological district because of its cultural remains of the Hopewell Indians and a certified site of both the Santa Fe and Lewis and Clark National Historic Trails. The education center was not only conceived to support Fort Osage and its historic significance but it also had an educational component and mission. The educational mission was to educate students about their past, about their Missouri heritage, as well as guidance and responsible stewardship for our future.

Gordon Julich was present to talk about the philosophy of the design of the building, the educational component, as well as the environmental component.

Discussion regarding the Fort Osage Education Center.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3904](#) Finance and Audit Committee moved to perfect.

Bob Spence objects to the Consent Agenda.

[3904](#) Scott Burnett moved to perfect Ordinance #3904. Seconded by Theresa A. Garza.

The motion passed by a voice vote. (PERFECTED)

Discussion regarding Ordinance #3904.

Fred Arbanas asked Gary Panethiere, Legislative Auditor, to prepare a report for the Legislature showing where Jackson County has been getting the funds to pay for 911 emergency services.

[3904](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #3904. Seconded by Henry C. Rizzo.

The motion passed by a voice vote. (APPROVED)

[3904](#)

Scott Burnett moved the passage of Ordinance #3904 as perfected, imposing a tax of 4.25% of the tariff rate for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911.". Seconded by Henry C. Rizzo.

Yes: 6 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 2 - James D. Tindall and Dennis Waits

(ADOPTED)

Fred Arbanas moved to waive the reading of Ordinances #3907, #3908, #3909, #3910, #3911 and #3912. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing regarding Ordinance #3907 on Thursday, August 9, 2007 at 1 P.M. at Fleming Hall.

[3907](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from A (Agricultural) to District RS (Residential Suburban) a certain 177± acre tract and approving the preliminary plat "Woodland Trails," creating a 114-lot residential subdivision subject to specified conditions.

(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing regarding Ordinances #3908, #3909, #3910, #3911 and #3912 on Thursday, August 2, 2007 at 1 P.M. at Fleming Hall.

[3908](#)

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 to be known as "Lot 4 of Lone Hickory-3rd Plat."

(Land Use Committee - 2nd. Perfection)

[3909](#)

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 10± acre tract, for a three-lot residential subdivision to be known as "Aubuchon Estates."

(Land Use Committee - 2nd. Perfection)

[3910](#)

AN ORDINANCE vacating a 1.96± acre tract within the subdivision "Llewellyn Acres."

(Land Use Committee - 2nd. Perfection)

[3911](#) 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± acre tract, for a two-lot residential subdivision to be known as "Stony Bluffs - Lots 1A and 1B."

(Land Use Committee - 2nd. Perfection)

[3912](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code, by changing from District RR-p (Residential Ranchette - Planned Development) and District RE (Residential Estates) to District A (Agricultural), a certain 57.3± acre tract, and by changing from District RR-p to District RE, a certain 9.6 acre tract, for a three-lot subdivision to be known as "Llewellyn Acres 2nd Plat."

(Land Use Committee - 2nd. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3905](#) Consent Agenda.

The Budget Committee Substitute for Ordinance #3905 dated July 16, 2007 was adopted.

8 RESOLUTIONS IN COMMITTEE

Matthew Cushman was present and interviewed by the County Legislature.

Dan Tarwater opened the floor for nominations to the Jackson County Sports Complex Authority.

Henry C. Rizzo nominated Tom Haley.
Scott Burnett nominated Beto Lopez.
Theresa A. Garza nominated Matt Cushman.

Fred Arbanas moved nominations cease. Seconded by Henry C. Rizzo.
The motion passed by a voice vote. (APPROVED)

[16342](#) Henry C. Rizzo moved the passage of Resolution #16342, nominating candidates for appointment to the Jackson County Sports Complex Authority. Seconded by Scott Burnett.

Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 2 - James D. Tindall and Dennis Waits

(ADOPTED)

Resolution #16342 was adopted with the names of Tom Haley, Beto Lopez and Matthew Cushman inserted.

[16347](#) Anti-Drug Committee moved do pass. Consent Agenda.

[16350](#) Finance and Audit Committee moved do pass.

Henry C. Rizzo objects to the Consent Agenda.

[16350](#) Scott Burnett moved the passage of Resolution #16350, awarding a contract under the terms and conditions of Request for Proposals, No. PP20062 for the furnishing of a mobile field data gathering system for use by the Assessment Department to Mobile Video Services, Inc., of North Kansas City, MO, at an actual cost to the County not to exceed \$218,930.00. Seconded by Bob Spence.

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

No: 3 - Theresa A. Garza, Henry C. Rizzo and Greg Grounds

Absent: 3 - Fred Arbanas, James D. Tindall and Dennis Waits

(DEFEATED)

Discussion regarding Resolution #16350.

Mike Sanders said his office will look into this matter and report back to the County Legislature.

Jay Haden, Deputy County Counselor, explained that Resolution #16350 can be reconsidered if the Legislature chooses, at the current meeting or the meeting scheduled for next week. It would require a motion by someone on the prevailing side (a no vote) and then a majority vote to reconsider.

[16352](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3905](#) AN ORDINANCE repealing sections 2120., 2122., and 2123., Jackson County Code, 1984, relating to the collection of delinquent taxes, and enacting, in lieu thereof, three new sections relating to the same subject.

(ADOPTED)

[16347](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with Meet Me in the Middle Peace Coalition for the sponsorship of the KC Empowerment Town Hall Meeting on Drugs and Violence, at a cost to the County not to exceed \$3,500.00.

(ADOPTED)

[16352](#) A RESOLUTION authorizing the Director of Finance and Purchasing to execute a renewal of the County's term and supply agreements with SBC/AT&T of Dallas, TX, to provide Plexar II and DS1 telephone services for use by the Public Works Department and Circuit Court, for an additional one-year term, as sole source purchases, in the estimated aggregate amount of \$32,832.00.

(ADOPTED)

To adopt Ordinance 3905. To adopt Resolutions 16347, 16352.

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

Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 2 - James D. Tindall and Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3913](#) Henry C. Rizzo moved to perfect Ordinance #3913. Seconded by Scott Burnett.
The motion passed by a voice vote. (PERFECTED)

[3913](#) Henry C. Rizzo moved to suspend the rules to consider final passage of Ordinance #3913. Seconded by Scott Burnett.
The motion passed by a voice vote. (APPROVED)

[3913](#) Henry C. Rizzo moved the passage of Ordinance #3913 as perfected, enacting sections 2000. and 2001., Jackson County Code, 1984, relating to the assessment of property. Seconded by Scott Burnett.
Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 2 - James D. Tindall and Dennis Waits
(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[16354](#) Bob Spence moved the passage of Resolution #16354, authorizing the payment of \$18,747.75 to the City of Sugar Creek, Missouri, from the City of Sugar Creek CURS account, to cover the cost of city projects. Seconded by Fred Arbanas.
Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 2 - James D. Tindall and Dennis Waits
(ADOPTED)

[16355](#) Bob Spence moved the passage of Resolution #16355, expressing the support of the Legislature for the expansion of the Middle Big Creek Sub-District of the Little Blue Valley Sewer District and the provision of wastewater collection and treatment facilities to serve the expanded area within southeast Jackson County and northeast Cass County and the cities of Lee's Summit, Raymore, Lake Lotawana, Greenwood, Lake Winnebago, and Pleasant Hill. Seconded by Henry C. Rizzo.
Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 2 - James D. Tindall and Dennis Waits
(ADOPTED)

[16356](#) Authorizing the County Executive to execute an Agreement for Services with the Mid-America Local Emergency Planning Committee and the Mid-America Regional Council.
(Health and Justice Committee)

[16357](#)

Henry C. Rizzo moved the passage of Resolution #16357, congratulating Pastor Daniel Roberson on his twentieth Pastoral Anniversary. Seconded by Scott Burnett.

Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 2 - James D. Tindall and Dennis Waits

(ADOPTED)

[16358](#)

Awarding a twenty-four (24) month term and supply contract, with annual options to extend for an additional twenty-four (24) months, for the furnishing of emergency sewer repair service and public and storm sewer and culvert clean-out for use by various County departments to Reddi Services, Inc., of Shawnee, KS, under the terms and conditions of Electronic Solicitation No. BB200729.

(Public Works Committee)

No objection to the consideration of Resolutions #16359 and #16360 - not on printed agenda.

[16359](#)

Greg Grounds moved the passage of Resolution #16359, congratulating the Ben and Katie Stowe family upon its designation as the Family of the Year in Jackson County's "Putting Families First" Family Week. Seconded by Theresa A. Garza.

Yes: 6 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 3 - Scott Burnett, James D. Tindall and Dennis Waits

(ADOPTED)

[16360](#)

Bob Spence moved the passage of Resolution #16360, transferring \$121,216.00 within the 2007 General Fund to cover the emergency purchase of electrical equipment for use by the Public Works Department, Facilities Management Section. Seconded by Theresa A. Garza.

Yes: 6 - Theresa A. Garza, Fred Arbanas, Scott Burnett, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 3 - Henry C. Rizzo, James D. Tindall and Dennis Waits

(ADOPTED)

Resolution #16360 was adopted pending compliance.

12 COUNTY EXECUTIVE ORDERS

[07-23](#)

I hereby appoint Shelley Temple-Kneuvean as Deputy Chief Administrative Officer. A copy of Ms. Shelley Temple-Kneuvean's resume is attached.

13 UNFINISHED BUSINESS

Bob Spence, County Legislator, referred to a letter he received from the County Counselor's office regarding appointments to the Pension Board. The letter makes it extremely clear that only the County Executive can appoint members to County Boards and Commissions. He thinks the Legislature should direct Mark Jones, County Counselor, to write a letter to the members of the Pension Board who were not appointed by the County Executive to advise them that they are no longer members because it is improper and in violation of the County Charter. Bob Spence said the County Executive or the County Counselor should also request resumes from all members of the Pension Board for the County Executive's review.

Mark Jones agreed to follow Mr. Spence's directions.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Scott Burnett moved to adjourn the meeting. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, July 30, 2007 at 2:30 P.M. in the Kansas City Legislative Assembly Area.