



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)

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Monday, June 12, 2006

2:30 PM

Twenty-Fourth Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

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Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

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

**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 6/5/2006.  
Seconded by Rhonda L. Shoemaker.

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

(APPROVED)

**4 HEARINGS**

*Larry VanDyke, from the Public Works Department, received a 40 year service pin.*

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

*None.*

**6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

[3764](#)

AN ORDINANCE enacting Chapter 94, Jackson County Code, 1984, relating to archaeological and architectural cultural resources.

*(Finance and Audit Committee - 5th. Perfection)*

[3768](#)

Anti-Drug Committee moved to perfect.

*Dan Tarwater objects to the consent agenda.*

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

- [3768](#) Dan Tarwater moved to perfect the Anti-Drug Committee Amendment of 6/12/2006, to delete the figure "182,000.00" and insert the figure "167,000.00" after symbol " \$", in the heading, body on page 2 and fiscal note on page 3, to delete the figure "407,000.00" and insert the figure "392,000.00" after the symbol "\$" in the heading, to delete the figure "282,000.00" and insert the figure "267,000.00" after the words "NOT TO EXCEED" in the fiscal note on page 4. Seconded by Dennis Waits.
- The motion passed by a voice vote.** (PERFECTED)
- [3768](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3768. Seconded by Dennis Waits.
- The motion passed by a voice vote.** (APPROVED)
- Consent Agenda. See Final Passage of Proposed Ordinances.*
- Fred Arbanas moved to waive the reading of Ordinances #3772, #3773, #3774 and #3775. Seconded by Bob Spence.*
- The motion passed by a voice vote.* (APPROVED)
- The Land Use Committee will have a public hearing on Ordinances #3772 through #3775 on Wednesday, June 21, 2006 at 1:00 P.M. at Fleming Hall.*
- [3772](#) 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 5.5± acre tract.
- (Land Use Committee - 1st. Perfection)*
- [3773](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from A (Agricultural) to RR-p (Residential Ranchette - Planned Development) a certain 64.6 ± acre tract and approving the preliminary plat "Llewellyn Acres, 2nd Plat," creating an eleven-lot residential subdivision.
- (Land Use Committee - 1st. Perfection)*
- [3774](#) AN ORDINANCE vacating a certain section of right-of-way on Stillhouse Road.
- (Land Use Committee - 1st. Perfection)*
- [3775](#) AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of 25 years to continue a coal fly-ash landfill on 170 ± acres and expand the landfill boundary by an additional 44 ± acres for a total of 214 ± acres.
- (Land Use Committee - 1st. Perfection)*
- Resolutions #15921 through #15923 was adopted at this time. See page 6 for details.*
- [3777](#) Land Use Committee moved to perfect.
- Fred Arbanas objects to the consent agenda.*
- [3777](#) Fred Arbanas moved to perfect Ordinance #3777. Seconded by Bob Spence.
- The motion passed by a voice vote.** (PERFECTED)

[3777](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3777.  
Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*

[3778](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3779](#) AN ORDINANCE appropriating \$302,306.00 from the unappropriated surplus of the 2006 General Fund to cover the cost of salary increases within the Prosecuting Attorney's office.  
*(Legislature As A Whole - 1st. Perfection)*

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3768](#) Consent Agenda.

[3770](#) Consent Agenda.

[3777](#) Consent Agenda.

## 8 RESOLUTIONS IN COMMITTEE

[15905](#) A RESOLUTION acknowledging Beverly Pendelton for the many contributions she has made during her thirty-two years of service with the Jackson County Family Court .  
*(Legislature As A Whole - 1st. Meeting)*  
*(Hold until June 19, 2006)*

[15906](#) A RESOLUTION acknowledging James B. Merritt for the many contributions he has made during his twenty-six years of service with the Jackson County Family Court .  
*(Legislature As A Whole - 1st. Meeting)*  
*(Hold until June 19, 2006)*

[15907](#) Public Works Committee moved do pass. Consent Agenda.

[15908](#) Finance and Audit Committee moved do pass.  
*Robert A. Stringfield objects to the consent agenda.*

[15908](#) Dan Tarwater moved the passage of Resolution #15908, transferring \$25,000.00 within the 2006 General Fund to cover an increase to the professional services agreement with Wirken Law Group relating to Open Meetings Act litigation. Seconded by Eugene Standifer Jr..

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Bob Spence and Bob Spence

No: 1 - Robert A. Stringfield

Absent: 1 - Rhonda L. Shoemaker

(ADOPTED)

[15909](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15910](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15913](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15914](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Boulden Consulting, LLC, for the development of the drug treatment logic model and DARE outcomes training, at a cost to the County not to exceed of \$9,000.00.

*(Anti-Drug Committee - 1st. Meeting)*

[15915](#) Public Works Committee moved do pass. Consent Agenda.

[15916](#) Health and Justice Committee moved do pass. Consent Agenda.

[15917](#) Public Works Committee moved do pass. Consent Agenda.

## 9 CONSENT AGENDA

[3778](#) AN ORDINANCE appropriating \$287,129.00 from the unappropriated surplus of the 2006 Grant Fund and authorizing the County Executive to execute an Agreement with the Missouri Department of Transportation, Highway Safety Division, in acceptance of the Jackson County Sheriff's Office's Traffic Unit grant.

(PERFECTED)

[3768](#) AN ORDINANCE appropriating \$167,000.00 from the unappropriated surplus of the 2006 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute a cooperative agreement with Swope Health Services in the amount of \$392,000.00 to provide substance abuse treatment and mental health services to clients of the Jackson County Mental Health Court.

(ADOPTED)

- [3770](#) AN ORDINANCE appropriating \$8,000.00 from the unappropriated surplus of the 2006 Grant Fund and authorizing the County Executive to execute an Agreement with the Missouri Safety Center in acceptance of the Jackson County Sheriff's Click It or Ticket Overtime Enforcement grant.  
(ADOPTED)
- [3777](#) AN ORDINANCE transferring \$145,000.00 within the 2006 Public Building Corporation Fund, appropriating \$290,000.00 from the unappropriated surplus of the 2006 Grant Fund, and authorizing the County Executive to execute a modification to a Memorandum of Agreement with the Department of the Interior, National Park Service, in the amount of \$145,000.00 in acceptance of a grant administered through the Lewis and Clark National Historic Trail Division for fabrication of interpretive museum exhibits for the Fort Osage Education Center.  
(ADOPTED)
- [15907](#) A RESOLUTION authorizing the County Executive to execute a Road Maintenance Agreement with the City of Buckner, MO, for 2006 and 2007 road maintenance and repair.  
(ADOPTED)
- [15909](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Pan Educational Institute for Initial Standardized Assessment Protocol software training and technical assistance, at a cost to the County not to exceed \$34,000.00.  
(ADOPTED)
- [15910](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Pan-Educational Institute for event planning and coordination services in connection with the annual COMBAT Drug Awareness Picnic, at a cost to the County not to exceed \$13,000.00.  
(ADOPTED)
- [15913](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Dr. Jacob Gordon of Shawnee, KS, to provide training services to COMBAT prevention and treatment providers, at a cost to the County not to exceed of \$4,000.00.  
(ADOPTED)
- [15915](#) A RESOLUTION authorizing and directing the Office of the County Counselor to institute condemnation proceedings as to certain tracts of land required for the 85th Street and Troost Avenue Project, No. 2407.  
(ADOPTED)
- [15916](#) A RESOLUTION consenting to a sublease arrangement between Truman Medical Center, Inc., and Walgreens Pharmacy, at no cost to the County.  
(ADOPTED)

[15917](#)

A RESOLUTION authorizing the County Executive to execute rights of way, a temporary construction easement, and a permanent drainage easement in favor of the City of Lee's Summit, MO, for the Woods Chapel Road Improvement Project.

(ADOPTED)

To perfect Ordinance 3778. To adopt Ordinances 3768, 3770, 3777. To adopt Resolutions 15907, 15909, 15910, 15913, 15915, 15916, 15917.

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

Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Bob Spence and Bob Spence

Absent: 1 - Rhonda L. Shoemaker

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3780](#)

Appropriating \$2,650.00 from the unappropriated surplus of the 2006 Grant Fund in acceptance of the Family Court Division's grant awarded by the Office of State Courts Administrator.

*(Health and Justice Committee)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15918](#) Awarding a contract on Bid No. PW 07-2006 for the North-South Liggett Road Improvements, Project No. 3053, to Amino Brothers Co., Inc., of Kansas City, KS, at an actual cost to the County not to exceed \$665,017.50.  
*(Public Works Committee)*

*Resolution #15930 was adopted at this time. See page 7 for details.*

[15919](#) Authorizing the County Executive to execute an agreement with Move Up for its Fighting Back program in the amount of \$66,200.00, as a local match to a federal grant.  
*(Anti-Drug Committee)*

[15920](#) Dennis Waits moved the passage of Resolution #15920, authorizing the Jackson County Legislature to hold a closed meeting on Monday, June 12, 2006, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under Section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Dan Tarwater.  
Yes: 7 - Robert A. Stringfield, Henry C. Rizzo, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence  
Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

[15921](#) Rhonda L. Shoemaker moved the passage of Resolution #15921, congratulating Heather Crichton on her recent designation as an Oak Grove High School recipient of The Kansas City Star's 2006 Scholar-Athlete award. Seconded by Dan Tarwater.  
Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

[15922](#) Rhonda L. Shoemaker moved the passage of Resolution #15922, congratulating Amanda Hanneman on her recent designation as a Blue Springs South High School recipient of The Kansas City Star's 2006 Scholar-Athlete award. Seconded by Dan Tarwater.  
Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

[15923](#) Rhonda L. Shoemaker moved the passage of Resolution #15923, congratulating Chris Winburn on his recent designation as a Blue Springs High School recipient of The Kansas City Star's 2006 Scholar-Athlete award. Seconded by Dan Tarwater.  
Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

- [15924](#)            Declaring certain property within the Corrections Department as surplus personal property and authorizing its disposal.  
*(Health and Justice Committee)*
- [15925](#)            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)*
- [15926](#)            Awarding a twelve (12) month term and supply contract and approving two twelve-month options for extension for the furnishing of steel products for use by the Parks and Recreation and Public Works Departments to Residential Steel LLC of Grain Valley, MO, under the terms and conditions of the City of Kansas City, Missouri's Contract No. EV00000115, an existing government contract.  
*(Public Works Committee)*
- [15927](#)            Authorizing a twelve-month extension to the term and supply contract with Ace Pipe Cleaning, Inc., of Kansas City, MO, for the furnishing of emergency sewer repair service and public and storm sewer and culvert clean-out for use by various County departments.  
*(Public Works Committee)*
- [15928](#)            Authorizing payment to property owners, Kevin S. and Patricia S. Hennrich, in the total amount of \$50,000.00, for the East-West Liggett Road Improvements, Project No. 2449.  
*(Public Works Committee)*
- [15929](#)            Awarding a twelve-month term and supply contract and authorizing two options to extend for additional twelve-month periods, for the furnishing of hydraulic systems, parts, and service for use by the Public Works and Parks and Recreation Departments, to Force America, Inc., of Riverside, MO, under an existing government contract of the City of Kansas City, MO.  
*(Public Works Committee)*
- [15930](#)            Expressing the Legislature's support for the attendance of County elected officials and staffs at an upcoming seminar on Missouri's Open Meetings and Records Act (the Sunshine Law).  
*(Legislature As A Whole)*
- [15931](#)            Awarding a twelve-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 Walker Protective Services of Independence, MO, under the terms and conditions of Electronic Solicitation No. BB200622.  
*(Land Use Committee)*

*No objection to consideration of Resolution #15932 - not on printed agenda.*



[15932](#)

Dennis Waits moved the passage of Resolution #15932, authorizing the County Executive to execute a Cooperative Agreement between Jackson County, Missouri, and the City of Independence, Missouri, for a study of the feasibility of the development of a joint animal shelter facility, at a cost to the County not to exceed \$65,000.00. Seconded by Dan Tarwater.

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

Abstain: 1 - Robert A. Stringfield

Absent: 1 - Scott Burnett

(ADOPTED)

*Legislature goes into closed session.*

*Legislature reconvenes.*

*Mary Jo Spino, Clerk of the County Legislature, said during the closed session the County Legislature voted to approve the minutes of the last closed session held on May 22, 2006.*

*No objection to consideration of Resolution #15933 - not on printed agenda.*

[15933](#)

Dennis Waits moved the passage of Resolution #15933, authorizing the County Counselor to settle the claim against McClain Enterprises, in the case of Jackson County, Missouri vs. McClain Enterprises, et al., No. 0516-CV14771, now pending in the Circuit Court of Jackson County, Missouri. Seconded by Dan Tarwater.

Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 1 - Scott Burnett

(ADOPTED)

**12 COUNTY EXECUTIVE ORDERS**[06-13](#)

I hereby reappoint Brent Schondelmeyer to the Mid-Continent Library Board of Trustees, for a term to expire June 30, 2010.

**13 UNFINISHED BUSINESS**

None.

**14 NEW BUSINESS**

None.

15      **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Eugene Standifer Jr..

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

(APPROVED)

*Meeting adjourned until Monday, June 19, 2006 at 2:30 P.M. in the Legislative Assembly Area, Kansas City, Missouri.*