



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)*

Monday, October 3, 2005

3:30 PM

Thirty-Ninth Regular Meeting

Independence Courthouse Annex, 308 West Kansas, Legislative Chambers, Ground Floor

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, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 9/26/2005.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Sister Berta Sailor with Operation Breakthrough was present to accept a check from Jackson County in the amount of \$19,500.00. The money was raised during the 2005 County Executive Charity Golf Tournament.

Katheryn Shields, County Executive, thanked everyone who helped with the tournament either as a sponsor, donor, player or staff. Katheryn stated that Operation Breakthrough has taken in children of six families from New Orleans.

Sister Berta thanked Katheryn Shields and her employees who worked on the tournament.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3684](#) Public Works Committee moved to perfect.
Bob Spence objects to the consent agenda.

[3684](#) Bob Spence moved to perfect Ordinance #3684. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)

[3684](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3684.
Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

*Fred Arbanas moved to waive the reading of Ordinances #3678 through #3682.
Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote.* (APPROVED)

[3678](#) Consent Agenda.

[3679](#) Consent Agenda.

[3680](#) Consent Agenda.

[3681](#) Consent Agenda.

[3682](#) Consent Agenda.

[3684](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[15632](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement for consultant services for Animal Control Services through the City of Kansas City, Missouri, at an actual cost to the County not to exceed \$5,000.00.
(Health and Justice Committee - 1st. Meeting)

[15633](#) Public Works Committee moved do pass. Consent Agenda.

[15634](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15635](#) A RESOLUTION transferring \$7,214.00 within the 2005 Anti-Drug Sales Tax Fund for the purpose of using Local Law Enforcement Block Grant 2004-2005 monies to cover the cost of purchasing computer equipment for use by the Prosecuting Attorney's Drug Court Unit.

(Anti-Drug Committee - 1st. Meeting)

[15637](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15639](#) Public Works Committee moved do pass.

Robert A. Stringfield objects to the consent agenda.

[15639](#) Dennis Waits moved the passage of Resolution #15639, authorizing payment to the property owner, D & H Enterprises, Inc., in the total amount of \$600,000.00 from the County Urban Road System account for the 85th and Troost Road Improvements, Project No. 2407. Seconded by Scott Burnett.

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

No: 1 - Robert A. Stringfield

Absent: 1 - Dan Tarwater

(ADOPTED)

9 CONSENT AGENDA

[3678](#) AN ORDINANCE appropriating \$25,600.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the Community Restitution Diversion Program.

(ADOPTED)

[3679](#) AN ORDINANCE appropriating \$131,576.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the Facilitating Treatment Delivery Grant project.

(ADOPTED)

[3680](#) AN ORDINANCE appropriating \$56,553.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services, Division of Youth Services for the After School Supervision Education & Treatment Project.

(ADOPTED)

[3681](#) AN ORDINANCE appropriating \$61,986.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Social Services for the School Based Prevention and Diversionary Program project.

(ADOPTED)

[3682](#) AN ORDINANCE appropriating \$56,477.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Public Safety for the Victim Advocacy program.

(ADOPTED)

[3684](#) AN ORDINANCE appropriating \$10,000.00 in acceptance of a reimbursement check received from the City of Grain Valley for work provided by the County on the Buckner-Tarsney/R.D. Mize Road traffic signal, Project No. 3022.

(ADOPTED)

[15633](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Missouri Highway Transportation Commission in conjunction with the Liggett Road improvements from Lake Jacomo Dam to Blue Springs City limits, Project No. 2449.

(ADOPTED)

[15634](#) A RESOLUTION authorizing the County Executive to execute an agreement with Graceland University for COMBAT sponsorship of the "Solutions for Troubled Times" conference at a cost to the County not to exceed \$2,500.00.

(ADOPTED)

[15637](#) A RESOLUTION awarding a three-year contract to SBC of Kansas City, MO under the terms and conditions of Invitation to Bid No. 24-05 for the furnishing of long distance telephone services for use by various County departments at a minimum annual cost to the County of \$12,000.00.

(ADOPTED)

To adopt Ordinances 3678, 3679, 3680, 3681, 3682, 3684. To adopt Resolutions 15633, 15634, 15637.

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

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Dan Tarwater, Chairman, assumes the Chair.

[3685](#) Henry C. Rizzo moved to perfect Ordinance #3685. Seconded by Dennis Waits.

The motion passed by a voice vote. (PERFECTED)

[3685](#) Henry C. Rizzo moved to suspend the rules to consider final passage of Ordinance #3685. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

[3685](#) Henry C. Rizzo moved the passage of Ordinance #3685 as perfected, appropriating \$717,000.00 within the 2005 Special Road and Bridge Fund in acceptance of a check received from the City of Lee's Summit in connection with the Blackwell Road and Woods Chapel Road public improvement projects. Seconded by Dennis Waits.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[3686](#) Appropriating \$23,780.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of an additional grant awarded to the Family Court Division by the Jewish Heritage Foundation.

(Health and Justice Committee)

[3687](#) Appropriating \$25,591.00 from the unappropriated surplus of the 2005 Health Fund and authorizing the Director of the Department of Finance to issue a check in the amount of \$25,590.68 to the Mid-America Regional Council as a pass-through of funds received from the Missouri Emergency Response Commission.

(Health and Justice Committee)

The Land Use Committee will have a public hearing on Wednesday, October 19, 2005 at 1:00 p.m. at Fleming Hall regarding Ordinances #3688 through #3692.

[3688](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 2.5 ± acres from District A (Agricultural) to District RE (Residential Estates) District.

(Land Use Committee)

[3689](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 6 ± acres from District A (Agricultural) to District RE (Residential Estates) District.

(Land Use Committee)

[3690](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 10 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.

(Land Use Committee)

[3691](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 40,386 square foot lot from District A (Agricultural) to District RS (Residential Suburban) District.

(Land Use Committee)

[3692](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 40,386 square foot lot from District A (Agricultural) to District RS (Residential Suburban) District.

(Land Use Committee)

[3693](#) Approving the preliminary plat of Churchill Estates, 4th Plat pursuant to the Unified Development Code creating sixty-three (63) single family residential lots on 22 ± acres.

(Land Use Committee)

[3694](#) Extending the boundaries of Salem East Sewer District #95.

(Public Works Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15640](#) Henry C. Rizzo moved the passage of Resolution #15640, honoring Donna Ross Slaughter on being selected as the American Sons of Columbus's 2005 "Columbian of the Year". Seconded by Robert A. Stringfield.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[15641](#) Henry C. Rizzo moved the passage of Resolution #15641, commending Anthony Mendolia for being named as the American Sons of Columbus's 2005 "Columbian of the Year". Seconded by Robert A. Stringfield.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[15642](#) Bob Spence moved the passage of Resolution #15642, authorizing the County Executive to execute an Agreement with the State Emergency Management Agency (SEMA) for reimbursement from the Federal Emergency Management Agency (FEMA) and authorizing activation and deployment of the County's disaster relief team. Seconded by Rhonda L. Shoemaker.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[15643](#) Authorizing the County Executive to execute a joint funding agreement with the United States Geological Survey for technical design assistance with interpretive exhibits for the Fort Osage Education Center at a cost to the County not to exceed \$12,000.00.

(Land Use Committee)

[15644](#) Bob Spence moved the passage of Resolution #15644, authorizing the County Executive to execute an Agreement with Public Water Supply District #13 for the relocation of a water main in conjunction with the Colbern Road Phase III Project No. 2455. Seconded by Henry C. Rizzo.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[15645](#) Bob Spence moved the passage of Resolution #15645, authorizing the County Executive to execute warranty deeds and a temporary construction easement to the City of Kansas City, MO, for the total sum of \$35,317.00 to provide for right-of-way for the City of Kansas City's projects for replacement of two bridges and realignment of the Raytown Road access to the Sports Complex. Seconded by Dennis Waits.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[15646](#) Correcting the stated transfer of \$288,812.00 within the 2005 Anti-Drug Sales Tax Fund previously authorized by Resolution 15629, dated September 12, 2005, to cover the cost of hardware, installation, training, consulting and maintenance for an upgrade of the Wireless Personal Data Terminals (PDTs) used by the Corrections Department.

(Finance and Audit Committee)

[15647](#) Fred Arbanas moved the passage of Resolution #15647, authorizing the County Executive to execute an agreement for a permanent easement and temporary construction easement with the Tri-County Water Authority to permit water main construction through the Mouth of the Little Blue Park. Seconded by Bob Spence.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[15648](#) Authorizing the County Executive to execute an Agreement with Crackerneck Creek, LLC., for mitigation of environmental impact required for the Bass Pro Development adjacent to the Little Blue Trace Park upon payment of \$147,273.12 in consideration for the Agreement.

(Land Use Committee)

[15649](#) transferring \$10,094.00 within the 2005 Anti-Drug Sales Tax Fund and \$22,871.00 within the 2005 General Fund to cover the cost of increased compensation for the Prosecuting Attorney's executive staff.

(Finance and Audit Committee)

[15650](#) Authorizing the County Executive to execute one year contracts with annual renewal options for two additional years for the furnishing of dental insurance as an employee benefit for use Countywide to Assurant Employee Benefits of Kansas City, MO and Metropolitan Life Insurance Co. of New York, NY under the terms and conditions of Request For Proposal No. 26-05 at an annual estimated first year cost to the County of \$59,220.00.

(Health and Justice Committee)

[15651](#) Authorizing the County Executive to execute a one year contract with annual renewal options for two additional years for the furnishing of Health Insurance as an employee benefit for use Countywide to Coventry Health Care of Kansas, Inc., of Kansas City, MO under the terms and conditions of Request For Proposal No. 25-05 at an annual estimated 1st year cost to the County of \$8,535,183.60.

(Health and Justice Committee)

No dissenting vote to consider Resolution #15652 - not on printed agenda.

[15652](#) Dennis Waits moved the passage of Resolution #15652, expressing the Legislature's support for the development of a bicycle trail between Buckner and Sibley parks. Seconded by Fred Arbanas.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Bob Berkebile, an architect, distributed copies of Scientific American to all legislators. He said designs completed may have a different outcome on the users than intended. The question is if the designs improve human well being and vitality of the community. He spoke about global climate change, ozone depletion, air pollution, soil erosion and water pollution.

Katheryn Shields said Bob is a messenger of hope. She said the Scientific Panel in August 2005 reported to British Prime Minister Tony Blair that by the year 2010 if the industrialized world does not cut its release of carbons in half we will reach the tipping points in the oceans and ocean currents.

Discussion regarding this issue.

Katheryn Shields said that Clay County, Missouri started an effort for counties in the area to provide relief for Hurricane Katrina victims. She recognized Clay County for their leadership and thanked the County Legislature for appropriating approximately \$100,000.00 and allowing 19 employees to go to Louisiana to provide assistance.

Present from Clay County government were D.C. Rogers, Emergency Services Director, Alexa Barton, Assistant County Administrator and Leslie Enzine, Director of Human Relations. They thanked Jackson County for their cooperation and said they look forward to working with us in the future.

Katheryn Shields, Tom Phillips, Sheriff and Scott Morello, Safety Coordinator with the Public Works Department, talked about the Emergency Preparedness System for unincorporated Jackson County, Missouri.

Katheryn said the most important lesson learned from Katrina was that help will come from local government and they will be the first responders, not the federal or state government. She said Jackson County's emergency management plan was updated in 2004 and they will have draft changes for the County Legislature to approve. The Geographic Information Systems (GIS) Department will be included in the plan.

Rhonda Shoemaker, County Legislator, asked for a report on the status of the levies.

Scott Morello agreed to get the information regarding the levies from the Corps of Engineers.

Dan Tarwater, County Legislator, asked if the Jackson County Election Board employees were included in the raises.

Troy Thomas, Chief Financial Officer, said they were not included. He said he will contact the directors this week to discuss it.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 10, 2005 at 3:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.