



Office of
Mary Jo Spino
Clerk of the County
Legislature

Jackson County Missouri

AGENDA

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

County Legislature

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

Fourteenth Regular meeting of the Jackson County Legislature, Monday, April 07, 2014, at 2:30 PM at the K.C. Legislative Assembly Area, Kansas City, Missouri.

1 ROLL CALL

2 THE PLEDGE OF ALLEGIANCE

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

4 HEARINGS

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

None.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

18406 A RESOLUTION opposing the legalization of marijuana for recreational or medical purposes.
(*Anti-Drug Committee - 7th. Meeting*)

18462 A RESOLUTION awarding a fourteen-month extension to the term and supply contract for the furnishing of mail services for use by the Office Services Division of the Finance and Purchasing Department with Strahm Automation and Mailing Services of Kansas City, MO.
(*Finance and Audit Committee - 1st. Meeting*)

9 CONSENT AGENDA

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

4613 AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.00 ± acre tract from District AG (Agricultural) to District RE (Residential Estates).

- 4614 AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 9.00 ± acre tract from District AG (Agricultural) to District RE (Residential Estates).
- 4615 AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.33 ± acre tract from District AG (Agricultural) to District RE (Residential Estates).
- 4616 AN ORDINANCE granting a conditional use permit (CUP) in District AG (Agricultural) for a period of three years to operate a bed and breakfast inn, subject to specified conditions on a 12 ± acre tract.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

- 18465 A RESOLUTION awarding a twelve-month term and supply contract for the furnishing, installation, and repair of emergency equipment for use by the Sheriff's Office to 911 Custom of Overland Park, KS, as a sole source purchase.
(Introduced by James D. Tindall)
- 18466 A RESOLUTION awarding a contract for the furnishing and installation of a fuel line and dispensing system upgrade for use by the Parks + Rec Department to Mid-State Petroleum Equipment, Inc., of Hallsville, MO, under the terms and conditions of Invitation to Bid No. 15-14, at an actual cost to the County not to exceed \$49,236.00.
(Introduced by Fred Arbanas)
- 18467 A RESOLUTION authorizing the Director of Finance and Purchasing to issue a check in the amount of \$582.00 to the Ad Hoc Group Against Crime, for sponsorship of the Fifth Annual Community Guardian Award to be held May 14, 2014.
(Introduced by Dan Tarwater)
- 18468 A RESOLUTION authorizing the County Executive to execute an Agreement with the Missouri Highways and Transportation Commission for the Adopt-A-Highway program, at no cost to the County.
(Introduced by Theresa Garza Ruiz)
- 18469 A RESOLUTION authorizing the County Executive to execute an extension to the Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for the furnishing of inmate beds at the Regional Correctional Center.
(Introduced by James D. Tindall)
- 18470 A RESOLUTION congratulating Kush Sharma of Kansas City, MO, on qualifying for the National Spelling Bee.
(Introduced by Theresa Garza Ruiz)

- 18471 A RESOLUTION authorizing the Director of Finance and Purchasing to issue a check in the amount of \$1,000.00 to Bridging the Gap, for sponsorship of Earth Walk to be held May 3, 2014, in Kansas City, MO.
(Introduced by Scott Burnett)

12 COUNTY EXECUTIVE ORDERS

13 UNFINISHED BUSINESS

14 NEW BUSINESS

15 ADJOURNMENT

The next legislative meeting is scheduled to be held on Monday, April 14, 2014 at 2:30 P.M. at the Eastern Jackson County Courthouse, 308 W. Kansas, Ground Floor, Legislative Chambers.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.00 \pm acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 4613, April 7, 2014

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) District and the "RE" (Residential Estates) District, so that there will be transferred from District AG to District RE, a 3.00 \pm acre tract of land commonly known as 28915 E. Easley Road, Lee's Summit, MO, and specifically described as follows:

Description: All that part of the Northeast Quarter of the Southeast Quarter of Section 8, Township 47, Range 30, in Jackson County, Missouri, described as follows: Beginning at a point on the North line of said Southeast Quarter, said point lying 540 feet West of the Northeast corner of said Northeast Quarter of the Southeast Quarter; thence South 90 Degrees to said North line a distance of 493 feet; thence West, parallel to the North line of said Northeast Quarter of the Southeast Quarter a distance of 265 feet; thence North 90 degrees to the last described course a distance of 493 feet to the North line of said Northeast Quarter of the Southeast Quarter; Thence East along the North line of said Northeast quarter of the Southeast Quarter a distance of 265 feet to the point of beginning, except part in Easley Road.

Section 2. The Legislature, pursuant to the application of Blue Mountain Air, Inc. - Polymathic Properties, Inc., (RZ-2014-503), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on March 20, 2014, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4613 introduced on April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4613.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4613

Sponsor(s): None

Date: April 7, 2014

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Blue Mountain Air, Inc / Polymathic Properties, Inc Case No. RZ-2014-503</u></p>											
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td><td> <p>FROM ACCT</p> <p>TO ACCT</p> </td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	<p>FROM ACCT</p> <p>TO ACCT</p>
Amount authorized by this legislation this fiscal year:	\$											
Amount previously authorized this fiscal year:	\$											
Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	<p>FROM ACCT</p> <p>TO ACCT</p>											
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>											
CONTACT INFORMATION	<p>RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577</p>											
REQUEST SUMMARY	<p>Requesting a change of zoning from District AG (Agricultural) on a 3.00 ± acre tract to District RE (Residential Estates). The 3.00 ± acres are to be platted into a one lot subdivision, Easley Acres. The 3.00 ± acres are located in Section 8, Township 47, Range 30, Jackson County, Missouri aka 28915 E. Easley Road, and specifically described on Attachment to RLA-1.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.</p> <p>The Jackson County Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>											
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>											
ATTACHMENTS	<p>See Attachment to RLA-2</p>											
REVIEW	<table border="1"> <tr> <td>Department Director:</td><td>Date: 03/28/2014</td></tr> <tr> <td>Earl Newill, Acting Director <i>Earl Newill</i></td><td></td></tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td><td>Date:</td></tr> <tr> <td>Division Manager: <i>[Signature]</i> <i>[Signature]</i></td><td>Date: <i>4/2/14</i></td></tr> <tr> <td>County Counselor's Office:</td><td>Date:</td></tr> </table>		Department Director:	Date: 03/28/2014	Earl Newill, Acting Director <i>Earl Newill</i>		Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: <i>[Signature]</i> <i>[Signature]</i>	Date: <i>4/2/14</i>	County Counselor's Office:	Date:
Department Director:	Date: 03/28/2014											
Earl Newill, Acting Director <i>Earl Newill</i>												
Finance (Budget Approval): <i>If applicable</i>	Date:											
Division Manager: <i>[Signature]</i> <i>[Signature]</i>	Date: <i>4/2/14</i>											
County Counselor's Office:	Date:											

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☒ This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from March 20, 2014

Location Map

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Plat of Easley Acres

Photo of area looking South

Jackson County Plan Commission Summary of Public Hearing

Date: March 20, 2014

Place: Independence City Hall
111 E. Maple, Independence, MO

Attendance: Chairman Antey
Mrs. Querry
Mr. Gibler
Mr. Pointer
Mr. Haley
Mr. Crawford
Mrs. Mershon

Staff: Randy Diehl
Jay Haden
Joan Dickey
Kristen Geary
Chris Jenkins

Call to Order/Roll Call

At 8:30 am Chairman Antey called to order the March 20, 2014 meeting of the Plan Commission and asked that the roll call be taken. Mr. Tarpley & Mr. Akins were absent.

Approval of Record

Chairman Antey asked for a motion to approve the record of January 16, 2014. Mr. Pointer made a motion to approve. Mr. Haley seconded the motion. Voice vote.

Minutes of the January 16, 2014 Plan Commission meeting approved, 7-0.

Public Hearings

Chairman Antey swore in all persons present who would like to give testimony at the public hearings.

RE: RZ-2014-503

Requesting a change of zoning from District AG (Agricultural) on a 3.00 ± acre tract to District RE (Residential Estates). The 3.00 ± acres are located in Section 8, Township 47, Range 30, Jackson County, Missouri aka 28915 E. Easley Road.

Applicant: Blue Mountain Air, Inc / Polymathic Properties, Inc

Location: 28915 E. Easley Road, lying in Section 8, Township 47,

Jackson County Plan Commission Summary of Public Hearing

Range 30, Jackson County, Missouri.

Area: 3.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: The 3.00 acres to be platted as Easley Acres

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 2 acres to 10 acres and larger tracts, containing single family residences.

To the North across Easley Road is Easley Estates. This development was established in 1977 and the last plat was recorded in 1996. Lot sizes range from 2.5 to 5.00 acres in size. Directly across the road is Willow Oak Estates, platted in 1994. These three range from 2.00 to 10.00 acres in size. Both Easley Estates and Willow Oak Estates are within District AG (Agricultural). To the East is Eagle Crest Estates, rezoned to District RE (Residential Estates) in 2003. The first phase was also platted in 2003 and contains 14 lots. Farther to the East is Windmill Ridge Estates, rezoned to District RE in 2004 and platted into 13 lots.

Comments: Polymathic Properties, Inc took title to the property in 2012 (2012E0126797). A search through Recorder of Deeds shows that the 3.00 ± acres was separated from the larger tract of land in 2000 (20010078478). In 2009 the property was then subject to a Successor Trustee's Deed Under Foreclosure (2009E0074243). A single family residence is on the 3.00 acres.

The applicant wishes to rezone and plat the three acres into a one lot subdivision, Easley Acres, in order to bring it into compliance with the Unified Development Code.

The proposed subdivision and lot size are compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT). The RE (Residential Estates) District is appropriate in the Urban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2014-503

Jackson County Plan Commission Summary of Public Hearing

Chairman Antey: How was the 3 acres separated from the larger tract in 2000 done and not rezoned?

Randy Diehl: It was an illegal split, unbeknownst to us. The current owner took title to it and wanted to bring it into compliance.

Chairman Antey: Ok. Instead of Legal Non-Compliance, this is Illegal Non-Compliance and this will be bringing it into compliance.

Randy Diehl: The recorder's office records any document brought into them, they are not going to police all 14 zoning districts. The new owners were working with us and we said that we will need to bring it into compliance by platting and rezoning.

Chairman Antey: That is understandable. Are there any other questions from staff?

Mr. Crawford: So, do you think there are a lot of properties out there like this?

Randy Diehl: I'm sure there have to be some.

Scott George: We run across them from time to time. When we do, we say "ok, time out, before we do anything else we need to bring this into compliance."

Mr. Crawford: This is one of the first times I ever remember something like this happening.

Randy Diehl: It's rare, but I'm sure there are some out there.

Chairman Antey: That is why the date of 2000 stood out to me because it was after the UDC. Any other questions for staff?

Mrs. Mershon: So the land around it, is it in compliance?

Randy Diehl: Yes, it is over 10 acres and it is still zoned AG.

Mr. Crawford: It should be about 37 acres.

Chairman Antey: Thank you. Is the applicant present today? Please come forward, state your name and address for the record.

Casey Killian: I'm with Realty Platinum Professionals on behalf of the owners.

Chairman Antey: Do you have anything to add to the staff presentation?

Casey Killian: It sounds like he pretty much covered it all. The previous owner of the property, before it was foreclosed on, illegally cut the property off. I think there

Jackson County Plan Commission Summary of Public Hearing

was roughly about 90 acres total and they replotted the property on their own. I'm guessing so that they would only foreclose on the section that was replotted. We are also having trouble with getting a septic tank fixed because the neighbor now is complaining that the septic tank drains onto his property and we are being told there is not enough room to put another septic tank for the house there.

Chairman Antey: Any questions for the applicants' representative? Is there anyone else who is present today who would like to speak in favor of this application? Is there anyone who would like to speak who is opposed to or has questions concerning this application?

Mrs. Mershon motioned to take this under advisement. Mr. Crawford seconded.
Motion Carried 7 – 0.

Mr. Pointer: I see the sewer system creating a problem here.

Mr. George: Steve Schnell, our wastewater treatment coordinator, has been working with them as far as locating a new site for the wastewater system. We believe that there is room there. It is not going to be the most cost efficient for them, because it will have to be pumped back up to the front of the lot for the lateral fields, but Steve is working with them on that and obviously that is one condition that will have to be met to get everything done. Our understanding is that when they split the lot illegally they actually took out part of the lateral field.

Randy Diehl: There is room in the front that we will have on the plat.

Mr. George: The permitting side of that is done administratively and Steve is working with them to get it wrapped up.

Mr. Crawford: If I understand this right, by looking at it, there has been some school busses parked on the lateral field?

Mr. George: I can't comment on that one, as far as the exact location.

Chairman Antey: It appears as though the representative has more information. We can reopen the public hearing if I have a motion to do so.

Mrs. Mershon: Is that our problem if they have a problem with the sewer. If they want to rezone the 3 acres....

Chairman Antey: Well the rezoning isn't dependant upon the sewer. If they don't it is not going to be worth....

Mrs. Mershon: ...but that is not what we need to think about.

Jackson County Plan Commission Summary of Public Hearing

Chairman Antey: That is not our charge, right.

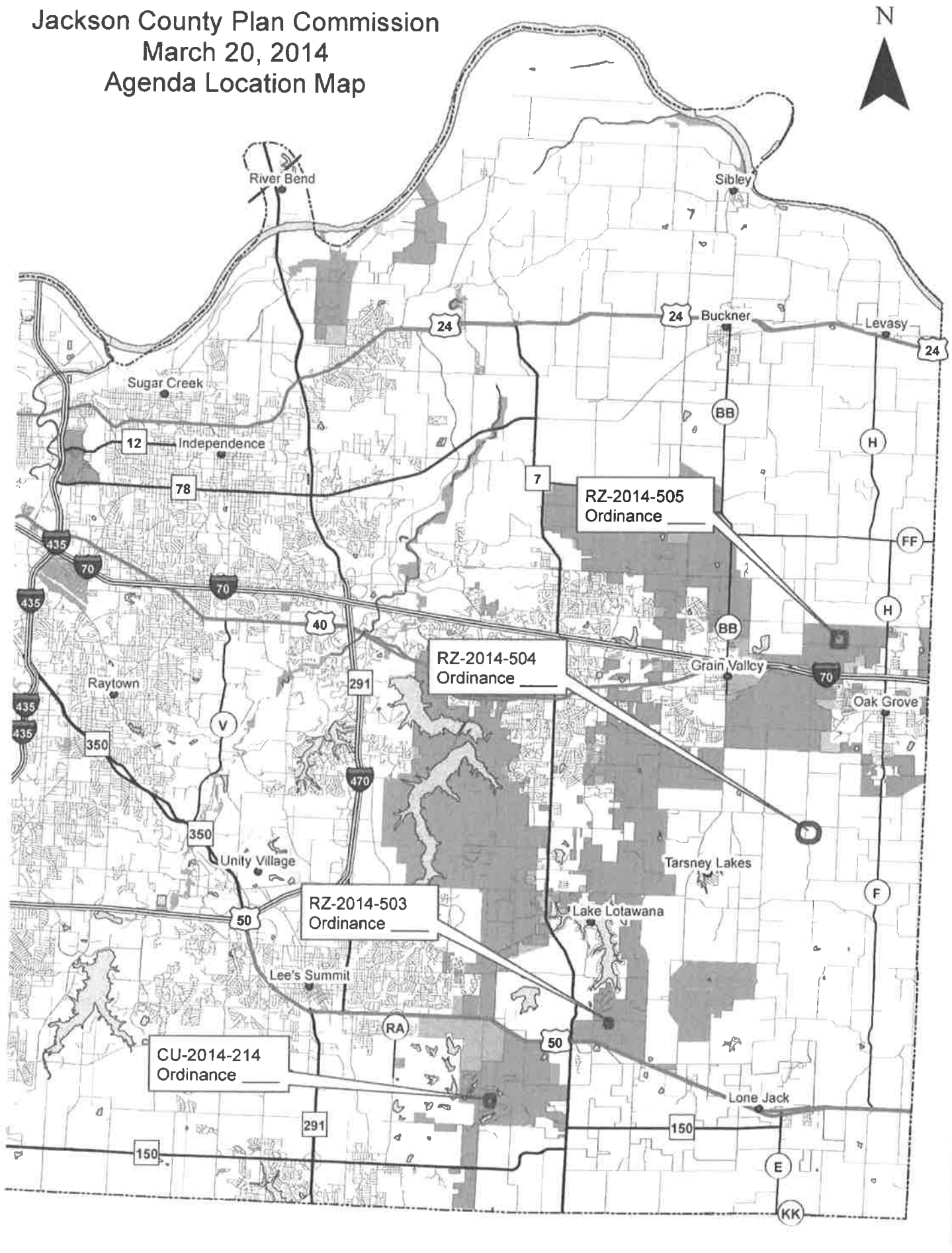
Mrs. Mershon moved to approve RZ-2014-503, Mr. Crawford 2nd.

Roll call vote taken.

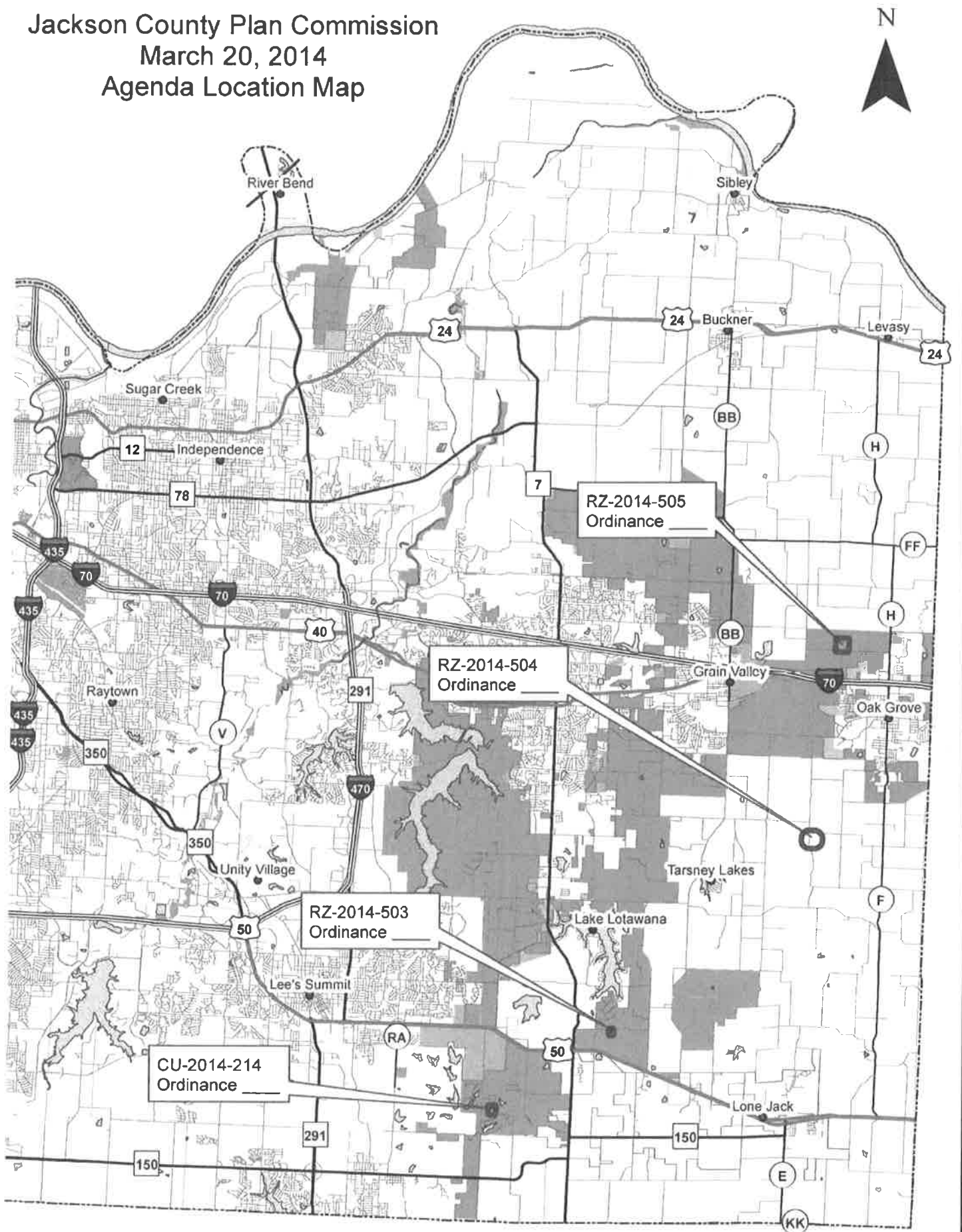
Mrs. Query	Approve	Mr. Crawford	Approve
Mr. Gibler	Approve	Mrs. Mershon	Approve
Mr. Pointer	Approve	Chairman. Antey	Approve
Mr. Haley	Approve		

RZ-2014-503 APPROVED

Jackson County Plan Commission
March 20, 2014
Agenda Location Map



Jackson County Plan Commission
March 20, 2014
Agenda Location Map



STAFF REPORT

PLAN COMMISSION

March 20, 2014

RE: RZ-2014-503

Applicant: Blue Mountain Air, Inc / Polymathic Properties, Inc

Location: 28915 E. Easley Road, lying in Section 8, Township 47, Range 30, Jackson County, Missouri.

Area: 3.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: The 3.00 acres to be platted as Easley Acres

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 2 acres to 10 acres and larger tracts, containing single family residences.

To the North across Easley Road is Easley Estates. This development was established in 1977 and the last plat was recorded in 1996. Lot sizes range from 2.5 to 5.00 acres in size. Directly across the road is Willow Oak Estates, platted in 1994. These three range from 2.00 to 10.00 acres in size. Both Easley Estates and Willow Oak Estates are within District AG (Agricultural). To the East is Eagle Crest Estates, rezoned to District RE (Residential Estates) in 2003. The first phase was also platted in 2003 and contains 14 lots. Farther to the East is Windmill Ridge Estates, rezoned to District RE in 2004 and platted into 13 lots.

Comments: Polymathic Properties, Inc took title to the property in 2012 (2012E0126797). A search through Recorder of Deeds shows that the 3.00 ± acres was separated from the larger tract of land in 2000 (20010078478). In 2009 the property was then subject to a Successor Trustee's Deed Under Foreclosure (2009E0074243). A single family residence is on the 3.00 acres.

The applicant wishes to rezone and plat the three acres into a one lot subdivision, Easley Acres, in order to bring it into compliance with the Unified Development Code.

The proposed subdivision and lot size are compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT). The RE (Residential Estates) District is appropriate in the Urban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2014-503

Respectfully submitted,

Jackson County Public Works
Planning and Environmental Health
Scott George, Assistant Director
Randy Diehl, Subdivision and Zoning Coordinator

**Plan Commission
March 20, 2014
RZ-2014-503**

Applicants / Property Owners:

**59-500-04-06-02-1
Blue Mountain Realty
707 Aldrige Road Ste 8
Vacaville, CA 95688**

**Polymathic Properties, Inc
707 Aldrige Road Ste 8
Vacaville, CA 95688**

**Kimberly Killian
401 SW Ward Road Ste 210
Lee's Summit MO 64081**

**Certified Mail – Return Receipt
Property Owners within 185 feet**

**59-500-04-06-01-1
Wyatt Wytnee LLC
104 NE Bordner Ct
Lee's Summit, MO 64063**

**59-510-04-13
Dean C & Kimberly L Rohr
28908 E Easley Road
Lee's Summit, MO 64086**



Jackson County Zoning Map

Legend

185' Notification Area

Pending Rezoning

Zoning

Residential Estates

Streets

Rezoning

Zoning

RR-Residential Ranchette

RRp-Residential Ranchette-Planned

RE-Residential Estates

RS-Residential Suburban

RU-Residential Urban

A(r)-Single-Family

B(r)-Two-Family

C(r)-Multi-Family

A1-Mobile Homes District

ROP-Residential Office-Planned

LB-Local Business

LBp-Local Business-Planned

GB-General Business

GBp-General Business-Planned

LI-Light Industrial

LIp-Light Industrial-Planned

HI-Heavy Industrial

EX. 5

RZ-2014-503

Ord

Ord. 4613

1 inch = 300 feet



**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application.
Incomplete applications will not be accepted and will be returned to the applicant.
 4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
 5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ-2014-503
 Date filed 1-14-13 Date of hearing 3-20-14
 Date advertised 3-5-14 Date property owners notified 3-5-14
 Date signs posted 3-8-14
 Hearings: Heard by PC Date 3-20-14 Decision 7-0
 Heard by _____ Date _____ Decision _____
 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:**1. Data on Applicant(s) and Owner(s):**

- a. Applicant(s) Name: Vicki Orzilli, Blue Mountain Realty
 Address: 707 Aldridge Rd, Ste B
Vacaville, CA 95688
 Phone: 707-451-8111 ext 140
- b. Owner(s) Name: Polymathic Properties, Inc., Gregory Owen
 Address: 707 Aldridge Rd, Ste B, Vacaville, CA
 Phone: 707-451-8111
- c. Agent(s) Name: Kimberly Killian

210

Address: 401 S.W. Ward Rd, Ste ~~200~~, Lees Summit,
Phone: 816-525-2121 MO 64081

- d. Applicant's interest in Property: Owner Representative
2. General location (Road Name) 28915 Easley Road,
Lees Summit, MO
3. Present Zoning Agricultural / mixed Use Requested Zoning Residential **RE**
4. AREA (sq. ft. / acres) 2.900 acres.
5. Legal Description of Property: (Write Below or Attached 9)
see Attached
6. Present Use of Property: Residential / Agricultural
7. Proposed Use of Property: same - no change
8. Proposed Time Schedule for Development: N.A.
9. What effect will your proposed development have on the surrounding properties?
N.A.
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? This property lies within Flood map Panel 2907SC0320F which is not a printed panel
If so, will any improvements be made to the property which will increase or decrease the elevation? N.A.
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Public Water District
- b. Sewage disposal Lagoon to be built
- c. Electricity K.C.P.W.U.
- d. Fire and Police protection Lees Summit, MO, fire
12. Describe existing road width and condition: 10' gravel

13. What effect will proposed development have on existing road and traffic conditions? N.A.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Permit needed for lagoon

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): January 2014, not yet applied for

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

[Signature]

January 8, 2014

Applicant(s):

[Signature]

January 8, 2014

Contract Purchaser(s):

STATE OF California

COUNTY OF Solano

On this 8th day of January, in the year of 2014, before me the undersigned notary public, personally appeared Gregory S. Owen and Vicki Orzilli

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Michelle Panizza

Commission Expires

July 16, 2016





IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 9.00 \pm acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 4614, April 7, 2014

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) District and the "RE" (Residential Estates) District, so that there will be transferred from District AG to District RE, a 9.00 \pm acre tract of land platted into three separate lots of a five lot subdivision to be known as Johnson Acres, 2nd Plat, located at the northwest corner of Jim Owings and Axline Road, Oak Grove, MO, and specifically described as follows:

Description: A tract of land situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30 Township 49 Range 29, Jackson County, Missouri described as follows: Commencing at the SE Corner of said NE $\frac{1}{4}$; thence N 88°-13'-17" W, along the South line of said NE $\frac{1}{4}$, 359.70 feet to the Southeast corner of Lot 1, Johnson Acres, a subdivision in said Jackson County, Missouri and said corner being the Point of Beginning of the tract to be described herein; thence N 01°-42'-43" E, along the East line of said lot and it's Northerly prolongation, 762.63 feet; thence S 88°-29'-42" E, 326.94 feet to a point that is 10.00 feet West of and with the West right-of-way line of Axline Road as established by grant of right of way recorded in County Court Book 45 at Page 508 approved by the County Court on October 4, 1910 and filed on September 5, 1910; thence S 01°-30'-18" W, along said line, parallel with and 30.00 feet west of the East line of said NE $\frac{1}{4}$, 760.04 feet; thence S 46°-47'-57" W, 56.28 feet to a line that 10.00 feet North of and parallel with the North right of way line of Jim Owings Road as established by grant of right of way recorded in County Court Book 14 at Page 525 by the County Court on July 7, 1868 and filed on July 8, 1868; thence N 87°-54'-25" W, along said line, 30.00 feet North of and parallel with the centerline of said road, 289.83 feet, thence N 01°-42'-43" E, along the Southerly prolongation of the East line of said Lot 1, Johnson's Acres, 34.03 feet to the Point of Beginning.

A tract of land situated in the SE 1/2 NE 1/4 and the N 1/2 SE 1/4 of Section 30 Township 49 Range 29, Jackson County, Missouri described as follows: Commencing at the SE corner of said NE 1/4; thence N 88°-13'17" W, along the South line of said NE 1/4, 1149.82 feet to the Point of Beginning of tract to be described herein; thence S 01°-42'43" W, 29.69 feet to line that is 10.00 feet North of and parallel with North right of way line of Jim Owings Road as established by grant of right of way recorded in County Court Book 14 at Page 525 by the County Court on July 7, 1868 and filed on July 8, 1868 and filed on July 8, 1868; thence N 87°-54'25" W; thence N 87°-54'-25" W, along said parallel line, 225.12 feet to the SW corner of a tract of land described in Document 2014E0009813; thence N 01°-52'-55" E, along the East line of said tract 28.45 feet to a point on the South line of the NW 1/4, NE 1/4, said point being 55.19 feet from the SE corner of said NW 1/4 NE 1/4, said corner also being the SW corner of a tract of land described in Document 1999I0011815; thence N 00°-42'49" E, along the East line of said tract, 123.84 feet; thence S 89°-27-44" E, continuing along said line, 33.88 feet; thence N 02°-24'-40" E, continuing along said line, 504.49 feet; thence S 88°-17'-17" E, 16.37 feet to the West line of the SE 1/4, NE 1/4; thence continuing 88°-17'-17" E, 170.79 feet; thence S 01°-42-43" W, 629.23 feet to the Point of Beginning.

Section 2. The Legislature, pursuant to the application of John and Anita Costanza, Orval and Inez Johnson, Mark and Debbie Johnson, and Roland and Kara Brock, (RZ-2014-505), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on March 20, 2014, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4614 introduced on April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4614.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION


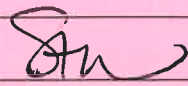
Completed by County Counselor's Office:

Res/Ord No.: 4614

Sponsor(s): None

Date: April 7, 2014

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>John & Anita Costanza, Orval & Inez Johnson, Mark & Debbie Johnson and Roland & Kara Brock Case No. RZ-2014-505</u></p>												
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td><td>FROM ACCT</td></tr> <tr> <td></td><td>TO ACCT</td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT		TO ACCT
Amount authorized by this legislation this fiscal year:	\$												
Amount previously authorized this fiscal year:	\$												
Total amount authorized after this legislative action:	\$												
Amount budgeted for this item * (including transfers):	\$												
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT												
	TO ACCT												
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>												
CONTACT INFORMATION	<p>RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577</p>												
REQUEST SUMMARY	<p>Requesting a change of zoning from District AG (Agricultural) on 9.00 ± acres to District RE (Residential Estates). The 9.00 ± acres are to be platted into three separate lots of a five lot subdivision to be known as Johnson Acres, 2nd Plat. The remaining two lots will remain within District AG and are over 10 acres in size. The subject property is located in Section 30, Township 49, Range 29, Jackson County, Missouri at the Northwest corner of Jim Owings and Axline Roads, and specifically described on Attachment to RLA-1.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.</p> <p>The Jackson County Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>												
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>												
ATTACHMENTS	<p>See Attachment to RLA-2</p>												
REVIEW	<table border="1"> <tr> <td>Department Director:</td><td>Date: 03/31/2014</td></tr> <tr> <td>Earl Newill, Acting Director <i>Earl Newill</i></td><td></td></tr> <tr> <td>Finance (Budget Approval):</td><td>Date:</td></tr> </table>	Department Director:	Date: 03/31/2014	Earl Newill, Acting Director <i>Earl Newill</i>		Finance (Budget Approval):	Date:						
Department Director:	Date: 03/31/2014												
Earl Newill, Acting Director <i>Earl Newill</i>													
Finance (Budget Approval):	Date:												

<i>If applicable</i>		
Division Manager:		Date: <u>4/2/14</u>
County Counselor's Office:		Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☒ This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from March 20, 2014

Staff report & Subdivision report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Plat of Johnson's Acres, 2nd Plat

Current ownership lines

Proposed lot lines

Date: March 20, 2014

Place: Independence City Hall
111 E. Maple, Independence, MO

Attendance: Chairman Antey
Mrs. Querry
Mr. Gibler
Mr. Pointer
Mr. Haley
Mr. Crawford
Mrs. Mershon

Staff: Randy Diehl
Jay Haden
Joan Dickey
Kristen Geary
Chris Jenkins

Call to Order/Roll Call

At 8:30 am Chairman Antey called to order the March 20, 2014 meeting of the Plan Commission and asked that the roll call be taken. Mr. Tarpley & Mr. Akins were absent.

Approval of Record

Chairman Antey asked for a motion to approve the record of January 16, 2014. Mr. Pointer made a motion to approve. Mr. Haley seconded the motion. Voice vote.

Minutes of the January 16, 2014 Plan Commission meeting approved, 7-0.

Public Hearings

Chairman Antey swore in all persons present who would like to give testimony at the public hearings.

RE: RZ-2014-505

Requesting a change of zoning from District AG (Agricultural) on 9.00 ± acres to District RE (Residential Estates). The 9.00 ± acres are located in Section 30, Township 49, Range 29, Jackson County, Missouri at the Northwest corner of Jim Owings and Axline Roads.

Applicant: John & Anita Costanza, Orval & Inez Johnson, Mark & Debbie Johnson and Roland & Kara Brock

Location: Section 30, Township 49, Range 29, Jackson County, Missouri at the Northwest corner of Jim Owings and Axline Roads

Area: 9.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: The 9.00 acres to be platted into three lots of proposed subdivision plat, Johnson Acres, 2nd Plat

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences.

Directly to the East is Pecan Ridge, a 3 lot subdivision, rezoned to District RE and platted in 2003. Lots are 3.0 to 3.5 acres in size. To the West across the road are Theron's Ranch a 5.0 acre lot, rezoned to District RR (Residential Ranchette) and platted in 2006, and P V Acres, a 3.0 acre lot, rezoned to District RE and platted in 2013.

Comments: Johnson Acres was platted in 1990 and contain 2 lots both approximately 5.00 acres in size. This plat was recorded prior to the adoption of the Unified Development Code (UDC) in 1995. Residential subdivisions were permitted without a change of zoning. Both lots are within District AG (Agricultural) Applicants John and Anita Costanza reside on Lot 1 (37006 Jim Owings Road) and applicants Mark and Debbie Johnson reside on Lot 2 (36904 Jim Owings Road). Orval & Inez Johnson reside on the property directly West of Lot 2 on approximately 22.00 ± acres (36800 Jim Owings Road). Roland and Kara Brock have title to the East 10 acres. A single family residence is being constructed on the South side of the property (4614 Axline Road).

The applicants are configuring the properties as such; Lot 1 is being replatted as Lot 5 and will include additional land to the North and is approximately 14.65 acres. Lot 2 is being replatted as Lot 6 with additional property and will be approximately 17.38 acres. Both Lots 5 and 6 are over the 10 acres and will remain in District AG. The residence at 36800 Jim Owings Road is within proposed Lot 7. Out of the 10 acre tract on the East, the residence under construction at 4614 Axline Road will be within proposed Lot 3. Proposed Lot 4 is directly North of Lot 3. Lots 3, 4 and 7 are required to be rezoned to District RE.

The proposed subdivision and lot size are compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT). The RE (Residential Estates) District is appropriate in the Urban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends APPROVAL of RZ-2014-505

Chairman Antey: Any questions for staff?

Mr. Crawford: What is, and what was?

Randy Diehl: The two existing lots are actually growing. We are going from 5 to over 10 acres in size. Those are the ones in the middle. Here are original lots 1 & 2 of Johnson Acres, now they are extended to include all of the rear property.

Mr. Pointer: So that will make them AG?

Chairman Antey: They are AG

Randy Diehl: Right, they are AG.

Mr. Crawford: That is the proposed, right there? What about the set-backs if it's still going to be AG on lot 6 on those buildings?

Randy Diehl: We have a revision. We are working with the surveyor. There was actually a problem with the on-site system for this existing house. They are adjusting this line. There may be a little shortfall on some of those, but what we've done in the past on plats is that if anything ever happens to buildings and they will have to be rebuilt to meet the current set-backs. If they ever get destroyed or if they want to build a new one they will have to meet the set-backs for that district. Otherwise it's a non-conforming set-back, but we will put a note on the plat to that.

Mr. Crawford: What are those buildings?

Randy Diehl: I think they are just some outbuildings.

Chairman Antey: Any other questions for staff?

Mrs. Mershon: How many acres total are here, that we are dealing with?

Randy Diehl: 43 Acres is what they originally bought. Orvil & Inez were the original land owners. They platted out 2 lots and transferred 10 acres.

Chairman Antey: Any other questions for staff?

Mr. Crawford: So 3 & 4, are they 5 acres a piece or are they 10 acres a piece?

Randy Diehl: 3 acres each. We have a total of 9 acres being rezoned. 3- 3 acre lots.

Chairman Antey: Any other questions? Is the applicant present? Please come forward, state your name and address.

Anita Costanza: 37006 E Jim Owings. I'm one of the current 5 acre lots. The one to the east.

Chairman Antey: Do you have anything to add to the staff report?

Anita Costanza: I can appreciate it is a little bit confusing. I don't know if a little bit of background may help here. The original 42 acres was purchased by my parents many years ago. In the early '90's they platted out the two 5acre plats that exist in the center. We were a subdivision at that time, in your terminology. That was for my brother and myself and we both built at that time. At this time, my folks are in their 90's and my kids want to build and this is all in an attempt to get some land carved out for the grandkids so that they can build.

Chairman Antey: Are there any questions for the applicant?

Anita Costanza: I have a question about process. I don't know if this is the appropriate place to ask the question, but part of what we've done with the platting was an attempt to correct some right of way easements that were done back when the culvert work was done.

Randy Diehl: We will get to that.

Chairman Antey: Is there anyone present today who would like to speak in favor of this application? Is there anyone else who is opposed to or has questions concerning this application? Is there any information that Randy wants to share with us.

Randy Diehl: We have a subdivision and you will need to vote on the plat.

Chairman Antey: Ok.

Mrs. Mershon moved to take this under advisement. Mr. Haley seconded.
Motion Carried 7 – 0.

Chairman Antey: Any questions or comments from the commission?

Mrs. Mershon moved to approve RZ2014-505, Mr. Crawford seconded.

Roll call vote taken.

Mrs. Query	Approve
Mr. Gibler	Approve
Mr. Pointer	Approve
Mr. Haley	Approve

Mr. Crawford	Approve
Mrs. Mershon	Approve
Chairman. Antey	Approve

RZ-2014-505 APPROVED

Preliminary Plat of Johnson's Acres

APPLICANTS: John & Anita Costanza, Orval & Inez Johnson, Mark & Debbie Johnson and Roland & Kara Brock

The preliminary plat was received on February 17, 2014.

Jackson County Plan Commission Summary of Public Hearing

Portions of Lots 5 and 6 are located within Zone AE as designated by the Flood Insurance Rate Maps as determined by FEMA. These areas are subject to a "1% Chance of Annual Flooding". This area also contains a stream regulated by Chapter 241 of the County Code (Erosion and Sediment Control Code) which requires a 150' setback from the middle of the stream. The 150' setback will need to be illustrated on the plat and labeled as a "No Build Zone".

Water District 16 has a 4" water line along Jim Owings and a 2" water line along of Axline Road. The District said this is sufficient for the future development (Lot 4).

An adjustment to the lot lines between Lots 6 & 7 is required. A new onsite wastewater system was constructed for the residence on Lot 7 in 2011. The adjustment is needed to maintain the required setbacks for an onsite system.

In 1987 the County made improvements to the culvert structure under Jim Owings Road. In preparing the plat, it was found that the descriptions described in the acquisitions made by the County were incorrect. At that time it was assumed that Jim Owings Road ran along the Section Line. It was determined later that the Section Line ran north of the middle of the road more than 40 feet. With the dedication of right of way on the plat, the areas as intended can be reflected in their correct location.

The layout, as presented, is in compliance with Section 24004.4 Residential Estates District (RE) of the Unified Development Code and the Master Plan of Jackson County.

COMMENTS:

Staff recommends APPROVAL of Preliminary subdivision plat, Johnson Acres 2nd Plat.

Subject to compliance with comments noted in this report and the condition that it may require future additions, deletions, and or corrections through reviews by staff.

Chairman Antey: Any questions on the preliminary plat?

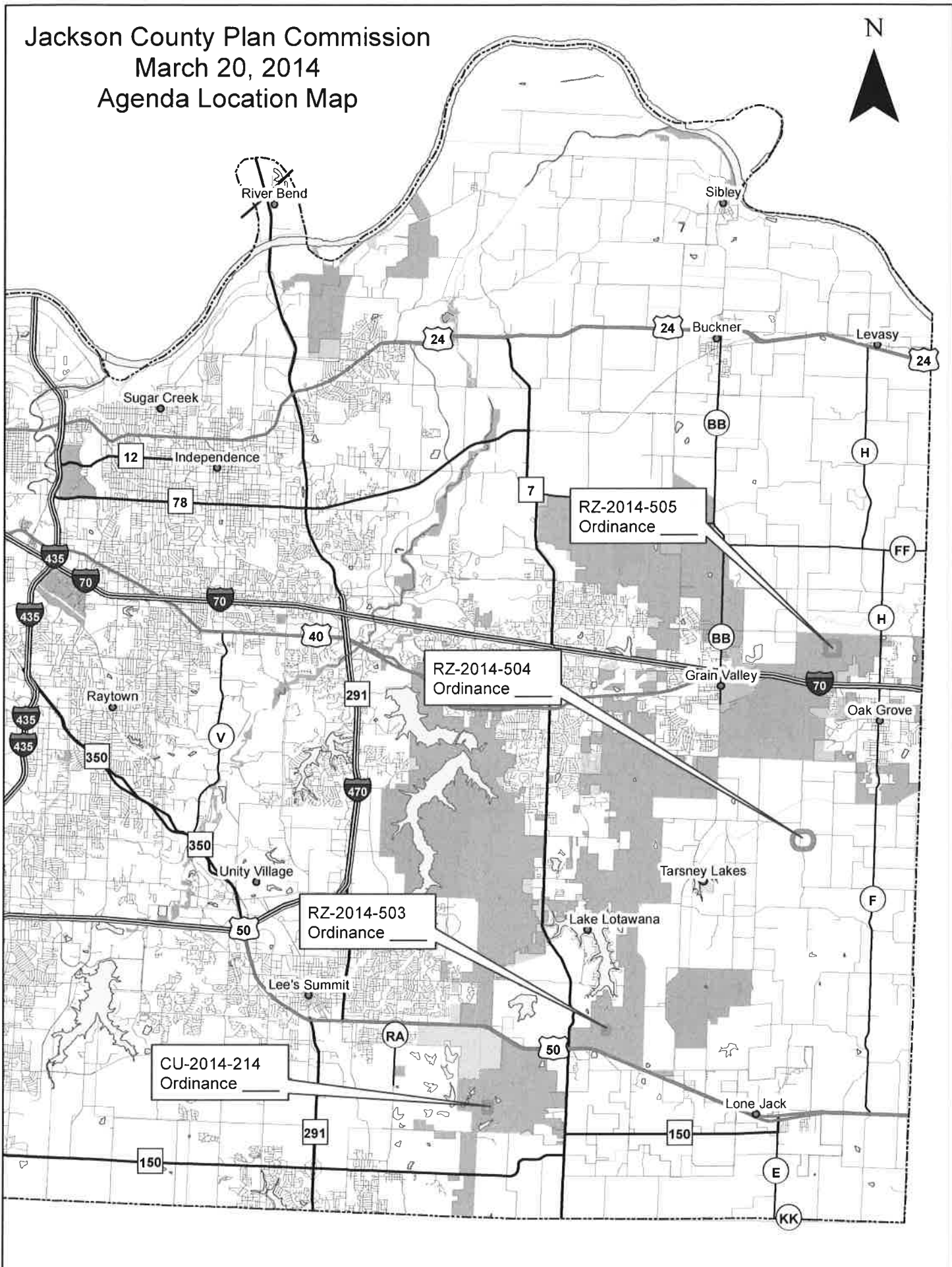
Mr. Crawford motioned to approve the preliminary plat. Mr. Haley seconded.

Voice vote

Motion carried. 7 – 0

Preliminary Plat of Johnson's Acres Approved

Jackson County Plan Commission
March 20, 2014
Agenda Location Map



STAFF REPORT

PLAN COMMISSION

March 20, 2014

RE: RZ-2014-505

Applicant: John & Anita Costanza, Orval & Inez Johnson, Mark & Debbie Johnson and Roland & Kara Brock

Location: Section 30, Township 49, Range 29, Jackson County, Missouri at the Northwest corner of Jim Owings and Axline Roads

Area: 9.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: The 9.00 acres to be platted into three lots of proposed subdivision plat, Johnson Acres, 2nd Plat

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences.

Directly to the East is Pecan Ridge, a 3 lot subdivision, rezoned to District RE and platted in 2003. Lots are 3.0 to 3.5 acres in size. To the West across the road are Theron's Ranch a 5.0 acre lot, rezoned to District RR (Residential Ranchette) and platted in 2006, and P V Acres, a 3.0 acre lot, rezoned to District RE and platted in 2013.

Comments: Johnson Acres was platted in 1990 and contain 2 lots both approximately 5.00 acres in size. This plat was recorded prior to the adoption of the Unified Development Code (UDC) in 1995. Residential subdivisions were permitted without a change of zoning. Both lots are within District AG (Agricultural) Applicants John and Anita Costanza reside on Lot 1 (37006 Jim Owings Road) and applicants Mark and Debbie Johnson reside on Lot 2 (36904 Jim Owings Road) . Orval & Inez Johnson reside on the property directly West of Lot 2 on approximately 22.00 ± acres (36800 Jim Owings Road). Roland and Kara Brock have title to the East 10 acres. A single family residence is being constructed on the South side of the property (4614 Axline Road).

The applicants are configuring the properties as such; Lot 1 is being replatted as Lot 5 and will include additional land to the North and is approximately 14.65 acres. Lot 2 is being replatted as Lot 6 with additional property and will be approximately 17.38 acres. Both Lots 5 and 6 are over

the 10 acres and will remain in District AG. The residence at 36800 Jim Owings Road is within proposed Lot 7. Out of the 10 acre tract on the East, the residence under construction at 4614 Axline Road will be within proposed Lot 3. Proposed Lot 4 is directly North of Lot 3. Lots 3, 4 and 7 are required to be rezoned to District RE.

The proposed subdivision and lot size are compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT). The RE (Residential Estates) District is appropriate in the Urban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2014-505

Respectfully submitted,

Jackson County Public Works
Planning and Environmental Health
Scott George, Assistant Director
Randy Diehl, Subdivision and Zoning Coordinator

SUBDIVISION REPORT

By Randy Diehl

Planning Commission

March 20, 2014

RE: Johnson Acres 2nd Plat

APPLICANTS: John & Anita Costanza, Orval & Inez Johnson, Mark & Debbie Johnson and Roland & Kara Brock

The preliminary plat was received on February 17, 2014.

Portions of Lots 6 and 7 are located within Zone AE as designated by the Flood Insurance Rate Maps as determined by FEMA. These areas are subject to a "1% Chance of Annual Flooding". This area also contains a stream regulated by Chapter 241 of the County Code (Erosion and Sediment Control Code) which requires a 150' setback from the middle of the stream. The 150' setback will need to be illustrated on the plat and labeled as a "No Build Zone".

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An adjustment to the lot lines between Lots 6 & 7 is required. A new onsite wastewater system was constructed for the residence on Lot 7 in 2011. The adjustment is needed to maintain the required setbacks for an onsite system.

In 1987 the County made improvements to the culvert structure under Jim Owings Road. In preparing the plat, it was found that the descriptions described in the acquisitions made by the County were incorrect. At that time it was assumed that Jim Owings Road ran along the Section Line. It was determined later that the Section Line ran north of the middle of the road more than 40 feet. With the dedication of right of way on the plat, the areas as intended can be reflected in their correct location.

The layout, as presented, is in compliance with Section 24004.4 Residential Ranchette District (RE) of the Unified Development Code and the Master Plan of Jackson County.

COMMENTS:

Staff recommends APPROVAL of Preliminary subdivision plat, Johnson Acres 2nd Plat.

Subject to compliance with comments noted in this report and the condition that it may require future additions, deletions, and or corrections through reviews by staff.

**Plan Commission
March 20, 2014
RZ-2014-505**

Applicants / Property Owners:

**38-400-01-10
John M & Anita Constanza
37006 E Jim Owings Road
Oak Grove, MO 64075**

**38-400-01-12-01 & 38-400-01-12-02
Orval F & Inez L Johnson
36800 E Jim Owings Road
Oak Grove, MO 64075**

**38-400-01-11
Mark A & Deborah D Johnson
36904 E Jim Owings Road
Oak Grove, MO 64075**

**Roland & Kara Brock
37006 E Jim Owings Road
Oak Grove, MO 64075**

**38-400-04-05-01
Chester A & Theresa D Addison
37105 E Jim Owings Road
Oak Grove, Mo 64075**

**38-500-03-07
Kelso I Ashby
37203 E Jim Owings Road
Oak Grove, MO 64075**

**38-400-04-02
Amy S & Grant L Bates
36807 E Jim Owings Road
Oak Grove, MO 64075**

**38-500-02-03
Martin Bonilla
3613 S Greenwich Ln
Independence, MO 64055**

**38-400-04-09
Theron & Lynda Crall
P O Box 304
Oak Grove, MO 64075**

**38-500-02-04
Rhea B Davidson
4615 S Axline Road
Oak Grove, MO 64075**

**38-500-02-02-01-2
Brian M Gaughran
4509 S Axline Road
Oak Grove, MO 64075**

**38-400-01-07-01
Larry E & Nancy R Gervy
36706 E Jim Owings Road
Oak Grove, MO 64075**

**38-400-01-13
Sandra I & Clarence Lance
36707 E Jim Owings Road
Oak Grove, MO 64075**

**38-400-04-06
Sandra I & Clarence Lance**

**38-400-01-03
Frances I Oyler
3300 S Cedar St
Independence, MO 64052**

**38-400-02-04
Valley Oaks Angus Farm II LLC
620 W Jefferson
Grain Valley, MO 64029**

**38-400-04-05-02
Toni Lynn Vincent
37003 E Jim Owings Road
Oak Grove, MO 64075**



Jackson County Zoning Map

Legend

185' Notification Area

Pending Rezoning

Zoning

Residential Estates

Streets

Rezoning

Zoning

- RR-Residential Ranchette
- RRp-Residential Ranchette-Planned
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A(r)-Single-Family
- B(r)-Two-Family
- C(r)-Multi-Family
- A1-Mobile Homes District
- ROp-Residential Office-Planned
- LB-Local Business
- LBp-Local Business-Planned
- GB-General Business
- GBp-General Business-Planned
- LI-Light Industrial
- LIp-Light Industrial-Planned
- HI-Heavy Industrial

EX. 5

RZ-2014-505
Ord

1 inch = 400 feet



**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application.
Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
~~\$350.00~~ - Change of Zoning to Residential
\$500.00 - Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2014-505

Date filed 2-17-14 Date of hearing 3-20-14

Date advertised 3-5-14 Date property owners notified 3-5-14

Date signs posted 3-5-14

Hearings: Heard by PC Date 3-20-14 Decision 7-0

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:**1. Data on Applicant(s) and Owner(s):**

- a. Applicant(s) Name: JOHN & ANITA COSTANZA, ETAL
- Address: 37006 E. Jim Owings Road
Oak Grove, Mo 64075
- Phone: 690-8930 (C) 500-4121
- b. Owner(s) Name: Same
- Address: _____
- Phone: _____
- c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: Owners
2. General location (Road Name) Jim Owings Road at Axline Road
3. Present Zoning AG Requested Zoning RR
4. AREA (sq. ft. / acres) 3 lots @ 3.0 Ae each
5. Legal Description of Property: (Write Below or Attached 9)
Lots 3, 4 and 7 JOHNSON'S ACRES-2nd Plat
6. Present Use of Property: Residential
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: Immediate
9. What effect will your proposed development have on the surrounding properties?
None
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No
- If so, will any improvements be made to the property which will increase or decrease the elevation? N/A
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water District 16
- b. Sewage disposal Private
- c. Electricity West Central Electric
- d. Fire and Police protection Sni Valley Fire / JACKSON COUNTY Sheriff
12. Describe existing road width and condition: 18' ± Good

13. What effect will proposed development have on existing road and traffic conditions? None or Minimal

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued):

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Property Owner(s)

Date

Applicant(s):

Contract Purchaser(s):

N/A

JEFF JENNINGS
Notary Public - Notary Seal
STATE OF MISSOURI
Commissioned for Lafayette County
My Commission Expires April 14, 2016
ID #12414179

STATE OF

Missouri

COUNTY OF

Jackson

On this 17th day of Feb, in the year of 2014, before me

the undersigned notary public, personally appeared JOHN COSTANZA, ANITA COSTANZA, INEZ JOHNSON,

ORVAL JOHNSON, DEBORAH JOHNSON, MARK JOHNSON, ROLLIE BROCK, KARA BROCK

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Commission Expires

4/14/2016

PROPERTY
OWNERS
(CONT)

Inez L. Johnson
Orval F. Johnson
Deborah D. Johnson
Mark A. Johnson
Rollie Brock
Kara Brock

INEZ L. JOHNSON
ORVAL F. JOHNSON
DEBORAH D. JOHNSON
MARK A. JOHNSON
ROLLIE BROCK
KARA BROCK

$S\ 88^{\circ}19'56''\ E$
 $88^{\circ}19'56''\ W$
 $1316.85'$
 $6.62'$
 $(DEED = 6.60')$

N 88°19'56" W
S 88°19'56" E

1316.85'
1296.85'

N 88°19'56" W 1316.85'
S 88°19'56" E 1290'

NORTH LINE, SE 1/4, NE 1/4,
SEC 30-40-20

FLOOD ELEV/761

1% CHANCE OF ANNUAL
100 YR FLOOD) PER FEMA
29095C219F

(DEED = 1216.04')
1214.47'

WEST LINE, SE 1/4, NE 1/4, SEC. 30-49-29

FLOOD ELEV 758

6
757,108
17.3808

638.484 SF
14.6576 AC.

2013-E-0093552

50' BLDG LINE

N 1.30'18" E ~~1341.52'~~

S 130.18" W 1341.48'

AXLINE ROAD

RIGHT-OF-WAY ESTABLISHED
BY COUNTY COURT IN RECORD
BOOK 45 AT PAGE 508

TABLE

1'42'43" W 154.84'
88°17'17" W 130.12'
1'42'43" W 429.54'

S 88°17'17" E

318.43
130,687 SF.

S 89°27'44" E 33.88'

DOC 2014-E-0009813
38°13'17" F

DOC 1987-1-0770356

DOC 1987-1-0770356
AS CONDEMED

16°47'57" E
56°28' E

36

S 88°13'17" E
20.00'

N 87°54'25" W 39
1352.76'

DOC 2013-E-0113560

S 88°13'17" E 1319.66'

N 1041830.4€
E 2889030.9C

SOUTH LINE. SE 1/4.

SE CORNE



Jackson County Zoning Map

Legend

Pending Rezoning

Zoning

Residential Estates

Streets

Rezoning

Zoning

- RR-Residential Ranchette
- RRp-Residential Ranchette-Planned
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A(r)-Single-Family
- B(r)-Two-Family
- C(r)-Multi-Family
- A1-Mobile Homes District
- ROP-Residential Office-Planned
- LB-Local Business
- LBp-Local Business-Planned
- GB-General Business
- GBp-General Business-Planned
- LI-Light Industrial
- Lip-Light Industrial-Planned
- HI-Heavy Industrial

EX. 111

RZ-2014-505
Ord

Ord. 4614

1 inch = 200 feet





Jackson County Zoning Map

Legend

New Deeds

Pending Rezoning

Zoning

Residential Estates

Streets

Rezoning

Zoning

- RR-Residential Ranchette
- RRp-Residential Ranchette-Planned
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A(r)-Single-Family
- B(r)-Two-Family
- C(r)-Multi-Family
- A1-Mobile Homes District
- ROP-Residential Office-Planned
- LB-Local Business
- LBp-Local Business-Planned
- GB-General Business
- GBp-General Business-Planned
- LI-Light Industrial
- LIp-Light Industrial-Planned
- HI-Heavy Industrial

EX. 12

RZ-2014-505
Ord

Ord. 4614

1 inch = 200 feet



IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.33 \pm acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 4615, April 7, 2014

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) District and the "RE" (Residential Estates) District, so that there will be transferred from District AG to District RE, a 3.33 \pm acre tract of land commonly known as 8205 S. Stillhouse Road, Oak Grove, MO, and specifically described as follows:

Description: Lot 3, Tri Acres, a subdivision in Jackson County, Missouri

Section 2. The Legislature, pursuant to the application of James R. Haynes, (RZ-2014-504), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on March 20, 2014, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4615 introduced on April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4615.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4615

Sponsor(s): None

Date: April 7, 2014

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: James R Haynes Case No. RZ-2014-504											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="324 493 1201 808"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td><td>FROM ACCT TO ACCT</td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$											
Amount previously authorized this fiscal year:	\$											
Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date):											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 3.33 ± acre tract to District RE (Residential Estates). The 3.33 ± acres are legally described as Lot 3, Tri Acres, a subdivision in Jackson County, Missouri aka 8205 S. Stillhouse Road, and specifically described on Attachment to RLA-1. Applicant is requesting the rezoning to allow an outbuilding to be constructed within 15 feet of the side property line as opposed to 30 feet within District AG. Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	<table border="1" data-bbox="324 1770 1526 1961"> <tr> <td>Department Director:</td><td>Date: 03/31/2014</td></tr> <tr> <td>Earl Newill, Acting Director <i>Earl Newill</i></td><td></td></tr> <tr> <td>Finance (Budget Approval): If applicable</td><td>Date:</td></tr> <tr> <td>Division Manager: <i>[Signature]</i></td><td>Date: 4/2/14</td></tr> </table>		Department Director:	Date: 03/31/2014	Earl Newill, Acting Director <i>Earl Newill</i>		Finance (Budget Approval): If applicable	Date:	Division Manager: <i>[Signature]</i>	Date: 4/2/14		
Department Director:	Date: 03/31/2014											
Earl Newill, Acting Director <i>Earl Newill</i>												
Finance (Budget Approval): If applicable	Date:											
Division Manager: <i>[Signature]</i>	Date: 4/2/14											

	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☒ This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from March 20, 2014

Location Map

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Plat of Tri Acres

Plot plan showing location of proposed pole barn

Aerial view of lot

Photo of area looking East

Date: March 20, 2014

Place: Independence City Hall
111 E. Maple, Independence, MO

Attendance: Chairman Antey
Mrs. Querry
Mr. Gibler
Mr. Pointer
Mr. Haley
Mr. Crawford
Mrs. Mershon

Staff: Randy Diehl
Jay Haden
Joan Dickey
Kristen Geary
Chris Jenkins

Call to Order/Roll Call

At 8:30 am Chairman Antey called to order the March 20, 2014 meeting of the Plan Commission and asked that the roll call be taken. Mr. Tarpley & Mr. Akins were absent.

Approval of Record

Chairman Antey asked for a motion to approve the record of January 16, 2014. Mr. Pointer made a motion to approve. Mr. Haley seconded the motion. Voice vote.

Minutes of the January 16, 2014 Plan Commission meeting approved, 7-0.

Public Hearings

Chairman Antey swore in all persons present who would like to give testimony at the public hearings.

RE: RZ-2014-504

Requesting a change of zoning from District AG (Agricultural) on a 3.33 ± to District RE (Residential Estates). The 3.33 ± acres are legally described as Lot 3, Tri Acres, a subdivision in Jackson County, Missouri aka 8205 S. Stillhouse Road.

Applicant: James R. Haynes

Location: 8205 S. Stillhouse Road, legally described as Lot 3, Tri Acres, a subdivision in Jackson County, Missouri.

Area: 3.33 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: Rezone property to reduce sideyard setback to allow proposed pole barn within 15 feet of property line. Currently sideyard setback for District AG is 30 feet.

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences.

There are agricultural uses in the area as well. There are a few platted subdivisions within the general area. To the South is Still Acres, 2 lots platted in 1991, 2.03 and 8.01 acres in size. To the East is Hicks Acres, 4 lots platted in 1990, 4.5 acres in size. Wittig Acres, 1 lot platted in 1984, 2.8 acres. Redneck Hollow, platted in 1982, lot sizes 4 acres and a 9 acres in size. Lot 2 was rezoned to District RE in 1998. Robinette's Place, 3 acres platted in 1979. Circle H Estates, rezoned to District RR (Residential Ranchette) and platted as a 1 lot subdivision, 5 acres in size.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). Tri Acres was platted in November, 1988 and contains 3 lots. Prior to the Unified Development Code (UDC) being adopted in 1995, a residential subdivision was permitted without a change in zoning. This subdivision and particularly this lot, is now considered a legal non-conforming lot in UDC sections 24003.26.

Comments:

The applicant wishes to construct a 20 x 30 pole barn. Currently because the lot is within District AG (Agricultural), the sideyard setbacks are regulated at 30 feet. Rezoning to District RE would allow the structure to be placed within 15 feet of the sideyard.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends APPROVAL of RZ-2014-504

Chairman Antey: Are there any questions for staff? (there were none) Is the applicant or their representative available? Please stand and state your name and address.

James R. Haynes: 205 Stillhouse Rd, Oak Grove, MO 64075

Chairman Antey: Do you have anything to add to the staff report?

James R. Haynes: No, I just wanted to do building permits. I want to make sure I'm doing everything legal and when I went to talk to Randy, it's a 30' set back and I couldn't go on the other side of the driveway because I didn't want to put it over the water line. I talked to the neighbors around and I'm not wanting to put a 4 story penthouse, I just want to build a pole barn and make sure I'm staying within the property lines and I thought it was residential at the time but I just want to make sure I get all my facts straight before I go and build a pole barn and, uh oh...

Chairman Antey: Are there any questions for the applicant? Is there anyone else who is present today that would like to speak in favor of this application? Is there anyone present who is opposed to or has questions concerning this application?

Mr. Crawford motioned to take this under advisement. Mrs. Mershon seconded.
Motion Carried 7 – 0.

Chairman Antey: Any comments?

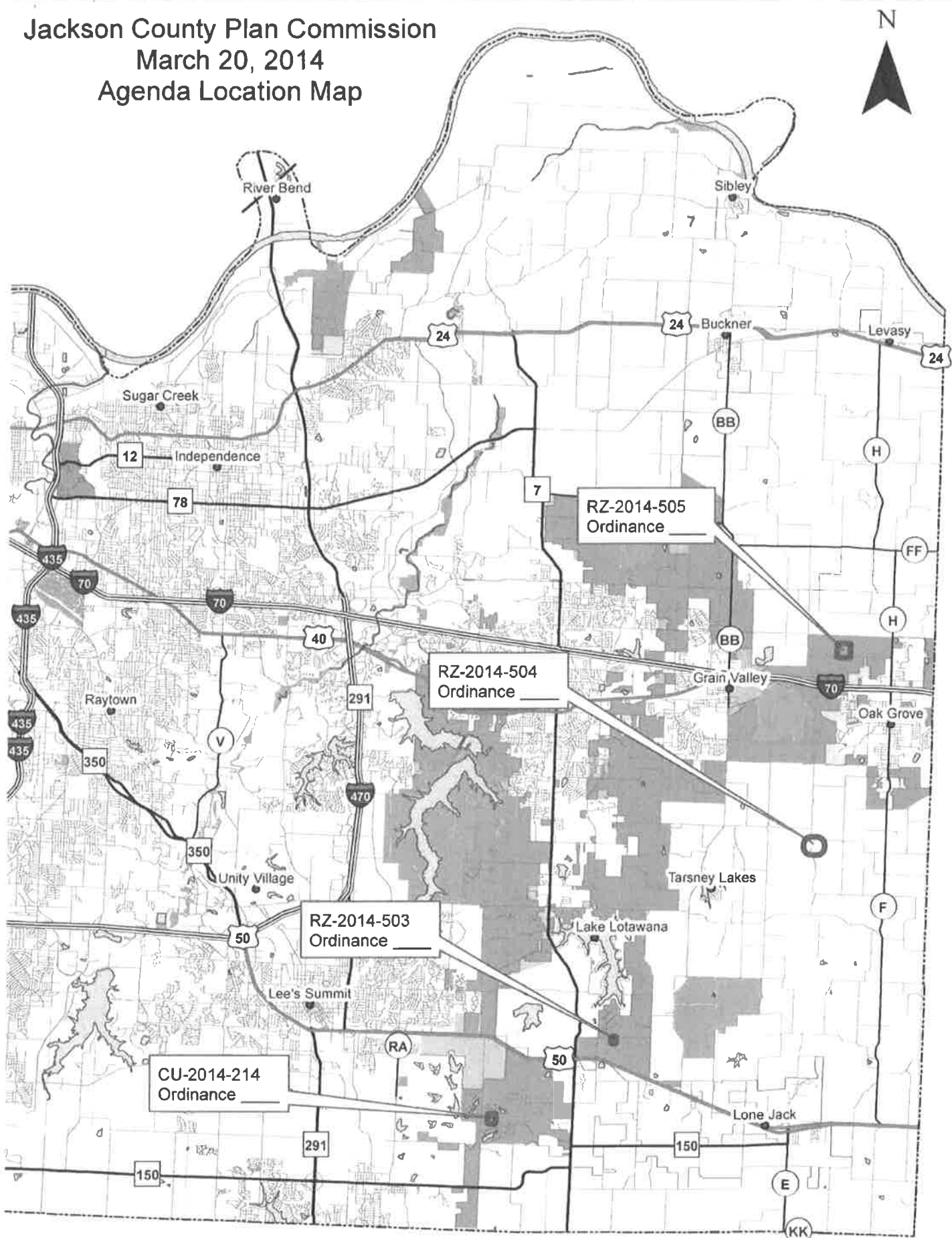
Mrs. Mershon moved to approve RZ-2014-504, Mr. Haley seconded.

Roll call vote taken.

Mrs. Querry	Approve	Mr. Crawford	Approve
Mr. Gibler	Approve	Mrs. Mershon	Approve
Mr. Pointer	Approve	Chairman. Antey	Approve
Mr. Haley	Approve		

RZ-2014-504 APPROVED

Jackson County Plan Commission
March 20, 2014
Agenda Location Map



STAFF REPORT

PLAN COMMISSION

March 20, 2014

RE: RZ-2014-504

Applicant: **RZ-2014-504 James R. Haynes**

Location: 8205 S. Stillhouse Road, legally described as Lot 3, Tri Acres, a subdivision in Jackson County, Missouri.

Area: 3.33 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: Rezone property to reduce sideyard setback to allow proposed pole barn within 15 feet of property line. Currently sideyard setback for District AG is 30 feet.

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences. There are agricultural uses in the area as well. There are a few platted subdivisions within the general area. To the South is Still Acres, 2 lots platted in 1991, 2.03 and 8.01 acres in size. To the East is Hicks Acres, 4 lots platted in 1990, 4.5 acres in size. Wittig Acres, 1 lot platted in 1984, 2.8 acres. Redneck Hollow, platted in 1982, lot sizes 4 acres and a 9 acres in size. Lot 2 was rezoned to District RE in 1998. Robinette's Place, 3 acres platted in 1979. Circle H Estates, rezoned to District RR (Residential Ranchette) and platted as a 1 lot subdivision, 5 acres in size.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). Tri Acres was platted in November, 1988 and contains 3 lots. Prior to the Unified Development Code (UDC) being adopted in 1995, a residential subdivision was permitted without a change in zoning. This subdivision and particularly this lot, is now considered a legal non-conforming lot in UDC sections 24003.26.

Comments:

The applicant wishes to construct a 20 x 30 pole barn. Currently because the lot is within District AG (Agricultural), the sideyards setbacks are regulated at 30 feet. Rezoning to District RE would allow the structure to be placed within 15 feet of the sideyard.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2014-504

Respectfully submitted,

Jackson County Public Works
Planning and Environmental Health
Scott George, Assistant Director
Randy Diehl, Subdivision and Zoning Coordinator

**Plan Commission
March 20, 2014
RZ-2014-504**

Applicants / Property Owners:

**39-900-03-13
James R & Christine C Haynes
8205 S Stillhouse Road
Oak Grove, MO 64075**

**Certified Mail – Return Receipt
Property Owners within 1000 feet**

56-300-02-02-01
Clay I & Pam J Evinger
8324 S Stillhouse Road
Oak Grove, MO 64075

39-900-03-08-02
Clay I & Pam J Evinger

56-300-02-02-01-2
Clay I & Pam J Evinger

39-900-03-08-01
Gerald L & Gleta G Fischer
1200 S Outer Road
Blue Springs, MO 64015

39-900-03-12
Ruth A Harp
8213 S Stillhouse Road
Oak Grove, MO 64075

39-900-04-16
Tony R & Yvonne M Hayes
36509 E Cummins Road
Oak Grove, MO 64075

39-900-03-02
Mary E Herman
8119 S Stillhouse Road
Oak Grove, MO 64075

56-300-02-01-01
Mary E Herman

39-900-03-07-01
Mary E Herman

39-900-04-24-02
Mary E Herman

39-900-03-07-02
Mark D & Janice N Kittle
36207 E Cummins Road
Oak Grove, MO 64075

39-900-04-17
Richard K & Patrica J Schwope
1608 SW Rock Creek Dr
Blue Springs, MO 64015

39-900-03-11
Eula Jenelle Stamper
8221 S Stillhouse Road
Oak Grove, MO 64075

56-300-01-09
Stillhouse Farms LLC
8611 S Stillhouse Road
Oak Grove, MO 64075

39-900-03-09
Stillhouse Farms LLC



Jackson County Zoning Map

Legend

1000' Notification Area

Streets

Rezoning

Zoning

Pending

RR-Residential Ranchette

RRp-Residential Ranchette-Planned

RE-Residential Estates

RS-Residential Suburban

RU-Residential Urban

A(r)-Single-Family

B(r)-Two-Family

C(r)-Multi-Family

A1-Mobile Homes District

ROP-Residential Office-Planned

LB-Local Business

LBp-Local Business-Planned

GB-General Business

GBp-General Business-Planned

LI-Light Industrial

LIp-Light Industrial-Planned

HI-Heavy Industrial

EX. 5

RZ-2014-504

Ord

Ord. 4615

1 inch = 1,000 feet



**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application.
Incomplete applications will not be accepted and will be returned to the applicant.
 4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
 5. The filing fee (non-refundable) must accompany application. (Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:Rezoning Case Number RZ-2014-504Date filed 2-14-14 Date of hearing 3-20-14Date advertised 3-5-14 Date property owners notified 3-5-14Date signs posted 3-5-14Hearings: Heard by PC Date 3-20-14 Decision 7-0

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:**1. Data on Applicant(s) and Owner(s):**

a. Applicant(s) Name: James Roger Haynes _____

Address: 8205 South Stillhouse Road Oak Grove Missouri 64075

Phone: 816 690-6906 or 816 564-1220

b. Owner(s) Name: James Roger Haynes _____

Address: 8205 South Stillhouse Road Oak Grove Missouri 64075

Phone: 816 690-6904 or 816 564-1220

c. Agent(s) Name N/A _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) _____

3. Present Zoning Agricultural Requested Zoning Residential

RE

4. AREA (sq. ft. / acres) 3.33 Acres _____

5. Legal Description of Property: (Write Below or Attached ☐) Tri Acres

6. Present Use of Property: Household dwelling

7. Proposed Use of Property: Household Dwelling

8. Proposed Time Schedule for Development:

9. What effect will your proposed development have on the surrounding properties? Would like to rezone so I can meet the 15 foot setback on property line to build a pole barn. I am currently zoned for Agricultural which gives me a 30 setback.

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? _____

If so, will any improvements be made to the property which will increase or decrease the elevation? _____

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water N/A _____

b. Sewage disposal N/A _____

c. Electricity N/a _____

d. Fire and Police protection N/A _____

12. Describe existing road width and 2 condition: _____

13. What effect will proposed development have on existing road and traffic conditions? None

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development?

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued):

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

James R. Hays

2-9-2014

Applicant(s):

Contract Purchaser(s):

STATE OF _
COUNTY OF

On this 9th day of Feb., in the year of 2014, before me
the undersigned notary public, personally appeared in person.

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes therein contained.

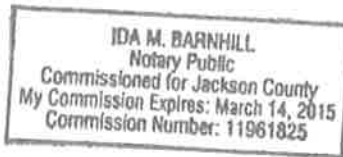
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Ida M. Barnhill

Commission Expires

3/14/2015



TRI ACRES

J. R. HERMAN

MATH REINFORCE

M. REIHKING

NOTE
1. 5/8" REBARS SET ON ALL LOT CORNERS, EXCEPT AS NOTED

8-56 I
JUL 11 1970

RECEIVED IN THE OFFICE OF THE ATTORNEY GENERAL
JUL 11 1970

SCALE 1" = 100'

TITLE RESERVATION

The west half of the South half of the Southeast quarter of Section 16, Township 4d., Range 20E., Jackson County, Missouri, and described more particularly as follows: The Southwest corner of the Southeast quarter of Section 18, thence South 89° 25' East along the South line of said Southwest quarter of Section 18, thence North 89° 25' West along the North line of said Southwest quarter of Section 18, said distance of 353.79 feet to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 18; said point being 659.45 feet from the Northwest corner of the Southeast quarter of said Section 18, thence South 89° 25' East along the South line of said Southwest quarter of Section 18, said distance of 659.45 feet to the Northeast corner of the Southeast quarter of said Section 18, thence North 89° 25' West a distance of 659.45 feet to the West line of said Southwest quarter, thence South 89° 25' East along said West line a distance of 659.45 feet to the point of beginning.

The undersigned proprietor of the above described tract has caused the same to be subdivided as shown on the accompanying plat, which subdivision and plat will hereinafter be known as "REI ACRES".

To authorize or license to hereby granted to Jackson County, Missouri, to do grading and to locate, construct and maintain a public highway through the above described tract, and to cause the construction and maintenance of conduits, gas, water, and sewer lines, poles, wires, and manholes and all or any of the foregoing works in this subdivision outlined on this plat and licensed by U.S.G. for a Grading and Utility Construction Easement.

IN TESTIMONY WHEREOF, Ernest Leonard, Margaret Leonard and Gladstone Leonard, sisters of the above described land, have hereunto set their hands and affixed my official seal at my office in
Minneapolis, Minnesota, this 30th day of Sept, 1928.
Ernest D. Leonard
 Ernest Leonard
 Gladstone Leonard
 Margaret Leonard
 SISTER OF MARGARET
 SISTER OF MARGARET
 SISTER OF MARGARET
 IN WITNESS WHEREOF:

State of Missouri
County of St. Louis
 My commission expires 7-10-92
 State of Missouri
 Department of Social
 Services
 400 Commerce Center, 4th Floor
 St. Louis, MO 63102

appeared as in Planning and Zoning and street frontage and width (ft)
 City of St. Louis
 Planning and Zoning Department
 1000 North 1st Street
 St. Louis, MO 63102

signed James A. McGee, Director of Public Works
 Date 10/22/88
 Title: Assistant City Engineer
 Date: 10/22/88
 Location: Office

[illegible]

PAID BY THOMPSON EN & CO.	
ORDER # DATE	APPROVED BY (S. S.)
COLUMBIAN MUSEUM	

TRI ACRES

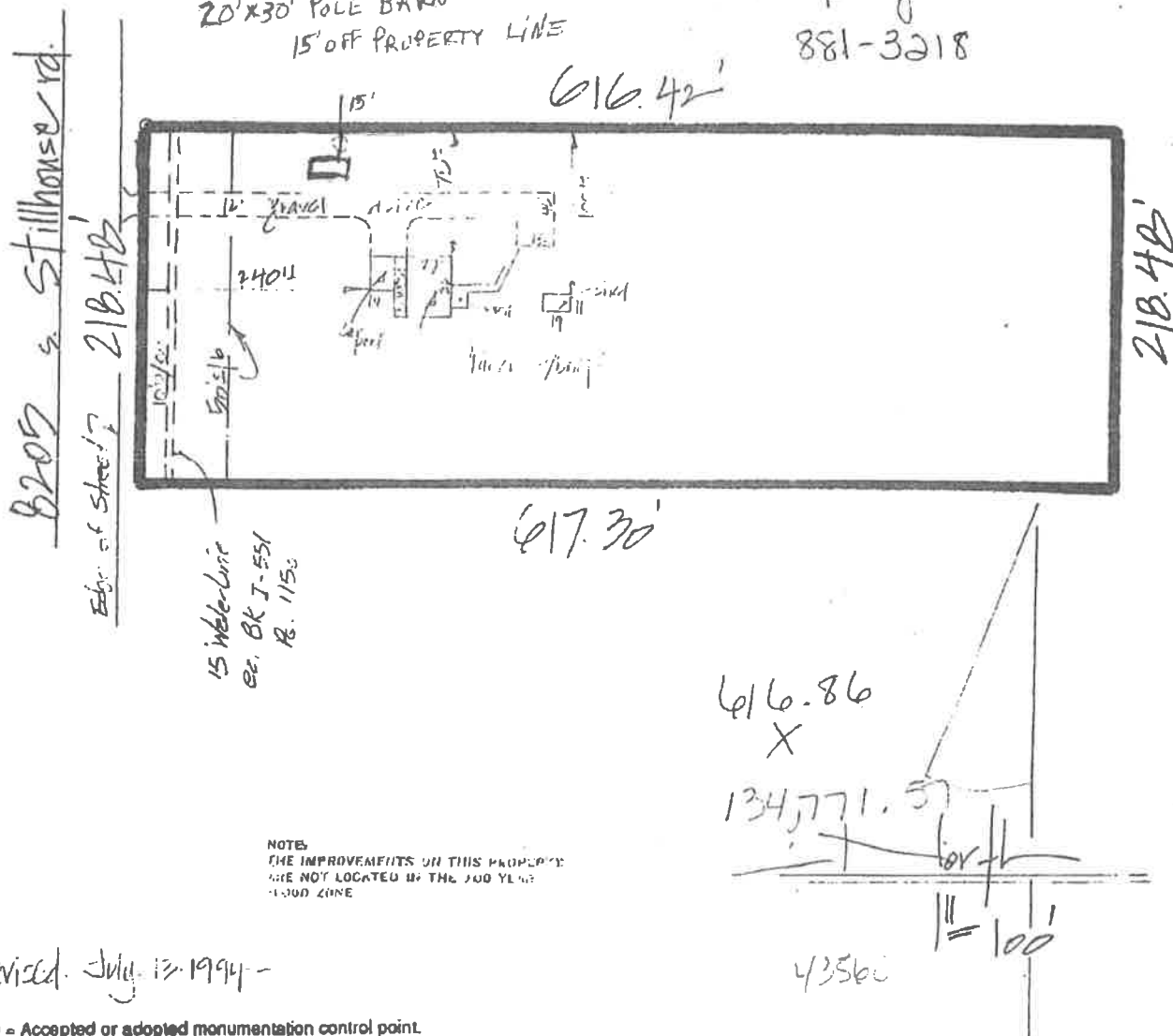
Oak Grove, Jackson Co., Mo.

* Proposed

20'x30' POLE BARN
15' OFF PROPERTY LINE

mapping

881-3218



NOTE:
THE IMPROVEMENTS ON THIS PROPERTY
ARE NOT LOCATED IN THE 100 YL 42
-1000 ZONE

○ = Accepted or adopted monumentation control point.

NOTE: Positional tolerance of major improvements location shown is $\pm 0.5'$ unless otherwise noted.

FOR: Corinthian Mortgage
BORROWER: _____

BORROWER: James Haynes

JOB # 7.323

DATE 7.12.94

T/C Old Republic Title

NO. 94070285-3

RENNER AND ASSOCIATES
LAND SURVEYING, INC.

P.O. Box 323 • Blue Springs, MO 64013
816-228-9022



Jackson County
Zoning Map

Legend
1000' Notification Area
— Streets

EX. 5

RZ-2014-504
Ord

1 inch = 100 feet





IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a conditional use permit (CUP) in District AG (Agricultural) for a period of three years to operate a bed and breakfast inn, subject to specified conditions on a 12 \pm acre tract.

ORDINANCE NO. 4616, April 7, 2014

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit is hereby granted for a period of three years to operate a bed and breakfast inn, as to an approximate 12 \pm acre tract of land generally located at 24704 E. Haines Road, Greenwood, MO, and specifically described as follows:

Description: Lot 5A, Replat of Countryside Meadows, Lots 5 & 6

Section 2. The conditional use permit for a period of three years granted by this Ordinance is subject to the following conditions:

- 1) The bed and breakfast inn is limited to no more than four bedrooms for temporary lodging for transient guests on a paying basis.
- 2) Cooking facilities shall not be permitted in individual guest rooms.
- 3) In addition to required residential parking, one off-street parking space shall be provided for each guest room.
- 4) One identification/directional sign, not to exceed eight (8) square feet in area, shall be permitted at the entrance to the bed and breakfast inn.

Section 3. The Legislature, pursuant to the application of Sherri James (CU-2014-214), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application in a

public hearing on March 20, 2014, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4616 introduced on April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4616.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

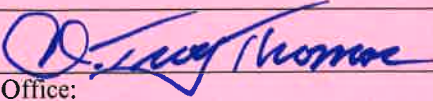

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4616

Sponsor(s): None

Date: April 7, 2014

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Conditional Use Permit (Sherri James) Case No. CU-2014-214</u></p>										
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td><td>FROM ACCT TO ACCT</td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:	\$										
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>										
CONTACT INFORMATION	<p>RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577</p>										
REQUEST SUMMARY	<p>Requesting a Conditional Use Permit in District AG (Agricultural) for a period of 3 years for a Bed and Breakfast on a 12.00 ± acre tract of land. Four bedrooms, all with private baths, will be available for guests. Said tract is legally described as Lot 5A, Replat of Countryside Meadows, Lots 5 & 6, a subdivision in Jackson County, Missouri 24704 E. Haines Road and specifically described on Attachment to RLA-1.</p> <p>The Jackson County Plan Commission March 20, 2014 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. There was no opposition to the request for the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code.</p> <p>Therefore, the Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> for a 3 year period provided the following conditions are met (see attachment RLA-2)</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
ATTACHMENTS	<p>See Attachment to RLA-3</p>										
REVIEW	<table border="1"> <tr> <td>Department Director:</td><td>Date: 03/31/2014</td></tr> <tr> <td>Earl Newill, Acting Director <i>Earl Newill</i></td><td></td></tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td><td>Date:</td></tr> </table>	Department Director:	Date: 03/31/2014	Earl Newill, Acting Director <i>Earl Newill</i>		Finance (Budget Approval): <i>If applicable</i>	Date:				
Department Director:	Date: 03/31/2014										
Earl Newill, Acting Director <i>Earl Newill</i>											
Finance (Budget Approval): <i>If applicable</i>	Date:										

Division Manager:  	Date: 4/2/14
County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☒ This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-3:

Attachments

Plan Commission Public Hearing Summary from March 20, 2014

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Photos of property

Date: March 20, 2014

Place: Independence City Hall
111 E. Maple, Independence, MO

Attendance: Chairman Antey
Mrs. Querry
Mr. Gibler
Mr. Pointer
Mr. Haley
Mr. Crawford
Mrs. Mershon

Staff: Scott George
Randy Diehl
Jay Haden
Joan Dickey
Kristen Geary

Call to Order/Roll Call

At 8:30 am Chairman Antey called to order the March 20, 2014 meeting of the Plan Commission and asked that the roll call be taken. Mr. Tarpley & Mr. Akins were absent.

Approval of Record

Chairman Antey asked for a motion to approve the record of January 16, 2014. Mr. Pointer made a motion to approve. Mr. Haley seconded the motion. Voice vote.

Minutes of the January 16, 2014 Plan Commission meeting approved, 7-0.

Public Hearings

Chairman Antey swore in all persons present who would like to give testimony at the public hearings.

RE: CU-2014-214

Requesting a Conditional Use Permit in District AG (Agricultural) for a period of 3 years for a Bed and Breakfast on a 12.00 ± acre tract. Said 12.00 ± acres are legally described as Lot 5A, Replat of Countryaire Meadows, Lots 5 & 6, 24704 E. Haines Road.

Applicant/Property Owners: Sherri James

Location: 24704 E. Haines Road, legally described as Lot 5A, Replat of Countryaire Meadows, Lots 5 & 6

Area: 12.00 ± acres

Zoning District: District AG (Agricultural)

Request: A Conditional Use Permit for a period of 3 years for a bed and breakfast on a 12.00 ± acre tract of land.

Current Land Use and Zoning in the Area:

The zoning is primarily agricultural. However the land use is predominately residential. On the South side of Haines Road is Timberlake Estates. On the North is Countryside Meadows. Lot sizes are on the average around 3.00 acres.

Comments: Within the Unified Development Code (UDC), a bed and breakfast inn is allowed as a conditional use within District AG.

A bed and breakfast inn means the use of an owner-occupied or manager-occupied residential structure providing rooms for temporary lodging or transient guests on a paying basis.

There are a total of six bedrooms in the residence. The applicant has stated that only four of the bedrooms will be available for guests. Since the number of bedrooms is less than five, this would not be subject to licensure and inspection by the Missouri Department of Health and Senior Services (DHSS) and would not require a lodging permit to be issued by Jackson County Environmental Health. There is a common dining area for the guests. A food permit would need to be obtained from Jackson County Environmental Health.

They also state that there are six paved spaces for parking and plans for an additional six.

Recommendation:

Staff recommends APPROVAL of CU-2014-214 for a three (3) year period provided the following conditions are met:

Condition Use Permit for a period of 3 (three) years with the following Conditions:

1. The bed and breakfast inn is limited to no more than 4 bedrooms for temporary lodging for transient guest on a paying basis.
2. Cooking facilities shall not be permitted in individual guest rooms.
3. In addition to required residential parking, one off-street parking space shall be provided for each guest room.
4. One identification/directional sign, not to exceed eight (8) square feet in area, shall be permitted at the entrance to the bed and breakfast inn.

Chairman Antey: Any questions for staff?

Mrs. Mershon: How do you regulate whether they use 4 or 5 bedrooms?

Scott George: The establishment, if they get into the 5 bedroom, then there are other permitting requirements. Because they will have a food establishment permit, we will have staff at the location. Those same staff do our lodging inspections. It could quite possibly become evident that they have exceeded that, but it's the same thing with anyones house as to whether

- they have a lodging business there. We will hold them to the requirements of the UDC.
- Mr. Crawford: They going to have a permit for a restaurant and are going to use 4 bedroom, but they have 6 parking spaces right now. Whose idea, the counties or theirs, to add 6 more spaces?
- Scott George: It was theirs. It leaves them personal spaces plus also for the 4 rooms.
- Mrs. Mershon: So everyone out there has off street parking then?
- Mr. Crawford: So if they do this.... If we approve this today, would the outcome also be able to have a restaurant there?
- Scott George: It will be limited to the bed & breakfast occupants. Chapter 40 of the code goes into the food establishment requirements. I haven't been to the property yet, to see what type of kitchen set up they have, but I would suspect that it will not be a situation where they could have a full blown restaurant out there. Nor would it meet the zoning requirements to do such. That type of permit, when an applicant applies for a restaurant, we have to look at zoning as well.
- Mr. Crawford: The food service would be restricted to strictly to the bed & breakfast. The people who actually had reservations there.
- Scott George: Yes, correct.
- Chairman Antey: Any other questions for staff?
- Mr. Crawford: Yes, I want to pursue this just a little bit further with some what ifs, if you'll let me entertain this for a second. So we assume that everyone who comes out to have a meal also got a free complementary room while they were there having a meal, that would meet the requirements. Even if they were only there for an hour and a half.
- Scott George: Without getting into the actual site, kitchen plan, which I don't have at this time, I couldn't tell you exactly how many people they could accommodate, but that permit will reflect that it is for the bed & breakfast use only.
- Chairman Antey: I realize you're playing the devils advocate in the what if's, but if their intent was to operate a restaurant and give a free room, they are only going be able to serve 4 tables because they can only give away 4 rooms.
- Mr. Crawford: You know, I'm not very naïve, but I know that some rooms rent by the hour. With that being said, I'm not saying the applicants are doing this, but if the bed & breakfast doesn't work out and all of the sudden they'll just have a restaurant off it and someone is being served a meal they also

receive a free complementary room. Maybe they could only serve up to 8 people at a time.

Mr. Pointer: If they have a party there, it wouldn't be any different than if you had a party at your house or my house.

Mr. Crawford: Except that it would be for a profit.

Chairman Antey: Any other questions for staff? Is the applicant present? Please come forward, state your name and address.

Randy James: I'm the representative of the applicant. 24704 Haines Rd, Greenwood, MO 64034. We appreciate the commission taking time and allowing us to address this and consider our application. If I might start out by answering some of the questions that I think Mr. Crawford and Mrs. Mershon raised earlier, maybe I can answer those to your satisfaction. First of all Mr. Crawford, it is not our intention to rent this establishment by the hour. I'm hoping that it's a little more upscale than that, but that being said, I think the thing that you have to consider is that when you have a 4 bedroom establishment you are really talking about a capacity of 8 people at any one time. If you were to run it as just a restaurant where you are giving a complementary meal with an hour rental or whatever, with the way restaurants are manage, the financial margins are so tight in a situation like that, if you try to run it as a restaurant with that limited capacity, there would be no way that you could ever make any money at it. The flip side is that the intention of this is pure and simple, and that is to run it as a bed & breakfast. Anyone who has stayed in a bed & breakfast knows that along with the room rental generally comes morning breakfast, sometime lunch service, it depends on what the guest wants, and generally some sort of happy hour with hors d'oeuvres or something like that in the evening. So that is really the only intent, but if you were to run it the opposite way there would simply be no profit in it.

Mr. Crawford: Mr. James, at no time did I intend to make any type of derogatory statement about the purpose or your intent.

Randy James: In all seriousness, the point is if we couldn't make it as a bed & breakfast, we wouldn't be doing anything. There would be no incentive to just flip into a restaurant because the capacity and the profit margins wouldn't be enough. I think that hopefully answers your questions.

Mr. Crawford: The question I did have is the fact that you want to end up with 12 parking spaces, but you basically... Most of the time when people take lodging for a night they show up in one vehicle.

Randy James: Normally that would be expected, yes.

Mr. Crawford: With that being said, are you counting parking spaces as far as your garages, inside your garages?

Randy James: No, not really. If you look at the upper right hand corner, it's a 3 car garage with a concrete pad and then an asphalt apron off of that. What you see coming to you is the driveway. The plan would be to add extend the parking down a little bit. There are 2 reasons for that. Not that there would be additional capacity in terms of guests that will need it, but you have to have capacity for the guests. You have to take into account that some of the guests might not drive together, and staff and owner parking, and logistics. One thing we've learned over the years is, even though you've got an abundance of parking there, if someone that is closer to the garage doors wants to leave and there is someone behind them then you will have to jockey cars. By expanding this we would limit the need to have to jockey cars around if someone wants to leave. That is the objective.

Mr. Crawford: That answers my question. In the back of my mind I was trying to figure out why you would need more parking.

Randy James: Just trying to spread it out to accommodate what we think is the outside foreseeable capacity and then not have everybody tripping over each other to get in and out.

Mr. Crawford: It's just a measure to alleviate any problems.

Mr. Pointer: Have you ever run a bed & breakfast before?

Randy James: I have not, but I've stayed in a few though. These ladies here are the ones who have the expertise. I'm going to be a passive investor.

Mrs. Query: Do you live on the property?

Randy James: Yes.

Mr. Haley: There is going to be special traffic flow. Do the neighbors understand this, are they happy with this? Do they think it's ok?

Randy James: One of the issues I wanted to address, any time you consider an application like this, one thing the commission is considering is whether, what kind of change in the use, in terms of the potential neighborhood issues and things like that. The use in the area is primarily residential. We raised 2 kids in this house and having two teenagers generated a lot of traffic between friends & parties. We believe that the bed & breakfast will create far less traffic than those teenagers created during those junior high and high school years. The other thing I want to mention to the commission is the application relates to this 12 acre tract which is platted as part of Countryside Meadows. The property that we own includes 2 additional tracts, a 7 ½ acre pasture and a 4.3 acre pasture, which

creates a buffer zone that no one can build on. The effect is that the nearest residences are hundreds, if not over a thousand feet away. The other thing that the house is fairly isolated by some woods and a tree line, except for a view from Haines Rd which is about 1000 feet from where the house sits. I think that we've been there for almost 20 years. It would be very important to us to be sure that there is not any disruption or material change from their standpoint in the way they see the property is being used. Mrs. Mershon, you had a question and it's escaping me.

Mrs. Mershon: I just wondered what would stop you from using 5 bedrooms instead of the 4 allowed before needing extra lodging permits.

Randy James: Let me tell you why we applied for 4, aside from just the under 5 thing. The house is constructed of 2 stories. The main floor has one bedroom which is the master suite. Down in the finished basement is another bedroom. There are 4 bedrooms upstairs, 3 of which have their own bathrooms. The plan is to use the master suite and the 3 bedrooms upstairs with their own bathrooms only for the bed & breakfast. The lower level bedroom will be the owners bedroom now. That does leave the one bedroom upstairs, but it doesn't have it's own bathroom. One of our marketing ideas is that all bedrooms have their own bathroom. You are right, technically you might be able to do that but we would not intend to rent out that one other bedroom because it doesn't have its own bathroom.

Chairman Antey: Are there any other questions for the applicant? Is there anyone that is present that would like to speak in favor of this application. Is there anyone that is present that is opposed to or has questions concerning this application. Please come forward, state your name and address.

Gary Embry: I live next door. 24606 Haines Rd.

Chairman Antey: Can you show us where on the map?

Gary Embry: We are adjacent to his driveway right here, and this is Haines Rd. We are all segregated in that respect. He is isolated, somewhat. My concerns are not along those lines, but what lies on the issues it might bring to me. When you have children involved and their going to be down there around the lake, and his house sits behind me, and my concern is this road runs right adjacent to my property line. I'm concerned about those people who come out to stay there wandering over on my side. Children being what they are, they will, whether you tell them not to or not. I'm concerned about my liability issues. We've been neighbors for about 16 years or so, we are good friends, this is not adversary in any way, I want to protect me. He's a lawyer, he knows what I'm talking about. What liability issues do I assume, next door, with people coming and going, fishing in the lake? Because they are going to be fishing in that lake, I'm sure. I want to be assured, find out on my level what the issues are if they wander over

into my yard. What can we do to keep that from happening? I have a swing set over there which would be very easy to slip under the fence.

Mr. Gibler: Do you have a problem with that now?

Gary Embry: No, but he doesn't have a bed & breakfast there now.

Mr. Gibler: Do people have access or come in and use the lake? Is it free and open to be used?

Gary Embry: Yes, friends of theirs, I'm not concerned about them. His children are older and college age.

Mr. Crawford: You say it is fenced?

Gary Embry: There is a rail fence there. You can climb over it or go under it.

Mr. Pointer: Counselor, doesn't the liability refer to whoever's property somebody would get hurt on?

Jay Haden: All I can suggest is the witness talk to a lawyer about that. I can't give him private legal advice. In general I would see that the James's may have issues because guests on their property would be business invitees and they have a high standard of care to deal with them. Anybody coming on to the witness's property would be a trespasser, so unless he established something like an attractive nuisance that lured people over, he wouldn't have any duty to them and people are on their own. It doesn't seem to me to be an issue that would create serious liability. If you have questions like that you ought to speak to your own lawyer, or your own insurance company about that.

Mr. Crawford: But there is a fence there?

Gary Embry: On two sides.

Jay Haden: There may be a benefit to posting no trespassing signs also.

Chairman Antey: This commission can't determine your liability.

Gary Embry: I understand. It's just you're the county and you guys have all the answers. I'm just asking.

Mrs. Mershon: Well, we want to work with you.

Mr. Crawford: Usually when there is a fence present it signifies a division of land or ownership a lot of times. The fact that the fence is there, it's created something that should say hey, maybe we shouldn't cross this thing.

Mrs. Mershon: I don't think you're going to have very many kids at a bed & breakfast. I could be totally wrong, but usually it's a couple or grandma taking their

kids someplace. I could walk on your property today and trip and fall. I understand your concern and I don't blame you, but I just don't see many children.

Mr. Haley: You don't have water on your land, a body of water?

Gary Embry: No. Just a swing set and the yard just under 3 acres, but he surrounds me on 2 different sides.

Mrs. Query: I'd be more concerned about children with the pond there.

Chairman Antey: But the pond is on the applicants side.

Mrs. Query: Will you do anything to keep them from going to the water? I'm kind of like Mrs. Mershon, I don't think you're going to have many kids.

Roger Haines: I think that is true. Again, we raised 2 children from two years and three years old there. Their friends have been there in mass for the last 15 years or more. That has never been a problem. I'm not aware of any of them ever wandering onto the Embry's property. We've got our own swing sets like that. Those kids have played down around the pond. What we do is preach and teach responsibility with respect to being around water and that sort of thing. I would tell you that it has never been a problem before. The number of children that are likely to be on the property from this point going forward is far less than it has been in the last decade and a half.

Mr. Crawford: Mr. James, didn't you also say that there is a tree line as a buffer on that side?

Roger Haines: There is a tree line but it is not like a thicket. You can easily walk between the trees. It's an old hedge row that we cleaned up.

Chairman Antey: Do you have any other concerns or comments?

Gary Embry: Just liability issues.

Chairman Antey: Thank you. Is there anyone else present today that has questions concerning or is opposed to this application?

Mr. Pointer motioned to take this under advisement. Mrs. Mershon seconded.
Voice vote. Motion carried. 7 – 0

Mr. Pointer: I think this is pretty straight forward. I don't see any problems with it. As far as the pond is concerned, if we had to fence every pond in the state we'd have a real big problem.

Chairman Antey: Any other comments.

Mr. Haley: I think if the neighbors are ok with it, it's ok.

Mr. Pointer motioned to approve CU-2014-214, Mr. Haley seconded.

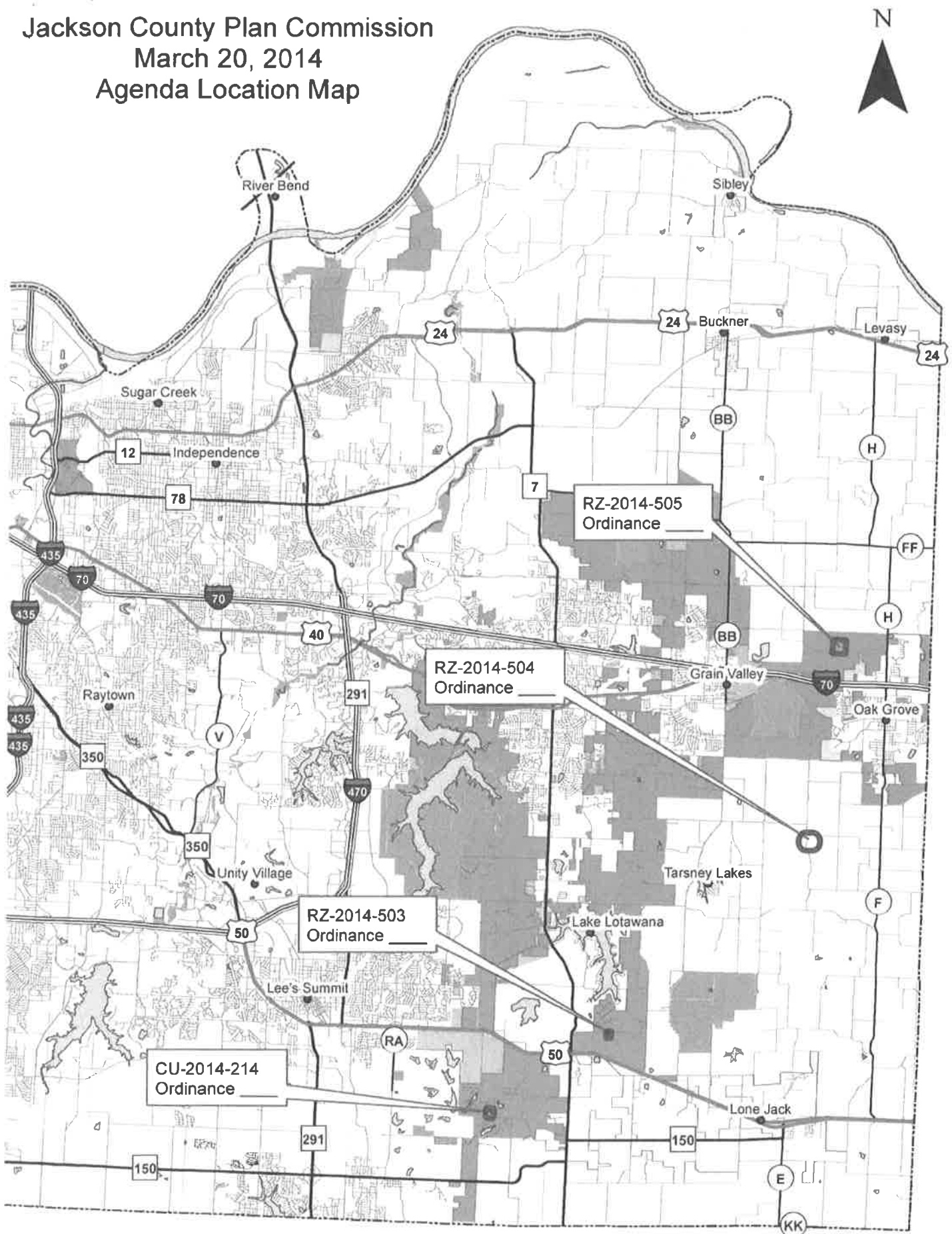
Roll call vote taken.

Mrs. Querry	Approve
Mr. Gibler	Approve
Mr. Pointer	Approve
Mr. Haley	Approve

Mr. Crawford	Approve
Mrs. Mershon	Approve
Chairman. Antey	Approve

CU-2014-214 APPROVED

Jackson County Plan Commission
March 20, 2014
Agenda Location Map



STAFF REPORT

PLAN COMMISSION
March 20, 2014

RE: CU-2014-214

Applicant/Property Owners: Sherri James

Location: 24704 E. Haines Road, legally described as Lot 5A, Replat of Countryside Meadows, Lots 5 & 6

Area: 12.00 ± acres

Zoning District: District AG (Agricultural)

Request: A Conditional Use Permit for a period of 3 years for a bed and breakfast on a 12.00 ± acre tract of land.

Current Land Use and Zoning in the Area:

The zoning is primarily agricultural. However the land use is predominately residential. On the South side of Haines Road is Timberlake Estates. On the North is Countryside Meadows. Lot sizes are on the average around 3.00 acres.

Comments:

Within the Unified Development Code (UDC), a bed and breakfast inn is allowed as a conditional use within District AG.

A bed and breakfast inn means the use of an owner-occupied or manager-occupied residential structure providing rooms for temporary lodging or transient guests on a paying basis.

There are a total of six bedrooms in the residence. The applicant has stated that only four of the bedrooms will be available for guests. Since the number of bedrooms is less than five, this would not be subject to licensure and inspection by the Missouri Department of Health and Senior Services (DHSS) and would not require a lodging permit to be issued by Jackson County Environmental Health. There is a common dining area for the guests. A food permit would need to be obtained from Jackson County Environmental Health.

They also state that there are six paved spaces for parking and plans for an additional six.

Recommendation:

Staff recommends APPROVAL of CU-2014-214 for a three (3) year period provided the following conditions are met:

Condition Use Permit for a period of 3 (three) years with the following Conditions:

1. The bed and breakfast inn is limited to no more than 4 bedrooms for temporary lodging for transient guest on a paying basis.
2. Cooking facilities shall not be permitted in individual guest rooms.
3. In addition to required residential parking, one off-street parking space shall be provided for each guest room.
4. One identification/directional sign, not to exceed eight (8) square feet in area, shall be permitted at the entrance to the bed and breakfast inn.

Respectfully submitted,

Planning and Environmental Health Division
Randy Diehl
Subdivision and Zoning Coordinator

**Plan Commission
March 20, 2014
CU-2014-214**

Applicants / Property Owners:

**Randy W & Sherri R James
24704 E. Haines Road
Greenwood, MO 64034**

71-100-02-36
71-100-02-18
71-100-02-16-03

Certified Mail – Return Receipt
Property Owners within 185 feet

71-100-03-08
Craig W & Jodeane L Brown
24606 E Haines Road
Greenwood, MO 64034

71-100-02-09
Gary K & Marcella K Embry
24606 E Haines Road
Greenwood, MO 64034

71-100-03-07
John W & Nancy L Hans
24709 E Haines Road
Greenwood, MO 64034

71-100-02-37
Daniel J & Kimberly Rechtertig
11895 W 343rd Street
Paola, KS 66071

71-100-03-06
Ryan & Abby Snyder
24908 Timberlake Drive
Greenwood, MO 64034

71-100-02-14-01-2
David B & Linda D Vaughan
24810 E Haines Road
Greenwood, MO 64034

**JACKSON COUNTY, MISSOURI
CONDITIONAL USE PERMIT APPLICATION**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU-2014-214

Date filed 2-18-14 Date of hearing 3-20-14

Date advertised 3-5-14 Date property owners notified 3-5-14

Date signs posted 3-5-14 *pc*

Hearings: Heard by ~~3-20-14~~ Date 3-20-14 Decision 7-0

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
 - a. Applicant(s) Name: Sherri' R. James
 - Address: 24704 Haines Road
 - Greenwood, MO 64034
 - Phone: 816.916.5454 Cell 816.537.6873 Home
 - b. Owner(s) Name: Randy and Sherri' James
 - Address: 24704 Haines Road, Greenwood, MO 64034
 - Phone: 816.537.6873
 - c. Agent(s) Name: N/A

Address: _____

Phone: _____

d. Applicant's interest in Property: Owners

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: Bed and Breakfast for a period of 3 years; property described as follows: a tract of land 12 acres in size located at 24704 Haines Road. Present Zoning District Unincorporated Jackson County, Missouri

3. Legal Description of Property: (Write Below or Attached 9)

Lot A, Replat of Countryside Meadows Lot 5 & 6 a subdivision in Jackson County, Missouri.

4. Present Use of Property: Private Residence

5. Proposed Use of Property: Bed and breakfast

6. Estimated Time Schedule for Development: No developing required. Existing property to be offered for bed and breakfast lodging by mid-March, 2014.

7. What effect will your proposed development have on the surrounding properties?

Minimal if any

8. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No
- If so, will any improvements be made to the property which will increase or decrease the elevation? _____
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water City of Lee's Summit, MO
 - b. Sewage disposal Septic
 - c. Electricity Kansas City Power and Light
 - d. Heating Electric heat pump
 - e. Fire and Police protection Prairie Township and Jackson County Sherriff
10. Describe existing road width and condition: Main driveway to the house is located off Haines Road which is a 2 lane paved and striped road with no shoulder. Gravel ingress/ egress road for the house is located off Smart Road which is also a 2 lane paved and striped road but has a shoulder.
11. What effect will proposed development have on existing road and traffic conditions? Minimal if any
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No, property is located in unincorporated Jackson County, Missouri
- If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): _____

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

Randy James
Sherri James

2/18/14
2/18/14

Applicant(s)

Contract Purchaser(s)

STATE OF Missouri
COUNTY OF Jackson

On this 18th day of February in the year of 2014 before me
the undersigned notary public, personally appeared Randy W. James and
Sherri R. James

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Carin R. Saverino Commission Expires 2-27-2015

CARIN R. SAVERINO
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Feb. 27, 2015
Commission # 11391686

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

Applicant(s):

Contract Purchaser(s):

STATE OF _____

COUNTY OF _____

On this _____ day of _____, in the year of _____, before me
the undersigned notary public, personally appeared _____

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public _____

Commission Expires _____



Jackson County Zoning Map

 185' Noticifaction Area

Pending Rezoning

Zoning

Residential Estates

— Streets

Rezoning

Zoning

RR-Residential Ranchette

RRp-Residential Ranchette-Planne

RE-Residential Estates

RS-Residential Suburban

RU-Residential Urban

$A(r)$ -Single-Family

 $B(r)$ -Two-Family

C(r)-Multi-Family

A1-Mobile Homes District

ROP-Residential Office-Planned

LB-Local Business

LBP-Local Business-Planned

GB-General Business

GBp-General Business-Planned

LI-Light Industrial

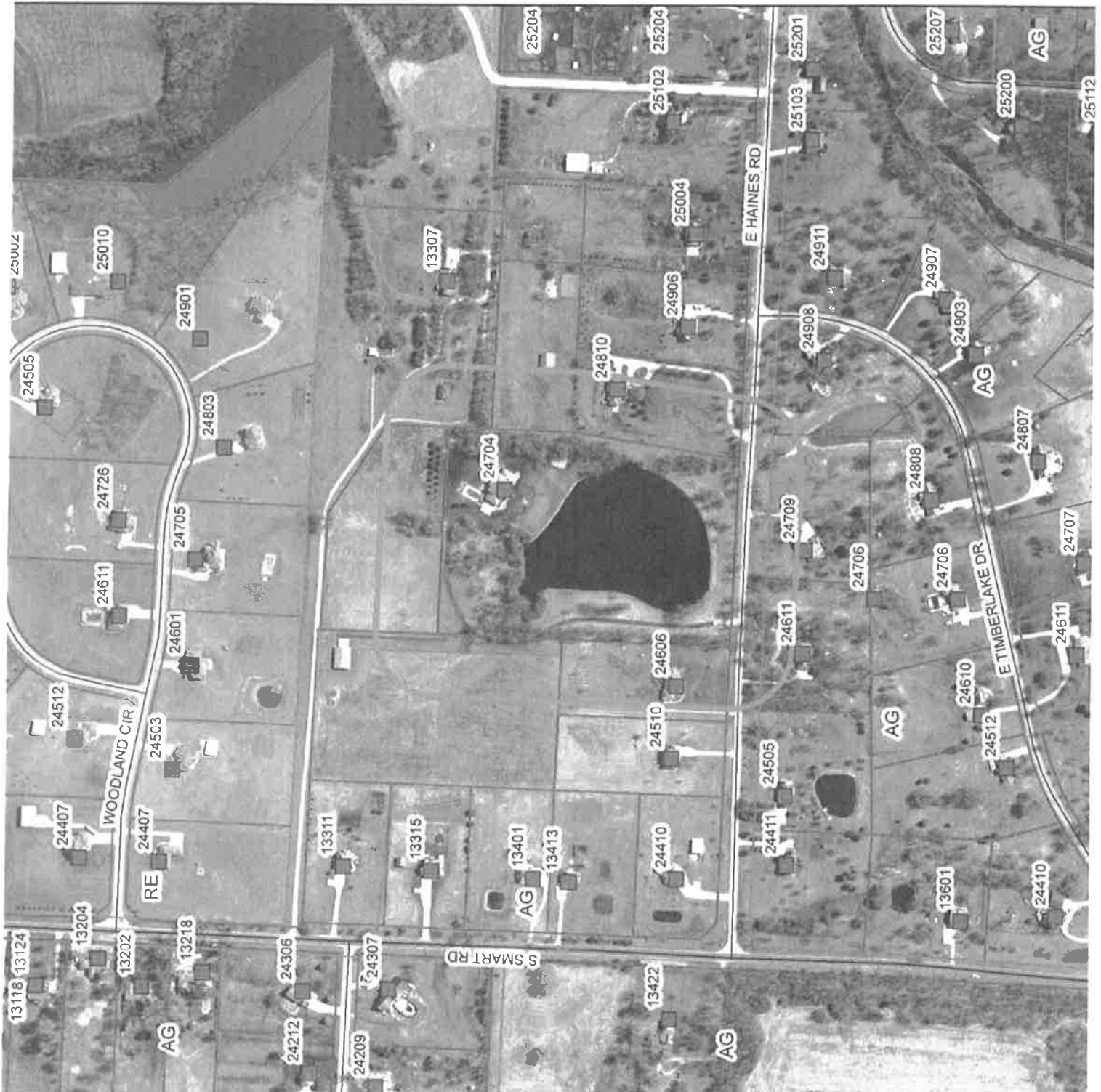
Lip-Light Industrial-Planned

HI-Heavy Industrial

EX. 5

CU-2014-214
Ord

1 inch = 400 feet

Ord. 4616







IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a twelve-month term and supply contract for the furnishing, installation, and repair of emergency equipment for use by the Sheriff's Office to 911 Custom of Overland Park, KS, as a sole source purchase.

RESOLUTION NO. 18465, April 7, 2014

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, the Sheriff's Office has a need for the acquisition, installation, and repair of emergency equipment for its patrol vehicles; and,

WHEREAS, research by the Finance and Purchasing and Public Works Departments indicates that 911 Custom of Overland Park, KS, is the only authorized dealer in the metropolitan area capable of providing this equipment and service for the Whelan equipment used by the Sheriff's Office; and,

WHEREAS, pursuant to section 1030.1 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a twelve-month term and supply contract for the furnishing, installation, and repair of emergency equipment to 911 Custom of Overland Park, KS, as a sole source purchase; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract, to the extent that sufficient appropriations to the using spending agency are contained in the then current Jackson County budget.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18465 of April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino
Clerk of Legislature

This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriation.



Date



Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 18465

Sponsor(s): James D. Tindall

Date: April 7, 2014

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a Twelve Month Term and Supply Contract for the Purchase, Installation and Repair of Emergency Equipment for use by the Sheriff's Office to 911 Custom of Overland Park, Kansas as a Sole Source.</u></p>										
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number:</td><td></td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input checked="" type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Sheriff's Office Estimated Use: \$200,000.00*</p> <p>Requesting approval by the Legislature of the Term and Supply Contract; the funds were already appropriated through the annual budget adoption. Estimated usage figures are for informational purposes only.</p> <p>Prior Year Budget (if applicable): \$75,000.00 Prior Year Actual Amount Spent (if applicable): \$80,687.66</p> <p>*The Sheriff's Office will be replacing several vehicles in F14 and will be spending more than last year to retrofit the replacement vehicles.</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:	
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:	\$										
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number:											
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): 18124, March 18, 2013</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Barbara Casamento, Purchasing Supervisor, 881-3253</p>										
REQUEST SUMMARY	<p>The Sheriff's Office requires a Term and Supply Contract to Purchase, Install and Repair Emergency Equipment on their patrol vehicles. 911 Custom of Overland Park, Kansas is the only authorized dealer in the Kansas City, Missouri Metropolitan Area for the Whelan Equipment utilized by the Sheriff's Office. Several attempts have been made to bid this equipment and services, resulting in only one bidder responding.</p> <p>Pursuant to 1030.1 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a Twelve Month Term and Supply Contract for the Purchase, Installation and Repair of Emergency Equipment for the Sheriff's Office to 911 Custom of Overland Park, Kansas as a Sole Source.</p> <p>This Award is made on an "as needed" basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriations.</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										

ATTACHMENTS	Sole Source Memorandum from Deputy Ben Solomon, Fleet Manager for the Sheriff's Office.	
REVIEW	Department Director: <i>[Signature]</i>	Date: <i>3/26/14</i>
	Finance (Budget Approval): If applicable <i>N/A Deborah A. Ball</i>	Date: <i>3-31-14</i>
	Division Manager: <i>[Signature] PIC</i>	Date: <i>4/2/14</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a contract for the furnishing and installation of a fuel line and dispensing system upgrade for use by the Parks + Rec Department to Mid-State Petroleum Equipment, Inc., of Hallsville, MO, under the terms and conditions of Invitation to Bid No. 15-14, at an actual cost to the County not to exceed \$49,236.00.

RESOLUTION NO. 18466, April 7, 2014

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, the Longview Lake Marina has a need for an upgraded fuel line and dispensing system; and,

WHEREAS, the Director of Finance and Purchasing has solicited formal written bids on Invitation to Bid No. 15-14 for the furnishing of this system for use by the Parks + Rec Department; and,

WHEREAS, a total of twenty-three notifications were distributed with the three lowest responses received and evaluated as follows:

<u>BIDDER</u>	<u>TOTAL BASE BID + ALTERNATIVE 2</u>
Mid-State Petroleum Equipment Hallsville, MO	\$49,235.66
Petroleum Equipment Kansas City (Jackson County), MO	\$96,543.00
Double Check Company Kansas City (Jackson County), MO and,	\$84,441.00

WHEREAS, the Director of Finance and Purchasing recommends that award be made to Mid-State Petroleum Equipment of Hallsville, MO, as the lowest and best bidder; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be, and hereby is authorized to make all payments, including final payment on the contract.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18466 of April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 003 1608 58060
ACCOUNT TITLE: Park Fund
Construction Services
Other Improvements
NOT TO EXCEED: \$49,236.00


Date


Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION


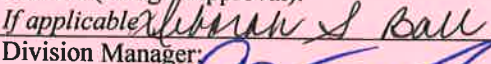

Completed by County Counselor's Office:

Res/Ord No.: 18466

Sponsor(s): Fred Arbanas

Date: April 7, 2014

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Authorizing the Purchase and Installation of a New Fuel Line and Dispensing System Upgrade at the Longview Lake Marina located in the Parks + Rec Department to Mid-State Petroleum Equipment, Inc. of Hallsville, Missouri under the terms and conditions of Invitation to Bid No. 15-14.</u></p>																												
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$49,235.66</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td></td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$49,235.66</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$49,235.66</td></tr> <tr> <td>Source of funding (name of fund) and account code number; 003-1608-58060</td><td></td></tr> <tr> <td>Park, Capital Projects, Other Improvements</td><td>\$49,235.66</td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$49,235.66	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$49,235.66	Amount budgeted for this item * (including transfers):	\$49,235.66	Source of funding (name of fund) and account code number; 003-1608-58060		Park, Capital Projects, Other Improvements	\$49,235.66																
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Park, Capital Projects, Other Improvements	\$49,235.66																												
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>																												
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Anessa Culbertson, Senior Buyer, 881-3465</p>																												
REQUEST SUMMARY	<p>The Longview Lake Marina in Kansas City, Missouri located in the Parks + Rec Department has requested the Purchase of a New Fuel Line & Dispensing System Upgrade. The Purchasing Department issued Invitation to Bid No. 15-14 in response to this request.</p> <p>A total of 23 notifications were distributed and three responses were received and evaluated as follows:</p> <table border="1"> <thead> <tr> <th></th><th>Mid State Petroleum Equipment</th><th>Petroleum Equipment</th><th>Double Check Company</th></tr> <tr> <th>DESCRIPTION</th><th>Amount</th><th>Amount</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Total Base Bid</td><td>\$46,135.66</td><td>\$61,755.00</td><td>\$68,149.00</td></tr> <tr> <td>Total Cost for Alternative 1 for Installation</td><td>\$18,526.00</td><td>\$15,436.00</td><td>\$6,742.00</td></tr> <tr> <td>Total Cost for Alternative 2 for Installation</td><td>\$3,100.00</td><td>\$34,788.00</td><td>\$16,292.00</td></tr> <tr> <td>Total Cost with Alternative 1 & 2</td><td>\$67,761.66</td><td>\$111,979.00</td><td>\$91,183.00</td></tr> <tr> <td>Project Completion Date after Notice to Proceed is Issued</td><td>90 Days</td><td>6-8 Weeks</td><td>90 Business Days</td></tr> </tbody> </table>		Mid State Petroleum Equipment	Petroleum Equipment	Double Check Company	DESCRIPTION	Amount	Amount	Amount	Total Base Bid	\$46,135.66	\$61,755.00	\$68,149.00	Total Cost for Alternative 1 for Installation	\$18,526.00	\$15,436.00	\$6,742.00	Total Cost for Alternative 2 for Installation	\$3,100.00	\$34,788.00	\$16,292.00	Total Cost with Alternative 1 & 2	\$67,761.66	\$111,979.00	\$91,183.00	Project Completion Date after Notice to Proceed is Issued	90 Days	6-8 Weeks	90 Business Days
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Project Completion Date after Notice to Proceed is Issued	90 Days	6-8 Weeks	90 Business Days																										

	Pursuant to Section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the award for the Purchase and Installation of a New Fuel Line and Dispensing System Upgrade for the Longview Lake Marina in Kansas City, Missouri located in the Parks + Rec Department to Mid-State Petroleum Equipment, Inc. of Hallsville, Missouri as the lowest and best bid received.	
CLEARANCE	<input checked="" type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input checked="" type="checkbox"/> Business License Verified (Purchasing & Department) <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	The Abstract of Bids received, the Award Recommendation from the Parks + Rec Department and the pertinent pages of Mid-State Petroleum Equipment, Inc. bid documents.	
REVIEW	Department Director: 	Date: 3-24-14
	Finance (Budget Approval): If applicable  S Ball	Date: 3-31-14
	Division Manager:  J. Longhorn JLC	Date: 4/2/14
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☒ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in _____.
- ☒ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.

This expenditure was included in the Annual Budget.

~~ORD/RES~~ # 18466

Abraham L Ball 3-31-14
Budgeting

BID NO: 15-14		DATE: 3/11/14		COMMODITY: New Fuel Line & Dispensing System Upgrade											
DESCRIPTION		UNIT		QTY		Mid State Petroleum Equip		Petroleum Equip		Double Check Co		AMOUNT		AMOUNT	
NO						AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	
	Total Base Bid					46,135.66		61,755.00		68,149.00					
	Total Cost For Alternative 1 For Installation					18,526.00		15,436.00		6,742.00					
	Total Cost For Alternative 2 For Installation					3,100.00		34,788.00		16,292.00					
	Total Cost With Alternative 1 & 2					67,761.66		111,979.00		91,183.00					

CERTIFICATION OF BID OPENING
 BIDS WERE PUBLICLY
 OPENED AND RECORDED
 ON: March 11, 2014, BY [Signature]
 CLERK OF THE LEGISLATURE
[Signature]
 PURCHASING

**JACKSON COUNTY
Parks + Rec**

22807 Woods Chapel Road
Blue Springs, Missouri 64015
MakeYourDayHere.com

Michele Newman, Director
(816) 503-4800
Fax: (816) 795-1234

MEMORANDUM

TO: Anessa Culbertson, Senior Buyer

FROM: Wayne Shipley, Utilities & Special Project Coordinator

DATE: March 18, 2014

SUBJECT: RE 15-14 New Fuel Line and Dispensing System upgrade at Longview Marina

The Parks Department recommendation is to award the contract to Mid-State Petroleum Equipment. The total base bid of \$46,135.66 along with the alternative #2 bid for the slab replacement of \$3,100.00 for a total of \$49,235.66.



Michael D. Sanders, County Executive

Jackson County Missouri Invitation to Bid No. 15-14
Page 2 of 36

A CONTRACT for Furnishing of NEW FUEL LINE AND DISPENSING SYSTEM UPGRADE at the Longview Lake Marina for the Parks + Rec Department.

A Contract between Jackson County Missouri ("County") and the undersigned ("Contractor"), collectively referred to as the "parties". The term "offer" as used herein refers to Contractor's offer made in response to this Bid Number. The parties agree as follows in consideration of the mutual covenants contained herein.

This Contract shall be binding when it is signed by the County's Purchasing Officer and/or Accounting Officer as required by SEC. 50.660 RSMo., and shall run from such date until all parties are satisfied unless it is sooner terminated as provided elsewhere herein

This Contract consists of: (1) Contractor's offer, including those papers which Contractor submitted with or expressly incorporated in its offer as a part thereof, to the extent the terms of such papers were expressly or impliedly accepted by the County, or were modified in writing with the express or implied consent of the parties; (2) written modification to this Contract signed by the County's Purchasing Officer and consented to expressly or impliedly by Contractor. This Contract represents the entire agreement between the parties in regard to this Bid Number. All modifications to this Contract must be in writing signed by the County's Purchasing Officer.

The laws of the State of Missouri and Jackson County, Missouri govern this Contract. This Contract shall be binding upon and to the benefit of the successor and assignees of the parties. The Contractor shall not assign this Contract or any monies payable hereunder without the prior written consent of the County. Contractor is an independent contractor of the County and shall indemnify the County for loss, damage or liability which the County incurs to the extent that such results proximately from the negligence or violation of Contractor or its employees, agents or subcontractors.

In regard to any goods which are included in the sale hereunder, Contractor makes to the County the warranties provided in Article Two of the Uniform Commercial Code of the State of Missouri to the extent that they apply by the terms thereof.

The County gives each of its employees an employee identification card having thereon a photograph of the employee. The County will not pay for any goods and/or services delivered by Contractor to any persons who did not present to Contractor at the time of delivery their County Identification Cards and who were not in fact authorized to receive delivery.

The County will pay to Contractor the applicable pricing quoted by Contractor in its offer for any goods and/or services whose purchase was ordered by the County's Purchasing Officer in consequence of the County's acceptance of Contractor's offer. The County will make good faith effort to make payment within thirty (30) days after the latest of: (1) the date of proper delivery to the County; (2) the date of acceptance by the County; (3) the date when the receiving department has received from the Contractor a correct and complete invoice showing the pertinent County Purchase Order Number(s). Payment may be withheld by the County to protect itself from actual or potential loss which has resulted or may result from the Contractor's non-performance of any of its duties required hereunder.

Contractor warrants that no officer or employee of the County, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of this contract.

If the County awarded this Contract, would the Contractor sell under the prices and terms of this Contract to any Municipal, County, Public Utility, Hospital, or Educational Institution having membership in the Mid-America Council of Public Purchasing and located within the greater Kansas City Metropolitan Trade Area? (All deliveries are to be F.O.B. Destination and there shall be no obligation on the part of any member of such Council to utilize this Contract).

(Check one) Yes ☒ No ☐ Initials JB Minimum order, if applicable\$ _____

ALL PAGES OF THIS INVITATION TO BID ARE EXPRESSLY MADE A PART OF THIS CONTRACT. The format of this Contract has been approved by the County Counselor's Office. Signature of vendor as indicated below MUST BE COMPLETED before contract can be awarded:

CONTRACTOR'S NAME: Mid-State Petroleum Equipment, Inc. PHONE NO: 573 696 3103

ADDRESS: 14601 Allison Industrial Dr. Hallsville, MO. 65255 FAX NO: 573 696 2317

NAME OF AUTHORIZED AGENT (print or type): Jared Barnes DATE: 3-7-14

SIGNATURE OF AUTHORIZED AGENT: Jared Barnes TITLE: Sales Rep.

EMAIL ADDRESS OF AUTHORIZED AGENT: Sales @ midstatepetro.com

FEDERAL ID NO: 43-1414130 and/or SOCIAL SECURITY NO: _____

SPECIFY: MINORITY OWNED (MBE): _____ WOMAN OWNED (WBE): _____ (Check If Applicable)

JACKSON COUNTY MISSOURI BY Q. TROY THOMAS, DIRECTOR OF FINANCE AND PURCHASING

SIGNATURE OF Q. TROY THOMAS: _____ DATE: _____

7.0 QUOTATIONS

Alternative 1: The cost associated for Price to replace existing underground piping with new double wall piping, according to codes from tanks to seawall; price will include excavation, backfill, concrete and labor.

Alternative 2: The cost associated to remove existing slab over vault and replace with a pre-fabricated 6 inch concrete slab with sleeves to reinstall existing handrail and gate to proper working order; price will include excavation, concrete and labor.

TOTAL BASE BID	\$ 46,135.66
TOTAL COST FOR ALTERNATIVE 1 FOR INSTALLATION	\$ 18,526.00
TOTAL COST FOR ALTERNATIVE 2 FOR INSTALLATION	\$ 3,100.00
TOTAL COST WITH ALTERNATIVE 1 & 2	\$ 67,761.66

Project Completion Date after Notice to Proceed is issued: 90 days

SIGNATURE:		DATE: 3-7-14
NAME: Jaud Barnes	(Print or Type)	PHONE: 800-999-3103
TITLE: Sales Representative	(Print or Type)	CELL: 573 881 8050
COMPANY NAME: Mid-State Petroleum Equipment	(Print or Type)	FAX: 573 696 2317
EMAIL ADDRESS: sales@midstatepetro.com	(Print or Type)	
WEB ADDRESS: midstatepetro.com	(Print or Type)	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Director of Finance and Purchasing to issue a check in the amount of \$582.00 to the Ad Hoc Group Against Crime, for sponsorship of the Fifth Annual Community Guardian Award to be held May 14, 2014.

RESOLUTION NO. 18467, April 7, 2014

INTRODUCED BY Dan Tarwater, County Legislator

WHEREAS, the COMBAT staff recommends sponsorship of the Fifth Annual Community Guardian Award, presented by the Ad Hoc Group Against Crime, to be held May 14, 2014, at a cost to the County not to exceed \$582.00; and,

WHEREAS, the Annual Community Guardian Award recognizes those individuals in our community that have contributed to the fight against violent crime and drug abuse activities; and,

WHEREAS, for its sponsorship, COMBAT will receive a one-quarter page advertisement in the program book presented to all attendees at the event, and will benefit by the advertising and community awareness this sponsorship will promote; and,

WHEREAS, said sponsorship is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Director of Finance and Purchasing be and hereby is authorized to issue a check to the

Ad Hoc Against Crime, in the amount of \$582.00 for sponsorship of the Annual Community Guardian Award.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18467 of April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 008 4401 56210
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
COMBAT Administration
Advertising
NOT TO EXCEED: \$582.00



Date



Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 18467

Sponsor(s): Dan Tarwater

Date: April 7, 2014

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>A resolution authorizing the Director of Financing to make payment to certain community groups to be funded by the County's Anti-Drug Sales Tax Fund for the 2014 fiscal year, for the purpose of promoting anti-drug and anti-violence activities and purposes at community events, programs, and conferences, not to exceed \$582.00</u></p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"><tr><td>Amount authorized by this legislation this fiscal year:</td><td>\$582.00</td></tr><tr><td>Amount previously authorized this fiscal year:</td><td>\$</td></tr><tr><td>Total amount authorized after this legislative action:</td><td>\$582.00</td></tr><tr><td>Amount budgeted for this item * (including transfers):</td><td>\$582.00</td></tr><tr><td>Source of funding (name of fund) and account code number: FROM: 008-4401-56210 Anti-Drug, COMBAT, Advertising</td><td>\$582.00</td></tr></table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$70,000.00 (Budgeted amount of \$70,000 includes \$10,000 identified for sponsorship of community events this fiscal year)</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): \$ 118,428 Prior Year Actual Amount Spent (if applicable): \$ 118,358</p>	Amount authorized by this legislation this fiscal year:	\$582.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$582.00	Amount budgeted for this item * (including transfers):	\$582.00	Source of funding (name of fund) and account code number: FROM: 008-4401-56210 Anti-Drug, COMBAT, Advertising	\$582.00
Amount authorized by this legislation this fiscal year:	\$582.00										
Amount previously authorized this fiscal year:	\$										
Total amount authorized after this legislative action:	\$582.00										
Amount budgeted for this item * (including transfers):	\$582.00										
Source of funding (name of fund) and account code number: FROM: 008-4401-56210 Anti-Drug, COMBAT, Advertising	\$582.00										
PRIOR LEGISLATION	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Dave Fleming, Planning & Development Administrator, 881-3572,</p>										
REQUEST SUMMARY	<p>A resolution authorizing the Director of Financing to make payment to certain community groups to be funded by the County's Anti-Drug Sales Tax Fund for the 2014 fiscal year, for the purpose of promoting anti-drug and anti-violence activities and purposes at community events, programs, and conferences, not to exceed \$582.00.</p> <p>Background: The Anti-Drug Sales Tax fund authorizes the County to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match, and other anti-drug and anti-violence initiatives in the community.</p> <p>This community event is:</p> <p>Ad Hoc Group Against Crime 5th Annual Community Guardian Award (May 14, 2014) \$582.00</p>										

	<p>Use of funds for these events will allow for purchase of advertising within the program booklet to be provided at the event, as well as verbal recognition of the support.</p> <p>These advertising opportunities will allow for the promotion of the COMBAT <i>"Don't Look The Other Way"</i> anti-violence marketing campaign, as well as other COMBAT initiatives to underserved populations and at-risk groups and provide opportunities for the development of skills necessary to provide evidenced-based practices in COMBAT funded prevention programs.</p> <p>Funding for the sponsorship and advertising events will be from the advertising line item, which has a 2014 budget of \$70,000.00. In 2013, COMBAT had an advertising budget of \$118,428 and expended \$118,358. In 2012, COMBAT had an advertising budget of \$68,366 and expended \$66,143 of those funds.</p> <p>There were numerous RLAs introduced and approved last year which demonstrates COMBAT's efforts in promoting COMBAT within the community. The Jackson County Drug Commission approved support of marketing within the community as part of our 2014 budget.</p>																				
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)																				
ATTACHMENTS																					
REVIEW	<table border="1"> <tr> <td>Department Director:</td><td><i>[Signature]</i></td><td>Date:</td><td><i>3-31-2014</i></td></tr> <tr> <td>Finance (Budget Approval):</td><td><i>[Signature]</i></td><td>Date:</td><td><i>3-31-14</i></td></tr> <tr> <td>If applicable:</td><td><i>[Signature]</i></td><td>Date:</td><td><i>4/2/14</i></td></tr> <tr> <td>Division Manager:</td><td><i>[Signature]</i> <i>STC</i></td><td>Date:</td><td></td></tr> <tr> <td>County Counselor's Office:</td><td></td><td>Date:</td><td></td></tr> </table>	Department Director:	<i>[Signature]</i>	Date:	<i>3-31-2014</i>	Finance (Budget Approval):	<i>[Signature]</i>	Date:	<i>3-31-14</i>	If applicable:	<i>[Signature]</i>	Date:	<i>4/2/14</i>	Division Manager:	<i>[Signature]</i> <i>STC</i>	Date:		County Counselor's Office:		Date:	
Department Director:	<i>[Signature]</i>	Date:	<i>3-31-2014</i>																		
Finance (Budget Approval):	<i>[Signature]</i>	Date:	<i>3-31-14</i>																		
If applicable:	<i>[Signature]</i>	Date:	<i>4/2/14</i>																		
Division Manager:	<i>[Signature]</i> <i>STC</i>	Date:																			
County Counselor's Office:		Date:																			

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☒ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☒ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.

This expenditure was included in the Annual Budget.

Date: March 31, 2014

Department / Division	Character/Description	Not to Exceed
008 - Anti-Drug Sales Tax		
4401 - COMBAT	56210 - Advertising	582
Total		582

Alevaran S Ball 3-31-14
Budgeting

PDF— hi-res CMYK files with crop marks and bleeds applied
Photoshop— 300 ppi CMYK JPG, TIF, EPS or PSD; **Illustrator** – All fonts converted to outlines
InDesign – Package with 300ppi links and all fonts

The AdHoc Group Against Crime

INVITES YOU TO JOIN OUR HONORARY CHAIRS

Joanne and
John Bluford

Dianne and
Hon. Emanuel Cleaver

Bobby Epsten

Licia Clifton-James and
Mayor Sly James

Georgia and
Mike Sanders

Betsey and
Rick Solberg

AND OUR PRESENTING SPONSOR, THE CORDISH COMPANY

Fifth Annual Community Guardian Awards

HONORING

Henry Bloch

H&R Block, Honorary Chairman

Stacey Daniels-Young, PhD

Jackson County COMBAT, Director

Greg Graves

Burns & McDonnell, Chairman & CEO

Leo Morton

University of Missouri-Kansas City, Chancellor

WEDNESDAY EVENING, MAY 14, 2014

6:30 Cocktails and Dinner Buffet • 7:45 Program

8:45-10:00 Dessert and Dancing with the James Ward Band in the Kill Devil Club
Hosted by The Cordish Company

The Gallery in the Power & Light District
61 East 14th Street, Kansas City Missouri 64105

CELEBRATING THE 82ND BIRTHDAY OF OUR FOUNDER

Alvin Brooks

Business Attire

Jackson County
COMBAT

415 East 12th Street, Ninth Floor
Kansas City, Missouri 64106
www.combatjack.org

Stacey Daniels-Young, Ph.D.
Director
(816) 881-3510

Vincent M. Ortega
Deputy Director
(816) 881-3886

Fax:
(816) 881-1416

Drug Commissioners:

Gloria Fischer

Venessa Maxwell-Lopez

Gene Morgan

Marva M. Moses

Keith Querry

Anita Russell

Joseph Spalitto, DDS

James Witteman, Jr.

Date: March 31, 2014

To: Cathy Jolly

From: Dave Fleming

Subject: COMBAT RLA Requests

Attached is a Request for Legislative Action for the 2014 funding for advertising at Ad Hoc Group Against Crime's 5th Annual Community Guardian Award to be held on May 14, 2014. Funding for this program will be from COMBAT's advertising line item.

Support for community events has been approved as a budget item by the Jackson County Drug Commission as an integral part of the COMBAT budget to promote COMBAT and COMBAT activities throughout the County.

Let me know if you have any questions or need additional information.

Attachments

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an Agreement with the Missouri Highways and Transportation Commission for the Adopt-A-Highway program, at no cost to the County.

RESOLUTION NO. 18468, April 7, 2014

INTRODUCED BY Theresa Garza Ruiz, County Legislator

WHEREAS, the Jackson County Recycling Committee desires to participate in the Missouri Adopt-A-Highway program to pick up litter along a certain portion of Missouri 291 Highway from Mulberry Street south to Tudor Road in Lee's Summit, MO; and,

WHEREAS, the attached Adopt-A-Highway Agreement sets out the rights and obligations of each party participating in the program; and,

WHEREAS, those employees volunteering for the program are required to sign a Release Waiver and Hold Harmless agreement; and,

WHEREAS, execution of the attached agreement with the Missouri Highways and Transportation Commission is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached Adopt-A-Highway Agreement with the Missouri Highways and Transportation Commission.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18468 of April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

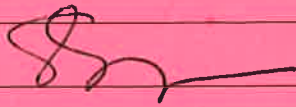
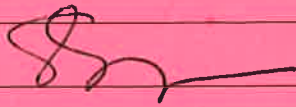
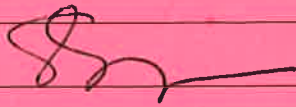
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 18468

Sponsor(s): Theresa Garza Ruiz

Date: April 7, 2014

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>The Administration requests permission for the County Executive to execute an agreement with MoDot for the Adopt -A-Highway program.</u></p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>NA</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>NA</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>NA</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td><td>FROM ACCT TO ACCT</td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p>X No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$ Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	NA	Amount previously authorized this fiscal year:	NA	Total amount authorized after this legislative action:	NA	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	NA										
Amount previously authorized this fiscal year:	NA										
Total amount authorized after this legislative action:	NA										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>										
CONTACT INFORMATION	<p>RLA drafted by Sandy Aguirre Mayer, Special Projects Coordinator 816 881-3282</p>										
REQUEST SUMMARY	<p>Jackson County employees of the Recycling Committee have been cleaning a section of 291 Highway and Tudor Road in the Adopt-A-Highway program since 2004. This agreement is for a 3 year renewal. Employees perform the clean up four times a year, as is required to participate in the program. Approximately 8 – 10 employees volunteer to clean on a Saturday from 9am – 11 am. The attached pages are the forms that require signatures by the County Executive. The indemnification clause on the second page of the agreement requires legislative approval. Attached is a page from the JCOOL website that informs employees about the Adopt-A-Highway program and volunteer opportunities.</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
ATTACHMENTS	<p>Agreement, 2 pages Cover Letter from Adapt-A-Highway Coordinator Webpage from JCOOL to inform employees about Adopt-A-Highway volunteer opportunity</p>										
REVIEW	<table border="1"> <tr> <td>Department Director:</td><td>Date:</td></tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td><td>Date:</td></tr> <tr> <td>Division Manager: </td><td>Date: 3/28/14</td></tr> <tr> <td>County Counselor's Office:</td><td>Date:</td></tr> </table>	Department Director:	Date:	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: 	Date: 3/28/14	County Counselor's Office:	Date:		
Department Director:	Date:										
Finance (Budget Approval): <i>If applicable</i>	Date:										
Division Manager: 	Date: 3/28/14										
County Counselor's Office:	Date:										

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in _____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.



www.modot.org
1-888-ASK-MODOT

Missouri Highways and Transportation Commission
Adopt-A-Highway Agreement



(Check all that apply) ☒ Litter pickup ☐ Mowing ☐ Beautification ☐ Native Area

(This Agreement is considered an application until executed by the Missouri Highways and Transportation Commission)

This Agreement is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and Jackson County Recycling Committees (hereinafter, "Adopter").

Is this request being made on behalf of a group or organization? ☐ Yes ☐ No

If yes, list the full name and street address of the group or organization. _____

Whereas, the Adopter requests permission to enter into the Adopt-A-Highway program in Jackson County on MO 291 S from Mulberry to At Cst Tudor RD W. Beginning log point 18.29, Ending log point 18.83, Length of adoption 0.536 miles and

Whereas, the Commission has the sole responsibility in determining whether an application is rejected or accepted and whether a highway will or will not be available for adoption; and

Whereas, the Adopter representative hereby certifies that the following information is true and accurate to the best of his or her knowledge and if he or she has submitted any false statements of a material fact or have practiced or attempted to practice any fraud or deception, the Commission may refuse to grant the request to participate in the program.

1. Adopter Representative: The Adopter representative for the purpose of administering the provisions of this Agreement is:

Name:	<u>Chriss Howard</u>		
Street Address:	<u>415 E 12th St , Suite 200</u>		
City:	<u>Kansas City</u>	State: <u>MO</u>	Zip: <u>64106</u>
Telephone (day)	<u>816-881-3649</u>	(night):	<u>NA</u>
Fax:	<u>NA</u>	E-Mail:	<u>choward@jacksongov.org</u>

2. Eligibility: Individuals, as Adopters or as members of Adopter organizations and enterprises, will not be approved to participate in the program if they have been convicted of, or pled guilty or no contest to, a violent criminal activity, unless 10 years have passed since completion of the latest incarceration, probation or parole for violent criminal activity.

3. Administrative Rules: The Adopter shall comply with the administrative rules of the Missouri Department of Transportation, under Title 7, Chapter 14, including any rules promulgated or amended after the date of this Agreement.

4. Amendments: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the Adopter representative and the Commission.

5. Signs: The sign shall have the actual name of either the adopter, or an individual in whose memory the adoption is being made, and shall not include telephone numbers, logos, slogans, dates, addresses, or Internet addresses. Please keep verbiage to a minimum for ease of reading. The Adopter's requested identification on the sign is worded as follows, with one character allowed per space:

Jackson County
Recycling
Committees

6. Special Provisions: NA
NA

7. Safety Training: The Adopter or Adopter representative shall obtain safety materials, such as highway safety tips brochures and videos, from the Commission at a safety briefing, and agrees to abide by all provisions and safety requirements contained within these materials. Before any participant within a group takes part in the program, he or she must attend a meeting conducted by the Adopter representative to view these materials and discuss safety.

8. Indemnification: To the extent allowed by law, the Adopter assumes the obligation to indemnify and hold harmless the Commission, including its officers, employees and agents, from every expense, liability or payment arising from any claim, lawsuit or liability which may arise from the Adopter's participation in the program.

9. Commission Representative: The Commission's representative for the purpose of administering the provisions of this Agreement is:

Name: Nancy Engelhart
Street Address: 600 NE Colbern Road
City: Lee's Summit **State:** MO **Zip:** 64086
Telephone (day): 816-607-2039 **Fax:** 816-622-0449
E-Mail: nancy.engelhart@modot.mo.gov **Adopt-A-Highway E-mail:** aah@modot.org

In Witness Whereof, the parties have entered into this Agreement on the date last written below.

Executed by the Adopter this _____ day of _____ 20____.

Executed by the Commission this _____ day of _____ 20____.

Missouri Highways and Transportation Commission

Jackson County Recycling Committees

Adopter Name

Adopter Representative

Daniel C Niec
District Engineer

To
Accept
Renewal

*Missouri
Department
of Transportation*



Daniel C Niec, District Engineer

Kansas City District
600 Northeast Colbern Rd
Lee'S Summit, MO 64086
(816) 622-6500
Fax (816) 622-0449
Toll free 1-888 ASK MODOT
www.modot.org

March 19, 2014

Jackson County Recycling Committees
415 E 12th St , Suite 200
Kansas City, MO 64106

Dear Chriss Howard,

Re: Adopt-A-Highway - MO 291 S in Jackson County, beginning at Mulberry, ending At Cst Tudor RD W, for 0.536 miles.

Our records indicate that your three-year Adopt-A-Highway agreement has expired or will expire on April 01, 2014. The Missouri Department of Transportation appreciates your willingness to help improve the appearance of Missouri roadsides by participating in this program. The work the adopters perform each year is extremely important. Not only does it make Missouri a cleaner and more beautiful state, but if MoDOT had to collect the litter adopters pick up each year, it would add up to more than \$1.5 million.

Renewal:

Enclosed is a completed Adopt-A-Highway three-year agreement renewal. If you would like to continue your participation in the Adopt-A-Highway program, please review, make corrections as necessary, sign, date and return it to this office within 30 days.

If you do not wish to continue and want to cancel your adoption, please check the box below and return to our office. Your agreement will be cancelled and your signs will be removed.

☐ No, we do not wish to continue in the Adopt-A-Highway program. Please cancel our adoption.

Signed

AAH Representative

To
Decline
OR

If you have questions or need assistance, please contact me at 816-607-2039 or . Thank you.

Sincerely,

Nancy Engelhart

Nancy Engelhart
Adopt-A-Highway Coordinator
Enclosure(s)



Jcool Jackson County Offices Online

Tuesday, June 04, 2013

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[Resources](#)
[Bulletin Board](#)
[Employees of the Month](#)
[Employee News](#)
[Public Works News](#)

[Understanding Your 2012 W-2](#)

[County Travel & Training Policy](#)



[Get More From Your Paycheck When You Join At Work](#)



[Royals Public Employees Nights](#)
 May 24 &
 August 23



[Jackson County Appreciation Discount On Chiefs 2013 Tickets](#)

[Sprint Center](#)
[Discount Tickets](#)

[Street League Skateboarding](#)
 June 9

[Global Warrior Challenge](#)
 June 29

[American Idol Live](#)

Go Green Help Keep It Clean

Volunteers Needed For Adopt-A-Highway Clean-up

291 Hwy & Tudar (Lee's Summit) ♦ 9:00 a.m. ♦ April 13, July 13 & October 12, 2013

The Jackson County Green Team (a.k.a. the Recycling Committee) is organizing the quarterly clean-up of the stretch of 291 Highway the county has adopted in Lee's Summit. Don an orange vest and make a green fashion statement helping out.

The clean-up efforts will begin at 9:00 a.m., Saturday, April 13, July 13 and October 13 with volunteers meeting at the [Lee's Summit Christian Church \(map\)](#) at 800 NE Tudor Road (the corner of Tudor and Highway 291) in Lee's Summit.

Adopt-A-Highway Video

[CLICK HERE](#) to view the Missouri Department of Transportation Adopt-A-Highway safety training video you need to watch before participating.

Waiver Forms

To participate, download these waiver forms and bring with you: [Jackson County Adopt-A-Highway Waiver](#) and/or [Adopt-A-Highway Waiver Form for minors](#).

[Download This Poster \(PDF\)](#)



Help support the environment by cleaning up the side of the road. To volunteer or for more information contact Chriss Howard at (816) 881-3649 or email her at choward@jacksongov.org



IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an extension to the Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for the furnishing of inmate beds at the Regional Correctional Center.

RESOLUTION NO. 18469, April 7, 2014

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, by Resolution 16883, dated April 20, 2009, the Legislature did authorize the execution of an Intergovernmental Agreement with the City of Kansas City, Missouri to provide for the Regional Correctional Center (RCC); and,

WHEREAS, by Resolution 18177, dated May 20, 2013, the Legislature did authorize an execution of an Intergovernmental Agreement for Overflow Inmate and Detainee Population; and,

WHEREAS, these agreements expire on April 30, 2014, and the City and the County desire to extend the Intergovernmental Cooperative Agreements at the same terms for an additional six months, at no cost to the County; and,

WHEREAS, the attached Addendum to the Intergovernmental Cooperative Agreement with the City of Kansas City is a suitable mechanism by which to implement the mutual understanding of the parties and obligations of the City and County regarding the cooperative effort involving the regional detention plan; and,

WHEREAS, execution of this Agreement is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached Addendum to Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18469 of April 1, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION


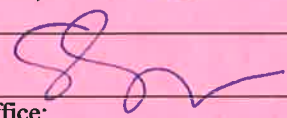
Completed by County Counselor's Office:

Res/~~Ord~~#: 18469

Sponsor(s): James D. Tindall

Date: April 7, 2014

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A resolution authorizing the County Executive to extend an intergovernmental agreement with the City of Kansas City that authorizes the operation of the Regional Correctional Facility. The term of the original agreement is for a period that expires on May 4, 2014 and the County and the City of Kansas City are seeking a six month extension, until November 1, 2014 for the purposes of developing a new contract expanding the existing agreement.</p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="318 632 1198 945"><tr><td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr><tr><td>Amount previously authorized this fiscal year:</td><td>\$</td></tr><tr><td>Total amount authorized after this legislative action:</td><td>\$</td></tr><tr><td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr><tr><td>Source of funding (name of fund) and account code number; FROM / TO</td><td>FROM ACCT TO ACCT</td></tr></table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:	\$										
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date): Res. #16883 May 19 2009 , 2# 18177</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Kenneth Conlee, Director of Corrections. 881-4233</p>										
REQUEST SUMMARY	<p>The current agreement was executed in May of 2009 for a five year period. The City of Kansas City and the County have been engaged in discussions that will likely expand the scope of the agreement to house additional detainees. This agreement will likely be finalized within six months, and until such time, the parties are requesting to extend the existing contract. There are no additional funds being requested as this contract produces revenue for the operation of the Regional Corrections Center.</p>										

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director: 	Date: 3/28/14
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: 	Date: 3/28/14
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.

R. 18177

R. 16883

**ADDENDUM TO INTERGOVERNMENTAL COOPERATIVE AGREEMENT
BETWEEN JACKSON COUNTY, MISSOURI
AND THE CITY OF KANSAS CITY, MISSOURI**

THIS ADDENDUM TO INTERGOVERNMENTAL AGREEMENT, by and between **JACKSON COUNTY, MISSOURI**, hereinafter referred to as "**the County**," and **CITY OF KANSAS CITY, MISSOURI**, a municipal corporation, hereinafter referred to as "**City**," is made and entered into this ____ day of _____, 2014.

WHEREAS, the City and County have sought a regional solution to jailing in Jackson County, and,

WHEREAS, by Resolution 16883, dated April 20, 2009, the County and City did enter into an Intergovernmental Cooperative Agreement whereby the County will house City inmates and detainees in the County's Regional Correction Center; and,

WHEREAS, by Resolution 18177, dated May 20, 2013, the County and City did enter into an Intergovernmental Cooperative Agreement for Overflow Inmate and Detainee Population whereby the County will house additional inmates and detainees in the County facilities on Saturday through Tuesday each week; and,

WHEREAS, these Agreements expire on April 30, 2014, and City and County desire to extend the Intergovernmental Cooperative Agreements at the same terms for an additional six months; and,

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, County and City do hereby additionally agree as follow:

1. Except as hereinafter specifically modified, all of the terms of the prior Intergovernmental Cooperative Agreements between the parties dated May 4, 2009, and May 1, 2013, shall remain in full force and effect and the terms and conditions thereof are

incorporated herein by reference.

2. This Addendum to the Intergovernmental Cooperative Agreements shall be effective as of May 1, 2014, and shall extend, with the original Intergovernmental Cooperative Agreements, through October 31, 2014, unless a successor agreement is negotiated and executed by the parties to be effective prior to that date.

3. This Addendum, together with the Intergovernmental Cooperative Agreements dated May 4, 2009, and May 1, 2013, incorporates the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the parties have set their hands and seals on the date first above written.

JACKSON COUNTY, MISSOURI

CITY OF KANSAS CITY, MISSOURI
A Constitutionally Charter Municipal
Corporation of the State of Missouri

By: _____
Michael D. Sanders
County Executive

By: _____
Troy M. Schulte
City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
W. Stephen Nixon
County Counselor

By: _____
Bill Geary
City Attorney

ATTEST

By _____
Mary Jo Spino
Clerk of the Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION congratulating Kush Sharma of Kansas City, MO, on qualifying for the National Spelling Bee.

RESOLUTION NO. 18470, April 7, 2014

INTRODUCED BY Theresa Garza Ruiz, County Legislator

WHEREAS, Kush Sharma, a seventh grade student at Frontier School of Innovation in Kansas City, MO, qualified for the Scripps National Spelling Bee in a delayed final round held March 8, 2014, at the Kansas City Central Library; and,

WHEREAS, Kush and his final competitor, Sophia Hoffman, a fifth-grader from Lee's Summit, garnered media fame after exhausting all of the available words in 75 rounds of competition at the Jackson County Spelling Bee on February 22; and,

WHEREAS, in a dramatic finale, Kush and Sophia come together to complete the marathon spelling bee, going an additional 28 rounds before Kush prevailed; and,

WHEREAS, Kush will travel to National Harbor, MD, to participate in the 87th Annual Scripps National Spelling Bee, May 27 - 29, 2014; and,

WHEREAS, Kush was humble in his dramatic win over Sophia, offering a hug in consolation upon the finish; and,

WHEREAS, Kush's parents, A.K. Sharma and Dr. Shama Sharma, are justifiably proud of their son; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature hereby congratulates Kush Sharma for qualifying for the National Spelling Bee, and extends best wishes to him in all of his future endeavors.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18470 of April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Director of Finance and Purchasing to issue a check in the amount of \$1,000.00 to Bridging the Gap, for sponsorship of Earth Walk to be held May 3, 2014, in Kansas City, MO.

RESOLUTION NO. 18471, April 7, 2014

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, Bridging the Gap is a non-profit organization in Kansas City, MO, dedicated to creating awareness and involvement in environment causes within our community; and,

WHEREAS, Bridging the Gap will be hosting Earth Walk, a three-mile walk along the Missouri River, to be held May 3, 2014, and has submitted a request for sponsorship, in the amount of \$1,000.00; and,

WHEREAS, this sponsorship will allow Jackson County the opportunity to support clean water and other environmental issues within our community; and,

WHEREAS, in exchange for its sponsorship, Jackson County will receive advertising and recognition in the event program, website, and social media; and,

WHEREAS, said sponsorship is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the

Director of Finance and Purchasing be and hereby is authorized to issue a check to Bridging the Gap, in the amount of \$1,000.00 for sponsorship of the 2014 Earth Walk.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18471 of April 7, 2014, was duly passed on _____, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 001 5101 56210
ACCOUNT TITLE: General Fund
Non-Departmental
Advertising
NOT TO EXCEED: \$1,000.00



Date



Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 18471

Sponsor(s): Scott Burnett

Date: April 7, 2014

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A RESOLUTION authorizing the Director of Finance and Purchasing to issue a check in the amount of \$1,000.00 to Bridging the Gap, for sponsorship of its 16th annual EarthWalk event to be held May 3, 2014, in Kansas City, MO.</p>												
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="310 590 1187 974"><tr><td>Amount authorized by this legislation this fiscal year:</td><td>\$1,000</td></tr><tr><td>Amount previously authorized this fiscal year:</td><td>\$0</td></tr><tr><td>Total amount authorized after this legislative action:</td><td>\$1,000</td></tr><tr><td>Amount budgeted for this item * (including transfers):</td><td>\$0</td></tr><tr><td>Source of funding (name of fund) and account code number;</td><td></td></tr><tr><td>001-5101-56210 – General Fund, Non-Dept, Advertising</td><td>\$1,000</td></tr></table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): N/A Prior Year Actual Amount Spent (if applicable): \$1,000</p>	Amount authorized by this legislation this fiscal year:	\$1,000	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$1,000	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number;		001-5101-56210 – General Fund, Non-Dept, Advertising	\$1,000
Amount authorized by this legislation this fiscal year:	\$1,000												
Amount previously authorized this fiscal year:	\$0												
Total amount authorized after this legislative action:	\$1,000												
Amount budgeted for this item * (including transfers):	\$0												
Source of funding (name of fund) and account code number;													
001-5101-56210 – General Fund, Non-Dept, Advertising	\$1,000												
PRIOR LEGISLATION	<p>Prior ordinances and (date): Res 18103, 2/19/2013</p> <p>Prior resolutions and (date):</p>												
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone):</p>												
REQUEST SUMMARY	<p>Bridging the Gap is a non-profit organization in Kansas City, MO, dedicated to creating awareness and involvement in environment causes within the community. The 16th Annual EarthWalk will be held on May 3, 2014 along the Missouri River in the City Market. This request for funding will provide a \$1,000 sponsorship to Bridging the Gap to help support the event. In exchange for its sponsorship, Jackson County will receive advertising and recognition in the event program, website, and social media.</p>												

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director:	Date:
	Finance (Budget Approval): If applicable <i>William S Ball</i>	Date: <i>4-2-14</i>
	Division Manager: <i>[Signature]</i>	Date: <i>4/2/14</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☒ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.

This expenditure was included in the Annual Budget.

Date: April 2, 2014

Department / Division	Character/Description	Not to Exceed
001 - General Fund		
5101 - Non-departmental	56210 - Advertising	1,000
Total		1,000

Sharon S Ball 4-2-14
Budgeting



Bridging The Gap

Board of Directors

Bob Berkebile
BNIM Architects

Bill Craig
Lakemary Center

Steve DiGiacinto
Hallmark Cards, Inc

Doug Dietrich
Burns & McDonnell

Amy Hargroves
Sprint

Tom Jacobs
Mid-America Regional Council

James Joerke, Vice Chair
Johnson County, Kansas

Kay Johnson, Chair
Attorney

Willow Baum
Consultant

Ashok Gupta
Natural Resources Defense Council

Roland Maliwat
Kansas City Power & Light

Brad Nies
General Services Administration

Ken Perdue
Staples

Mary Ramm
RubinBrown LLP

1427 W. 9th St., 2nd floor
Kansas City, MO 64101
816 561-1087

www.bridgingthegap.org

Founded 1992

December 19, 2013

Mike Sanders
Jackson County Government
415 East 12th Street
Kansas City, MO 64106

DEC 19

Done

Dear Mike Sanders,

You know us well!
~~Please let us introduce ourselves~~ as leaders at Bridging The Gap, your local environmental non-profit. For twenty years, we've been educating and helping greater Kansas City recycle, plant trees and gardens, pick up litter, conserve prairies, and save energy and water, while engaging over 1,000 volunteers annually.

We're reaching out to your company because we know you care about sustainability issues. By being a sponsor for our 16th Annual EarthWalk, scheduled for May 3rd, 2014, you can showcase your work to a crowd of over 600, and join with other organizations who care about protecting our natural resources. It also offers the opportunity for your employees to create a team and walk for a cause they care about. Some of our past sponsors include; Commerce Bank, DST, Bayer CropScience, Hallmark, the Walking Company, and many others. We would love to add your name to that list!

Sponsoring EarthWalk helps Bridging The Gap, but is also a great way to be recognized as a leading business showcasing sustainability. Our supporters are interested in learning about local businesses like yours. Sponsors will enjoy a variety of benefits, including banners at the event along with social media and email marketing plus to our over 16,000 supporters.

Last year we moved EarthWalk to City Market and the underutilized Berkley Riverfront Park to highlight the mighty Missouri River and our thriving downtown--and saw a 35% increase in attendance! Participants loved seeing the river in a new light--and we loved shining a spotlight on these local assets.

Enclosed you will find a packet listing the many ways for you to be involved with EarthWalk 2014. We would be happy to set up a meeting to discuss the options further. Don't hesitate to contact us with questions. We look forward to working with you.

Sincerely,

Kristin Riott
Kristin Riott
Executive Director

Kelly Savage
Kelly Savage
Event Manager