



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

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

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

Monday, April 16, 2007

2:30 PM

Fourteenth Regular Meeting

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

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

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 4/9/2007.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Dan Tarwater asked for a brief moment of silence for the students killed at Virginia Tech.

Michele Newman, Acting Director of Parks and Recreation, said that five different studies conducted between 1990-2001 contained recommendations regarding the status of Jackson County Park Rangers. All of the studies recommended commissioning the Park Rangers. Missouri State Park Rangers and other Missouri and Kansas County Park Rangers have been armed for many years. She mentioned that rangers have been armed in St. Charles County since 2002, Jefferson County since 1990, Clay County since 1983, St. Louis County since the 1970's, Missouri State Parks since 1968, Johnson County, KS since the 1960's and Wyandotte County, KS since the 1950's.

Jeff Gilmore, Superintendent of Park Safety, talked about arming the park rangers in Jackson County. Reverend Tom Haley also spoke in favor of this issue.

Discussion.

Sgt. Gary Kilgore from the Sheriff's Department gave an update on the registration of sexual predators in Jackson County. He said it takes approximately 10 - 25 minutes to register offenders and it is done by appointment only. He said last week Sheriff Phillips appointed two deputies to work on registration. The recommendation of the department is to have two deputies and one clerk to handle this ongoing task.

Dennis Waits, County Legislator, said he would like sex offenders to be able to register in Kansas City to make it more accessible.

Fred Arbanas, County Legislator, asked about a bill introduced by Senator Koster regarding extra funding for the Sheriff's Department.

Mike Sanders said he will look into it and get back to the Legislature.

Greg Grounds, County Legislator, asked Sgt. Kilgore to attend a legislative meeting in two months to give an update on the registration process.

Henry C. Rizzo, County Legislator, asked if the Communications Department could put messages on the Internet or post one during the legislative meeting regarding registration of sexual offenders.

Mike Sanders said he will find out what can be done and report back to the Legislature.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said the Administration will discuss the 2008 budget at the legislative meeting scheduled to be held on Monday, April 30, 2007. He said at the legislative meeting scheduled to be held on Monday, April 23, 2007, the Administration will discuss personal services contracts.

The COMBAT Review Committee will meet on April 17, 2007 at 7:30 A.M. at Pioneer College.

The Ethics Task Force will meet on April 19, 2007 at 4:00 P.M. at Blackwell Sanders, 4801 Main Street.

Jackson County will be participating in Earthwalk on Saturday, April 21, 2007 at Shawnee Mission Park, 77th and Renner Road, registration begins at 7:30 A.M.

Henry C. Rizzo asked the legislative auditor to review the expenditures made at the Fort Osage Education Center. The Finance and Audit Committee will request an audit from the legislative auditor.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3884](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3886](#) Health and Justice Committee moved to perfect. Consent Agenda.

The Land Use Committee will have a public hearing on Friday April 27, 2007 at 1:00 P.M. at Fleming Hall regarding Ordinances #3887 and #3888.

[3887](#) AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of fifteen years to construct a 126-ft. monopole tower for wireless communications as to a 0.78± acre tract.

(Land Use Committee - 2nd. Perfection)

[3888](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 30 ± acre tract and approving the preliminary plat "Hoover Estates - 2nd Plat," creating a five-lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

[3889](#) Health and Justice Committee moved to perfect.

Theresa Garza objects to Consent Agenda.

The motion passed by a voice vote.

(PERFECTED)

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3890](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3891](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3892](#) Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3882](#) Consent Agenda.

[3889](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[16246](#) Land Use Committee moved do pass. Consent Agenda.

[16254](#) Land Use Committee moved do pass. Consent Agenda.

[16255](#) Land Use Committee moved do pass. Consent Agenda.

[16257](#) Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

- [3884](#) AN ORDINANCE transferring \$10,373.00 within the 2007 General Fund, appropriating \$31,762.00 from the unappropriated surplus of the 2007 Grant Fund, and authorizing an extension of the Coordinated Community Response to Domestic Violence Grant funded by the U.S. Department of Justice.
(PERFECTED)
- [3886](#) AN ORDINANCE transferring \$13,791.00 within the 2007 General Fund, appropriating \$17,124.00 from the unappropriated surplus of the 2007 Grant Fund, and authorizing an extension of the Community Gun Violence Prosecution Grant awarded by the United States Department of Justice, Office of Justice Programs.
(PERFECTED)
- [3890](#) AN ORDINANCE transferring \$95,034.00 within the 2007 General Fund and appropriating \$197,986.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant from the Missouri Department of Public Safety for a program focused on prevention and prosecution of sexual assaults.
(PERFECTED)
- [3891](#) AN ORDINANCE appropriating \$5,000.00 from the unappropriated surplus of the 2007 Grant Fund and authorizing the County Executive to execute an Agreement with the Missouri Safety Center in acceptance of the Jackson County Sheriff's Office's Click It or Ticket Overtime Enforcement grant.
(PERFECTED)
- [3892](#) AN ORDINANCE appropriating \$3,000.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of grant funds awarded to the Jackson County Sheriff's Office by the Missouri Safety Center for the Pick Up Truck Overtime STEP Enforcement Project, to promote seat belt usage in pick up trucks.
(PERFECTED)
- [3882](#) AN ORDINANCE appropriating \$66,009.00 from the unappropriated surplus of the 2007 Anti-Drug Sales Tax Fund to cover a grant received from the United States Executive Office of the President's Midwest High Intensity Drug Trafficking Area Investigative Support Center for use by the Jackson County Sheriff's Office and authorizing the County Executive to execute an agreement with Woody Poole, the designated investigative analyst.
(ADOPTED)
- [3889](#) AN ORDINANCE repealing sections 4000., 4010., 4030., 4031., and 4046., and schedule I to chapter 40, Jackson County Code, 1984, relating to sanitation of food establishments, and enacting in lieu thereof, five new sections and one new schedule relating to the same subject.
(ADOPTED)

[16246](#) A RESOLUTION authorizing the County Executive to execute a Second Addendum to the Professional Services Agreement with Terracon Consultants, Inc., of Lenexa, KS, for the Fort Osage Education Center, at an additional cost to the County of \$12,000.00.

(ADOPTED)

[16254](#) A RESOLUTION awarding twenty-four month term and supply contracts, with twelve-month options to extend, on Invitation to Bid No. 5-07 for the furnishing of catering services for use by the Parks and Recreation Department to Robinson's Catering of Grandview, MO, Affordable Elegance of Raymore, MO, and Fiorella's Jack Stack Barbeque of Kansas City, MO.

(ADOPTED)

[16255](#) A RESOLUTION awarding a twelve-month term and supply contract for the furnishing of Rainbird irrigation equipment, parts, and service for use by the Parks and Recreation Department to Hydrologic of Olathe, KS, as a sole source purchase.

(ADOPTED)

[16257](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with Mid-America Regional Council for its Water Education Program, at a cost to the County not to exceed \$2,500.00.

(ADOPTED)

To perfect Ordinances 3884, 3886, 3890, 3891, 3892. To adopt Ordinances 3882, 3889. To adopt Resolutions 16246, 16254, 16255, 16257.

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

Yes: 9 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3893](#) Appropriating \$5,000.00 from the unappropriated surplus of the 2007 Grant Fund and authorizing the County Executive to execute an Agreement with the Missouri Highway and Transportation Commission in the acceptance of the Commission's Blueprint for Roadway Safety: Overtime Enforcement for Aggressive Driving grant.

(Health and Justice Committee)

[3894](#) Appropriating \$1,821.00 from the unappropriated surplus of the 2007 Health Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount \$1,820.18 to the Mid-America Regional Council as a pass-through of funds received from the Missouri Emergency Response Commission.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

- [16259](#) Authorizing the County Executive to execute Change Order No. 2 to the contract with U. S. Engineering of Kansas City, MO, for the furnishing of HVAC renovation for use by the Facilities Management Department, under the terms and conditions of Invitation to Bid No. 30-05, in an amount not to exceed \$348,517.43.
(Public Works Committee)
- [16260](#) Awarding a contract for the purchase of fourteen Evinrude outboard boat motors for use by the Parks and Recreation Department to BRP US, Inc., of Sturtevant, WI, under the terms and conditions of an existing United States government contract No. GS-07F-0066H, at a total cost to the County not to exceed \$52,794.00.
(Land Use Committee)
- [16261](#) Authorizing the County Executive to execute a Permanent Ingress/Egress Easement Agreement across a portion of Jackson County park property in favor of Public Water Supply District No. 13 of Lee's Summit, MO.
(Land Use Committee)
- [16262](#) Authorizing the County Executive to execute an Agreement with Jackson County Court Appointed Special Advocates (CASA), for its Guardian Ad Litem program, as a local match to a private grant, at a cost to the County not to exceed \$50,000.00.
(Anti-Drug Committee)
- [16263](#) Authorizing the County Executive to execute a Cooperative Agreement with the Salvation Army, to provide housing and services for homeless Drug Court referrals, at a cost to the County not to exceed \$7,000.00.
(Anti-Drug Committee)
- [16264](#) Authorizing the County Executive to execute an Agreement with Operation Breakthrough, Inc., for its Youth Empowerment program, a development program targeting the reduction of substance abuse, crime, and violence, as a local match to a private grant, at a cost to the County not to exceed \$23,936.00.
(Anti-Drug Committee)
- [16265](#) Accepting a right-of-way, permanent drainage easements, and a temporary construction easement and authorizing payment to the property owner, Property Reserve, Inc., in the actual amount of \$223,845.00, in connection with the Woods Chapel Road Improvement Project, No. 2293.
(Public Works Committee)
- [16266](#) Awarding a contract on Bid No.PW12-2006 to Emery Sapp and Sons, Inc., of Kansas City, MO, for the Liggett Road Improvements Project, No. 2449, at an actual cost to the County not to exceed \$2,431,676.95.
(Public Works Committee)

[16267](#)

Henry C. Rizzo moved the passage of Resolution #16267, recognizing the Xi Tau Omega Chapter of Alpha Kappa Alpha Sorority, Inc., for its commitment and contributions to the Jackson County community. Seconded by Scott Burnett.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - Fred Arbanas

(ADOPTED)

[16268](#)

Authorizing the Jackson County Legislature to hold a closed meeting on Monday, April 16, 2007, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under Section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

(WITHDRAWN BY SPONSOR TARWATER. CONCURRED BY GARZA AND RIZZO.)

No objection to the consideration of Resolution #16269 - not on printed agenda.

[16269](#)

Henry C. Rizzo moved the passage of Resolution #16269, authorizing the settlement of the claim of Audrey Barber for alleged violations of Title VII to the Civil Rights Act of 1964 in the case of Barber v. Jackson County, No. 05-818-CV-W-REL, now pending in the United States District Court for the Western District of Missouri, and authorizing the Director of the Department of Finance and Purchasing to make payment in the amount of \$50,000.00. Seconded by Dennis Waits.

Yes: 9 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, April 23, 2007 at 2:30 P.M. in the Independence Courthouse Annex, 308 West Kansas, Ground Floor, Legislative Chambers.