



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, February 26, 2007

2:30 PM

Seventh Regular Meeting

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

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

Henry C. Rizzo moved to approve the journal of the previous meeting held on 2/12/2007.
Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said it is a healthy process to have the Sports Authority report to the County Legislature regarding the renovations at the sports complex.

Mike introduced Fred Siems as the Chief Administrative Officer for Jackson County, Missouri. He said the Mercer Group will deduct \$15,000.00 from the fee since a national search will not be necessary for this position.

He also introduced Dr. Susan Wilson who was newly appointed to the COMBAT Commission.

Larry Blick, transition team member, spoke about the Ethics Task Force. He distributed a Code of Ethics (67 pages) for Jackson County government to establish a comprehensive code for elected officials and employees. The task force will have a final product to present to the County Legislature within the next 120 days.

Anita Maltbia, transition team member, spoke about the Blue Ribbon Committee commissioned to review COMBAT funds. She distributed a report for the Legislature's review.

Greg Grounds, County Legislator, asked that D.A.R.E. funds also be reviewed in this process.

James D. Tindall, County Legislator, said missing from the committee is a member from the community such as a neighborhood leader. He said it is important to have a grass roots effort.

Anita Maltbia said she would take it under advisement but said she thought perhaps the service recipient may fit that category.

Theresa A. Garza, County Legislator, asked if the committee will consider guidelines for an audit of COMBAT funds.

Anita Maltbia responded that this review will indicate if there is a need for a comprehensive audit. If an audit is necessary, it will be done by another entity.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3873](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[3873](#) Fred Arbanas moved to perfect Ordinance #3873. Seconded by Bob Spence.

The motion passed by a voice vote. (PERFECTED)

[3873](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3873. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3874](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from the Two-Family Residential District to District LI (Light Industrial), a certain 11,500 square foot tract.

(Land Use Committee - 2nd. Perfection)

[3875](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[3875](#) Fred Arbanas moved to perfect Ordinance #3875. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)

[3875](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3875.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

[3876](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.

[3876](#) Fred Arbanas moved to perfect Ordinance #3876. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)

[3876](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3876.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

[3878](#) Health and Justice Committee moved to perfect.
Theresa A. Garza objects to the Consent Agenda.

[3878](#) Theresa A. Garza moved to perfect Ordinance #3878. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)

[3878](#) Theresa A. Garza moved to suspend the rules to consider final passage of Ordinance #3878. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3873](#) Consent Agenda.

[3875](#) Consent Agenda.

[3876](#) Consent Agenda.

[3878](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[16146](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for Medical Examiner Services with Cass County, Missouri, for compensation payable to Jackson County in the amount of \$82,800.00.

(Health and Justice Committee - 2nd. Meeting)

Dennis Waits moved to waive the reading of Ordinances #16147 and #16148. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

[16147](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for Medical Examiner Services with Clay County, Missouri, for compensation payable to Jackson County in the amount of \$196,650.00.

(Health and Justice Committee - 2nd. Meeting)

[16148](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for Medical Examiner Services with Platte County, Missouri, for compensation payable to Jackson County in the amount of \$65,428.56.

(Health and Justice Committee - 2nd. Meeting)

[16152](#) Land Use Committee moved do pass. Consent Agenda.

[16153](#) Finance and Audit Committee moved do pass. Consent Agenda.

[16154](#) Public Works Committee moved do pass. Consent Agenda.

[16155](#) Health and Justice Committee moved do pass. Consent Agenda.

[16157](#) Health and Justice Committee moved do pass. Consent Agenda.

[16158](#) Land Use Committee moved do pass. Consent Agenda.

[16159](#) Land Use Committee moved do pass. Consent Agenda.

[16160](#) Health and Justice Committee moved do pass. Consent Agenda.

[16161](#) Public Works Committee moved do pass. Consent Agenda.

[16162](#) Finance and Audit Committee moved do pass.

Bob Spence objects to the Consent Agenda.

[16162](#) Scott Burnett moved the passage of Resolution #16162, authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's General Fund, for various public purposes, at an aggregate cost to the County not to exceed \$155,760.00. Seconded by Dennis Waits.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds
No: 1 - Bob Spence

(ADOPTED)

Comments made by Bob Spence, County Legislator.

Resolution #16162 was adopted pending compliance.

[16163](#) Health and Justice Committee moved do pass. Consent Agenda.

Discussion regarding Resolution #16164.

[16164](#) Finance and Audit Committee moved do pass.

Bob Spence objects to the Consent Agenda.

[16164](#) Henry C. Rizzo moved the passage of Resolution #16164, authorizing the County Executive to execute a Cooperative Agreement with United Inner City Services, to provide funding in the areas of emergency assistance, youth services, and day camp, at a cost to the County not to exceed \$126,180.00. Seconded by Dennis Waits.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds
No: 1 - Bob Spence

(ADOPTED)

9 CONSENT AGENDA

[3873](#) 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 20 ± acre tract and approving the preliminary plat "Hoover Estates," creating a four-lot residential subdivision.

(ADOPTED)

[3875](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 8.5 ± acre tract for a two-lot residential subdivision, "Gray Squirrel's Corner."

(ADOPTED)

- [3876](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 10.1 ± acre tract for a two-lot residential subdivision, "Turner's Corner-2nd Plat."
(ADOPTED)
- [3878](#) AN ORDINANCE appropriating \$19,625.50 from the unappropriated surplus of the 2007 Grant Fund to cover the Family Court Division's Child Protection Center grant, received from the Greater Kansas City Community Foundation.
(ADOPTED)
- [16152](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB200655 for the furnishing of golf course chemicals for use by the Parks and Recreation Department to Helena Chemicals of Lenexa, KS, Grass Pad, Inc., of Olathe, KS, Supreme Turf of Olathe, KS, Floratine Midwest of Raymore, MO, and BWI Companies of Springfield, MO, to provide for departmental needs for the upcoming one-year period.
(ADOPTED)
- [16153](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract, and authorizing two twelve-month options for extension, on Electronic Solicitation No. BB200658 for the furnishing of office furniture for use by various county departments to Corporate Express of Kansas City, MO, to provide for departmental needs.
(ADOPTED)
- [16154](#) A RESOLUTION awarding a term and supply contract for the furnishing of reinforced concrete pipe for use by the Public Works Department to KC Concrete Pipe d/b/a Cretex Midwest of Shawnee Mission, KS, to provide for departmental needs for the upcoming twenty-four month period, as a sole source purchase.
(ADOPTED)
- [16155](#) RESOLUTION declaring certain property within the Sheriff's Department as surplus personal property and authorizing its disposal.
(ADOPTED)
- [16157](#) A RESOLUTION authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's Health Fund, for various public health purposes, at an aggregate cost to the County not to exceed \$1,743,677.00.
(ADOPTED)
- [16158](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the University of Missouri Extension Council of Jackson County to assist in providing secretarial salaries, office facilities, telephone, postage, travel, equipment, printing, and supplies to support extension staff in programs and services for citizens of Jackson County, at a cost to the County not to exceed \$207,595.00.
(ADOPTED)

[16159](#) A RESOLUTION authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's Park Fund, for various parks and recreation public purposes, at an aggregate cost to the County not to exceed \$49,005.00.

(ADOPTED)

[16160](#) A RESOLUTION authorizing the County Executive to execute agreements with the Mid-America Regional Council to subcontract with certain outside agencies funded by the County's Health Fund, for various public health purposes, at an aggregate cost to the County not to exceed \$256,859.00.

(ADOPTED)

[16161](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Soil and Water Conservation District of Jackson County to provide education and information on soil and water conservation at a cost to the County not to exceed \$19,092.00.

(ADOPTED)

[16163](#) A RESOLUTION authorizing the County Executive to execute Cooperative Agreements with the Mid-America Regional Council for various public purposes funded by the County's General and Health Funds, at a cost to the County not to exceed \$207,872.00.

(ADOPTED)

To adopt Ordinances 3873, 3875, 3876, 3878. To adopt Resolutions 16152, 16153, 16154, 16155, 16157, 16158, 16159, 16160, 16161, 16163.

Dennis Waits moved the passage of the consent agenda. Seconded by Scott Burnett. 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

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[16166](#) Bob Spence moved the passage of Resolution #16166, authorizing Change Order No. 1 (Final) to the contract with American Marking & Paving Co. of Claycomo, MO, for the Public Works/GIS Technology Center Parking Lot Project, No. 3049, adjusting all plan quantities to as-built quantities, decreasing the contract amount by \$8,090.00, and authorizing final payment on the contract. Seconded by Dennis Waits.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

[16167](#) Authorizing the County Executive to execute conveyance instruments in favor of the City of Kansas City, MO, relating to a certain tract of property adjacent to the Prospect Bridge in the City of Kansas City.

(Land Use Committee)

[16168](#) Bob Spence moved the passage of Resolution #16168, authorizing Change Order No. 3 (Final) to the contract with J.M. Fahey Construction Co. of Grandview, MO, for the Harry Truman Drive Extension Project, No. 2999, adjusting all plan quantities to as-built quantities, decreasing the contract amount by \$439.22, and authorizing final payment on the contract. Seconded by Dennis Waits.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

[16169](#) Authorizing the County Executive to execute a Cooperative Agreement with the City of Kansas City, Missouri, in connection with the construction of a multipurpose trail within the Blue River Parkway.

(Land Use Committee)

[16170](#) Authorizing the County Executive to execute an Intergovernmental Agreement with the Mid-America Regional Council (MARC) Solid Waste Management District, to provide access to the Regional Household Hazardous Waste Centers for the residents of the unincorporated county, at a cost to the County not to exceed \$17,153.27.

(Public Works Committee)

[16171](#) Authorizing the County Executive to execute an Easement Agreement for a permanent easement across a portion of the Little Blue Trace Park in favor of Hellix Construction, LLC, to accommodate the release of stormwater from a detention pond in the Cedar Valley Subdivision, into the Little Blue River.

(Land Use Committee)

[16172](#) Awarding twelve-month term and supply contracts for the furnishing of beer for resale by the Parks and Recreation Department to County Beverage Company of Lee's Summit, MO, High Life Sales of Kansas City, MO, and Big Sky Distributors of Kansas City, MO, as proprietary purchases.

(Land Use Committee)

[16173](#) Awarding twenty-four month term and supply contracts, and authorizing annual options to extend up to an additional thirty-six months, on Bid No. 32-06 for the furnishing of crushed rock for use by the Public Works and Parks and Recreation Departments to Barber & Sons Aggregates of Lee's Summit, MO, and Damon Pursell Construction Co. of Liberty, MO.

(Public Works Committee)

[16174](#) Awarding twelve (12) month term and supply contracts, and approving two twelve-month options for extension, on Electronic Solicitation No. BB200665 for the furnishing of traffic signs and supplies for use by the Parks and Recreation and Public Works Departments to J & A Traffic of Blue Springs, MO, and Traffic and Parking Control of Elm Grove, WI, to provide for departmental needs.

(Public Works Committee)

Discussion regarding Resolution #16175.

[16175](#) Dennis Waits moved the passage of Resolution #16175, authorizing the Chairman of the Legislature to execute a Consulting Agreement with W.T. Dawson, to serve as public liaison, at an actual cost to the County not to exceed \$35,000.00. Seconded by Henry C. Rizzo.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

[16176](#) Awarding a twenty-four (24) month term and supply contract, and authorizing one twelve-month option for extension, on Electronic Solicitation No. BB200666 for the furnishing of office supplies and equipment for use by various county departments to Corporate Express of Kansas City, MO, to provide for countywide needs.

(Finance and Audit Committee)

Discussion regarding Resolution #16177.

[16177](#) James D. Tindall moved the passage of Resolution #16177, authorizing the County Executive to execute a Cooperative Agreement with the City of Kansas City, Missouri, Neighborhood and Community Services Department, to provide a match to the 2006-2007 Justice Assistance Grant to be used to assist youth activities identified by the Neighborhood and Community Services Department, Neighborhood Improvement Plan Initiative, at a cost to the County not to exceed \$50,000.00. Seconded by Henry C. Rizzo.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

[16178](#) Henry C. Rizzo moved the passage of Resolution #16178, authorizing the Jackson County Legislature to hold a closed meeting on Monday, February 26, 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. Seconded by Dennis Waits.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

[16179](#) Expressing the support of the Legislature for the proposed conversion and exchange of park property at River Bluff Park proposed by Burlington Northern Santa Fe Railway, Inc.
(Land Use Committee)

[16180](#) Transferring \$25,911.00 within the 2007 Grant Fund for a budget revision for the Family Court Division's 2006-2007 Child Protection program.
(Health and Justice Committee)

[16181](#) Transferring \$189,798.00 within the 2007 Anti-Drug Sales Tax Fund for a reallocation of estimated soft salary savings.
(WITHDRAWN BY SPONSOR TINDALL. CONCURRED BY WAITS AND RIZZO.)

[16182](#) Accepting a right-of-way and temporary construction easement and authorizing payment to the property owner, ACH Development, LLC, in the actual amount of \$17,006.00, in connection with the Woods Chapel Road Improvements Project, No. 2293.
(Public Works Committee)
Discussion regarding Resolution #16183.

[16183](#) Henry C. Rizzo moved the passage of Resolution #16183, authorizing the Chairman of the Legislature to execute a Consulting Agreement with Fred Dreiling, LLC, to serve as public liaison, at an actual cost to the County not to exceed \$20,000.00. Seconded by Dennis Waits.

Yes: 6 - Theresa A. Garza, Henry C. Rizzo, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

Discussion regarding Resolution #16184.

[16184](#) James D. Tindall moved the passage of Resolution #16184, authorizing the County Executive to execute Agreements with certain organizations which provide assistance to homeless persons, at an aggregate cost to the County not to exceed \$748,055.36. Seconded by Henry C. Rizzo.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

16185

James D. Tindall moved the passage of Resolution #16185, appointing Celestine Williams as the part-time Director of the Housing Resource Commission at an annual salary of \$25,000.00. Seconded by Henry C. Rizzo.

Yes: 6 - Henry C. Rizzo, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

No: 1 - Theresa A. Garza

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

16186

Authorizing a twelve-month extension to the term and supply contract for the lease of vehicles for use by the Jackson County Drug Task Force with Lifestyle Leasing of Kansas City, MO, as a sole source purchase.

(Anti-Drug Committee)

Discussion regarding Resolution #16187.

16187

Authorizing the County Executive to execute an agreement with the Jackson County Historical Society for record archiving services, at a cost to the County not to exceed \$18,922.50.

(Finance and Audit Committee)

Discussion regarding Resolution #16188.

No objection to the consideration of Resolution #16188 - not on the printed agenda.

16188

James D. Tindall moved the passage of Resolution #16188, authorizing the County Executive to execute a cooperative agreement with the National Council on Alcoholism and Drug Dependence, Inc., to co-sponsor the Faith Based Health/Substance Abuse Conference relating to substance abuse and health care matters, at a cost to the County not to exceed \$2,000.00. Seconded by Henry C. Rizzo.

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

Absent: 2 - Fred Arbanas and Scott Burnett

(ADOPTED)

Resolution #16178 was adopted at this time. See page 9 for details.

12 COUNTY EXECUTIVE ORDERS0-

I hereby appoint Frederick R. Siems Jr. as Chief Administrative Officer. A copy of Mr. Siems' resume is attached.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

The Legislature went into closed session.

The Legislature reconvenes.

15 ADJOURNMENT

Bob Spence moved to adjourn the meeting. Seconded by Greg Grounds.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 5, 2007 at 2:30 P.M. in the Kansas City Legislative Assembly Area, Kansas City, Missouri.