



# 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)*

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**Monday, March 5, 2007**

**2:30 PM**

**Eighth Regular Meeting**

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

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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 2/26/2007.  
Seconded by Henry C. Rizzo.

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

**(APPROVED)**

**4 HEARINGS**

*Chet Petrowski, an employee of Facilities Management, received a 10 year service pin.*

*Mark Gillespey, an employee of the Corrections Department, received a 10 year service pin.*

*Dennis Waits, County Legislator, received a 20 year service pin.*

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

*None.*

*Resolution #16196 was adopted at this time. See page 6 for details.*

*Dan Tarwater asked for a moment of silence in remembrance of Tom Eagleton, a former U.S. Senator from Missouri, who passed away this weekend.*

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

Land Use Committee recommended do not pass.

Fred Arbanas objects to the Consent Agenda.

[3874](#)

Fred Arbanas moved to perfect Ordinance #3874, 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. Seconded by Bob Spence.

Yes: 0

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

Abstain: 1 - Dennis Waits

(FAILED)

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

**8 RESOLUTIONS IN COMMITTEE**

[16146](#)

Health and Justice Committee moved do pass the Health and Justice Committee Amendment of 3/5/2007, to delete the figure "82,800.00" and insert the figure "85,698.00" after the symbol "\$" in the heading and on page two. Consent Agenda.

[16147](#)

Health and Justice Committee moved do pass the Health and Justice Committee Amendment of 3/5/2007, to delete the figure "82,800.00" and insert the figure "85,698.00" after the symbol "\$" in the heading and on page two. Consent Agenda.

[16148](#)

Health and Justice Committee moved do pass the Health and Justice Committee Amendment of 3/5/2007, to delete the figure "65,428.56" and insert the figure "67,718.56" after the symbol "\$" in the heading and on page two. Consent Agenda.

[16167](#)

Land Use Committee moved do pass. Consent Agenda.

[16169](#)

Land Use Committee moved do pass. Consent Agenda.

[16170](#)

Public Works Committee moved do pass. Consent Agenda.

[16171](#)

Land Use Committee moved do pass. Consent Agenda.

[16172](#)

Land Use Committee moved do pass. Consent Agenda.

- [16173](#) Public Works Committee moved do pass. Consent Agenda.
- [16174](#) Public Works Committee moved do pass. Consent Agenda.
- [16176](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [16179](#) Land Use Committee moved do pass. Consent Agenda.
- [16180](#) Health and Justice Committee moved do pass. Consent Agenda.
- [16182](#) Public Works Committee moved do pass. Consent Agenda.
- [16186](#) Anti-Drug Committee moved do pass. Consent Agenda.
- [16187](#) Finance and Audit Committee moved do pass. Consent Agenda.

**9 CONSENT AGENDA**

- [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 \$85,698.00.  
(ADOPTED)
- [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.  
(ADOPTED)
- [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 \$67,718.56.  
(ADOPTED)
- [16167](#) A RESOLUTION 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.  
(ADOPTED)

- [16169](#) A RESOLUTION 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.
- (ADOPTED)
- [16170](#) A RESOLUTION 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.
- (ADOPTED)
- [16171](#) A RESOLUTION 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.
- (ADOPTED)
- [16172](#) A RESOLUTION 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.
- (ADOPTED)
- [16173](#) A RESOLUTION 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.
- (ADOPTED)
- [16174](#) A RESOLUTION 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.
- (ADOPTED)
- [16176](#) A RESOLUTION 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.
- (ADOPTED)

[16179](#) A RESOLUTION 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.

(ADOPTED)

[16180](#) A RESOLUTION transferring \$25,911.00 within the 2007 Grant Fund for a budget revision for the Family Court Division's 2006-2007 Child Protection program.

(ADOPTED)

[16182](#) A RESOLUTION 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.

(ADOPTED)

[16186](#) A RESOLUTION 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.

(ADOPTED)

[16187](#) A RESOLUTION 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.

(ADOPTED)

To adopt Resolutions 16146, 16147, 16148, 16167, 16169, 16170, 16171, 16172, 16173, 16174, 16176, 16179, 16180, 16182, 16186, 16187.

Dennis Waits moved the passage of the consent agenda. Seconded by Henry C. Rizzo. 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

[3879](#) Granting a conditional use permit in District A (Agricultural) for a period of ten (10) years to operate a dog kennel as to a 10 ± acre tract.

*(Land Use Committee)*

*The Land Use Committee will have a public hearing on Tuesday, March 20, 2007 at 1 P.M. at Fleming Hall regarding Ordinance #3879.*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[16189](#) Awarding a contract on Bid No. PW09-2006 for the Courtney-Atherton Road Bridge Replacement Project, No. 3007, to R.A. Knapp Construction, Inc., of Kansas City, KS, at a total cost to the County not to exceed \$431,093.65, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

*(Public Works Committee)*

[16190](#) Accepting a right-of-way and temporary construction easement and authorizing payment to the property owners, Monty D. and Gina M. Hilton, in the actual amount of \$76,760.00, in connection with the Woods Chapel Road Improvement Project, No. 2293.

*(Public Works Committee)*

[16191](#) Accepting a right-of-way and authorizing payment to the property owners, Timothy C. and Christine L. Doughty, in the actual amount of \$5,558.00, in connection with the Buckner-Tarsney Road Improvement Project, Phase I, No. 2468.

*(Public Works Committee)*

[16192](#) Awarding a twelve-month term and supply contract for the furnishing of environmental services for use by the Facilities Management Department to Kingston Environmental Services of Kansas City, MO, under the terms and conditions set forth in the City of Kansas City, Missouri, Contract No. PA-4467-05, an existing government contract.

*(Public Works Committee)*

[16193](#) Awarding a twelve-month term and supply contract for the furnishing of grounds maintenance equipment for use by the Parks and Recreation Department to John Deere Company of Cary, NC, under the terms and conditions set forth in the State of Oklahoma, Contract No. SW50190, an existing government contract.

*(Land Use Committee)*

[16194](#) Awarding twelve-month term and supply contracts for the furnishing of tires and related services for use by the Departments of Public Works and Parks and Recreation to Cross Midwest Tire of Kansas City, KS, for Firestone tires and Wingfoot Commercial Tire Systems, LLC of Kansas City, MO, for Goodyear tires, under the terms and conditions of existing State of Missouri government contracts No. C106068001 and C106068002.

*(Public Works Committee)*

[16195](#) Awarding twelve-month term and supply contracts for the furnishing of cellular telephone service and equipment for use countywide to Sprint/Nextel Wireless of Overland Park, KS, and AT&T/Cingular Wireless of Overland Park, KS, under the terms and conditions set forth in Western States Contracting Alliance contracts, existing government contracts of the State of Nevada.

*(Finance and Audit Committee)*

[16196](#)

Scott Burnett moved the passage of Resolution #16196, recognizing the James Madison University Alternative Break Program and commending the 2007 James Madison University Community Service Volunteers for donating their time and energy to the staff, women, and children of Sheffield Place. 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**

Greg Grounds, County Legislator, asked for an accounting of funds used for the Martin Luther King Day celebration.

Dan Tarwater referred this request to the legislative auditor, Gary Panethiere and the Compliance Review Officer, Tom Wyrsh. He asked them to report back to the County Legislature with the information.

**14 NEW BUSINESS**

Henry C. Rizzo, County Legislator, asked legislators to review the oversight bulletin from Tom Wyrsh regarding the projects at Arrowhead stadiums. He said any questions or concerns should be directed to the Budget Committee members.

Dan Tarwater said they will have a construction time line available within the next two weeks.

Bob Spence, County Legislator, asked the bulletin contain more specific information. He asked Fred Siems, Chief Administrative Officer, what procedure the Administration has in place.

Fred Siems said they are finalizing the procedure to be followed.

Bob Spence asked what procedure is used when writing a check from the stadium account.

Henry C. Rizzo explained the teams contact the construction manager and the manager accepts or denies the request. The Chairman of the Sports Authority, along with the Chairman of the County Legislature and the County Executive then review it and two of them must sign off on the expenditure. It is then forwarded to Tom Wyrsh in the Compliance Review office and he will send it to the County Legislature.

Tom Wyrsh, Compliance Review Officer, said he receives requests for payment from Jim Rowland, Executive Director of the Jackson County Sports Authority.

Henry C. Rizzo said Tom Wyrsh has documents in his office for the County Legislature's review.

Bob Spence asked if Gary Panethiere was a part of this process.

Gary Panethiere, Legislative Auditor, said he was not but could be a part of the process.

Tom Wyrsh explained that up to this point his review has been after the fact but from now on it will be before the fact.

Dennis Waits, County Legislator, asked that the categories be broken down.

Bob Spence asked Mr. Wyrsh to be more detailed when reporting to the Legislature. He asked Gary Panethiere to oversee this review process with Tom Wyrsh.

Greg Grounds said this is good stewardship for the taxpayers. His concern is that we get the information in plenty of time, prior to voting on it, to satisfy his comfort level.

Henry C. Rizzo said the County Legislature has 14 days to turn down an expenditure.

Theresa Garza, County Legislator, asked if the legislators can be advised of design team meetings so they can attend or send a representative.

Dan Tarwater responded yes.

Greg Grounds asked that the reports be in digital format and sent by email.



15      **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Theresa A. Garza.

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

(APPROVED)

*Meeting adjourned until Monday, March 12, 2007 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*