



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

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

Monday, October 5, 2009

2:30 PM

Thirty-eighth Regular Meeting

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

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 9/28/2009.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

None.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, presented a 25 year service pin to Terri McMillan, Special Population Services Administrator in the Parks and Recreation Department.

He presented a check in the amount of \$21,000.00 from the County Executive's Golf Tournament to Sr. Berta with Operation Breakthrough.

Scott Burnett presented a 35 year service pin to Steve Kennicutt, Senior Commercial Appraiser in the Assessment Department.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4157](#)

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 3 ± acre tract.

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing regarding Ordinance #4157 on Wednesday, October 21, 2009 at 1 P.M. at Fleming Hall.

Resolution #17025 was adopted at this time. See page 4 for details.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[17013](#)

Finance and Audit Committee moved do pass. Consent Agenda.

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[17016](#)

Finance and Audit Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[17013](#)

A RESOLUTION awarding a twenty-four (24) month term and supply contract, with three (3) twelve (12) month extension options, for the furnishing of Workers' Compensation and Employer's Liability Excess Insurance Coverage for use by the Finance and Purchasing Department to Corporate Insurance Group, Inc., of Overland Parks, KS, as agent for Midwest Employers Casualty Company, under the terms and conditions of Invitation to Bid No. 35-09.

(ADOPTED)

[17016](#)

A RESOLUTION transferring \$7,042.00 within the 2009 General Fund and awarding a twelve (12) month term and supply contract, with two (2) twelve (12) month extension options, for the furnishing of video production services for use by the Jackson County Legislature to SB Productions of Independence, MO, under the terms and conditions of Invitation to Bid No. 26-09.

(ADOPTED)

To adopt Resolutions 17013, 17016.

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

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds
Absent: 1 - Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4159](#) Theresa Garza Ruiz moved to perfect Ordinance #4159. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

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[4159](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4159. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

[4159](#) Theresa Garza Ruiz moved the passage of Ordinance #4159 as perfected, appropriating \$79,793.03 from the fund balance of the 2009 Sheriff's Conceal & Carry Weapon Fund for the creation of one new Sergeant position in the Sheriff's Office. Seconded by Dan Tarwater.

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 1 - Bob Spence

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17018](#) Awarding a twelve (12) month term and supply contract for the furnishing of parts and services for Hypac, Beuthling, Ethnyre, and Ingersoll equipment for use by the Public Works Department to G.W. Van Keppel Co., Inc., of Kansas City, KS, as a sole source purchase.

(Public Works Committee)

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[17019](#) Authorizing the payment of \$253,251.97 to the City of Blue Springs, Missouri, from the City of Blue Springs CURS account to reimburse the City for the Adams Dairy Parkway road project.

(Public Works Committee)

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[17020](#) Authorizing Change Order No. 1 to the contract with Vance Brothers of Kansas City, MO, for the 2008 Pavement Maintenance Project Phase 2 (Chip Sealing), No. 3109, increasing the contract amount by \$20,000.00.

(Public Works Committee)

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[17021](#) Awarding twelve (12) month term and supply contracts with five (5) twelve (12) month extension options, for the furnishing of truck mounted bodies and equipment, parts, service and installation for use by the Public Works Department to The Victor L. Phillips Company of Kansas City, Missouri, and American Equipment Company of Kansas City, Kansas, under the terms and conditions of the City of Kansas City, Missouri, Contracts No. EV0776 and EV0767, existing government contracts.

(Public Works Committee)

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[17022](#) Awarding a contract for the furnishing of utility consultant services for use by the Public Works Department to Utilities Analyses Inc., of Duluth, GA, under the terms and conditions of Request for Proposals No. 29-09.

(Public Works Committee)

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[17023](#) Authorizing payment to Claire West Consulting, in an amount not to exceed \$18,750.00, for consulting services for the Jackson County Employees' Pension Plan.

(Budget Committee)

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[17024](#) Awarding a contract on Bid No. PW 06-2009 for the Blue Mills Road Bridge Rehabilitation, Project No. 2471, to Comanche Construction, Inc., of Shawnee Mission, KS, at a total cost to the County not to exceed \$541,379.40, 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)

Resolution #17027 was adopted at this time. See below for details.

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[17025](#) Henry C. Rizzo moved the passage of Resolution #17025, congratulating John and Esther McMurray for forty-three years in business. Seconded by Dan Tarwater.

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 1 - Bob Spence

(ADOPTED)

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[17026](#)

Dan Tarwater moved the passage of Resolution #17026, authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 5, 2009, 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 Henry C. Rizzo.

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 1 - Bob Spence

(ADOPTED)

No objection to the consideration of Resolutions #17027, #17028 and #17029 - not on printed agenda.

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[17027](#)

James D. Tindall moved the passage of Resolution #17027, authorizing the County Executive to execute an addendum to the Professional Services Agreement with R. Ward & Associates, Inc., of Ozark, MO, at a cost to the County not to exceed \$7,869.91. Seconded by Fred Arbanas.

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 1 - Bob Spence

(ADOPTED)

Resolution #17029 was adopted at this time. See page 5 for details.

The County Legislature went into closed session.

The County Legislature reconvened.

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[17028](#)

James D. Tindall moved the passage of Resolution #17028, authorizing the County Counselor to settle the claims of Thomas and Shirley Gregory in the case styled Thomas and Shirley Gregory v. Jackson County, Missouri, et al., Case No. 0816-CV09099, now pending in the Circuit Court of Jackson County, Missouri at Independence, for a total payment by the County of \$25,000.00. Seconded by Fred Arbanas.

Yes: 7 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dan Tarwater and Greg Grounds

Absent: 2 - Dennis Waits and Bob Spence

(ADOPTED)

[17029](#)

Dan Tarwater moved the passage of Resolution #17029, authorizing the County Executive to execute an Agreement to Extend the Memorandum of Understanding with Local Union No. 42 of the International Association of Fire Fighters through October 31, 2009. Seconded by Henry C. Rizzo.

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 1 - Bob Spence

(ADOPTED)

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 12, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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