



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
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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, March 23, 2009

2:30 PM

Twelfth Regular Meeting

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

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, Greg Grounds and 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 3/16/2009.
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, announced there will be a groundbreaking ceremony on Tuesday, March 24, 2009 at 1 P.M. at the Truman Courthouse on the Square in Independence. He said there will be a reception following at Ophelia's.

He presented a 10 year service pin to Joann Willey, Parks System Grower.

He presented the February 2009 Employee of the Month Award to Sharon McVey, Records Representative.

Shaun Singleton, CEO of InnovationRX and Rachel Saunders gave a presentation on the Real Time Tracking Program for Sudaphedrine Methshield. This program partners with pharmacies and laboratories to provide access to information to assist law enforcement. Discussion regarding cost.

Discussion regarding funding of the stadiums by Kansas City, Missouri.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #4088, #4089, #4090 and #4091. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

The Land Use Committee will have a public hearing on the above ordinances on Thursday, March 26, 2009 at 1 P.M. at Fleming Hall.

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[4088](#)

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 10 ± acre tract.

(Land Use Committee - 2nd. Perfection)

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[4089](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from Districts A (Agricultural) and LB (Local Business) to District GB (General Business) a certain 1.4 ± acre tract.

(Land Use Committee - 2nd. Perfection)

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[4090](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District LI (Light Industrial) to District GB (General Business) a certain 2.8 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[4091](#) 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 10 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[4094](#) Finance and Audit Committee moved to perfect. Consent Agenda.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[16841](#) Land Use Committee moved do pass. Consent Agenda.

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[16843](#) A RESOLUTION authorizing the four (4) year lease/purchase of two (2) 2009 International Truck 7400 cabs and chassis for use by the Public Works Department from Diamond International of Kansas City, MO, and Navistar Financial Corporation of Schaumburg, IL, as the leasing agent, under the terms and conditions set forth in a City of Overland Park, KS, existing government contract, at an annual cost to the County of \$34,707.42, and a total four-year cost to the County not to exceed \$129,242.00.

(Public Works Committee - 1st. Meeting)

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[16844](#) Public Works Committee moved do pass. Consent Agenda.

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[16847](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[16848](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[16849](#) Public Works Committee moved do pass. Consent Agenda.

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[16850](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[16855](#) Finance and Audit Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4094](#) AN ORDINANCE appropriating \$31,538.00 from the fund balance of the 2009 Recorders Technology Fund and authorizing the purchase of a back-up recording system from Manatron of Austin, TX, for use by the Recorder of Deeds, as a sole source purchase.

(PERFECTED)

[16841](#) A RESOLUTION awarding twelve-month term and supply contracts for the furnishing of pro shop articles for resale by the Parks and Recreation Department to Nike USA of Dallas, TX, and Acushnet/Titleist Company of Fairhaven, MA, as proprietary purchases.

(ADOPTED)

[16844](#) A RESOLUTION awarding twelve (12) month term and supply contracts for the furnishing of tires and related services for use by the Public Works and Parks and Recreation Departments to Cross Midwest Tire of Kansas City, KS, and Wingfoot Commercial Tire Systems, LLC of Kansas City, MO, under the terms and conditions of existing State of Missouri Contract Nos. C106068001 and C106068002.

(ADOPTED)

[16847](#) A RESOLUTION awarding a contract for maintenance on the RMS software used by the Sheriff's Office to Information Technologies, Inc., of St. Louis, MO, at a cost to the County not to exceed \$36,612.00, as a sole source purchase.

(ADOPTED)

[16848](#) A RESOLUTION declaring certain surplus property within Family Court, the Circuit Court, and the Recorder of Deeds, Corrections, and Collections Departments as obsolete and unusable personal property and authorizing its disposal.

(ADOPTED)

[16849](#) A RESOLUTION authorizing the County Executive to execute a twenty-four (24) month agreement for the continuation of computer software and hardware maintenance and technical support for the Roadway and Asset Management System, for use by the Public Works Department, Road Maintenance Division, with Universal Asset Management, L.L.C., for an amount not to exceed \$15,000.00 for 2009.

(ADOPTED)

[16850](#) A RESOLUTION authorizing the County Executive to execute an extension to the lease agreement with Space Center Kansas City, Inc., of Independence, MO, for thirty-six (36) months, with two additional twenty-four (24) month extension options, at a cost to the County not to exceed \$147,628.35 in 2009, and a total thirty-six (36) month cost of \$590,513.40, as a sole source purchase.

(ADOPTED)

[16855](#) A RESOLUTION 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 April 24, 2009.

(ADOPTED)

To perfect Ordinance 4094. To adopt Resolutions 16841, 16844, 16847, 16848, 16849, 16850, 16855.

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

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

Bob Spence said he opposed Resolution #16855.

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4095](#) Appropriating \$8,578.99 from the fund balance of the 2009 Federal Forfeiture Fund to cover the costs of online legal publication and legal research services for use by the Prosecuting Attorney's Office.

(Justice and Law Enforcement Committee)

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16856](#) Theresa Garza Ruiz moved the passage of Resolution #16856, congratulating Thomas A. Luna for achieving the highest rank in Scouting, Eagle Scout. Seconded by Dan Tarwater.

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

(ADOPTED)

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[16857](#)

Awarding a contract for the furnishing of a truck bed, water tank, and accessories for use by the Public Works Department to Burnup Equipment Co., Inc., of Independence, MO, under the terms and conditions of Invitation to Bid No. 48-08, at an actual cost to the County not to exceed \$112,722.50.

(Public Works Committee)

Resolution #16858 was sent to the Anti-Drug Committee at this time. Later in the meeting it was reconsidered and adopted.

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[16858](#)

Dennis Waits moved the passage of Resolution #16858, transferring \$47,626.35 within the 2009 Anti-Drug Sales Tax Fund to cover the cost of salaries and benefits for personnel in the Prosecuting Attorney's Office. Seconded by James D. Tindall.

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

(ADOPTED)

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[16859](#)

Theresa Garza Ruiz moved the passage of Resolution #16859, awarding a contract for the furnishing of patrol vehicles for use by the Sheriff's Office to Odessa Dodge, LLC, of Odessa, MO, under the terms and conditions set forth in the Mid-America Council of Public Purchasing's Joint Governmental Fleet Bid, an existing government contract of the City of Overland Park, KS, at an actual cost to the County not to exceed \$176,604.80. Seconded by Dan Tarwater.

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

(ADOPTED)

Mike Sharp, Sheriff, gave testimony regarding Resolution #16859.

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[16860](#)

James D. Tindall moved the passage of Resolution #16860, congratulating Fred A. Curls on the occasion of his 90th birthday celebration. Seconded by Henry C. Rizzo.

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

(ADOPTED)

Resolution #16858 was reconsidered and adopted at this time. See page 4 for details.

[16861](#)

Dennis Waits moved the passage of Resolution #16861, awarding a twelve (12) month term and supply contract, with four twelve (12) month extension options, for the furnishing, installation, and recycling of carpet for use countywide to R. D. Mann Commercial of Kansas City, KS, under the terms and conditions of Electronic Solicitation No. BB20091. Seconded by Henry C. Rizzo.

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

(ADOPTED)

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[16862](#)

Theresa Garza Ruiz moved the passage of Resolution #16862, congratulating Martin A. Pacheco for achieving the highest rank in Scouting, Eagle Scout. Seconded by Dan Tarwater.

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

(ADOPTED)

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[16863](#)

Bob Spence moved the passage of Resolution #16863, authorizing the County Executive to execute a Consulting Agreement with Shockey Consulting, Inc., of Lenexa, Kansas, to provide consulting services to the Jackson County Stormwater Commission, at a cost to the County not to exceed \$35,000.00. Seconded by Dennis Waits.

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

(ADOPTED)

(Resolution #16863 was adopted pending compliance.)

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[16864](#)

Bob Spence moved the passage of Resolution #16864, authorizing payment to property owners William and Juanita Smith, in an amount not to exceed \$7,633.29, for the Longview Road Improvement Phase I, Orchard Road to Hickman Mills Road Project, No. 3088. Seconded by Fred Arbanas.

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

(ADOPTED)

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[16865](#)

Theresa Garza Ruiz moved the passage of Resolution #16865, congratulating Antonio I. Raya for achieving the highest rank in Scouting, Eagle Scout. Seconded by Dan Tarwater.

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

(ADOPTED)

No objection to the consideration of Resolutions #16866 and #16867 - not on printed agenda.

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[16866](#)

Dan Tarwater moved the passage of Resolution #16866, authorizing the County Counselor to settle the claims of Richard Steed in the case styled Richard Steed v. Jackson County, MO, Case No. 4:08-CV-00919-SOW, now pending in the United States District Court for the Western District of Missouri, for a total payment by the County of \$32,000.00. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

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[16867](#)

Greg Grounds moved the passage of Resolution #16867, recognizing Robert H. Markey for his service as general counsel to the Industrial Development Authority of Jackson County, and congratulating him on his retirement. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

Dan Tarwater, County Legislator, asked Bill Snyder, Deputy County Counselor to check into the legislation that should have appeared on the agenda today regarding DARE funding for the Sheriff's Department. He directed Bill to report back to him regarding the status of the legislation and wants it to be included on the agenda for March 30, 2009.

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14 **NEW BUSINESS**

None.

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15 **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 30, 2009 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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