



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, August 17, 2009

2:30 PM

Thirty-second 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, Scott Burnett, Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 8/10/2009.
Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Patricia Murillo, Executive Secretary in the County Counselor's office and legal secretary to the attorneys, received a 30 year service pin.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, was out of town.

Discussion regarding MOU negotiations between the Jackson County Prosecutor and International Association of Fire Fighters Local No. 42.

The County Legislature received an opinion from the County Counselor's office. Joe Moreland, attorney representing the union, gave his opinion.

Louie Wright, President of IAFF No. 42 and Jim Kanatzar, Prosecuting Attorney, gave a brief update on the negotiations.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4126](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from Districts LI (Light Industrial) and RO-p (Residential and Office Use - Planned Development) to District GB (General Business) a certain 2.3 ± acre tract.

(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing regarding Ordinance #4126 on Friday, August 28, 2009 at 1 P.M. at Fleming Hall.

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[4130](#)

Health and Environment Committee moved to perfect.

James D. Tindall objects to the Consent Agenda.

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[4130](#)

James D. Tindall moved to perfect Ordinance #4130. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(PERFECTED)

[4130](#)

Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4130. Seconded by James D. Tindall.

The motion passed by a voice vote.

(APPROVED)

Greg Grounds objects to the Consent Agenda.

Discussion regarding Ordinance #4130.

[4130](#)

Dennis Waits moved the passage of Ordinance #4130 as perfected, appropriating \$40,000.00 from the fund balance of the 2009 General Fund, and authorizing the County Executive to execute an Agreement with National Baptist Convention U.S.A., Inc., for partial funding of its 2009 annual delegate convention, at an actual cost to the County of \$40,000.00. Seconded by Henry C. Rizzo.

Yes: 7 - Scott Burnett, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits and Bob Spence

No: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

[4131](#)

AN ORDINANCE approving a conditional use permit (CUP) in District A (Agricultural) for a period of five (5) years to provide group residential facilities for men, as to a 10 ± acre tract .

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing regarding Ordinance #4131 on Tuesday, September 8, 2009 at 12 P.M. in the Kansas City Legislative Assembly Area.

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[4132](#) Anti-Drug Committee moved to perfect.

Dan Tarwater objects to the Consent Agenda.

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[4132](#) Dan Tarwater moved to perfect Ordinance #4132. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(PERFECTED)

[4132](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4132. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

[4132](#) Dan Tarwater moved the passage of Ordinance #4132 as perfected, submitting to the qualified voters of Jackson County at a special election to be held on Tuesday, November 3, 2009, a question authorizing Jackson County to continue its county-wide anti-drug sales tax (COMBAT) at the rate of one-quarter of one percent for a period of seven years for the purpose of the arrest, prosecution, incarceration, treatment and prevention of drug related offenses and violent crimes, and the judicial processing of adult and juvenile violators of such offenses. Seconded by Henry C. Rizzo.

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

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[16978](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[16983](#) Public Works Committee moved do pass. Consent Agenda.

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[16984](#) Public Works Committee moved do pass. Consent Agenda.

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[16985](#) Public Works Committee moved do pass. Consent Agenda.

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[16986](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[16988](#) Finance and Audit Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[16978](#) A RESOLUTION transferring \$11,300.00 within the 2009 Anti-Drug Sales Tax Fund to cover the purchase of the Karpel Program for the Jackson County Drug Court program.

(ADOPTED)

[16983](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract, with one twenty-four (24) month extension option, for the furnishing of ready mix concrete and flowable fill for use by the Parks and Recreation and Public Works Departments to Penny's Concrete, Inc., of Shawnee Mission, KS, under the terms and conditions of Electronic Solicitation No. BB200932.

(ADOPTED)

[16984](#) A RESOLUTION awarding a twelve (12) month term and supply contract with four twelve-month extension options, for the furnishing of bulk salt and treated salt for use by the Public Works Department to Cargill, Inc., De-Icing Technology of North Olmsted, OH, under the terms and conditions of Mid-America Regional Council's Contract No. 37, an existing government contract.

(ADOPTED)

[16985](#) A RESOLUTION awarding a twelve-month term and supply contract, with four twelve-month extension options, for the furnishing of snow and ice control materials for use by the Public Works Department to Scotwood Industries, Inc., of Overland Park, KS, under the terms and conditions of the Mid-America Regional Council's Contract No. 36, an existing government contract.

(ADOPTED)

[16986](#) A RESOLUTION awarding a thirty-six (36) month term and supply contract with two twelve (12) month extension options for the furnishing of outpatient substance abuse treatment for use by the Prosecuting Attorney's Drug Court program to Kansas City Community Center of Kansas City, MO, under the terms and conditions of Request for Proposal No. 14-09.

(ADOPTED)

[16988](#)

A RESOLUTION authorizing the purchase of programming changes to the County's Ascend Tax Software Packages for use by the Collections Department from Manatron, Inc., of Portage, MI, at a cost to the County not to exceed \$33,120.00, as a sole source purchase.

(ADOPTED)

To adopt Resolutions 16978, 16983, 16984, 16985, 16986, 16988.

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

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16989](#)

Bob Spence moved the passage of Resolution #16989, congratulating the Lee's Summit R-7 School District Nutrition Services Department upon being named District of the Year in School Nutrition, and congratulating Department Director Jane Hentzler on being named the Missouri Director and the Midwest Director of the Year. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

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[16990](#)

Authorizing the County Executive to execute Addenda to the Cooperative Agreements with Hope House, New House, and Rose Brooks domestic violence shelters in order to provide assistance to victims of domestic violence during 2009, at an aggregate cost to the County not to exceed \$11,170.10.

(Justice and Law Enforcement Committee)

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[16991](#)

Dan Tarwater moved the passage of Resolution #16991, authorizing the Jackson County Legislature to hold a closed meeting on Monday, August 17, 2009, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(1) and (9) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

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[16992](#)

Authorizing the County Executive to execute an agreement with Prospect Corridor Initiative for the purpose of preventing illegal drug use and drug-related offenses, at a cost to the County not to exceed \$10,000.00.

(Anti-Drug Committee)

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

Bob Spence, County Legislator, asked for a report from the Administration regarding the election board audits.

Fred Siems, Chief Administrative Officer, said it is completed and the report will be given to the County Legislature within the next two weeks.

Discussion regarding the disagreement of the opinions from the County Counselor's office and the attorney for the IAFF No. 42.

County Legislature went into closed session.

County Legislature reconvened.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 24, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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