



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)*

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**Monday, March 30, 2009**

**2:30 PM**

**Thirteenth Regular Meeting**

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

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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, Greg Grounds and Bob Spence  
Absent: Dan Tarwater

**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 3/23/2009.  
Seconded by Henry C. Rizzo.

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

**(APPROVED)**

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**4 HEARINGS**

*John Gunther, attorney for the Lake Lotawana Sportsmen's Club, discussed the shooting range operations and public safety concerns pertaining to Resolution #16871.*

*Discussion.*

*Resolution #16871 was amended and adopted at this time. See page 5 for details.*

*Scott Burnett asked Bob Spence, County Legislator, to work with Shelley Kneuvean on the shooting range issues.*

*Dennis Waits, County Legislator, asked Shelley Kneuvean, Deputy Chief Administrative Officer, to provide the County Legislature with an update on this issue in thirty (30) days. She agreed.*

*Mike Sharp, Sheriff, asked residents of Lake Lotawana to call the Sheriff's Department to report any shots heard when the shooting range is closed.*

*Ed Thurman, an opponent on the issue, said he was pleased with the nature and spirit of the Resolution adopted by the County Legislature as the intent is to make the shooting range safe.*

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

*Mike Sanders, County Executive, reported that the Administration is working on draft contracts with the City of Kansas City, Missouri regarding the regional jail. He said the City hired Evans and Gould as the architect. He indicated that the plans and contracts will need to be approved by the County Legislature.*

*Bob Spence asked for a cost study to be provided to members of the Legislature as well as the Legislative Auditor. He asked the auditor to review the cost study and report to the County Legislature.*

*Mike Sanders said the City of Kansas City, Missouri will honor their annual commitment of \$2 million to fund Kauffman and Arrowhead stadiums. He said \$1.7 million is included in their fiscal year budget and the remaining \$300,000.00 will be given prior to the end of 2009.*

*Discussion regarding the management of the regional jail facility.*

*Henry C. Rizzo, County Legislator, suggested that Jackson County get a resolution stating that the City of Kansas City, MO will honor their commitment to the stadiums. Mike Sanders said Kansas City has made a commitment to pass a Resolution and find the additional \$300,000.00.*

*Scott Burnett referred to a census canvassing article that appeared in the local section of the newspaper today. He said he was asked by Governor Nixon to be on the Complete Count Committee which will have approximately 25 members, including Mayor Don Reimal of Independence. Scott said he will also be working with Mike Sanders to look at ways to make sure all are counted in the 2010 census throughout Jackson County.*

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## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4088](#)

Land Use Committee moved to perfect.

*Fred Arbanas objects to the Consent Agenda.*

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[4088](#)

Fred Arbanas moved to perfect Ordinance #4088. Seconded by Theresa Garza Ruiz.

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

(PERFECTED)

[4088](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4088.  
Seconded by Bob Spence.

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

(APPROVED)

*Consent Agenda. See Final Passage of Proposed Ordinances.*

[4089](#)

Land Use Committee moved to perfect.

*Fred Arbanas objects to the Consent Agenda.*

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[4089](#)

Fred Arbanas moved to perfect Ordinance #4089. Seconded by Bob Spence.

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

(PERFECTED)

[4089](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4089.  
Seconded by Bob Spence.

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

(APPROVED)

*Consent Agenda. See Final Passage of Proposed Ordinances.*

[4090](#)

Land Use Committee moved to perfect.

*Fred Arbanas objects to the Consent Agenda.*

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[4090](#)

Fred Arbanas moved to perfect Ordinance #4090. Seconded by Bob Spence.

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

(PERFECTED)

[4090](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4090.  
Seconded by Bob Spence.

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

(APPROVED)

*Consent Agenda. See Final Passage of Proposed Ordinances.*

- [4091](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [4091](#) Fred Arbanas moved to perfect Ordinance #4091. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)
- [4091](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4091. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [4095](#) Justice and Law Enforcement Committee moved to perfect.  
*Theresa Garza Ruiz objects to the Consent Agenda.*  
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- [4095](#) Theresa Garza Ruiz moved to perfect Ordinance #4095. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [4095](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4095. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

- [Play Video](#)
- [4088](#) Consent Agenda.
- [4089](#) Consent Agenda.
- [4090](#) Consent Agenda.
- [4094](#) Consent Agenda.  
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- [4095](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

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[16843](#)

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.

*(WITHDRAWN BY SPONSOR SPENCE. CONCURRED BY ARBANAS AND WAITS.)*

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[16857](#)

Public Works Committee moved do pass. Consent Agenda.

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**9 CONSENT AGENDA**

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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.

(ADOPTED)

[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.

(ADOPTED)

[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.

(ADOPTED)

[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.

(ADOPTED)

[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.

(ADOPTED)

[4095](#) AN ORDINANCE 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.

(ADOPTED)

[16857](#) A RESOLUTION 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.

(ADOPTED)

To adopt Ordinances 4088, 4089, 4090, 4091, 4094, 4095. To adopt Resolution 16857.

Dennis Waits moved the passage of the consent agenda. Seconded by Theresa Garza Ruiz. 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, Greg Grounds and Bob Spence

Absent: 1 - Dan Tarwater

#### 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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[16868](#) Henry C. Rizzo moved the passage of Resolution #16868, authorizing the County Executive to execute contracts with certain municipalities within Jackson County for the purpose of funding their 2009 Drug Abuse Resistance Education (DARE) programs at a total cost to the County not to exceed \$1,069,952.00. Seconded by Dennis Waits.

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

Absent: 1 - Dan Tarwater

(ADOPTED)

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[16869](#) Henry C. Rizzo moved the passage of Resolution #16869, transferring \$97,774.00 within the 2009 Anti-Drug Sales Tax Fund to cover funding for the Sheriff's Office's 2009 Drug Abuse Resistance Education (DARE) program. Seconded by Dennis Waits.

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

Absent: 1 - Dan Tarwater

(ADOPTED)

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[16870](#)

Awarding contracts for the maintenance of computer hardware and software for use by various County departments to various vendors, at a total cost to the County not to exceed \$574,702.81, as sole source purchases.

*(Finance and Audit Committee)*

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[16871](#)

Dennis Waits moved do pass the Floor Amendment of 3/30/2009, to delete the words and numbers "sixty (60)" and insert "forty-five (45)" after the word "least", to delete the words "until June 1, 2009" after the word "or" all in the first "BE IT FURTHER RESOLVED" paragraph on page 3. Seconded by Theresa Garza Ruiz.

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

Absent: 1 - Dan Tarwater

(APPROVED)

**12 COUNTY EXECUTIVE ORDERS**

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[09-05](#)

Pursuant to Jackson County Code Section 7403.3, I hereby make the following appointment and reappointments to the Office of Human Relations and Citizens Complaints Commission:

Appointment

Randall L. Vest is appointed to fill the vacancy occasioned by the resignation of Renee J. Paluka, for such term to expire March 1, 2013. A copy of Mr. Vest's resume is attached.

Reappointments

Roger Davis is reappointed for such term to expire March 1, 2012.

Rosemary Lowe is reappointed for such term to expire March 1, 2012.

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[09-06](#)

I hereby appoint Vicki L. Fitzgerald as Acting Director of Collections, effective March 30, 2009, until a permanent Director is selected.

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**13 UNFINISHED BUSINESS**

Jay Haden, Deputy County Counselor, said Ordinance #4095 exhausts the fund balance for 2009.

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**14 NEW BUSINESS**

None.

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**15 ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by James D. Tindall.

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

(APPROVED)

*Meeting adjourned until Monday, April 6, 2009 at 11 A.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*

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