



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 12, 2009

2:30 PM

Thirty-ninth 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 10/5/2009.
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

None.

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 - 2nd. 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 #17031 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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[17018](#) Public Works Committee moved do pass. Consent Agenda.

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[17019](#) Public Works Committee moved do pass. Consent Agenda.

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[17020](#) Public Works Committee moved do pass. Consent Agenda.

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[17021](#) Public Works Committee moved do pass. Consent Agenda.

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[17022](#) Public Works Committee moved do pass. Consent Agenda.

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[17023](#) Budget Committee moved do pass. Consent Agenda.

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[17024](#) Public Works Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA[Play Video](#)

- [17018](#) A RESOLUTION 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.
- (ADOPTED)
- [17019](#) A RESOLUTION 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.
- (ADOPTED)
- [17020](#) A RESOLUTION 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.
- (ADOPTED)
- [17021](#) A RESOLUTION 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.
- (ADOPTED)
- [17022](#) A RESOLUTION 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.
- (ADOPTED)
- [17023](#) A RESOLUTION 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.
- (ADOPTED)
- [17024](#) A RESOLUTION 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.
- (ADOPTED)

To adopt Resolutions 17018, 17019, 17020, 17021, 17022, 17023, 17024.

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

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4160](#)

Appropriating \$1,130,734.01 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of the 2009 Justice Assistance Grant (JAG) Recovery Grant from the United States Department of Justice.

(Anti-Drug Committee)

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[4161](#)

Appropriating \$1,044,855.00 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of the 2009 Byrne Justice Assistance Grant (JAG) from the United States Department of Justice and authorizing the County Executive to execute an Interlocal Agreement pursuant to the terms of the grant award with the Cities of Kansas City, Blue Springs, Grandview, Independence, Raytown, Lee's Summit, and the Board of Police Commissioners of Kansas City for the County's distribution of the grant award proceeds, at a cost to the County not to exceed \$697,286.00.

(Anti-Drug Committee)

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17030](#)

Dennis Waits moved the passage of Resolution #17030, recognizing the dedication of two historic markers for the Battle of the Little Blue. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

Theresa Garza Ruiz announced that the dedication will be held on Sunday, October 18th at 2 P.M. at Ripley Junction Park.

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[17031](#)

Bob Spence moved the passage of Resolution #17031, congratulating Susanne Mitko upon being named Missouri Teacher of the Year. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17032](#) Transferring \$59,701.00 within the 2009 Special Road and Bridge Fund and awarding contracts for the purchase of a 2009 cab and chassis with cab-controlled pot hole patcher for use by the Public Works Department to Rush Truck Center of Houston, TX, and Duraco Inc., of Pearl, MS, under the terms and conditions of the Houston-Galveston Area Council (HGAC) Contract Nos. HT11-07 and SM10-08, existing government contracts, at an actual cost to the County not to exceed \$178,600.00.

(Public Works Committee)

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[17033](#) Theresa Garza Ruiz moved the passage of Resolution #17033, authorizing the extension of the Solving Cold Cases with DNA Grant, received from the U.S. Department of Justice, at no additional cost to the County. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17034](#) Theresa Garza Ruiz moved the passage of Resolution #17034, authorizing the extension of the 2006 Byrne Justice Assistance Grant (JAG), received from the United States Department of Justice, at no additional cost to the County. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17035](#) Authorizing the County Executive to execute a License and Professional Services Agreement with Entercom Kansas City, LLC, d/b/a KUDL, for the sponsorship of an event at Longview Lake, at an actual cost to the County not to exceed \$22,000.00.

(Land Use Committee)

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[17036](#) Authorizing the County Executive to execute agreements with certain organizations to provide services in connection with the 2009 Christmas in the Park event, at a cost to the County not to exceed \$37,000.00.

(Land Use Committee)

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[17037](#) Scott Burnett moved the passage of Resolution #17037, congratulating Habitat for Humanity on the occasion of its 30th Anniversary. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17038](#) Transferring \$19,115.00 within the 2009 Anti-Drug Sales Tax Fund for the transition of the contracted House Arrest Program to an in-house program.

(Anti-Drug Committee)

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[17039](#) James D. Tindall moved the passage of Resolution #17039, rescinding Resolution 17010, dated September 21, 2009 and authorizing the County Executive to execute cooperative agreements with certain outside agencies relating to the Emergency Shelter Grant Agreement, in the actual aggregate amount of \$49,841.00. Seconded by Dan Tarwater.

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

(ADOPTED)

Henry C. Rizzo assumes the Chair.

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[17040](#) Authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 12, 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.

(WITHDRAWN BY SPONSOR BURNETT. CONCURRED BY TARWATER AND WAITS.)

Scott Burnett resumes the Chair.

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[17041](#) James D. Tindall moved the passage of Resolution #17041, recognizing Rev. James A. Terrance, Jr., of Friendship Baptist Church, for his leadership and accomplishments, and for his dedicated service to the community. Seconded by Dennis Waits.

Yes: 9 - Scott Burnett, Theresa Garza Ruiz, 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

None.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 19, 2009 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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