



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

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

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**Monday, March 31, 2008**

**11:00 AM**

**Twelfth Regular Meeting**

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

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Dennis Waits, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

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

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**2 THE PLEDGE OF ALLEGIANCE**

Recited.

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**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

James D. Tindall moved to approve the journal of the previous meeting held on 3/24/2008. Seconded by Scott Burnett.

**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.

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**6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

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- [3978](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [3978](#) Fred Arbanas moved to perfect Ordinance #3978. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)
- [3978](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3978. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3980](#) Health and Environment Committee moved to perfect. Consent Agenda.  
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- [3982](#) Anti-Drug Committee moved to perfect.  
*James D. Tindall objects to the Consent Agenda.*  
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- [3982](#) James D. Tindall moved to perfect Ordinance #3982. Seconded by Scott Burnett.  
**The motion passed by a voice vote.** (PERFECTED)
- [3982](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #3982. Seconded by Scott Burnett.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3983](#) Public Works Committee moved to perfect.  
*Bob Spence objects to the Consent Agenda.*  
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- [3983](#) Bob Spence moved to perfect Ordinance #3983. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (PERFECTED)
- [3983](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3983. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

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[3978](#) Consent Agenda.

[3982](#) Consent Agenda.

[3983](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

[\*Play Video\*](#)

[16584](#) Public Works Committee moved do pass. Consent Agenda.

[\*Play Video\*](#)

**9 CONSENT AGENDA**

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[3980](#) AN ORDINANCE appropriating \$25,000.00 from the unappropriated surplus of the 2008 Grant Fund in acceptance of a contract awarded to the Family Court Division by the Office of State Courts Administrator for the Enhancing Active Resiliency Through Healthy Sports Participation project.

(PERFECTED)

[3978](#) 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 19.8 ± acre tract for a three-lot residential subdivision.

(ADOPTED)

[3982](#) AN ORDINANCE appropriating \$54,000.00 from the unappropriated surplus of the 2008 Anti-Drug Sales Tax Fund to cover a grant received from the United States Executive Office of the President's Midwest High Intensity Drug Trafficking Area Investigative Support Center for use by the Jackson County Sheriff's Office and authorizing the County Executive to execute Memoranda of Understanding with the United States Attorney's Office for the Western District of Missouri and Platte County, Missouri.

(ADOPTED)

[3983](#) AN ORDINANCE appropriating \$2,000.00 from the unappropriated surplus of the 2008 Grant Fund to cover a grant received from the Missouri Highway and Transportation Commission for Missouri's Blueprint for Roadway Safety: Aggressive Driving Enforcement Campaign, and authorizing the County Executive to execute a Program Agreement regarding said grant.

(ADOPTED)

[16584](#) A RESOLUTION authorizing the County Executive to execute a Professional Engineering Agreement with Cook, Flatt & Strobel of Kansas City, MO, for the re-design of the Longview Road Improvement, sections 1 & 2, Projects Nos. 3088 and 3089, at a total cost to the County not to exceed \$957,686.48.

(ADOPTED)

To perfect Ordinance 3980. To adopt Ordinances 3978, 3982, 3983. To adopt Resolution 16584.

James D. Tindall moved the passage of the consent agenda. Seconded by Scott Burnett. The motion passed by a roll call vote:

Yes: 7 - Theresa Garza Ruiz, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence

Absent: 2 - Henry C. Rizzo and Dan Tarwater

**10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

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[3984](#)

Appropriating \$13,365.00 from the unappropriated surplus of the 2008 Federal Forfeiture Fund to cover the costs of online legal publication and legal research services for use by the Prosecuting Attorney's Office.

*(Health and Environment Committee)*

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## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16586](#)

Awarding twelve-month term and supply contracts for the furnishing of pro shop articles for resale for use by the Parks and Recreation Department to Nike USA, of Dallas, TX, and Acushnet/Titleist Company of Fairhaven, MA, as proprietary purchases.

*(Land Use Committee)*

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[16587](#)

Awarding a twenty-four (24) month term and supply contract with a twenty-four (24) month extension option for the furnishing of janitorial services for use by the Public Works Department to Modern Maintenance of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 3-08.

*(Finance and Audit Committee)*

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[16588](#)

Awarding an eighteen (18) month term and supply contract for the furnishing of toxicology screening services for use by the Medical Examiner's Office to Children's Mercy Hospital of Kansas City, MO, as a contract with a tax-exempt organization.

*(Health and Environment Committee)*

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[16589](#)

James D. Tindall moved the passage of Resolution #16589, authorizing the Jackson County Legislature to hold a closed meeting on Monday, March 31, 2008, 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 Scott Burnett.

Yes: 7 - Theresa Garza Ruiz, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence

Absent: 2 - Henry C. Rizzo and Dan Tarwater

(ADOPTED)

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[16590](#)

Amending Rule 7 of the Legislature relating to Sergeant of Arms.

*(Rules Committee)*

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[16591](#)

Directing the Clerk of the County Legislature to establish, pursuant to section 115.395 (2), RSMo, a system of filing by candidates for County office whereunder the names of the candidates who filed for office on the first day of filing appear on the ballot in an order established by random drawing.

*(Rules Committee)*

*Resolution #16589 was adopted at this time. See above for details.*

*Dennis Waits commented on the newspaper article dated March 30, 2008, regarding animal cruelty. He asked anyone with information to contact the Sheriff's Department at 816-524-4302.*

*Legislature goes into closed session.*

*Legislature reconvenes.*

*No objection to the consideration of Resolutions #16592 and #16593 - not on printed agenda.*

[16592](#)

Scott Burnett moved the passage of Resolution #16592, authorizing the County Counselor to settle the claim of David L. and Kimberly A. Mullnix, in the case styled David L. Mullnix and Kimberly A. Mullnix v. Jackson County, Missouri, Case No. 0616-CV32162, now pending in the Circuit Court of Jackson County, for a total payment by the County of \$30,000.00. Seconded by James D. Tindall.

Yes: 7 - Theresa Garza Ruiz, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence

Absent: 2 - Henry C. Rizzo and Dan Tarwater

(ADOPTED)

[16593](#)

James D. Tindall moved the passage of Resolution #16593, authorizing the County Counselor to settle the claims of Victoria Perbeck Distefano, as plaintiff and next friend to Michael Perbeck, and Anthony Distefano, in the case styled Victoria Perbeck, et al. v. Rebecca Lake Wood, et al., Case No. 05-CV-00625-SOW, now pending in the United States District Court for the Western District of Missouri, for a total payment by the County of \$20,000.00. Seconded by Scott Burnett.

Yes: 7 - Theresa Garza Ruiz, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Greg Grounds and Bob Spence

Absent: 2 - Henry C. Rizzo and Dan Tarwater

(ADOPTED)

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**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

*None.*

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**14 NEW BUSINESS**

Notice of election results for 1200 Main/South Loop Transportation Development District.  
(TDD)

Bill Snyder, Senior Deputy County Counselor, commented on this issue.

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**15 ADJOURNMENT**

Scott Burnett moved to adjourn the meeting. Seconded by Theresa Garza Ruiz.

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

(APPROVED)

*Meeting adjourned until Monday, April 7, 2008 at 2:30 P.M. in the Legislative Assembly  
Area, Kansas City, Missouri.*

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