



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

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

Monday, March 12, 2007

2:30 PM

Ninth Regular Meeting

Independence Courthouse Annex, 308 West Kansas, Ground Floor, Legislative Chambers

Dan Tarwater, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 3/5/2007.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Kirk Phillips, an employee of the Public Works Department, received a 30 year service pin.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, referred to Executive Order 07-14 regarding appointments to the Ethics Task Force. He said the first meeting will be held on Thursday, March 15, 2007.

He presented the November 2006 Employee of the Month Award to Doris Gautieri from the Maintenance and Operations Division of the Parks and Recreation Department.

He presented the December 2006 Employee of the Month Award to Maureen Seskis from the Park Ranger division of the Parks and Recreation Department.

He presented the 2006 Employee of the Year award to The Christmas in the Park Team which consists of Mark Hite, Harold Davis, Leonard Day, Norton Day, Frank Gonzalez, Hane Insisiengmay, Bill Jackson, John Larman, Patrick Leeper, Alan Mark, Caleb Moran, Phil Thomas, Robert Yarbough, Mike Darrah and JD Ingram.

Michele Newman, Acting Director of Parks and Recreation, said this is the 20th year anniversary for Christmas in the Park in Jackson County, Missouri. She said Jackson County has been nominated for favorite holiday event by the Kansas City Convention and Visitors Association for the Visitors Choice Awards. Planning for this event begins in February and by September new displays are constructed and existing displays maintained.

Discussion regarding oversight on the stadium project by the Budget Committee.

Discussion regarding emergency preparedness in Jackson County.

Discussion regarding the process for tracking sexual predators in Jackson County. Dan Tarwater asked Tom Phillips, Sheriff to update the County Legislature next week regarding this issue. He suggested the Sheriff and Prosecutor's office work together on this task.

Discussion regarding the increase to cooperative agreements with medical examiners of Cass, Clay and Platte counties.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3879](#)

AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of ten (10) years to operate a dog kennel as to a 10 ± acre tract.

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing on Tuesday, March 20, 2007 at 1 P.M. at Fleming Hall regarding Ordinance #3879.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[16189](#)

Public Works Committee moved do pass. Consent Agenda.

[16190](#)

A RESOLUTION accepting a right-of-way and temporary construction easement and authorizing payment to the property owners, Monty D. and Gina M. Hilton, in the actual amount of \$76,760.00, in connection with the Woods Chapel Road Improvement Project, No. 2293.

(Public Works Committee - 1st. Meeting)

[16191](#)

Public Works Committee moved do pass. Consent Agenda.

[16192](#) Public Works Committee moved do pass. Consent Agenda.

[16193](#) Land Use Committee moved do pass. Consent Agenda.

[16194](#) Public Works Committee moved do pass. Consent Agenda.

[16195](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[16189](#) A RESOLUTION awarding a contract on Bid No. PW09-2006 for the Courtney-Atherton Road Bridge Replacement Project, No. 3007, to R.A. Knapp Construction, Inc., of Kansas City, KS, at a total cost to the County not to exceed \$431,093.65, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(ADOPTED)

[16191](#) A RESOLUTION accepting a right-of-way and authorizing payment to the property owners, Timothy C. and Christine L. Doughty, in the actual amount of \$5,558.00, in connection with the Buckner-Tarsney Road Improvement Project, Phase I, No. 2468.

(ADOPTED)

[16192](#) A RESOLUTION awarding a twelve-month term and supply contract for the furnishing of environmental services for use by the Facilities Management Department to Kingston Environmental Services of Kansas City, MO, under the terms and conditions set forth in the City of Kansas City, Missouri, Contract No. PA-4467-05, an existing government contract.

(ADOPTED)

[16193](#) A RESOLUTION awarding a twelve-month term and supply contract for the furnishing of grounds maintenance equipment for use by the Parks and Recreation Department to John Deere Company of Cary, NC, under the terms and conditions set forth in the State of Oklahoma, Contract No. SW50190, an existing government contract.

(ADOPTED)

[16194](#) A RESOLUTION awarding twelve-month term and supply contracts for the furnishing of tires and related services for use by the Departments of Public Works and Parks and Recreation to Cross Midwest Tire of Kansas City, KS, for Firestone tires and Wingfoot Commercial Tire Systems, LLC of Kansas City, MO, for Goodyear tires, under the terms and conditions of existing State of Missouri government contracts No. C106068001 and C106068002.

(ADOPTED)

[16195](#) A RESOLUTION awarding twelve-month term and supply contracts for the furnishing of cellular telephone service and equipment for use countywide to Sprint/Nextel Wireless of Overland Park, KS, and AT&T/Cingular Wireless of Overland Park, KS, under the terms and conditions set forth in Western States Contracting Alliance contracts, existing government contracts of the State of Nevada.

(ADOPTED)

To adopt Resolutions 16189, 16191, 16192, 16193, 16194, 16195.

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

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3880](#) Appropriating \$73,615.00 from the unappropriated surplus of the 2007 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 to allow the Jackson County Drug Task Force to contract with an intelligence analyst.

(Anti-Drug Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[16197](#) Bob Spence moved the passage of Resolution #16197, authorizing the Director of Finance and Purchasing to make final payment on the contract with Superior Bowen Asphalt Company of Kansas City, Missouri, for the 2006 Pavement Maintenance Phase 1 (Fly-Ash & Overlay) Project, No. 3066, in the amount of \$100.00. Seconded by Fred Arbanas.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[16198](#) Bob Spence moved the passage of Resolution #16198, authorizing the Director of Finance and Purchasing to make final payment on the contract with Vance Brothers, Inc., of Kansas City, Missouri, for the 2005 Pavement Maintenance Phase 3 (Micro-Surfacing) Project, No. 3040, in the amount of \$500.00. Seconded by Theresa A. Garza.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[16199](#) Bob Spence moved the passage of Resolution #16199, authorizing the Director of Finance and Purchasing to make final payment on the contract with Vance Brothers, Inc., of Kansas City, Missouri, for the 2005 Pavement Maintenance Phase 2 (Chip Sealing) Project, No. 3038, in the amount of \$100.00. Seconded by Theresa A. Garza.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[16200](#) Authorizing the County Executive to execute an Off-System Bridge Replacement and Rehabilitation Program Agreement with the Missouri Highways and Transportation Commission for the Austerman Road Bridge Replacement Project, No. 2456.

(Public Works Committee)

[16201](#) Awarding a twenty-four month term and supply contract, with one twelve-month option for extension, on Bid No. 1-07 for the furnishing of auto/truck parts from non-dealer sources for use by the Public Works and Parks and Recreation Departments to O'Reilly Auto Parts of Springfield, MO, NAPA Auto Parts of Blue Springs, MO, and CarQuest Auto Parts of Blue Springs, MO.

(Public Works Committee)

[16202](#) Authorizing the County Executive to execute a Memorandum of Understanding with Truman Medical Center Behavioral Health Network of Kansas City, MO, to cover the cost of atypical anti-psychotic medications dispensed at the Jackson County Detention Center, at a cost to the County not to exceed \$89,993.00.

(Health and Justice Committee)

[16203](#) Henry C. Rizzo moved the passage of Resolution #16203, authorizing the Jackson County Legislature to hold a closed meeting on Monday, March 12, 2007, 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: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[16204](#) Dennis Waits moved the passage of Resolution #16204, partially rescinding Resolution 16162, dated February 12, 2007, withdrawing the award to Coins for Canines in the amount of \$5,100.00, and amending the aggregate cost to the County for funding certain outside agencies by the County's General Fund to an amount not to exceed \$150,660.00. Seconded by Henry C. Rizzo.

Yes: 7 - Theresa A. Garza, Henry C. Rizzo, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 2 - Fred Arbanas and James D. Tindall

(ADOPTED)

[16205](#) Awarding a twelve-month term and supply contract for the furnishing of weekend inmate housing for use by the Department of Corrections to Kansas City Community Center of Kansas City, MO, as a sole source purchase.

(Health and Justice Committee)

[16206](#) Awarding a twelve-month term and supply contract and authorizing the County Executive to execute a Cooperate Agreement for the furnishing of Alert II law enforcement computer information services for use by the Sheriff's Office, Prosecuting Attorney's Office, Department of Corrections, and Collection Department, to the Kansas City, MO, Board of Police Commissioners, as an acquisition from another governmental entity.

(Health and Justice Committee)

[16207](#) Awarding contracts for the maintenance of hardware/software for use countywide to various vendors, at a total cost to the County not to exceed \$437,854.24, as sole source purchases.

(Finance and Audit Committee)

[16208](#) Bob Spence moved the passage of Resolution #16208, congratulating Kevin Pond upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. Seconded by Dennis Waits.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[16209](#) Henry C. Rizzo moved the passage of Resolution #16209, congratulating Centennial United Methodist Church upon the celebration of its 100th Anniversary to be held March 18-25, 2007. Seconded by Dennis Waits.

Yes: 8 - Theresa A. Garza, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[16210](#) Authorizing the County Executive to execute addenda to the agreements with certain agencies which are engaged in anti-drug prevention activities, to provide services during the 2007 calendar year, at an aggregate cost to the County not to exceed \$1,483,428.74.

(Anti-Drug Committee)

[16211](#)

Authorizing the County Executive to execute agreements with certain outside agencies funded by the County's Anti-Drug Sales Tax Fund for the 2007-2008 fiscal years, which are engaged in anti-drug treatment activities and purposes, at an aggregate cost to the County not to exceed \$2,965,176.96.

(Anti-Drug Committee)

Bob Spence, County Legislator, asked staff to send the County Legislature comparisons of requests from outside agencies from the previous year prior to the next legislative meeting.

Dan Tarwater said Jim Nunnally with COMBAT is working on it. He asked all Legislators to attend the Anti-Drug Committee meeting next week.

12 COUNTY EXECUTIVE ORDERS07-14

I hereby make the following appointments to the Ethics Task Force for the purpose of establishing a comprehensive Code of Ethics for Jackson County officials and employees to be presented to the County Legislature within 120 days of the Task Force's first meeting:

William G. Eckhardt, Chair
Carol Grimaldi
Henry Johnson
Rochelle Neal
Patrick McInerney
Sheriff Tom Phillips
Robin Ryan
Richard P. Scaletty
Rhonda Shoemaker

13 UNFINISHED BUSINESS

Bob Spence requested a written explanation on funds for the stadiums.

Dan Tarwater said they are working on it and plan to have the report at the next meeting scheduled to be held the last week in March.

14 NEW BUSINESS

Dan Tarwater said the legislative meeting scheduled to be held on Monday, April 2, 2007 will be held at 10 A.M. in the Kansas City Legislative Assembly Area since it is opening day for the Kansas City Royals.

Resolution #16203 was adopted at this time. See page 5 for details.

Legislature goes into closed session.

Legislature reconvenes.

15 ADJOURNMENT

Henry C. Rizzo moved to adjourn the meeting. Seconded by Theresa A. Garza.

The motion passed by a voice vote.

(APPROVED)

The next legislative is scheduled to be held on Monday, March 19, 2007 at 2:30 P.M. in the Kansas City Legislative Assembly Area.