



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, Greg Grounds (5th) Vice Chairman,
Theresa Garza Ruiz (1st AL), Crystal Williams (2nd AL), Fred Arbanas (3rd AL),
Scott Burnett (1st), James D. Tindall (2nd), Dan Tarwater III (4th),
Bob Spence (6th)*

Monday, February 28, 2011

2:30 PM

Tenth Regular Meeting

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

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

1 ROLL CALL

Present: Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

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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 2/21/2011.
Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

*Stormwater Management Plan for Jackson County presented by Mayor Stan Salva.
Books with details of the plan were distributed to all legislators. Copy of the presentation
available in the County Clerk's office.*

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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

None.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[17511](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[17512](#) Finance and Audit Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[17512](#) Dan Tarwater moved the passage of Resolution #17512, authorizing the County Executive to execute a Cooperative Agreement with Union Station, Inc., to provide funding for indigent children to participate in its programs, at a cost to the County not to exceed \$48,010.00. Seconded by Scott Burnett.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

(ADOPTED)

[17514](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[17515](#) Public Works Committee moved do pass. Consent Agenda.

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[17516](#) Land Use Committee moved do pass. Consent Agenda.

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[17518](#) Dan Tarwater moved the passage of Resolution #17518, authorizing the County Executive to execute a Cooperative Agreement with St. Patrick's Day Parade Committee, funded by the County's Park Fund, at a cost to the County not to exceed \$5,000.00. Seconded by James D. Tindall.

Yes: 7 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits and Dan Tarwater
No: 2 - Greg Grounds and Bob Spence

(ADOPTED)

Theresa Garza Ruiz and Bob Spence, County Legislators commented on Resolution #17518.

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9 CONSENT AGENDA

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[17511](#) A RESOLUTION transferring \$46,704.00 within the 2011 Anti-Drug Sales Tax Fund to cover funding for the Sheriff's Office's 2011 Drug Abuse Resistance Education (DARE) program.

(ADOPTED)

[17514](#) A RESOLUTION transferring \$18,305.00 within the 2011 Anti Drug Sales Tax Fund to cover the costs for additional staff salaries for the electronic monitoring program for the Office of Population Control.

(ADOPTED)

[17515](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of Haydite for use by the Public Works Department to Buildex Corporation of Ottawa, KS, as a sole source purchase.

(ADOPTED)

[17516](#) A RESOLUTION authorizing the County Executive to execute a permanent easement across a portion of the Little Blue Trace Park, in favor of Overland Property Group, LLC, of Overland Park, Kansas.

(ADOPTED)

To adopt Resolutions 17511, 17514, 17515, 17516.

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

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, 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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- [4296](#) James D. Tindall moved to perfect Ordinance #4296. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
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- [4296](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4296. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
- [4296](#) James D. Tindall moved the passage of Ordinance #4296 as perfected, appropriating \$123,503.00 from the fund balance of the of the 2011 Grant Fund in acceptance of 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 an addendum to Memorandum of Understanding with the Kansas Bureau of Investigation. Seconded by Dan Tarwater.
Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
(ADOPTED)
- [4297](#) Fred Arbanas moved to perfect Ordinance #4297. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
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- [4297](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4297. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)
- [4297](#) Fred Arbanas moved the passage of Ordinance #4297 as perfected, repealing section 1072., Jackson County Code, 1984, relating to construction projects, and enacting, in lieu thereof, one new section relating to the same subject. Seconded by Dan Tarwater.
Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds
No: 1 - Bob Spence
(ADOPTED)
- [4298](#) Dan Tarwater moved to perfect Ordinance #4298. Seconded by James D. Tindall.
The motion passed by a voice vote. (PERFECTED)
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- [4298](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4298. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)

[4298](#) Dan Tarwater moved the passage of Ordinance #4298 as perfected, reappropriating \$23,166.00 from the fund balance of the 2011 Anti-Drug Sales Tax Fund to cover funding for the Sheriff's Office's Drug Abuse Resistance Education (DARE) program. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

No objection to the consideration of Ordinance #4299 - not on printed agenda.

[4299](#) Bob Spence moved to perfect Ordinance #4299. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

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[4299](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #4299. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

[4299](#) Bob Spence moved the passage of Ordinance #4299 as perfected, appropriating \$85,000.00 from the undesignated fund balance of the Self-Insurance Fund in acceptance of payment from the County's engineering consultant to cover its portion of the settlement related to the construction of the Woods Chapel Road Project, No. 2293 and authorizing the payment of \$85,000.00 to Amino Bros. co., Inc., of Kansas City, KS, to finalize this settlement. Seconded by Dan Tarwater.

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

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17520](#) Awarding a twelve (12) month term and supply contract for the furnishing of John Deere industrial equipment, replacement parts, and service for use by the Public Works and the Parks and Recreation Departments to Murphy Tractor and Equipment of Kansas City, MO, under the terms and conditions of City of Independence, Missouri Contract No. 118-10, an existing government contract.

(Public Works Committee)

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[17521](#)

Bob Spence moved the passage of Resolution #17521, authorizing the payment of \$17,500.00 to Amino Brothers Company, Inc., of Kansas City, Kansas from the City of Lee's Summit CURS account to cover the cost of a settlement related to the construction of Woods Chapel Road Project, No 2293. Seconded by Fred Arbanas.

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

(ADOPTED)

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[17522](#)

Dan Tarwater moved the passage of Resolution #17522, authorizing the Jackson County Legislature to hold a closed meeting on Monday, February 28, 2011, 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 James D. Tindall.

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

(ADOPTED)

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[17523](#)

Fred Arbanas moved the passage of Resolution #17523, awarding twelve (12) month term and supply contracts for the furnishing of golf course chemicals and fertilizers for use by the Parks and Recreation Department to Helena Chemical Co. of Shawnee, KS, Floratine Midwest of Raymore, MO, Supreme Turf Products, Inc. of Olathe, KS, John Deere Landscapes of Cleveland, OH, and Reinders, Inc., of Elm Grove, WI, under the terms and conditions of Electronic Solicitation No. BB201025. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17524](#)

Declaring certain property within various County departments as obsolete and surplus personal property and authorizing its disposal.

(Finance and Audit Committee)

The County Legislature went into closed session.

The County Legislature reconvened.

No objection to the consideration of Resolution #17525 - not on printed agenda.

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[17525](#)

James D. Tindall moved the passage of Resolution #17525, authorizing the County Counselor to settle the claims of former County employees Lisa N. Gentleman and Arthur A. Hogg for the total payment of \$200,000.00. Seconded by Dan Tarwater.

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

(ADOPTED)

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12 COUNTY EXECUTIVE ORDERS

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[11-02](#)

I hereby appoint the following persons to serve on the nominating committee for the Ethics, Human Relations, and Citizen Complaints Commission:

Professor William G. Eckhardt-Faculty member of a post graduate institution in Jackson County.

James A. Witteman, Jr.-Member of the Missouri Bar.

Anita L. Russell-Representative from the local office of a traditional civil rights organization.

Copies of the resumes of all appointees are attached.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

None.

Resolution #17522 was adopted at this time. See page 5 for details.

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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, March 7, 2011 at 2:30 P.M. at Cabot Westside Health Center, 2121 Summit, Main Entrance - Waiting Area.

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