



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, May 18, 2009

2:30 PM

Twentieth Regular Meeting

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

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 5/11/2009.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Scott Burnett presented a 35 year service pin to Lorene Bayan Wilson, Assistant Director of Assessment - Research and Standards Coordinator.

Scott Burnett said that Curtis Koons, Director of Assessment, will make his presentation to the County Legislature on Monday, June 1, 2009.

Dr. Jeff Jentzen, Chairman of the Board of Directors for the National Association of Medical Examiners, presented an Accreditation Certificate to the Jackson County Medical Examiner's Office. He congratulated Dr. Dudley and her staff.

Dr. Dudley, Jackson County Medical Examiner, introduced and thanked her staff. She also thanked Arthur Hogg, Deputy County Counselor, Jeph Burroughs-Scanlon, Public Information Officer, and Mark Jones, County Counselor, for their assistance.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said this is the first time in the history of the Medical Examiner's Office that there has been no deficiencies which has made the office a model for the country.

He said that legislation regarding a regional animal control center will be read for the first time on the agenda of the City Council of Independence, Missouri tonight at their meeting scheduled to be held at 6 P.M. He said this is a victory for Dennis Waits, County Legislator.

Dennis Waits thanked Shelley Kneuvean, Deputy Chief Administrative Officer, and Jay Haden, Chief Deputy County Counselor, for their work on this issue.

Mike Sanders presented a 10 year service pin to Lisa Gentleman, Deputy County Counselor.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4100](#)

AN ORDINANCE renewing a conditional use permit (CUP) in District A (Agricultural) for a period of ten (10) years to continue operating an adult group quarters (boarding home), subject to specified conditions, as to a 2 ± acre tract .

(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing on Friday, May 22, 2009 at 1 P.M. at Fleming Hall.

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[4104](#)

Budget Committee moved to perfect the Budget Committee Amendment of 5/18/2009, to delete the "(a)" after the title "919. Commission's Power, Limitations.", and to delete paragraph "(b)" under the same title; to delete the phrase ", in the opinion of the Commission," after the word "who" in the paragraph labeled "(h)" on page 5; to insert the final paragraph "(k) In any contested case, as defined by section 536.010(4), RSMo, before the Commission, any person aggrieved by a final decision of the Commission shall be entitled to judicial review thereof, as provided in section 536.010 - .140, RSMo." on page 7. Consent Agenda.

The motion passed by a voice vote.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[16897](#) Justice and Law Enforcement Committee moved do pass. Consent Agenda.

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[16898](#) Land Use Committee moved do pass. Consent Agenda.

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[16907](#) Inter-Governmental Affairs Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4104](#)

AN ORDINANCE repealing sections 919. and 920., Jackson County Code, 1984, relating to ethics and enacting, in lieu thereof, two new sections relating to the same subject.

(PERFECTED)

[16897](#)

A RESOLUTION awarding a contract for the furnishing of two industrial washing machines for use by the Department of Corrections to Loomis Brothers Equipment Company of Fenton, MO, under the terms and conditions of Invitation to Bid No. 11-09, at an actual cost to the County not to exceed \$41,474.00.

(ADOPTED)

[16898](#)

A RESOLUTION authorizing the County Executive to execute contracts for television production, marketing, and air time for use by the Parks and Recreation Department, with Meredith Corporation d/b/a KCTV 5 of Fairway, KS, KCCP Trust d/b/a Time Warner Cable of Milwaukee, WI, Fox Entertainment Group d/b/a WDAF-TV of Kansas City, MO, Hearst-Argyle Television, Inc., d/b/a KMBC-TV of Kansas City, MO, and Scripps Howard Broadcasting d/b/a NBC Action News of Kansas City, MO, at an actual aggregate cost to the County not to exceed \$54,540.00.

(ADOPTED)

[16907](#)

A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, setting forth a process for the allocation of economic activity tax proceeds relating to Tax Increment Financing projects at no cost to the County.

(ADOPTED)

To perfect Ordinance 4104. To adopt Resolutions 16897, 16898, 16907.

Dennis Waits 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, Scott Burnett, 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

None.

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16908](#)

Bob Spence moved the passage of Resolution #16908, proclaiming May 17 - May 23, 2009, as National Public Works Week in Jackson County. Seconded by Fred Arbanas.

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

(ADOPTED)

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[16909](#)

Dennis Waits moved the passage of Resolution #16909, authorizing the Jackson County Legislature to hold a closed meeting on Monday, May 18, 2009, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(9) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Dan Tarwater.

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

(ADOPTED)

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[16910](#)

Dennis Waits moved the passage of Resolution #16910, authorizing the County Executive to execute an amendment to the lease with the State of Missouri's Office of Administration for the furnishing of office space for use by Missouri State Board of Probation and Parole. Seconded by James D. Tindall.

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

(ADOPTED)

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[16911](#)

Bob Spence moved the passage of Resolution #16911, authorizing the Director of Public Works to execute a Memorandum of Understanding with the Cities of Kansas City, Missouri, and Lee's Summit, Missouri, in connection with improvements to Lee's Summit Road between 40 Highway and Colbern Road, at no cost to the County. Seconded by Fred Arbanas.

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

(ADOPTED)

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[16912](#)

Bob Spence moved the passage of Resolution #16912, awarding a contract on Bid No. PW-06-2009 for the Intersection Improvements, Gregory Boulevard and Lee's Summit Road Project, No. 3083, to Miles Excavating of Kansas City, KS, at a total cost to the County not to exceed \$1,118,817.76, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County. Seconded by James D. Tindall.

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

(ADOPTED)

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[16913](#)

Bob Spence moved the passage of Resolution #16913, transferring \$251,100.00 within the 2009 Special Road and Bridge Fund, awarding a contract on Bid No. PW 04-2009 for the 2009 Pavement Maintenance Project Phase 1 (Asphaltic Concrete Overlay), No. 3117, to Superior Bowen Asphalt Co., LLC, of Kansas City, MO, at an actual cost to the County not to exceed \$1,848,814.99, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County. Seconded by James D. Tindall.

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

(ADOPTED)

No objection to the consideration of Resolution #16914 - not on printed agenda.

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[16914](#)

Theresa Garza Ruiz moved the passage of Resolution #16914, authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for additional law enforcement presence in areas of the City. Seconded by Dan Tarwater.

Yes: 9 - Theresa Garza Ruiz, Scott Burnett, 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.

Resolution #16909 was adopted at this time. See page 4 for details.

The County Legislature went into closed session.

The County Legislature reconvened.

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15 ADJOURNMENT

Bob Spence moved to adjourn the meeting. Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, June 1, 2009, at 2:30 P.M. in the Kansas City Legislative Assembly Area.

The County Legislature will not meet the week of May 25, 2009 in observance of the Memorial Day holiday.

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