



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, November 23, 2009

2:30 PM

Forty-fifth 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 11/16/2009.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Scott Burnett presented a 10 year Certificate of Merit to Bob Spence from the Missouri Association of Counties (MAC).

Henry C. Rizzo, Vice Chairman, presented a 10 year Certificate of Merit to Scott Burnett from the Missouri Association of Counties (MAC).

Resolutions #17083, #17086 and #17089 were adopted at this time. See pages 5 and 6 for details.

Emanuel Greenberg discussed the Senior Citizen Quad Program. He asked legislators to consider legislation that would allow taxpayers with trusts to take advantage of this program.

Scott Burnett said he would discuss this issue with Bill Snyder, County Counselor and Ed Stoll, Director of Assessment.

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Fred Arbanas, James D. Tindall and Theresa Garza Ruiz, County Legislators, received a letter from a disabled veteran requesting to make payments on his taxes.

James D. Tindall has spoken with Assessment/Collections Department and they have agreed to work with him.

Theresa Garza Ruiz said she is doing research to see if there is anything on the state or federal levels that would benefit disabled veterans.

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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[4170](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

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[4170](#) Fred Arbanas moved to perfect Ordinance #4170. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (PERFECTED)

[4170](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4170. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4171](#) Public Works Committee moved to perfect.

Bob Spence objects to the Consent Agenda.

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[4171](#) Bob Spence moved to perfect the Public Works Committee Substitute of 11/23/2009. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (PERFECTED)

[4171](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #4171. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

The Public Works Committee Substitute for Ordinance #4171 dated November 23, 2009 was perfected and adopted.

[4172](#) AN ORDINANCE setting the 2010 Jackson County, Missouri tentative tax levy.

(Legislature As A Whole - 1st. Perfection)

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[4173](#) AN ORDINANCE to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2010.

(Legislature As A Whole - 1st. Perfection)

The County Legislature will have budget hearings for the various departments in Jackson County on Tuesday, December 1, 2009 at 10 A.M.

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[4174](#) Finance and Audit Committee moved to perfect.

Dennis Waits objects to the Consent Agenda.

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[4174](#) Dennis Waits moved to perfect Ordinance #4174. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[4174](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4174. Seconded by Dan Tarwater.

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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[4170](#) Consent Agenda.

[4171](#) Consent Agenda.

[4174](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[17045](#) A RESOLUTION transferring \$20,940.00 within the 2009 General Fund and awarding a twelve (12) month term and supply contract, with a twelve (12) month extension option, for the furnishing of parking spaces for use by County employees currently parking in spaces located at 1120 Oak Street to Diamond Executive Services of Parkville, MO, under the terms and conditions of Invitation to Bid No. 44-09.

(Finance and Audit Committee - 3rd. Meeting)

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[17082](#) Public Works Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4170](#) AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges, and enacting, in lieu thereof, a new schedule relating to the same subject.

(ADOPTED)

[4171](#) AN ORDINANCE repealing sections 5400., and 5410., Jackson County Code, 1984, relating to the building code, and enacting, in lieu thereof, two new sections relating to the same subject, with an effective date.

(ADOPTED)

[4174](#) AN ORDINANCE approving the issuance of not to exceed \$5,000,000 principal amount of Jackson County, Missouri, Tax Anticipation Notes, Series 2009; authorizing and approving certain documents in connection with the issuance of said notes; and authorizing certain other actions in connection with the issuance of said notes.

(ADOPTED)

[17082](#) A RESOLUTION transferring \$39,900.00 within the 2009 Special Road and Bridge Fund and authorizing Change Order No. 1 to the contract with Superior Bowen Asphalt Company, LLC, of Kansas City, MO, for the 2009 Pavement Maintenance Project Phase 1 (Asphaltic Concrete Overlay), No. 3117, increasing the contract amount by \$64,900.00.

(ADOPTED)

To adopt Ordinances 4170, 4171, 4174. To adopt Resolution 17082.

Dan Tarwater moved the passage of the consent agenda. Seconded by Dennis Waits. 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

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- [4175](#) Repealing section 1206., Jackson County Code, 1984, relating to the fees for reproduction of County records, and enacting, in lieu thereof, one new section relating to the same subject.
(Finance and Audit Committee)
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- [4176](#) Appropriating \$54,133.83 from the fund balance of the 2009 Grant Fund in acceptance of the Family Court Division's Girl Specialized Caseload and Girls Circle Program Grant received from the Missouri Department of Public Safety.
(Justice and Law Enforcement Committee)
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- [4177](#) Dan Tarwater moved to perfect Ordinance #4177. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
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- [4177](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4177. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [4177](#) Dan Tarwater moved the passage of Ordinance #4177 as perfected, transferring \$8,028.00 within the 2009 Anti-Drug Sales Tax Fund and appropriating \$46,128.08 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety for the Prosecuting Attorney's Office's Victim Services Program. Seconded by Dennis Waits.
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)
- [4178](#) Dan Tarwater moved to perfect Ordinance #4178. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
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- [4178](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4178. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)

[4178](#) Dan Tarwater moved the passage of Ordinance #4178 as perfected, appropriating \$303,276.60 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of the 2007 Byrne Justice Assistance Grant (JAG) from the U. S. Department of Justice and authorizing the County Executive to execute a Cooperative Agreement and an Amendment to the Cooperative Agreement pursuant to the terms of the grant award with the City of Kansas City. Seconded by Dennis Waits.

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)

[4179](#) Transferring \$108,010.00 within the 2009 Anti-Drug Sales Tax Fund, appropriating \$331,176.74 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office awarded by the Missouri Department of Public Safety, and authorizing the County Executive to execute a Memorandum of Understanding with the City of Kansas City, MO, the Kansas City Missouri Fire Department, and the Kansas City Board of Police Commissioners relating to the DART program, at a cost to the County not to exceed \$91,000.00.

(Anti-Drug Committee)

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17083](#) Bob Spence moved the passage of Resolution #17083, congratulating Damond Boatwright on receiving Modern Healthcare's 23rd Annual Up & Comers award. 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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[17084](#) Bob Spence moved the passage of Resolution #17084, authorizing the payment of \$57,004.62 to the City of Grain Valley, Missouri, from the City of Grain Valley CURS account to reimburse the City for the Buckner Tarsney Road project. 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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[17085](#)

Dennis Waits moved the passage of Resolution #17085, authorizing the County Executive to execute the attached Memorandum of Understanding with the Missouri Department of Labor and Industrial Relations, Division of Labor Standards. 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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[17086](#)

Bob Spence moved the passage of Resolution #17086, congratulating Darrin Kraft on winning the world champion yearling gelding title at the Ford American Quarter House Youth Association World Championship show. 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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[17087](#)

Authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 23, 2009, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) and (3) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

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

No objection to the consideration of Resolution #17088 - not on printed agenda.

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[17088](#)

Dan Tarwater moved the passage of Resolution #17088, authorizing the County Executive to execute an Agreement to Extend the Memorandum of Understanding with Local Union No. 42 of the International Association of Fire Fighters through January 4, 2010. Seconded by Theresa Garza Ruiz.

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

No: 1 - Bob Spence

(ADOPTED)

No objection to the consideration of Resolution #17089 - not on printed agenda.

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[17089](#)

Dennis Waits moved the passage of Resolution #17089, congratulating the Jackson County Emergency Preparedness and Homeland Security Department and Michael Curry, Department Director, on numerous awards received during 2009. 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)

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 TUESDAY, December 1, 2009 at 9 A.M. in the Kansas City Legislative Assembly Area.

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