



# 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)*

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**Monday, October 10, 2011**

**2:30 PM**

**Thirty-Ninth Regular Meeting**

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**Independence Courthouse Annex, 308 West 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, Crystal Williams, Fred Arbanas, Scott Burnett, 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 10/3/2011.  
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**

*Mike Sanders, County Executive, presented the August 2011 Employee of the Month Award to Robin Underwood, Assistant Marina Administrator.*

*Resolutions #17688 and #17693 were adopted at this time. See pages 3 and 4 for details.*

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

Fred Arbanas moved to waive the reading of Ordinances #4359 and #4360. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

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[4359](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 0.02 ± acres from District A (Agricultural) and District GB (General Business) to District LI-p (Light Industrial-planned).

*(Land Use Committee - 1st. Perfection)*

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[4360](#)

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty-five years for an ash holding basin, subject to specified conditions, as to a 6.51 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

*The Land Use Committee will have a public hearing regarding Ordinances #4359 and #4360 on Wednesday, October 26, 2011 at 1 P.M. at Fleming Hall.*

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**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

None.

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**8 RESOLUTIONS IN COMMITTEE**

None.

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**9 CONSENT AGENDA**

None.

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

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[4363](#)

James D. Tindall moved to perfect Ordinance #4363. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

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- [4363](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4363. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)
- [4363](#) James D. Tindall moved the passage of Ordinance #4363 as perfected, appropriating \$292,967.00 from the fund balance of the 2011 Grant Fund in acceptance of the Family Court Division's Juvenile Court Diversion Program grant received from the State of Missouri Division of Youth Services. 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)
- [4364](#) Scott Burnett moved to perfect Ordinance #4364. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)  
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- [4364](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #4364. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (APPROVED)
- [4364](#) Scott Burnett moved the passage of Ordinance #4364 as perfected, appropriating \$133,200.00 from the fund balance of the 2011 Grant Fund, in acceptance of the Emergency Management Performance Grant awarded by the Missouri State Emergency Management Agency. 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)
- [4365](#) Appropriating \$10,780.00 from the unappropriated surplus of the 2011 Grant Fund in acceptance of the Focus on Children in Separation (FOCIS) program grant.  
*(Justice and Law Enforcement Committee)*  
*Ordinance #4365 was reconsidered after the reading of Resolution #17692.*  
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- [4365](#) James D. Tindall moved to perfect Ordinance #4365. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)
- [4365](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4365. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)

[4365](#) James D. Tindall moved the passage of Ordinance #4365 as perfected, appropriating \$10,780.00 from the unappropriated surplus of the 2011 Grant Fund in acceptance of the Focus on Children in Separation (FOCIS) program grant. 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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[17688](#) Theresa Garza Ruiz moved the passage of Resolution #17688, congratulating Jay Robert Curless III upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. 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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[17689](#) Bob Spence moved the passage of Resolution #17689, authorizing Change Order No. 1 to the contract with Radmacher Brothers Excavating of Pleasant Hill, MO, for the Blue Ridge Boulevard and Wornall Road Intersection Improvements, Project No. 3086, increasing the contract amount by \$5,083.59. 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)

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[17690](#) Bob Spence moved the passage of Resolution #17690, authorizing payment to Donald H. Miller, Trustee, in an amount not to exceed \$10,023.89, for the acquisition of right-of-way, temporary construction easements, and property reimbursement in connection with the Lee's Summit Road Improvements Project, No. 3122. 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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[17691](#) Bob Spence moved the passage of Resolution #17691, awarding a contract on Bid No. PW 08-2011 for the Argo Road Culvert Repairs, Corn Road Bridge Repairs, and Park Trail Repair, Project Nos. 3144, 3145, and 3149, to KAT Excavation, Inc., of Bates City, MO, at an actual cost to the County not to exceed \$167,002.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County. 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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[17692](#) Reconfirming Jackson County's support of the National Incident Management System.

*(Legislature As A Whole)*

*Ordinance #4365 was reconsidered and voted on at this time. See page 3 for details.*

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[17693](#) James D. Tindall moved the passage of Resolution #17693, recognizing Celestine I. Williams for her service to the Jackson County Legislature and extending our congratulations on her appointment as the Audit Procedures Analyst/Risk Manager for the County. 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

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 James D. Tindall.

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

(APPROVED)

*Meeting adjourned until Monday, October 17, 2011 at 2:30 P.M. in the Kansas City Legislative Assembly Area.*

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