



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, October 3, 2011

2:30 PM

Thirty-Eighth Regular Meeting

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

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, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: James D. Tindall

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 9/26/2011.
Seconded by Fred Arbanas.

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

None.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4357](#) Justice and Law Enforcement Committee moved to perfect.

Dan Tarwater objects to the Consent Agenda.

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[4357](#) Dan Tarwater moved to perfect Ordinance #4357. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(PERFECTED)

[4357](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4357. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4358](#) Finance and Audit Committee moved to perfect.

Scott Burnett objects to the Consent Agenda.

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[4358](#) Scott Burnett moved to perfect Ordinance #4358. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[4358](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #4358. 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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[4357](#) Consent Agenda.

[4358](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[17670](#) Awarding a thirty-six month term and supply contract for the furnishing of data network services for use countywide, to Sure West of Lenexa, KS, under the terms and conditions of Request for Proposals No. 35-11.

(WITHDRAWN BY SPONSOR BURNETT. CONCURRED BY TARWATER AND GARZA RUIZ.)

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[17677](#) Anti-Drug Committee moved do pass.

Theresa Garza Ruiz objects to the Consent Agenda.

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[17677](#) Fred Arbanas moved the passage of Resolution #17677, awarding a contract on Bid No. PW 09-2011 for the MyARTS Renovation Project, No. 3141, to R.L. Phillips Construction, Inc., of Raymore, MO, at an actual cost to the County not to exceed \$739,190.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County. Seconded by Greg Grounds.

Yes: 5 - Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater and Greg Grounds

No: 3 - Theresa Garza Ruiz, Crystal Williams and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

[17683](#) Public Works Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4357](#)

AN ORDINANCE repealing section 1142., Jackson County Code, 1984, relating to the disposition of county-owned firearms, and enacting, in lieu thereof, on new section relating to the same subject.

(ADOPTED)

[4358](#)

AN ORDINANCE repealing sections 7900., 7901., 7902., 7903., Jackson County Code, 1984, relating to Tax Increment Financing and enacting, in lieu thereof, eleven new sections relating to the same subject.

(ADOPTED)

[17683](#)

A RESOLUTION awarding a twelve month term and supply contract for the furnishing of factory parts and services for Hypac, Beuthling, Duramaxx, Etnyre, and Ingersoll equipment for use by the Public Works Department to G.W. Van Keppel Co., Inc., of Kansas City, KS, as a sole source purchase.

(ADOPTED)

To adopt Ordinances 4357, 4358. To adopt Resolution 17683.

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

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, 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

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[4359](#)

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)

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[4360](#)

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)

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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[4361](#) Dan Tarwater moved to perfect Ordinance #4361. Seconded by Fred Arbanas.
The motion passed by a voice vote. (PERFECTED)

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[4361](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4361. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)

[4361](#) Dan Tarwater moved the passage of Ordinance #4361 as perfected, appropriating \$7,218.00 from the fund balance of the 2011 Federal Forfeiture Fund and awarding a contract for the furnishing of firearms for use by the Sheriff's Office and the Park Ranger Division of the Parks and Recreation Department to GT Distributors of Austin, TX, at a cost to the County not to exceed \$14,467.95, as a sole source purchase, and declaring certain property as unusable and obsolete and authorizing its disposal by way of a trade-in. Seconded by Fred Arbanas.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - James D. Tindall

(ADOPTED)

No objection to the consideration of Ordinance #4362 - not on printed agenda.

Discussion.

[4362](#) Scott Burnett moved to perfect Ordinance #4362. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (PERFECTED)

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[4362](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #4362. Seconded by Crystal Williams.
The motion passed by a voice vote. (APPROVED)

[4362](#) Scott Burnett moved the passage of Ordinance #4362 as perfected, appropriating \$455,000.00 from the fund balance of 2011 General Fund in acceptance of funds from The Friends of the Zoo, Inc., to cover the cost of the November 8, 2011 special election relating to a county-wide sales tax for the benefit of the Kansas City Zoological District. Seconded by Theresa Garza Ruiz.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - James D. Tindall

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17685](#)

Fred Arbanas moved the passage of Resolution #17685, authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 3, 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 Dan Tarwater.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

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[17686](#)

Fred Arbanas moved the passage of Resolution #17686, authorizing the County Executive to execute a Fifth Addendum to the Cooperation and Use Agreement with Longview Horse Park Association, for a term of three years, at no additional cost to the County,. Seconded by Theresa Garza Ruiz.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(ADOPTED)

The County Legislature goes into closed session.

The County Legislature reconvenes.

No objection to the consideration of Resolution #17687 - not on printed agenda.

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[17687](#)

Greg Grounds moved the passage of Resolution #17687, authorizing the County Counselor to settle the claim of Southwestern Bell Telephone Company for the total payment by the County of \$8,193.00. Seconded by Theresa Garza Ruiz.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

(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 Greg Grounds.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 10, 2011 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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