



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

Monday, November 24, 2008

2:30 PM

Forty-sixth 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, Fred Arbanas, Scott Burnett, Dennis Waits, Dennis Waits,
Dan Tarwater, Greg Grounds and Bob Spence
Absent: James D. Tindall

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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 11/20/2008.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

*Public Hearing regarding Ordinance #4061, 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, 2009 and Ordinance #4062, setting the 2009
Jackson County, Missouri tentative tax levy.*

Dennis Waits opened the public hearing.

No one was present to speak for or against Ordinances #4061 or #4062.

Dennis Waits closed the public hearing.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, announced that Joe Bolger passed away last Tuesday. Joe served as an Eastern Judge as well as a County Legislator.

He announced that Christmas in the Sky will be held on Wednesday, November 26, 2008 at Longview Lake.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4057](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

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[4057](#)

Fred Arbanas moved to perfect Ordinance #4057. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[4057](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4057. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4059](#)

Justice and Law Enforcement Committee moved to perfect.

Theresa Garza Ruiz objects to the Consent Agenda.

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[4059](#)

Theresa Garza Ruiz moved to perfect Ordinance #4059. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[4059](#)

Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4059. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4060](#)

Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

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[4061](#) Henry C. Rizzo moved to approve the Budget Committee Amendment dated November 24, 2008, to delete the figure "78,724,257" and insert the figure "78,782,257" after the "\$" in the "AMOUNT" column next to "General Fund", to delete the figure "26,575,230" and insert the figure "26,987,750" after the "\$" in the "AMOUNT" column next to "Health Fund", to delete the figure "27,786,975" and insert the figure "27,806,975" after the "\$" in the "AMOUNT" column next to "Special Road and Bridge Fund", to delete the figure "23,369,130" and insert the figure "23,539,130" after the "\$" in the "AMOUNT" column next to "Anti-Drug Sales Tax Fund", to delete the figure "602,797" and insert the figure "604,598" after the "\$" in the "AMOUNT" column next to "Recorders Fee Fund", to delete the figure "8,555,123" and insert the figure "8,575,123" after the "\$" in the "AMOUNT" column next to "Assessment Fund", to delete the figure "768,132,233" and insert the figure "768,814,554" after the "\$" in the "AMOUNT" column as the total amount all on page one; to insert the phrase "as modified by the document attached hereto, marked "2009 Budget Amendment"." after the word "herein" in the paragraph on page two.. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(ADOPTED)

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[4061](#) Henry C. Rizzo moved to perfect Ordinance #4061. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[4061](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #4061. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

[4061](#) Dan Tarwater moved the passage of Ordinance #4061 as perfected, 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, 2009. Seconded by Henry C. Rizzo.

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

(ADOPTED)

[4062](#) Dan Tarwater moved to perfect Ordinance #4062. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(PERFECTED)

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[4062](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4062. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

- [4062](#) Dan Tarwater moved the passage of Ordinance #4062 as perfected, setting the 2009 Jackson County, Missouri tentative tax levy. Seconded by Henry C. Rizzo.
- Yes: 8 - Theresa Garza Ruiz, Fred Arbanas, Scott Burnett, Dennis Waits, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - James D. Tindall

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

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- [4057](#) Consent Agenda.

- [4059](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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- [16758](#) Public Works Committee moved do pass. Consent Agenda.

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- [16759](#) Finance and Audit Committee moved do pass. Consent Agenda.

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- [16760](#) Public Works Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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- [4060](#) AN ORDINANCE transferring \$7,275.00 within the 2008 General Fund, appropriating \$15,087.00 from the fund balance of the 2008 Grant Fund, and authorizing an extension of the Coordinated Community Response to Domestic Violence Grant, funded by the U.S. Department of Justice.

(PERFECTED)

- [4057](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 5.7 ± acre tract, for a one-lot residential subdivision.

(ADOPTED)

[4059](#) AN ORDINANCE appropriating \$6,800.00 from the fund balance of the 2008 Grant Fund and authorizing the County Executive to execute a contract with the Missouri Safety Center in acceptance of the Jackson County Sheriff's Office's You Drink and Drive, You Lose enforcement grant, awarded by the Missouri Safety Center.

(ADOPTED)

[16758](#) A RESOLUTION awarding a contract for the furnishing and five (5) year lease/purchase financing of one backhoe and one reclaimer for use by the Public Works Department to Murphy Tractor of Kansas City, MO, and Baystone Financial Group of Manhattan, KS, as the financing agent, under the terms and conditions of an existing government contract of the Houston-Galveston Area Council, at an actual cost to the County in 2008 of \$156,000.00 and a total five-year cost of \$713,574.68.

(ADOPTED)

[16759](#) A RESOLUTION authorizing the purchase of two mail extraction and scanning machines for use by the Collection Department from Opex Corporation of Moorestown, NJ, at a cost to the County not to exceed \$179,190.00, as a sole source purchase.

(ADOPTED)

[16760](#) A RESOLUTION awarding a contract for the furnishing of dump bodies, hydraulics, snow plows, and spreaders for use by the Public Works Department to American Equipment of Kansas City, KS, under the terms and conditions of Electronic Solicitation No. BB200824, at a cost to the County not to exceed \$203,536.00.

(ADOPTED)

To perfect Ordinance 4060. To adopt Ordinances 4057, 4059. To adopt Resolutions 16758, 16759, 16760.

Dan Tarwater moved the passage of the consent agenda. Seconded by Henry C. Rizzo. The motion passed by a roll call vote:

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

Communications and Reports of the County Executive was done at this time. See page 1 for details.

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4063](#) Theresa Garza Ruiz moved to perfect Ordinance #4063. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

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[4063](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4063. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)

[4063](#) Theresa Garza Ruiz moved the passage of Ordinance #4063 as perfected, appropriating \$10,000.00 from the fund balance of the 2008 Grant Fund to cover a grant received from the Missouri Highway and Transportation Commission for Missouri's Blueprint for Safer Roadways - December 2008 and April 2009 Aggressive Driving Campaigns, and authorizing the County Executive to execute a Program Agreement regarding said grant. Seconded by Dan Tarwater.
Yes: 8 - Theresa Garza Ruiz, Fred Arbanas, Scott Burnett, Dennis Waits, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - James D. Tindall
(ADOPTED)

[4064](#) Appropriating \$291,576.00 from the fund balance of the 2008 Anti-Drug Sales Tax Fund in acceptance of the 2008 Byrne Justice Assistance Grant (JAG) from the U. S. Department of Justice and authorizing the County Executive to execute an Interlocal Agreement pursuant to the terms of the grant award with the Cities of Independence and Kansas City, and the Board of Police Commissioners of the City of Kansas City for the County's distribution of the grant award proceeds, at a cost to the County not to exceed \$161,844.50.

(Anti-Drug Committee)

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[4065](#) 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.

(Land Use Committee)

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[4066](#) Repealing sections 900., 905., 906., 910., 915., 920., 940., 941., 942., 943., 944., 950., and 951., Jackson County Code, 1984, relating to ethics for county officials, employees, and board and commission members, and enacting, in lieu thereof, twenty-eight new sections relating to the same subject, with a penalty provision.

(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16761](#) Bob Spence moved the passage of Resolution #16761, authorizing the disbursement of \$305,030.30 to the City of Independence from the Independence CURS fund balance to cover costs of the 39th Street Improvements, Noland Road to Lee's Summit Road Project. Seconded by Scott Burnett.

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

(ADOPTED)

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[16762](#) Authorizing the extension of the Family Court Division's "Parenting Separately" grant, received from the Missouri Office of State Courts Administrator, at no additional cost to the County.

(Justice and Law Enforcement Committee)

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[16763](#) Authorizing the County Executive to execute a General Warranty Deed conveying a tract of park property within the City of Lone Jack, adjacent to the Lone Jack Civil War Museum, to Lone Jack Baptist Church, and accepting a replacement parcel adjacent to a tract already owned by the County.

(Land Use Committee)

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[16764](#) Authorizing the Director of Finance and Purchasing to execute a renewal of the County's agreement with AT&T of Kansas City, Missouri, to provide Plexar II telephone services for use by the Public Works Department, for an additional one-year term, as a sole source purchase, of an estimated cost to the County of \$31,000.00.

(Public Works Committee)

[16765](#) Authorizing the County Executive to execute a Cooperative Agreement with the City of Independence, Missouri, for environmental remediation of a City-owned facility at 315 N. Main Street in Independence, at a cost to the County not to exceed \$175,000.00, for use in the County's MyARTS drug prevention program.

(Anti-Drug Committee)

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 Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, December 1, 2008 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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