



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, July 11, 2011

2:30 PM

Twenty-Seventh Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

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 and Bob Spence
Absent: Greg Grounds

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Scott Burnett moved to approve the journal of the previous meeting held on 6/27/2011.
Seconded by Crystal Williams.

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.

Resolution #17619 was adopted at this time. See page 4 for details.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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- [4311](#) Theresa Garza Ruiz moved to approve the Health and Environment Committee Amendment dated July 11, 2011 to delete the words "at any location" and insert the words "pursuant to state law" after the word "measured" in paragraph "5102." on page 2. Seconded by Dan Tarwater.
The motion passed by a voice vote. (ADOPTED)
- [4311](#) Theresa Garza Ruiz moved to perfect Ordinance #4311. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [4311](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4311. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
- [4311](#) Theresa Garza Ruiz moved the passage of Ordinance #4311 as perfected, enacting sections 5100., 5101., 5102., 5103., and 5104., Jackson County Code, 1984, relating to blasting, with a penalty provision. Seconded by Dan Tarwater.
Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence
Absent: 1 - Greg Grounds
(ADOPTED)
- [4315](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4315](#) Fred Arbanas moved to perfect Ordinance #4315. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [4315](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4315. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
- [4315](#) Fred Arbanas moved the passage of Ordinance #4315 as perfected, granting a conditional use permit (CUP) in District A (Agricultural) for a period of five years to operate an equine-assisted learning center, subject to specified conditions, as to a 20± acre tract. Seconded by Bob Spence.
Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence
Absent: 1 - Greg Grounds
(ADOPTED)

[4317](#) Appropriating \$68,123.00 from the undesignated fund balance of the 2011 General Fund for the creation of a community liaison position in the Prosecuting Attorney's Office.

(WITHDRAWN BY SPONSOR TINDALL. CONCURRED BY TARWATER AND GARZA RUIZ.

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[4320](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[17615](#) Land Use Committee moved do pass. Consent Agenda.

The Land Use Committee Amendment dated June 29, 2011 was approved to delete the phrase "transferring \$39,837.00 within the 2011 Special Road and Bridge Fund and" after the word "RESOLUTION" in the heading on page 1; to delete "and," as the last word in the first WHEREAS paragraph, to delete the second and third paragraphs beginning with "WHEREAS, a transfer is necessary to cover the cost of the purchase and installation; and, WHEREAS, the County Executive recommends this transfer," all on page 2; to delete part of the fiscal note beginning with "Funds sufficient for this transfer are available from the source indicated below. ACCOUNT NUMBER: 004 1507 58040. ACCOUNT TITLE: Special Road & Bridge Fund, Special Projects, Roads and Highways. NOT TO EXCEED: \$39,837.00", to delete the numbers "1506" and insert the numbers "1507" after the numbers "004" in the ACCOUNT NUMBER, to delete the words "Road & Bridge Maintenance" and insert the words "Special Projects" after the word "Fund" in the ACCOUNT TITLE, all on page 4.

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[17616](#) Land Use Committee moved do pass. Consent Agenda.

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[17617](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[17618](#) Anti-Drug Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4320](#) AN ORDINANCE appropriating \$26,943.00 from the fund balance of the 2011 Grant Fund to cover the Independence Truancy Court School Contract program with the Independence School District.

(PERFECTED)

[17615](#) A RESOLUTION awarding a contract for the installation of flat bed, lift system, and storage toolbox equipment into an existing County-owned sign truck to American Equipment of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 25-11.

(ADOPTED)

[17616](#) A RESOLUTION authorizing a payment of \$11,430.00 to the City of Lee's Summit from the Lee's Summit CURS account to cover the costs of a pavement evaluation of Colbern Road.

(ADOPTED)

[17617](#) A RESOLUTION awarding a contract to Conkave, LLC, of Overland Park, KS, for maintenance and web development services for the Prosecuting Attorney's website, at a cost to the County not to exceed \$3,000.00.

(ADOPTED)

[17618](#) A RESOLUTION authorizing the County Executive to execute a contract for the furnishing of a data tracking software program, for use by COMBAT with First Call Alcohol/Drug Prevention & Recovery, at a cost to the County not to exceed \$77,425.00, as a sole source purchase.

(ADOPTED)

To perfect Ordinance 4320. To adopt Resolutions 17615, 17616, 17617, 17618.

Dan Tarwater moved the passage of the consent agenda. Seconded by James D. Tindall. The motion passed by a roll call vote:

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

Absent: 1 - Greg Grounds

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4322](#) Vacating a recorded easement for the establishment of a future public road.

(Land Use Committee)

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[4323](#) Dan Tarwater moved to perfect Ordinance #4323. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (PERFECTED)

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[4323](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4323. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (APPROVED)

[4323](#)

Dan Tarwater moved the passage of Ordinance #4323 as perfected, repealing schedule IV to chapter 2, Jackson County Code, 1984, relating to the salaries of County employees not within the merit system and enacting, in lieu thereof, one new schedule relating to the same subject. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[Play Video](#)[17619](#)

Bob Spence moved the passage of Resolution #17619, congratulating Jordan Hoffman on qualifying for the National Spelling Bee. Seconded by James D. Tindall.

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

(ADOPTED)

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Transferring \$95,481.00 within the 2011 Anti-Drug Grant Fund to continue to provide funding for the salaries and benefits of the Jackson County Drug Court employees.

(Anti-Drug Committee)

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Authorizing the Trustees of the Land Trust of Jackson County to convey three parcels of real property located in Kansas City, Missouri, to Swope Community Builders of Kansas City, MO, for the rehabilitation and redevelopment of the urban core in accordance with section 141.750.2, RSMo 2000.

(Finance and Audit Committee)

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James D. Tindall moved the passage of Resolution #17622, declaring certain property within the Sheriff's Office as surplus and unusable personal property and authorizing its donation. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17623](#)

James D. Tindall moved the passage of Resolution #17623, authorizing the County Executive to execute Intergovernmental Cooperative Agreements with the cities of Oak Grove, Grain Valley, Buckner, Lake Lotawana, Greenwood, Lake Tapawingo, and Lone Jack, Missouri, to provide for the furnishing of dispatching services by the Sheriff's Office, for total fees payable to the County in the amount of \$126,713.72. Seconded by Theresa Garza Ruiz.

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

Absent: 1 - Greg Grounds

(ADOPTED)

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[17624](#)

Dan Tarwater moved the passage of Resolution #17624, authorizing the County Executive and the Jackson County Prosecuting Attorney to execute an Amendment to the Agreement with Local Union No. 42 of the International Association of Fire Fighters regarding the terms and conditions of employment of members of its bargaining unit within the Office of the Prosecuting Attorney. Seconded by James D. Tindall.

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

Absent: 1 - Greg Grounds

(ADOPTED)

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[17625](#)

Authorizing the Director of Finance and Purchasing to execute a one-year extension to the lease agreement with D. Varalli Enterprises, LLC, d/b/a Towne Square Professional Building, for the furnishing of office space, at a cost to the County not to exceed \$10,391.00 in 2011 and \$49,869.24 over the life of the lease.

(Finance and Audit Committee)

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[17626](#)

Dan Tarwater moved the passage of Resolution #17626, expressing the support of the Legislature for the creation of a new pay structure for the sworn personnel of the Sheriff's Office. Seconded by Theresa Garza Ruiz.

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

Absent: 1 - Greg Grounds

(ADOPTED)

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12 COUNTY EXECUTIVE ORDERS

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[11-13](#) I hereby promulgate the attached amendment to the Personnel Rules for Jackson County Employees.

Section 18.13 - Use of a County Issued Cell Phone

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[11-14](#) I hereby make the following appointments to the Tax Increment Financing Commission:

John W. Ivey is appointed for a term to expire May 31, 2013, to fill the vacancy occasioned by the expiration of the term of Dennis Patrick. Mr. Ivey's resume is attached.

Don P. Saxton is appointed for a term to expire May 31, 2013, to fill the vacancy occasioned by the expiration of the term of Curtis McClinton. Mr. Saxton's resume is attached.

Cynthia (Kitty) Taylor McCoy is appointed for a term to expire May 31, 2014 to fill the vacancy occasioned by the expiration of the term of Deborah Link. Ms. McCoy's resume is attached.

Kelley Hrabe is appointed for a term to expire May 31, 2014 to fill the vacancy occasioned by the expiration of the term of Jean Matzeder. Ms. Hrabe's resume is attached.

Diane Burnette is appointed for a term to expire May 31, 2015 to fill the vacancy occasioned by the expiration of the term of Jack Cardwell. Ms. Burnette's resume is attached.

Kevin D. Sexton is appointed for a term to expire May 31, 2015 to fill the vacancy occasioned by the expiration of the term of Ralph Reid. Mr. Sexton's resume is attached.

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[11-15](#) Pursuant to Jackson County Code Section 1540., I hereby appoint Claire West-Scoville to the Pension Plan Board of Trustees to fill the vacancy occasioned by the expiration of the term of Dr. Howard Krueger, for a term to expire February 17, 2014. A copy of Ms. West-Scoville's resume is attached.

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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 Crystal Williams.

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

Absent: 1 - Greg Grounds

(APPROVED)

Meeting adjourned until Monday, July 18, 2011 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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