



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, May 4, 2009

2:30 PM

Eighteenth Regular Meeting

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

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 4/27/2009.
Seconded by Henry C. Rizzo.

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, announced that on May 21, 2009, Jay Haden, Deputy County Counselor, will be throwing the ceremonial pitch at the Royals game. This is in recognition of his service to our country. He said Jay will be on his second tour with the Army and will leave for Afghanistan in June 2009 for a one year assignment.

He mentioned that there will be an Intergovernmental Agreement with the City of Kansas City, Missouri on TIF projects which will be beneficial to Jackson County.

The March 2009 Employee of the Month Award was given to Tom Hensley, Deputy Chief Medicolegal Investigator.

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Mike Sanders gave a presentation on the Regional Corrections Center Project. (See copy attached to Journal in County Clerk's office). Comments by Cathy Jolley, City Councilwoman - 6th District at Large.

Discussion.

Resolution #16892 was adopted at this time. See page 4 for details.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4099](#) 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

The Justice and Law Committee made no recommendation on Resolution #16883.

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[16883](#) Theresa Garza Ruiz moved the passage of Resolution #16883, authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for a regional solution to detention capacity in Jackson County, Missouri. 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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[16886](#) Public Works Committee moved do pass. Consent Agenda.

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[16891](#) Budget Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16891](#)

Dan Tarwater moved the passage of Resolution #16891, 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 May 31, 2009. 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)

9 CONSENT AGENDA

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[4099](#)

AN ORDINANCE appropriating \$7,150.00 from the fund balance of the 2009 General Fund for use by the Circuit Court for special prosecutors in 2009.

(PERFECTED)

[16886](#)

A RESOLUTION awarding a twelve (12) month term and supply contract, with two twelve (12) month extension options, for the furnishing of reinforced concrete pipe and pre-cast boxes for use by the Public Works Department to Cretex Concrete Products Midwest, Inc., of Shawnee, KS, under the terms and conditions of Invitation to Bid No. 7-09.

(ADOPTED)

To perfect Ordinance 4099. To adopt Resolution 16886.

Dan Tarwater moved the passage of the consent agenda. Seconded by Henry C. Rizzo. 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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[4100](#)

Renewing a conditional use permit (CUP) in District A (Agricultural) for a period of ten (10) years to continue operating an adult group quarters (boarding home), subject to specified conditions, as to a 2 ± acre tract .

(Land Use Committee)

The Land Use Committee will have a public hearing regarding Ordinance #4100 on Friday, May 22, 2009 at 1 P.M. at Fleming Hall.

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[4101](#) Reappropriating \$112,442.00 from the fund balance of the 2009 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute agreements with Truman Medical Center Behavioral Health and Comprehensive Mental Health Services, Inc., at an aggregate cost to the County not to exceed \$112,442.00.

(Anti-Drug Committee)

No objection to the consideration of Ordinance #4102 - not on printed agenda.

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[4102](#) Dan Tarwater moved to perfect Ordinance #4102. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote.

(PERFECTED)

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[4102](#) Theresa Garza Ruiz moved the passage of Ordinance #4102 as perfected, appropriating \$5,000.00 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 Click It or Ticket Overtime Enforcement grant. Seconded by Dan Tarwater.

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

Absent: 1 - Dennis Waits

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16892](#)

James D. Tindall moved the passage of Resolution #16892, recognizing BE 1! on its effort to increase the educational achievement of Kansas City, Missouri School District scholars. Seconded by Dan Tarwater.

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

Absent: 1 - Bob Spence

(ADOPTED)

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[16893](#)

Fred Arbanas moved the passage of Resolution #16893, awarding a contract for the furnishing of pontoon boats for use by the Parks and Recreation Department to PlayCraft Boats of Richland, MO, under the terms and conditions of Invitation to Bid No. 10-09, at an actual cost to the County not to exceed \$59,500.00. Seconded by Dan Tarwater.

Yes: 7 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 2 - James D. Tindall and Dennis Waits

(ADOPTED)

[16894](#)

Transferring \$451,788.00 within the 2009 Special Road and Bridge Fund and awarding contracts for the furnishing of a reclaimer to Wirtgen America Inc., c/o Murphy Tractor of Kansas City, MO, and for the furnishing of a backhoe to Murphy Tractor of Kansas City, MO, both for use by the Public Works Department, under the terms and conditions of Houston-Galveston Area Council Contracts Nos. SM10-06 and EM06-07a, existing government contracts, at an aggregate cost to the County not to exceed \$654,393.00.

(Public Works Committee)

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[16895](#)

Dan Tarwater moved to adopt floor substitute of 5/4/2009, authorizing the County Executive to execute a Cooperative Agreement with Westside Housing Organization funded by the County's Health Fund for the "Sweep It Up, Keep It Up" program, at a cost to the County not to exceed \$2,000.00. Seconded by Theresa Garza Ruiz.

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

Absent: 1 - Dennis Waits

(ADOPTED)

Ordinances #4101 and #4102 were taken up at this time. See page 3 for details.

12 COUNTY EXECUTIVE ORDERS

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[09-10](#)

After consideration of the input from the jail population committee consisting of representatives of the Circuit Court, the Prosecuting Attorney's Office, the District Public Defender's Office, the Kansas City Missouri Police Department, and the County administration including the Corrections Department and Office of Population Control, I hereby impose a population cap at the Jackson County Detention Center of 835 inmates. County staff is directed to manage the inmate population at the Jackson County Detention Center through appropriate policies and procedures, including the release of inmates, alternative forms of detention, and any innovative strategies developed in cooperation with the committee. Nothing in this Executive Order shall be interpreted as a limitation of the powers and duties of the Court, the ability of the Corrections Department to manage and operate the Detention Center, or the ability of any concerned party to adopt and implement short term emergency or contingency plans related to population management.

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13 UNFINISHED BUSINESS

Henry C. Rizzo, County Legislator, announced that he has been working with Dan Tarwater and Scott Burnett on an amendment to the Ethics Code of Jackson County and invited anyone with questions or suggestions to contact any of the three legislators mentioned.

Dan Tarwater, County Legislator, explained the amendment.

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14 NEW BUSINESS

Dan Tarwater announced that today is Gary Panethiere's birthday and tomorrow is Scott Burnett's birthday.

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15 ADJOURNMENT

Henry C. Rizzo moved to adjourn the meeting. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, May 11, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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