



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

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

Monday, March 11, 2013

2:30 PM

Tenth Regular Meeting Meeting

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

Greg Grounds, 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 3/4/2013.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Greg Grounds presented Resolution #18108 adopted February 25, 2013 by the County Legislature regarding Family Week, April 21-27, 2013 to Diane Mack, Coordinator of Jackson County Family Week and Stacey Johnson, Coordinator of Company of Champions.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, presented a proclamation to Jake Jacobs, Executive Director of Empowering Individuals through Advocacy and Support (EITAS) formerly Jackson County Board of Services for Developmentally Disabled, recognizing them for 35 years of service to the citizens of Jackson County. Since 1976 EITAS has been committed to serving those in Jackson County with developmental disabilities and providing them with the opportunity to live as normal a life as possible. EITAS supports over 800 individuals through workshops and vocational services; 200 people in day programs; 500 people transported daily to work and special programs. Providing service coordination through Jackson County rather than through the state, ensures that Medicaid dollars are kept here locally - spending them on salaries and taxes and new services for the people supported by EITAS.

Resolutions #18113 and #18117 were adopted at this time. See pages 3 and 4 details.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

None.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[18111](#)

Justice and Law Enforcement Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[18111](#)

A RESOLUTION transferring \$25,000.00 within the 2013 Special Road and Bridge Fund to cover the costs of an electronic digital ticketing system for use by the Sheriff's Office.

(ADOPTED)

To adopt Resolution 18111.

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

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, 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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[4511](#) Fred Arbanas moved to perfect Ordinance #4511. Seconded by Bob Spence.

The motion passed by a voice vote. (PERFECTED)

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[4511](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4511.
Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

[4511](#) Fred Arbanas moved the passage of Ordinance #4511 as perfected, appropriating \$880.00 from the undesignated fund balance of the 2013 Park Fund in acceptance of a donation in memory of Roy McClure, to be used for the benefit of Missouri Town 1855.
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)

Michele Newman, Director of Parks + Rec Department, explained that Roy McClure was a long time volunteer who passed away. The donated funds will be used to install a bench with concrete pad and commemorative plaque at Missouri Town 1855.

[4512](#) Amending the zoning districts established pursuant to the Unified Development Code by changing a certain 8.66 ± acre tract from District AG (Agricultural) to District GB (General Business).

(Land Use Committee)

The Land Use Committee will have a public hearing regarding Ordinance #4512 on Friday, March 29, 2013 at 1 P.M. at Fleming Hall.

No objection to the consideration of Ordinance #4513 - not on printed agenda.

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[4513](#) Dennis Waits moved to perfect Ordinance #4513. Seconded by Fred Arbanas.

The motion passed by a voice vote. (PERFECTED)

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[4513](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4513. Seconded by Fred Arbanas.
The motion passed by a voice vote. (APPROVED)

[4513](#) Dennis Waits moved the passage of Ordinance #4513 as perfected, appropriating \$273,057.00 from the fund balance of the 2013 General Fund in acceptance of funds from the City of Independence, MO, for the Historic Truman Courthouse Renovation Project, No. 3147. Seconded by Scott Burnett.
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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[18113](#) Dennis Waits moved the passage of Resolution #18113, congratulating the Truman High School girls' varsity softball team upon winning the Class 4 Missouri State Championship. 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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[18114](#) Awarding a contract on Bid No. PW 01-2013 for the R.D. Mize Road Culvert Replacement Project, No. 3123, to Ground Breaking Excavation & Utilities, LLC, of Pleasant Hill, MO, at an actual cost to the County not to exceed \$136,810.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.
(Public Works Committee)

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[18115](#) Transferring \$545,300.00 within the 2013 General Fund and authorizing the County Executive to execute an Agreement for Professional Architectural Design Services with Burns and McDonnell Engineering Company, Inc., for architectural design services in connection with the renovation of the Jackson County Courthouse Annex Project, No. 3146, at a cost to the County not to exceed \$545,300.00.
(Budget Committee)

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[18116](#) Awarding a contract for the furnishing of a fuel dispensing system upgrade for use by the Parks + Rec Department to Mid-State Petroleum Equipment, Inc., of Hallsville, MO, at an actual cost to the County not to exceed \$36,563.86, under the terms and conditions of Invitation to Bid No. 3-13.
(Land Use Committee)

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[18117](#)

Bob Spence moved the passage of Resolution #18117, congratulating Lee's Summit North High School baseball coach Jeff Diekmann on his induction into the Missouri Coaches Hall of Fame. 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)

No objection to the consideration of Resolution #18118 - not on printed agenda.

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[18118](#)

Dennis Waits moved the passage of Resolution #18118, authorizing Change Order No. 1 to the contract with Universal Construction of Lenexa, KS, for the Historic Truman Courthouse, Project No. 3147, increasing the contract amount by \$85,026.00. Seconded by Scott Burnett.

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

[18119](#)

Dennis Waits moved the passage of Resolution #18119, authorizing the County Counselor to settle the claims of Rosalee Calegari and her surviving son Tony Calegari, in the case styled Rosalee Calegari v. Danny Barnes, No. 1016-CV16304, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$50,000.00. Seconded by Dan Tarwater.

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

Absent: 1 - Theresa Garza Ruiz

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

Dennis Waits moved the County Legislature have a closed meeting on Monday, March 11, 2013 for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation under section 610.021(1) of the Revised Statutes of Missouri. 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

(APPROVED)

The County Legislature recessed to go into closed session.

The County Legislature reconvened.

Resolution #18119 was adopted at this time. See page 4 for details.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Crystal Williams.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 18, 2013 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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Greg Grounds, Chairman

ATTEST:

Mary Jo Spino, Clerk of the County
Legislature