



Jackson County Missouri

JOURNAL

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

County Legislature

Office of
Mary Jo Spino
Clerk of the County Legislature

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

Monday, June 23, 2014

2:30 PM

Twenty-fourth Regular Meeting

Eastern Jackson County Courthouse, 308 W. Kansas, Ground Floor, Legislative Chambers

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater, seconded by Dennis Waits to approve the journal of the previous meeting held on June 16, 2014. The motion passed by a voice vote.

Resolution #18549 was adopted at this time. See page four for details.

Lisa Hohn, Senior Administrative Manager, explained the handout given regarding the Albert Riederer Memorial.

Judge Sandy Midkiff, wife of Albert Riederer and Aimee Gromowsky, his niece and member of the Jackson County Sports Complex Authority were present to hear about the details of the public work of art at the Albert A. Riederer Community Justice Complex.

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

4 HEARINGS

Fred Dreiling, Jackson County lobbyist, gave highlights of legislation passed in Jefferson City, Missouri. (See Jackson County Bill Report Attached)

Discussion.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, thanked the County Legislature for their support of the Albert Riederer Memorial and thanked Fred Arbanas for his leadership on this project.

He announced that Chris Howard, an employee of the Executive Office, Susan Moore, an employee of the Records Department and Gwen Lee, an employee of the Corrections Department and Gwen's two grandsons, McKenzie and Harold, were recognized by the Missouri Department of Transportation for volunteering three days this year to clean highways throughout Jackson County.

Mike Sanders said the Big Bang will be held on July 4th at Longview Lake, Shelter #13 and promises to be the largest firework finale in the Midwest. Radio station 94.9 will have a live simulcast with fireworks. The gates open at 5:30 P.M., concert starts at 6:30 P.M. and the fireworks start at 9:30 P.M. Last year there were 15,000 in attendance and they are hoping to exceed that this year. Admission is free. They will also be recognizing eight World War II era veterans since this is the 70th Anniversary of D-Day. He thanked all the sponsors of this event.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[4625](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 5.00 ± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).
(Land Use Committee - 2nd. Perfection)

[4626](#)

AN ORDINANCE granting a conditional use permit (CUP) in District AG (Agricultural) for a period of twenty-five years to operate a horse boarding facility, subject to specified conditions, on a 40 ± acre tract.
(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing on Thursday, July 3, 2014 at 1:00 P.M. at Fleming Hall regarding Ordinances #4625 and #4626.

[4631](#)

A motion was made by Crystal Williams, seconded by Bob Spence to approve the Inter-Governmental Affairs Committee Amendment for Ordinance #4631 dated June 23, 2014, to delete the word "COMMISSION" and insert the word "AUTHORITY" in the title of Chapter 83; to delete the word "Commission" and insert the word "Authority" after the word "Development" in the title of paragraph number 8300.; to delete the word "Commission" and insert the word "Authority" after the word "Development" in the first sentence in paragraph numbers 8301. and 8302.; to insert the phrase "a membership not to exceed" after the words "consist of", to delete the number "60" and insert the number "84" after the word "exceed"; to insert the words "total members - "after the number "84"; to delete the words/numbers "nine (9)" and "five (5)" and insert the word/number "seven (7)" after the word "members - "; to insert the phrase and sentence "for each of the twelve (12) school districts ("Teams") within Jackson County. Members may serve on more than one Team." after the words "seven (7) members" all in paragraph number 8301.; to delete the sentence "Two (2) of the members appointed to the Economic Development Commission shall be members of the County Legislature. The remaining" and insert the word "Members" as the first word of paragraph number 8303., to delete the phrase "to be appointed" and insert the phrase "of the Authority" after the word "Members"; to insert the phrase "be employed by a taxing jurisdiction within Jackson County or" after the word "shall"; to insert the sentence "Members shall serve without compensation." after the word "development." all in paragraph number 8303. on page two; to insert the word "Each" as the first word of paragraph number 8304. and delete the "s" on the word "members" after the word "Each", to delete the word "Commission" and insert the word "Authority" after the word "Development", to delete the word "their" and insert the words "his or her" after the word "until", to insert the phrase "except that, of the initial members appointed for each Team upon the adoption of Ordinance 4631, one member shall serve an initial term of two years and two members shall serve initial terms of three years." after the word "qualified," all in paragraph number 8304. on page three; to delete paragraph "8305. Death or Disability of Member. On death, disability or resignation of any member, the County Executive shall appoint a new member to complete the unexpired term."; to delete paragraph "8306. Members Serving on Effective Date. Members serving on the Economic Development Commission on the effective date of this chapter shall continue to serve until the completion of the term to which they were appointed or on resignation or disqualification."; to delete the number "7" and insert the number "5" after the numbers "830", to delete the word "Commission" and insert the word "Authority" after the word "Development" in the title and first sentence of paragraph number 8305., to insert the sentence "The Economic Development Authority shall allow for communication between taxing jurisdictions within Jackson County regarding economic development topics and projects." in paragraph number 8305. on page three.

[4631](#) Inter-Governmental Affairs Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[4629](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[18540](#) A RESOLUTION awarding a six-month term and supply contract for the furnishing of outpatient substance abuse treatment for use by the Prosecuting Attorney's Office's Drug Court Program to Heartland Center for Behavioral Change, d/b/a Kansas City Community Center of Kansas City, MO, under the terms and conditions of Request for Proposals No. 14-09.

(Anti-Drug Committee - 2nd. Meeting)

[18542](#) Land Use Committee moved to adopt. Consent Agenda.

[18546](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[18549](#) A motion was made by Dennis Waits, seconded by Greg Grounds, to adopt Resolution #18549 transferring \$250,000.00 within the 2014 Park Fund for the fabrication of a public work of art at the Albert A. Riederer Community Justice Complex. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

9 CONSENT AGENDA

[4631](#) AN ORDINANCE repealing chapter 83, Jackson County Code, 1984, consisting of sections 8300., 8301., 8302., 8303., 8304., 8305., 8306., and 8307., relating to the Economic Development Commission, and enacting, in lieu thereof, one new chapter, consisting of six new sections, relating to the Economic Development Authority.

(PERFECTED)

[4629](#) AN ORDINANCE enacting chapter 33., Jackson County Code, 1984, consisting of sections 3300., 3301., 3302., and 3303., relating to property assessed clean energy.

(ADOPTED)

[18542](#) A RESOLUTION awarding a contract for the furnishing and installation of a fuel line and dispensing system upgrade for use by the Parks + Rec Department to Petroleum Equipment, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 36-14, at an actual cost to the County not to exceed \$37,356.00.

(ADOPTED)

[18546](#) A RESOLUTION authorizing the County Executive to execute a three-year Agreement with AT&T Corporation of Kansas City, MO, to provide Plexar custom telephone services for use countywide, as a sole source purchase, at an annual cost to the County not to exceed \$49,538.00.

(ADOPTED)

A motion was made by Dan Tarwater, seconded by Dennis Waits, to approve the Consent Agenda. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[4632](#) Enacting chapter 95., Jackson County Code, 1984, consisting of sections 9500., 9501., 9502., 9503., 9504., and 9505., relating to the establishment of a Freedom Memorial Wall Commission
(Assigned to the Justice and Law Enforcement Committee.)

[4633](#) A motion was made by James D. Tindall, seconded by Dennis Waits to perfect Ordinance #4633. The motion passed by a voice vote.

(PERFECTED)

[4633](#) A motion was made by James D. Tindall, seconded by Dennis Waits to suspend the rules to consider final passage of Ordinance #4633. The motion passed by a voice vote.

(APPROVED)

Bob Spence, County Legislator, commented on the funding of Ordinance #4633.

[4633](#)

A motion was made by James D. Tindall, seconded by Dennis Waits, to adopt Ordinance #4633, appropriating \$131,073.00 from the undesignated fund balance of the 2014 Special Road and Bridge Fund for the renovation of the new headquarters for the Sheriff's Office. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

[4634](#)

A motion was made by James D. Tindall, seconded by Bob Spence to perfect Ordinance #4634. The motion passed by a voice vote.

(PERFECTED)

[4634](#)

A motion was made by James D. Tindall, seconded by Dan Tarwater to suspend the rules to consider final passage of Ordinance #4634. The motion passed by a voice vote.

(APPROVED)

[4634](#)

A motion was made by James D. Tindall, seconded by Dennis Waits, to adopt Ordinance #4634, appropriating \$12,385.00 from the undesignated fund balance of the 2014 Special Road and Bridge Fund in acceptance of insurance proceeds for the repair of vehicles for use by the Sheriff's Office. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[18550](#)

A motion was made by Dan Tarwater, seconded by Theresa Garza Ruiz, to adopt Resolution #18550 authorizing the Jackson County Legislature to hold a closed meeting on Monday, June 23, 2014, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(1) and 610.021(2) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

[18551](#)

A motion was made by Bob Spence, seconded by Theresa Garza Ruiz, to adopt Resolution #18551 awarding a contract on Bid No. PW 03-2014 for the 2014 Pavement Maintenance Project (asphaltic concrete overlay), No. 3175, to Superior Bowen Asphalt Co., LLC, of Kansas City, MO, at an actual cost to the County not to exceed \$1,135,908.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

[18552](#)

Awarding a twelve-month term and supply contract with four twelve-month options to extend, for the furnishing of bulk salt and treated salt for use by the Public Works Department to Central Salt, LLC, of Elgin, IL, under the terms and conditions of Mid-America Regional Council Contract No. 37, an existing government contract

(Assigned to the Public Works Committee.)

[18553](#)

A motion was made by Theresa Garza Ruiz, seconded by Crystal Williams, to adopt Resolution #18553 authorizing the County Executive to execute a Right of Entry Agreement with the Union Pacific Railroad, in connection with Phase II of the environmental assessment of the Old Rock Island Railroad Corridor. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

Chris Kline with the Economic Development Department, explained Resolution #18554.

[18554](#)

A motion was made by Theresa Garza Ruiz, seconded by Dennis Waits, to adopt Resolution #18554 awarding a contract and authorizing a twenty-year lease agreement for the furnishing and installation of a solar photovoltaic electric generating system for use at the Downtown Kansas City Courthouse to Brightergy of Kansas City, MO, under the terms and conditions of Request for Proposals No. 46-14, at an actual cost to the County for 2014 not to exceed \$600.00. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

No objection to the consideration of Resolutions #18555 and #18556 - not on printed agenda.

[18555](#)

A motion was made by James D. Tindall, seconded by Theresa Garza Ruiz, to adopt Resolution #18555 authorizing the County Executive to execute an addendum to the Housing Resources Commission Agreement the Salvation Army Linwood Center Supportive Housing Program, at no additional cost to the County. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

[18556](#)

A motion was made by Greg Grounds, seconded by Dan Tarwater, to adopt Resolution #18556 authorizing the County Counselor to settle the claims of Harvey J. Gregory, in the case styled Harvey J. Gregory v. Jackson County, Missouri, et al, No. 1316-CV02822, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$275,000.00. The motion passed by a roll call vote:

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

Excused: 1 - Fred Arbanas

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Dan Tarwater, County Legislator, welcomed Ken Bacchus in the audience.

14 NEW BUSINESS

The County Legislature went into closed session.

The County Legislature reconvened.

Resolution #18556 was adopted at this time. See page eight for details.

A motion was made by Dan Tarwater, seconded by Theresa Garza Ruiz, to excuse the absence of Fred Arbanas.

The motion passed by a voice vote.

15 ADJOURNMENT

A motion was made by Dennis Waits, seconded by Greg Grounds, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, June 30, 2014 at 2:30 P.M. in the Kansas City Legislative Assembly Area.