



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)*

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**Monday, August 29, 2011**

**2:30 PM**

**Thirty-fourth Regular Meeting**

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

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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, Greg Grounds and Bob Spence

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

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**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

James D. Tindall moved to approve the journal of the previous meeting held on 8/22/2011. Seconded by Scott Burnett.

**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**

*Little Blue Trace Park and Trail Presentation by Michele Newman, Director of Parks and Recreation. Mark Trosen, Deputy Director of Parks and Recreation and Bruce Wilke, Landscape Architect, were also present.*

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**6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

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- [4324](#) Repealing section 1072., Jackson County Code, 1984, relating to construction projects, and enacting, in lieu thereof, one new section relating to the same subject.  
*(WITHDRAWN BY SPONSOR TINDALL. CONCURRED BY TARWATER AND ARBANAS.)*  
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- [4329](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [4329](#) Fred Arbanas moved to perfect Ordinance #4329. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (PERFECTED)
- [4329](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4329. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [4330](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [4330](#) Fred Arbanas moved to perfect Ordinance #4330. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)
- [4330](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4330. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [4335](#) Public Works Committee moved to perfect.  
*Bob Spence objects to the Consent Agenda.*  
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- [4335](#) Bob Spence moved to perfect Ordinance #4335. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)

[4335](#)

Bob Spence moved to suspend the rules to consider final passage of Ordinance #4335.  
Seconded by Dan Tarwater.

**The motion passed by a voice vote.**

(APPROVED)

*Consent Agenda. See Final Passage of Proposed Ordinances.*

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

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[4329](#)

Consent Agenda.

[4330](#)

Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

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[17650](#) Land Use Committee moved do pass. Consent Agenda.

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[17654](#) Public Works Committee moved do pass. Consent Agenda.

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**9 CONSENT AGENDA**

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[4329](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of fifteen years to continue to operate a child day care center, subject to specified conditions, as to a .49 ± acre tract.

(ADOPTED)

[4330](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3 ± acres tract from District A (Agricultural) to District RE (Residential Estates) and creating a one-lot subdivision to be know as "Freer's Place."

(ADOPTED)

[4335](#) AN ORDINANCE appropriating \$14,313.00 from the fund balance of the 2011 Special Road and Bridge Fund in acceptance of funds from the City of Grain Valley and awarding a contract on Bid No. PW 05-2011 for the Buckner Tarsney Bridge Debris Removal Project, No. 3143, to J&N Utilities, Inc., of Blue Springs, MO, at a cost to the County not to exceed \$28,625.00.

(ADOPTED)

[17650](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the City of Kansas City, Missouri, to provide for the extension of the Little Blue Trace Trail between Lee's Summit Road and Longview Lake.

(ADOPTED)

[17654](#) A RESOLUTION awarding twenty-four month term and supply contracts with three twelve-month options to extend for the furnishing of electrician service for use by the Parks and Recreation and Public Works Departments to Mark One Electric Company, Inc., of Kansas City, MO, and to R.F. Fisher Electric Company, LLC, of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 43-11.

(ADOPTED)

To adopt Ordinances 4329, 4330, 4335. To adopt Resolutions 17650, 17654.

Dan Tarwater moved the passage of the consent agenda. Seconded by James D. Tindall. 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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[4337](#) Dan Tarwater moved to perfect Ordinance #4337. Seconded by Theresa Garza Ruiz.

**The motion passed by a voice vote.** (PERFECTED)

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[4337](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4337. Seconded by Theresa Garza Ruiz.

**The motion passed by a voice vote.** (APPROVED)

[4337](#) Dan Tarwater moved the passage of Ordinance #4337 as perfected, appropriating \$78,858.00 from the fund balance of the 2011 Anti-Drug Sales Tax Fund in acceptance of the State of Missouri Drug Courts Coordinating Commission Family Drug Court Program Grant for use by the Family Court Division. 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)

[4338](#) James D. Tindall moved to perfect Ordinance #4338. Seconded by Dan Tarwater.

**The motion passed by a voice vote.** (PERFECTED)

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[4338](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4338. Seconded by Bob Spence.

**The motion passed by a voice vote.** (APPROVED)

[4338](#) James D. Tindall moved the passage of Ordinance #4338 as perfected, appropriating \$6,076.00 from the fund balance of the 2011 General Fund in acceptance of a reimbursement from the federal judiciary for monetary sanctions paid related to inmate population control issues. 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)

[4339](#) Repealing schedule II to chapter 2, Jackson County Code, 1984, relating to the salaries of County employees not within the merit system.

*(Finance and Audit Committee)*

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## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17659](#) Scott Burnett moved the passage of Resolution #17659, commending Operation Breakthrough in celebration of its 40th anniversary of providing a safe, loving, and educational environment for children and families in Jackson County. 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)

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[17660](#) Awarding twelve-month term and supply contracts for the furnishing of personal computers and miscellaneous computer software and hardware for use by various County departments to Dell Marketing of Round Rock, TX, Hewlett Packard of Houston, TX, Software House International of Dallas, TX, and World Wide Technology of St. Louis, MO, under the terms and conditions set forth in Western States Contracting Alliance Contracts Nos. B27160 and B27164, State of Kansas Contract No. 07359, and State of Missouri Contract No. C211034001, all existing government contracts.

*(Finance and Audit Committee)*

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[17661](#) Awarding twenty-four month term and supply contracts, with three twelve-month options to extend, for the furnishing of paint and painting supplies for use by various County departments to PPG Porter Paint Company of Kansas City, MO, and Professional Paint and Coatings, LLC of Independence, MO, under the terms and conditions of Invitation to Bid No. 38-11.

*(Finance and Audit Committee)*

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[17662](#) Fred Arbanas moved the passage of Resolution #17662, awarding twenty-four month term and supply contracts with three twelve-month options to extend, for the furnishing of bluegrass and zoysia sod for use by the Parks and Recreation Department to Meyers Company, Inc., of Stilwell, KS, and EZ Enterprises d/b/a Greenhaven Sod & Landscaping, of Riverside, MO, under the terms and conditions of Electronic Solicitation No. BB201120. Seconded by Bob Spence.

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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[17663](#)

Dan Tarwater moved the passage of Resolution #17663, authorizing the Jackson County Legislature to hold a closed meeting on Monday, August 29, 2011, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by James D. Tindall.

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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[17664](#)

Recognizing Kristen Merrell of the Lee's Summit R-7 School District on the prestigious honor of being named Missouri Teacher of the Year.

*(Legislature As A Whole)*

*No objection to the consideration of Resolution #17665 - not on printed agenda.*

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[17665](#)

Scott Burnett moved the passage of Resolution #17665, authorizing the County Counselor to settle the claims of Deena Bailey for the total payment by the County of \$5,500.00. Seconded by Greg Grounds.

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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## 12 COUNTY EXECUTIVE ORDERS

*None.*

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## 13 UNFINISHED BUSINESS

Scott Burnett, County Legislator, thanked Curtis Koons, Director of Assessment and Ed Stoll, Director of Collections and their staff for all their help with informal appeals and with the sale of property today that took place on the courthouse steps at the Kansas City Courthouse.

Dennis Waits asked Shelley Temple-Kneuvean to come forward to answer any questions pertaining to a Resolution adopted last week.

Shelley Temple-Kneuvean, Deputy Chief Administrative Officer, explained Resolution #17648 adopted August 22, 2011 regarding a fifty-year lease for the use and renovation of the County-owned building located at 200 S. Main in Independence, Missouri.

Discussion.

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**14 NEW BUSINESS**

The County Legislature goes in to closed session.

The County Legislature reconvenes.

Resolution #17665 was adopted at this time. See page 5 for details.

**15 ADJOURNMENT**

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

**The motion passed by a voice vote.**

(APPROVED)

*The County Legislature will not meet the week of September 6, 2011 in observance of the Labor Day Holiday.*

*Meeting adjourned until Monday, September 12, 2011 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*

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