



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

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

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Monday, November 29, 2010

2:30 PM

Forty-sixth Regular Meeting

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

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Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

Present: Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits,  
Dan Tarwater and Bob Spence  
Absent: Theresa Garza Ruiz and Greg Grounds

**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 11/22/2010.  
Seconded by Dennis Waits.

**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.

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

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- [4267](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [4267](#) Fred Arbanas moved to perfect Ordinance #4267. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)
- [4267](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4267.  
Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [4268](#) Anti-Drug Committee moved to perfect.  
*Dan Tarwater objects to the Consent Agenda.*  
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- [4268](#) Dan Tarwater moved to perfect Ordinance #4268. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [4268](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4268.  
Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [4269](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.  
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- [4270](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [4270](#) Fred Arbanas moved to perfect Ordinance #4270. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)
- [4270](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4270.  
Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*

[4271](#) Finance and Audit Committee moved to perfect.

*Scott Burnett objects to the Consent Agenda.*

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[4271](#) Scott Burnett moved to perfect Ordinance #4271. Seconded by Dan Tarwater.

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

(PERFECTED)

[4271](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #4271. Seconded by Dan Tarwater.

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

(APPROVED)

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

[4272](#) Justice and Law Enforcement Committee moved to perfect.

*James D. Tindall objects to the Consent Agenda.*

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[4272](#) James D. Tindall moved to perfect Ordinance #4272. Seconded by Dennis Waits.

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

(PERFECTED)

[4272](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4272. 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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[4267](#) Consent Agenda.

[4268](#) Consent Agenda.

[4270](#) Consent Agenda.

[4271](#) Consent Agenda.

[4272](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

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[17412](#) Anti-Drug Committee moved do pass. Consent Agenda.

[Play Video](#)

[17414](#) Justice and Law Enforcement Committee moved do pass. Consent Agenda.

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[17417](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[17419](#) Finance and Audit Committee moved do pass. Consent Agenda.

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**9 CONSENT AGENDA**

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[4269](#) AN ORDINANCE appropriating \$49,397.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Girl Specialized Caseload and Girls Circle Program Grant received from the Missouri Department of Public Safety.

(PERFECTED)

[4267](#) AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges, and enacting, in lieu thereof, a new schedule relating to the same subject.

(ADOPTED)

[4268](#) AN ORDINANCE appropriating \$366,332.00 from the fund balance of and transferring \$92,854.00 within the 2010 Anti-Drug Sales Tax Fund and transferring \$12,000.00 within the 2010 General Fund in acceptance of a grant awarded by the U.S. Department of Justice.

(ADOPTED)

[4270](#) AN ORDINANCE enacting section 286., Jackson County Code, 1984, relating to the compensation of certain County employees.

(ADOPTED)

[4271](#) AN ORDINANCE appropriating \$270,000.00 from the fund balance of the 2010 General Fund to cover the costs of unbudgeted vacation and sick leave payouts during the 2010 fiscal year.

(ADOPTED)

[4272](#) AN ORDINANCE appropriating \$213,735.00 from the fund balance of the 2010 General Fund and authorizing the County Executive to award a contract for the furnishing of a closed circuit television system upgrade for use by the Department of Corrections to Sound Products of Lenexa, KS, under the terms and conditions of Request for Proposals No. 40-10, at a cost to the County not to exceed \$213,734.33.

(ADOPTED)

[17412](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with the U.S. Department of Justice, United States Attorney's Office for the Western District of Missouri, for the purpose of funding a comprehensive assessment of the County's gang problem, at a cost to the County not to exceed \$35,000.00.

(ADOPTED)

[17414](#) A RESOLUTION transferring \$432,000.00 within the 2010 General Fund and transferring \$122,000.00 within the 2010 Anti-Drug Sales Tax Fund to cover projected year-end account deficits within the Department of Corrections.

(ADOPTED)

[17417](#) A RESOLUTION awarding a twenty-four month term and supply contract, with two twelve-month options for extension, for the printing and mailing of business and individual personal property declaration forms, assessment notices, and envelopes for use by the Assessment Department to Strahm Automation & Mailing of Kansas City, MO, under the terms and conditions of Electronic Solicitation No. BB201023.

(ADOPTED)

[17419](#) A RESOLUTION authorizing the County Executive to execute a Management Agreement with the Downtown Community Improvement District for the furnishing of maintenance and safety-related services at the County's properties located in the Central Business District loop of Kansas City, MO, at a cost to the County not to exceed \$50,000.00.

(ADOPTED)

To perfect Ordinance 4269. To adopt Ordinances 4267, 4268, 4270, 4271, 4272. To adopt Resolutions 17412, 17414, 17417, 17419.

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

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4273](#) Dennis Waits moved to perfect Ordinance #4273. Seconded by Dan Tarwater.  
*Bob Spence objects to the consideration of Ordinance #4273 - not on printed agenda.*

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[4273](#) Authorizing and directing the issuance, sale, and delivery of not to exceed \$1,180,000.00 principal amount of tax exempt special obligation bonds (MyARTS Building Project) Series 2010, of Jackson County, Missouri, and authorizing certain other documents and actions in connection therewith.

*(Budget Committee)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17420](#) Dan Tarwater moved the passage of Resolution #17420, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 29, 2010, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) and (3) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Dennis Waits.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

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[17421](#) Awarding a twelve (12) month term and supply contract with four (4) twelve (12) month options to extend for vehicle liability insurance for use countywide to the Missouri Public Entity Risk Management Fund (MOPERM) of Jefferson City, Missouri, pursuant to Request for Proposals No. 41-10.

*(Finance and Audit Committee)*

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[17422](#) Bob Spence moved the passage of Resolution #17422, authorizing the County Executive to execute an Agreement for Environmental Services with the City of Lake Lotawana. Seconded by Dennis Waits.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

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[17423](#)

Dan Tarwater moved the passage of Resolution #17423, congratulating John J. Rizzo on his election to the Missouri General Assembly. Seconded by James D. Tindall.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

*Comments by Dennis Waits, Dan Tarwater, James D. Tindall and Scott Burnett, County Legislators.*

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[17424](#)

James D. Tindall moved the passage of Resolution #17424, authorizing the County Executive to execute a cooperative agreement with the Southern Christian Leadership Conference for partial funding of the 2011 Martin Luther King Birthday Celebration at a cost to the County not to exceed \$60,000.00. Seconded by Dan Tarwater.

Yes: 6 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits and Dan Tarwater

No: 1 - Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

*Bob Spence, County Legislator, made comments regarding Resolution #17424.*

*No objection to the consideration of Resolution #17425 - not on printed agenda.*

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[17425](#)

Dennis Waits moved the passage of Resolution #17425, recognizing the Honorable W. Stephen Nixon for 24 years of service to the Independence Youth Court. Seconded by Dan Tarwater.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

*No objection to the consideration of Resolution #17426 - not on printed agenda.*

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[17426](#)

Dennis Waits moved the passage of Resolution #17426, authorizing the County Counselor to settle the claims of Louella Wilkins in the case styled Louella Wilkins vs. Jackson County, MO, Case 0816-CV19031, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$25,000.00. Seconded by Bob Spence.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Theresa Garza Ruiz and Greg Grounds

(ADOPTED)

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**12 COUNTY EXECUTIVE ORDERS**

*None.*

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**13 UNFINISHED BUSINESS**

Fred Arbanas, County Legislator, recognized the Missouri Tigers and Central Missouri for their victories this past weekend. He also mentioned that Lee's Summit West won the state championship in football and Rockhurst won the state championship in football, swimming, diving and soccer.

Dennis Waits recognized Fred's grandson, Frank Arbanas who was the quarterback for Rockhurst as well as his other grandson who is a freshman playing varsity football.

Dan Tarwater said Frank Arbanas was mentioned with Coach Severino on the front page of the Sports section in Saturday's edition of the Kansas City Star.

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**14 NEW BUSINESS**

The County Legislature went into closed session.

The County Legislature reconvened.

Resolution #17426 was adopted at this time. See page 6 for details.

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**15 ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Dan Tarwater.

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

(APPROVED)

*Meeting adjourned until Monday, December 6, 2010 at 2:30 P.M. in the Kansas City Legislative Assembly Area.*

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