

Jackson County Missouri

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



Meeting Minutes (Long)

Monday, November 9, 2009

2:30 PM

Forty-third Regular

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

*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)*

1 ROLL CALL

Henry C. Rizzo, Chairman

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

Absent: Scott Burnett

2 THE PLEDGE OF ALLEGIANCE

Recited

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on November 2, 2009. Seconded by Theresa Garza Ruiz. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said it was necessary to have a closed session today to discuss a personnel matter. He said the meeting was informational only and no action would be taken today.

He recognized Lt. Ron Bearce, with the Corrections Department, as September 2009 Employee of the Month.

Mike Sanders thanked Ken Conlee, Director of Corrections, for his hard work at the regional correctional center. He said Ken has provided great management and leadership for the jail.

Ken Conlee gave a 90 day report on the jail.

Henry C. Rizzo said the County Legislature will meet at 9 A.M. on Tuesday, December 1 instead of Monday, November 30, in the Kansas City Legislative Assembly Area. Budget hearings will begin after the meeting.

Resolutions #17077 and #17078 were adopted at this time. See page 5 for details.

Resolutions #17071 through #17075 were withdrawn at this time. See page 4 for details.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

4163 AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RS (Residential Suburban) a certain 1± acre tract.

The Land Use Committee will have a public hearing on Friday, November 13, 2009 at 1 P.M. at Fleming Hall.

4167 AN ORDINANCE transferring \$21,038.00 within the 2009 Anti-Drug Sales Tax Fund, appropriating \$210,380.00 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of a grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute Cooperative Agreements with Arts Tech and Deana Bellamaganya for the Prosecuting Attorney's Office's Sentenced to the Arts program, at an aggregate cost to the County not to exceed \$231,418.00.

Dan Tarwater objects to the Consent Agenda.

Consent Agenda

Dan Tarwater moved to perfect. Seconded by Dennis Waits. The motion passed by a voice vote.

Consent Agenda. See Final Passage of Proposed Ordinances.

Dan Tarwater moved to suspend the rules to consider final passage. Seconded by Dennis Waits. The motion passed by a voice vote.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

4164 AN ORDINANCE appropriating \$1,130,734.01 from the fund balance of the 2009 Grant Fund in acceptance of the 2009 Justice Assistance Grant (JAG) Recovery Grant from the U. S. Department of Justice.

Justice and Law Enforcement Committee moved to perfect. Consent agenda.

4165 AN ORDINANCE appropriating \$1,044,855.00 from the fund balance of the 2009 Grant Fund in acceptance of the 2009 Byrne Justice Assistance Grant (JAG) from the U. S. Department of Justice and authorizing the County Executive to execute an Interlocal Agreement pursuant to the terms of the grant award with the Cities of Kansas City, Blue Springs, Grandview, Independence, Raytown, Lee's Summit, and the Board of Police Commissioners of Kansas City for the County's distribution of the grant award proceeds, at a cost to the County not to exceed \$697,286.00.

Justice and Law Enforcement Committee moved to perfect. Consent agenda.

4167 AN ORDINANCE transferring \$21,038.00 within the 2009 Anti-Drug Sales Tax Fund, appropriating \$210,380.00 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of a grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute Cooperative Agreements with Arts Tech and Deana Bellamaganya for the Prosecuting Attorney's Office's Sentenced to the Arts program, at an aggregate cost to the County not to exceed \$231,418.00.

Anti-Drug Committee moved to perfect. Consent agenda.

8 RESOLUTIONS IN COMMITTEE

17045 A RESOLUTION transferring \$20,940.00 within the 2009 General Fund and awarding a twelve (12) month term and supply contract, with a twelve (12) month extension option, for the furnishing of parking spaces for use by County employees currently parking in spaces located at 1120 Oak Street to Diamond Executive Services of Parkville, MO, under the terms and conditions of Invitation to Bid No. 44-09.

assign to committee to Finance and Audit Committee

17054 A RESOLUTION awarding a contract for the purchase of soccer goals for use by the Parks and Recreation Department to Gametime c/o Cunningham Associates, Inc., of Charlotte, NC, under the terms and conditions of State of North Carolina Contract No. 040376.13, an existing government contract, at an actual cost to the County not to exceed \$33,301.85.

Land Use Committee moved to perfect. Consent agenda.

17055 A RESOLUTION authorizing Change Order No. 1 to the contract with Miles Excavating Inc., of Kansas City, KS, for the Intersection Improvements, Gregory Boulevard and Lee's Summit Road Project, No. 3083, increasing the contract amount by \$80,730.00.

Public Works Committee moved to perfect. Consent agenda.

17056 A RESOLUTION awarding a contract on Bid No. PW 08-2009 for the Longview Road, Hickman Mills drive to Orchard/Applewood Drive, Project No. 3088, to Freeman Concrete Construction, LLC, of Shawnee Mission, KS, at a total cost to the County not to exceed \$1,257,425.36, 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 moved to perfect. Consent agenda.

17058 A RESOLUTION awarding a contract for the furnishing of steel marina decking for use by the Parks and Recreation Department to Premier Materials of Minneapolis, MN, under the terms and conditions of Electronic Solicitation No. BB200945, at a cost to the County not to exceed \$70,803.20.

Land Use Committee moved to perfect. Consent agenda.

17069 A RESOLUTION awarding a contract for the furnishing of telecommunications connectivity for countywide use to Sure West of Lenexa, KS, under the terms and conditions of Request for Proposal No. 39-09, and authorizing the County Executive to execute the agreement, at a total five year cost to the County not to exceed \$622,005.00, with \$10,366.75 payable for the 2009 fiscal year.

Finance and Audit Committee moved to perfect. Consent agenda.

9 CONSENT AGENDA

4164 AN ORDINANCE appropriating \$1,130,734.01 from the fund balance of the 2009 Grant Fund in acceptance of the 2009 Justice Assistance Grant (JAG) Recovery Grant from the U. S. Department of Justice.

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countywide use to Sure West of Lenexa, KS, under the terms and conditions of Request for Proposal No. 39-09, and authorizing the County Executive to execute the agreement, at a total five year cost to the County not to exceed \$622,005.00, with \$10,366.75 payable for the 2009 fiscal year.

To adopt Ordinances 4164, 4165, 4167. To adopt Resolutions 17054, 17055, 17056, 17058, 17069.

A motion was made by County Legislator Tarwater, seconded by County Legislator Waits, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Scott Burnett

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

17071 A RESOLUTION congratulating Barbara Potts on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)

17072 A RESOLUTION congratulating Beth Smith on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)

17073 A RESOLUTION congratulating Hila "Dutch" Newman on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)

17074 A RESOLUTION congratulating Rafaela "Lali" Garcia on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)

17075 A RESOLUTION congratulating Carol Jean Mays on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)

17076 A RESOLUTION authorizing the County Executive to execute a termination agreement to the lease with the Missouri Department of Conservation for the construction and operation of a public shooting facility.

assign to committee to Land Use Committee

17077 A RESOLUTION congratulating Angela Larson upon receiving an ING Unsung Heroes grant for 2009.

Bob Spence moved to adopt. Seconded by Dan Tarwater. The motion passed by a roll call vote:

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

Absent: 1 - Scott Burnett

17078 A RESOLUTION congratulating Lee's Summit on its success in the downtown revitalization

strategies, and on receipt of three Downtown Revitalization Awards.

No objection to the consideration of Resolutions #17079 and #17080 - not on printed agenda.

Bob Spence moved to adopt. Seconded by Dan Tarwater. The motion passed by a roll call vote:

Votes: Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

17079 A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 9, 2009, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(1) and 610.021(3) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

Dan Tarwater moved to adopt. Seconded by Dennis Waits. The motion passed by a roll call vote:

Votes: Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

17080 A RESOLUTION congratulating the Kansas City Ballet on the groundbreaking of the Todd Bolender Center for Dance and Creativity.

Dan Tarwater moved to adopt. Seconded by Theresa Garza Ruiz. The motion passed by a roll call vote:

Votes: Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

The County Legislature went into closed session.

The County Legislature reconvened.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Meeting adjourned until Monday, November 16, 2009 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

Dan Tarwater moved to adjourn the meeting. Seconded by Dennis Waits. The motion passed by a voice vote.