



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)*

Monday, October 31, 2011

2:30 PM

Forty-second Regular Meeting

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

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, Dan Tarwater, Greg Grounds and Bob Spence
Absent: Dennis Waits

2 THE PLEDGE OF ALLEGIANCE

Recited.

[Play Video](#)

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 10/24/2011.
Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

[Play Video](#)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Kansas City Regional Rail Presentation. Tom Gerend, Assistant Director of Transportation with MARC, distributed a handout titled Jackson County Commuter Corridors Alternatives Analysis - Project Overview. Also present was Lisa Koch, Senior Planner and Deputy Project Manager with Parsons Brinckerhoff Transit and Rail Systems. Pete Levi, Shareholder and Beverly Pheto, Senior Policy Advisor, both with Polsinelli Shughart, provided a handout titled Federal Update.

Additional public hearings will be held November 29, 30 and December 1. Details will be provided at a later date.

Discussion.

[Play Video](#)

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[Play Video](#)

[4359](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[Play Video](#)

[4359](#)

Fred Arbanas moved to perfect Ordinance #4359. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[4359](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4359. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4360](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[Play Video](#)

[4360](#)

Fred Arbanas moved to perfect Ordinance #4360. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[4360](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4360. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4366](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[Play Video](#)

[4366](#)

Fred Arbanas moved to perfect Ordinance #4366. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[4366](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4366. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[Play Video](#)

[4359](#) Consent Agenda.

[4360](#) Consent Agenda.

[4366](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[Play Video](#)

[17702](#) Justice and Law Enforcement Committee moved do pass. Consent Agenda.

[Play Video](#)

[17703](#) Health and Environment Committee moved do pass. Consent Agenda.

[Play Video](#)

[17704](#) Land Use Committee moved do pass. Consent Agenda.

[Play Video](#)

9 CONSENT AGENDA

[Play Video](#)

[4359](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 0.02 ± acres from District A (Agricultural) and District GB (General Business) to District LI-p (Light Industrial-planned).

(ADOPTED)

[4360](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty-five years for an ash holding basin, subject to specified conditions, as to a 6.51 ± acre tract.

(ADOPTED)

[4366](#) AN ORDINANCE appropriating \$279,216.00 from the fund balance of 2011 Park Fund to cover the cost of legal fees relating to the Fort Osage Education Center litigation.

(ADOPTED)

[17702](#) A RESOLUTION transferring \$200,838.00 within the 2011 General Fund to cover the costs of remodeling portions of the 9th floor of the downtown Kansas City Courthouse to create a second Probate Division courtroom.

(ADOPTED)

[17703](#) A RESOLUTION transferring \$30,000.00 within the 2011 Health Fund to cover unanticipated cost overruns to fund indigent burial fees.

(ADOPTED)

[17704](#) A RESOLUTION awarding a contract for the furnishing of playground equipment for use by the Parks and Recreation Department, to Athco, LLC, of Lenexa, Kansas, under the terms and conditions of Invitation to Bid No. 60-11, at a cost to the County not to exceed \$34,685.00.

(ADOPTED)

To adopt Ordinances 4359, 4360, 4366. To adopt Resolutions 17702, 17703, 17704.

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

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

Absent: 1 - Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[Play Video](#)

[4367](#) Appropriating \$49,930.00 from the fund balance of the 2011 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.

(Justice and Law Enforcement Committee)

[Play Video](#)

[4368](#) James D. Tindall moved to perfect Ordinance #4368. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

[Play Video](#)

[4368](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4368. Seconded by Dan Tarwater.

The motion passed by a voice vote. (APPROVED)

Discussion.

[4368](#)

James D. Tindall moved the passage of Ordinance #4368 as perfected, appropriating \$25,100.00 from the fund balance of the 2011 Federal Forfeiture Fund and awarding a twelve-month term and supply contract with two twelve-month options to extend for the furnishing of refurbished laptop computers for use by the Sheriff's Office from Telrepc of Wallingford, CT, under the terms and conditions of Invitation to Bid No. 57-11. Seconded by Dan Tarwater.

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

Absent: 1 - Dennis Waits

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[Play Video](#)

[17705](#)

James D. Tindall moved the passage of Resolution #17705, authorizing the County Executive to execute an Agreement with the Missouri State Highway Patrol in acceptance of a Sex Offender Registration Notification Act (SORNA) Kiosk, for use by the Sheriff's Office, at no cost to the County for 2011. Seconded by Dan Tarwater.

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

Absent: 1 - Dennis Waits

(ADOPTED)

[Play Video](#)

[17706](#)

Fred Arbanas moved the passage of Resolution #17706, authorizing the County Executive to execute agreements with certain organizations to provide services in connection with the 2011 Christmas in the Park event, at an aggregate cost to the County not to exceed \$39,000.00. Seconded by Bob Spence.

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

Absent: 1 - Dennis Waits

(ADOPTED)

[Play Video](#)

[17707](#)

Transferring \$179,000.00 within the 2011 Anti-Drug Sales Tax Fund to cover the costs of officers from other cities working for the Jackson County Multi-Jurisdictional Drug Task Force.

(Anti-Drug Committee)

[Play Video](#)

[17708](#) Awarding a twenty-four month term and supply contract, with three twelve-month options to extend, for the furnishing of auction services for use countywide to Affiliated Auctioneers of Kansas City, MO, under the terms and conditions of the Mid-America Regional Council's Contract No. 50, an existing government contract.

(Finance and Audit Committee)

Discussion.

Bob Spence, County Legislator, requested financial information from last year regarding Resolution #17709.

[Play Video](#)

[17709](#) James D. Tindall moved the passage of Resolution #17709, authorizing the County Executive to execute a contract with the Kansas City Metropolitan Crime Commission to provide Crime Stoppers TIPS Hotline services for use by the Sheriff's Office, at a cost to the County not to exceed \$5,000.00. Seconded by Dan Tarwater.

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

Absent: 1 - Dennis Waits

(ADOPTED)

[Play Video](#)

[17710](#) Transferring \$38,000.00 within the 2011 General Fund to cover the cost of budget shortfalls for seasonal and part-time employees and overtime within the Circuit Court.

(Finance and Audit Committee)

[Play Video](#)

[17711](#) Transferring \$272,000.00 within the 2011 General Fund for the purchase of updated computer equipment for use by the Circuit Court.

(Finance and Audit Committee)

[Play Video](#)

[17712](#) Transferring \$771,583.00 within the 2011 General Fund to cover the cost of budget shortfalls for seasonal employees and overtime costs within the Family Court Division.

(Finance and Audit Committee)

[Play Video](#)

[17713](#) Transferring \$323,332.00 within the 2011 General Fund to cover the cost of capital improvement projects within the Family Court Division.

(Finance and Audit Committee)

[Play Video](#)

[17714](#) Dan Tarwater moved the passage of Resolution #17714, authorizing the County Executive to execute a second addendum to the contract for the furnishing of LEWeb law enforcement computer information services for use by the Jackson County Drug Task Force with the Regional Justice Information Services (REJIS) Commission, of St. Louis, MO, in an amount for 2011 not to exceed \$397.50. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

[Play Video](#)

[17715](#) Authorizing a payment in the amount of \$16,407.00 to the Central Jackson County Fire District, for a share of the cost of a regional area dispatching study.

(Justice and Law Enforcement Committee)

[Play Video](#)

[17716](#) Awarding a contract for the furnishing of two air handling units and three rooftop air conditioning units for use by the Facilities Management Division of the Public Works Department, to U.S. Engineering Company of Kansas City, MO, under the terms and conditions of Request for Proposals No. 58-11, at cost to the County not to exceed \$112,345.00, and awarding a contract for the furnishing of environmental abatement services to New Horizons Enterprises, LLC, of Kansas City, MO, in an amount not to exceed \$3,500.00, under the terms and conditions of the City of Kansas City, Missouri Contract No. EV00000612-07, an existing government contract, and authorizing the Director of Public Works to execute change orders in an amount not to exceed \$12,316.00, for a total aggregate cost not to exceed \$128,161.00.

(Public Works Committee)

Rochelle Neal, Deputy Director of Human Resources explained Resolution #17717.

[Play Video](#)

[17717](#) Fred Arbanas moved the passage of Resolution #17717, awarding a twelve-month term and supply contract with three twelve-month options to extend for group life, additional life, and dependent life insurance for use countywide to the USABLE Life of Little Rock, AR, under the terms and conditions of Request for Proposals No. 68-11. Seconded by Theresa Garza Ruiz.

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

(ADOPTED)

[Play Video](#)

[17718](#)

Transferring \$297,549.00 within the 2011 General Fund and awarding a contract for the furnishing of vehicles for use by the Corrections Department and the Prosecuting Attorney's Office, to Dick Smith Ford of Raytown, MO, under the terms and conditions of Johnson County, Kansas Joint Governmental Fleet Contract No. 2011-0490, an existing government contract, and awarding a contract for the furnishing of van conversion services for use by the Department of Corrections to Handicap Conversions, Inc., of Kansas City, MO, as a sole source purchase, at a total aggregate cost to the County not to exceed \$320,549.00.

(Justice and Law Enforcement Committee)

No objection to the consideration of Resolution #17719 - not on printed agenda.

[Play Video](#)

[17719](#)

Dan Tarwater moved the passage of Resolution #17719, transferring \$12,000.00 within the Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an agreement with Niles Home for Children, an agency funded by the Anti-Drug Sales Tax Fund, which engages in anti-drug education and referral activities, at a cost to the County not to exceed \$12,000.00. Seconded by James D. Tindall.

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

Absent: 1 - Dennis Waits

(ADOPTED)

[Play Video](#)

12 COUNTY EXECUTIVE ORDERS

[Play Video](#)

[11-19](#)

A. Executive Orders #11-13 and #08-23 are hereby rescinded.

B. Pursuant to section 706.1, Jackson County Code, 1984, I hereby promulgate the attached Personnel Rules for Jackson County Employees.

[Play Video](#)

[11-20](#)

I hereby make the following appointments to the various TIF Commissions. A copy of Mr. Hudson's resume is attached. All others are County employees.

Jurisdiction	Jackson County Appointee	Jackson County Appointee
Blue Springs	Mark Trosen	Ferdinand E. Niemann, IV
Grain Valley	Mark Trosen	Daniel A. Moye
Grandview	Mark Trosen	Daniel A. Moye
Independence	Mark Trosen	Ferdinand E. Niemann, IV
Kansas City	Calvin Williford	Scott Jacoby
Lee's Summit	Joe Hudson	Ferdinand E. Niemann, IV
Raytown	Mark Trosen	Daniel A. Moye
Sugar Creek	Mark Trosen	Daniel A. Moye
Oak Grove	Ferdinand E. Niemann, IV	Daniel A. Moye

13 UNFINISHED BUSINESS

None.

[Play Video](#)

14 NEW BUSINESS

Dan Tarwater, County Legislator, asked Steve Nixon, County Counselor, if legislation would be introduced next week regarding construction easements along Longview Road. Steve Nixon said his office will work to have it ready for the upcoming agenda.

[Play Video](#)

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by James D. Tindall.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, November 7, 2011 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

[Play Video](#)