



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

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)

Monday, July 13, 2009

2:30 PM

Twenty-seventh Regular Meeting

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

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

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 7/6/2009.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Resolution #16956 was adopted at this time. See page 4 for details.

*Greg Grounds moved to excuse Theresa Garza Ruiz from the meeting. Seconded by
Dennis Waits.*

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

*Mike Sharp, Sheriff, presented a 35 year service pin to Captain Chris Campbell and a 30
year service pin to Sergeant Steve Leone.*

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

*Mike Sanders, County Executive, discussed Ordinance #4120 relating to the Regional
Correctional Center Initiative.*

Discussion.

Ordinance #4120 was adopted at this time. See page 4 for details.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Dennis Waits moved to waive the reading of Ordinance #4111. Seconded by Henry C. Rizzo.

The motion passed by a voice vote. (APPROVED)

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[4111](#)

AN ORDINANCE repealing sections 5200., 5210., 5280., 5281., 5284., 5285., 5500., Jackson County Code, 1984, relating to the traffic and petty offense code, and enacting, in lieu thereof, seven new sections relating to the same subject.

(Finance and Audit Committee - 3rd. Perfection)

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[4112](#)

Consent Agenda.

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8 RESOLUTIONS IN COMMITTEE

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[16953](#)

Health and Environment Committee moved do pass.

Bob Spence objects to the Consent Agenda.

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[16953](#)

Dennis Waits moved the passage of Resolution #16953, authorizing the County Executive to execute Cooperative Agreements with certain outside agencies funded by the County's Health Fund, for various public health purposes, at an aggregate cost to the County not to exceed \$56,562.00. Seconded by Dan Tarwater.

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

No: 1 - Bob Spence

Excused: 1 - Theresa Garza Ruiz

(ADOPTED)

9 CONSENT AGENDA

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[4112](#)

AN ORDINANCE appropriating \$4,650.00 from the fund balance of the 2009 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Office of State Courts Administrator for the Domestic Violence Spanish Translation Project.

(ADOPTED)

To adopt Ordinance 4112.

Dan Tarwater moved the passage of the consent agenda. Seconded by Henry C. Rizzo. The motion passed by a roll call vote:

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

Excused: 1 - Theresa Garza Ruiz

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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- [4114](#) Appropriating \$13,000.00 from the fund balance of the 2009 Grant Fund in acceptance of the Juvenile Detention Alternative Initiatives grant awarded by the Missouri Office of the State Courts Administrator and extending the contract period through October 31, 2009.
(Justice and Law Enforcement Committee)

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- [4116](#) Appropriating \$21,891.00 from the fund balance of the 2009 Grant Fund in acceptance of a grant awarded to the Family Court Division by the North West Communities Development Corporation for the Success Court Program for the period of July 1, 2009 through May 30, 2010.
(Justice and Law Enforcement Committee)

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- [4117](#) Appropriating \$21,891.00 from the fund balance of the 2009 Grant Fund in acceptance of a grant awarded to the Family Court Division by the North West Communities Development Corporation for the Success Court Program for the period of July 1, 2008 through June 30, 2009.
(Justice and Law Enforcement Committee)

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- [4118](#) Dennis Waits moved to perfect Ordinance #4118. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(PERFECTED)

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- [4118](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4118. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Bob Spence, County Legislator, offered an amendment to Ordinance #4118.

Fred Arbanas, County Legislator, said the motion was out of order because it is against the rules to amend legislation after it has been perfected.

- [4118](#) Dennis Waits moved the passage of Ordinance #4118 as perfected, authorizing the selection of an underwriter related to the Jackson County, Missouri Special Obligation bonds (Animal Shelter Project), Series 2009; and authorizing certain other actions in connection with the issuance of said bonds. Seconded by Henry C. Rizzo.
- Yes: 7 - Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds
No: 1 - Bob Spence
Excused: 1 - Theresa Garza Ruiz
- (ADOPTED)
- [4119](#) Dennis Waits moved to perfect Ordinance #4119. Seconded by Bob Spence.
- The motion passed by a voice vote.** (PERFECTED)
- Discussion.*
- [Play Video](#)
- [4119](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4119. Seconded by Henry C. Rizzo.
- The motion passed by a voice vote.** (APPROVED)
- [4119](#) Dennis Waits moved the passage of Ordinance #4119 as perfected, authorizing the selection of an underwriter related to the Jackson County, Missouri Leasehold Refunding Revenue bonds (Truman Sports Complex/County Parks Projects), Series 2009; and authorizing certain other actions in connection with the issuance of said bonds. Seconded by James D. Tindall.
- Yes: 8 - Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Excused: 1 - Theresa Garza Ruiz
- (ADOPTED)
- [4120](#) Dennis Waits moved to perfect Ordinance #4120. Seconded by Dan Tarwater.
- The motion passed by a voice vote.** (PERFECTED)
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- [4120](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4120. Seconded by Dan Tarwater.
- The motion passed by a voice vote.** (APPROVED)
- [4120](#) Dennis Waits moved the passage of Ordinance #4120 as perfected, amending the annual budgets for the Corrections and the Facilities Maintenance/Public Works Departments in order to accommodate the Regional Correctional Center initiative. Seconded by Dan Tarwater.
- Yes: 8 - Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Excused: 1 - Theresa Garza Ruiz
- (ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16956](#)

Scott Burnett moved the passage of Resolution #16956, recognizing Sally Robinson for her years of service as a kindergarten teacher at Holy Cross Catholic School and congratulating her on her retirement. Seconded by Dan Tarwater.

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

(ADOPTED)

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[16957](#)

Authorizing payment to property owner Lakewood Property Owners Association, in an amount not to exceed \$6,703.70, for the Lee's Summit Road at Gregory Boulevard Intersection Improvements, Project, No. 3083.

(Public Works Committee)

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[16958](#)

Authorizing the County Executive to execute a Permanent Ingress/Egress Easement Agreement across a portion of Jackson County park property in favor of the City of Lee's Summit, Missouri, Water Utilities Department.

(Land Use Committee)

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[16959](#)

Dan Tarwater moved the passage of Resolution #16959, authorizing the Jackson County Legislature to hold a closed meeting on Monday, July 13, 2009, 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 Henry C. Rizzo.

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

(ADOPTED)

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[16960](#)

Fred Arbanas moved the passage of Resolution #16960, authorizing the County Executive to execute an Agreement for Engineering Design Services with Shafer, Kline and Warren of Lenexa, KS, for the design of the Longview Lake Trail Replacement, under the terms and conditions of Request for Proposal No. 23-09, at a cost to the County not to exceed \$63,000.00. Seconded by Dennis Waits.

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

(ADOPTED)

Discussion.

Greg Grounds, County Legislator, asked Barbara Casamento, Senior Buyer, to provide him with the scoring on this bid.

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[16961](#)

Authorizing the County Executive to execute a permanent easement in favor of Kansas City Power & Light of Kansas City, MO, for a 20-foot permanent easement to relocate overhead power lines.

(Land Use Committee)

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[16962](#)

Authorizing the County Executive to execute a Cooperative Agreement with Greater Kansas City Hispanic Collaborative for its work with area high school students, at a cost to the County not to exceed \$5,000.00, to provide a local match to a private grant.

(Anti-Drug Committee)

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[16963](#)

Dennis Waits moved the passage of Resolution #16963, transferring \$95,020.00 within the 2009 General Fund for capital improvements to the Division 32 Court Room located in the Jackson County Courthouse Annex in Independence, MO. Seconded by Henry C. Rizzo.

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

(ADOPTED)

No objection to the consideration of Resolution #16964 - not on printed agenda.

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[16964](#)

Dennis Waits moved the passage of Resolution #16964, authorizing the County Executive to execute an Agreement for Professional Architectural Design Services with Patterson Latimer Jones Brannon Denham Inc. Architects-Engineers for design architectural services in connection with the construction of a shared animal shelter facility at a cost to the County in an amount not to exceed \$382,004.00. Seconded by Henry C. Rizzo.

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

No: 1 - Bob Spence

Excused: 1 - Theresa Garza Ruiz

(ADOPTED)

No objection to the consideration of Resolution #16965 - not on printed agenda.

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[16965](#)

Dennis Waits moved the passage of Resolution #16965, authorizing payment to the Kansas City Royals Baseball Corporation in an amount not to exceed \$399,704.00, for damages sustained to Kauffman Stadium in Kansas City, Missouri, during renovations. Seconded by Fred Arbanas.

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

Excused: 1 - Theresa Garza Ruiz

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

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[09-13](#)

Pursuant to Jackson County Code Section 2404., I hereby make the following appointments to the Board of Services for the Developmentally Disabled:

Appointments

Janet Ridder is appointed to fill the vacancy occasioned by the expiration of the term of Matthew L. Levi, for a new term to expire December 31, 2011. A copy of Ms. Ridder's resume is attached.

Robbie Makinen is appointed to fill the vacancy occasioned by the expiration of the term of Becky Sandring, for a new term to expire December 31, 2011. A copy of Mr. Makinen's resume is attached.

Betty Sue Tolliver Sharp is appointed to fill the vacancy occasioned by the expiration of the term of Bill Anderson, for a new term to expire December 31, 2011. A copy of Ms. Tolliver Sharp's resume is attached.

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13 UNFINISHED BUSINESS

James D. Tindall, County Legislator, reported that his legislative aide, Celestine Williams worked hard to obtain two grants for the Housing Resources Commission. He said one grant was in the amount \$50,858.00 and the second grant was for \$678,796.00 which was stimulus money received by the State of Missouri.

County Legislature goes into closed session.

County Legislature reconvenes.

Resolution #16965 was adopted at this time. See page 6 for details.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, July 20, 2009 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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