



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

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

Monday, December 3, 2012

2:30 PM

Forty-Eighth Regular Meeting

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

Dan Tarwater, 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

Dennis Waits moved to approve the journal of the previous meeting held on 11/27/2012.
Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Dan Tarwater thanked Greg Grounds, County Legislator, for all his work on the budget hearings. He also thanked Scott Burnett, County Legislator, for serving as Vice Chairman of the Jackson County Legislature in 2012.

Scott Burnett, Vice Chairman, thanked Dan Tarwater for serving as Chairman of the Jackson County Legislature in 2012.

Resolution #18040 was adopted at this time. See page 9 for details.

Scott Burnett said it was Fred Arbanas' idea to name the property located at 1305 and 1315 Locust the "Albert Riederer Community Justice Complex". Fred Arbanas thanked Karen Conrad, his legislative aide for the work she did to get this accomplished.

Comments made by County Legislators.

Scott Burnett explained that the "Albert Fund" is set up in honor of Albert Riederer's retirement and all proceeds are given to the Bishop Sullivan Center. To date the fund has \$63,000.00 which will help people in need and those who are struggling.

Comments made by Mike Sanders, County Executive.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders commented on the 2013 budget amendment. He also mentioned that it was Dan Tarwater's birthday.

Mike Sanders talked about the agreement with the City of Independence, Missouri regarding the animal shelter in Jackson County. He explained that the County Legislature had three pieces of legislation on the agenda today to discuss and adopt regarding the animal shelter.

Mike Sanders introduced Larry J. Schall, as Director of the Department of Public Works per County Executive Order #12-16.

He mentioned that the Administration will make a presentation to the County Legislature mid January 2013 regarding the Locally Preferred Alternatives. A representative from the Mid-America Regional Council (MARC) and consultants will be present to answer questions. Crystal Williams and Theresa Garza Ruiz, County Legislators, have seen the presentation lasts approximately 2 hours.

Resolutions #18044 and #18045 were adopted at this time. See page 9 and 10 for details.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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- [4472](#) Budget Committee moved to perfect.
Greg Grounds objects to the Consent Agenda.
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- [4472](#) Greg Grounds moved to perfect Ordinance #4472. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (PERFECTED)
- [4472](#) Greg Grounds moved to suspend the rules to consider final passage of Ordinance #4472. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)
- [4472](#) Greg Grounds moved the passage of Ordinance #4472 as perfected, setting the 2013 Jackson County, Missouri tentative tax levy. 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)
- [4473](#) Budget Committee moved to perfect.
Greg Grounds objects to the Consent Agenda.
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- [4473](#) Greg Grounds moved to approve the Budget Committee Amendment dated December 3, 2012, to insert the phrase ", as modified by the document attached hereto as "Exhibit A" and captioned "2013 Budget Adjustments." after the word "herein" in the last sentence on page 2 and to include Exhibit A. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (ADOPTED)
- [4473](#) Greg Grounds moved to perfect Ordinance #4473 as amended. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (PERFECTED)
- [4473](#) Greg Grounds moved to suspend the rules to consider final passage of Ordinance #4473. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)
- [4473](#) Greg Grounds moved the passage of Ordinance #4473 as perfected, to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2013. Seconded by Crystal Williams.
Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
(ADOPTED)

- [4475](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4475](#) Fred Arbanas moved to perfect Ordinance #4475. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [4475](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4475.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4476](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4476](#) Fred Arbanas moved to perfect Ordinance #4476. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [4476](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4476.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4477](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4477](#) Fred Arbanas moved to perfect Ordinance #4477. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [4477](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4477.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4483](#) Finance and Audit Committee moved to perfect.
Scott Burnett objects to the Consent Agenda.
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- [4483](#) Scott Burnett moved to perfect Ordinance #4483. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [4483](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #4483. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4485](#) Health and Environment Committee moved to perfect.
Theresa Garza Ruiz objects to the Consent Agenda.
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- [4485](#) Theresa Garza Ruiz moved to perfect Ordinance #4485. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [4485](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4485. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4487](#) Finance and Audit Committee moved to perfect.
Scott Burnett objects to the Consent Agenda.
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- [4487](#) Scott Burnett moved to perfect Ordinance #4487. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [4487](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #4487. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4489](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4489](#) Fred Arbanas moved to perfect Ordinance #4489. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)

[4489](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4489.
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

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[4475](#) Consent Agenda.

[4476](#) Consent Agenda.

[4477](#) Consent Agenda.

[4478](#) Consent Agenda.

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[4485](#) Consent Agenda.

[4487](#) Consent Agenda.

[4489](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[18030](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[18031](#) Land Use Committee moved do pass. Consent Agenda.

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[18032](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[18033](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[18034](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[18035](#) Land Use Committee moved do pass. Consent Agenda.

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[18036](#) Anti-Drug Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4475](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 4.20 ± acre tract from District GB (General Business) to District LI (Light Industrial).

(ADOPTED)

[4476](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.0 ± acre tract from District C (Multiple House District) and District A (Agricultural) to District GBp (General Business Planned).

(ADOPTED)

[4477](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 3.07 ± acre tract from District A (Agricultural) to District RE (Residential Estates).

(ADOPTED)

[4478](#) 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)

[4483](#) AN ORDINANCE appropriating \$136,143.00 from the undesignated fund balance of the 2012 Grant Fund, in acceptance of the Emergency Management Performance Grant awarded by the Missouri State Emergency Management Agency.

(ADOPTED)

[4485](#) AN ORDINANCE amending section 4010. and Schedule I to chapter 40, Jackson County Code, 1984, relating to food safety and environmental health.

(ADOPTED)

- [4487](#) AN ORDINANCE appropriating \$175,934.00 from the undesignated fund balance of the 2012 General Fund, \$106,569.00 from the undesignated fund balance of the 2012 Park Fund, and \$6,964.00 from the undesignated fund balance of the 2012 Special Road and Bridge Fund, to cover an unanticipated cost increase in wide-area network services provided by AT&T.
- (ADOPTED)
- [4489](#) AN ORDINANCE amending sections 24001., 24002., 24003., 24004., and 24005., Jackson County Code, 1984, relating to the development of land in unincorporated Jackson County.
- (ADOPTED)
- [18030](#) A RESOLUTION authorizing the County Executive to execute a thirty-six month extension to the lease agreement with Space Center Kansas City, Inc., of Independence, MO, for use by the Recorder of Deeds Department, at an annual cost to the County not to exceed \$199,500.00 and total cost to the County over the life of the lease, not to exceed \$598,500.00, as a sole source purchase.
- (ADOPTED)
- [18031](#) A RESOLUTION adopting the Jackson County Master Plan, "Building a Vision Together: Jackson County Development Plan."
- (ADOPTED)
- [18032](#) A RESOLUTION awarding a thirty-six month contract for the furnishing of a spam filtering solution for use by the Information Technology Department to AT&T of Kansas City, MO, under the terms and conditions of Request for Proposals No. 89-12, at a cost to the County in 2013 not to exceed \$5,808.00, and a total thirty-six month cost not to exceed \$17,424.00.
- (ADOPTED)
- [18033](#) A RESOLUTION awarding a thirty-six month contract for the furnishing of a web filtering, malware detection, prevention, and mitigation solution for use by the Information Technology Department to Braxton-Grant Technologies of Woodstock, MD, under the terms and conditions of Request for Proposals No. 85-12, at a cost to the County in 2013 not to exceed \$6,724.33, and a total thirty-six month cost not to exceed \$20,172.99.
- (ADOPTED)
- [18034](#) A RESOLUTION transferring \$45,078.00 within the 2012 General Fund and awarding a twelve-month contract for the maintenance of hardware and software on the VoIP Telephone System for use by the Information Technology Department to SKC Communications of Shawnee Mission, KS, at a cost to the County not to exceed \$122,742.00, as a sole source purchase.
- (ADOPTED)

[18035](#) A RESOLUTION awarding a contract on Bid No. PW 04-2012 for the Fort Osage Education Center Parapet Repair Project, No. 3167, to MTS Contracting, Inc., of North Kansas City, MO, at a cost to the County not to exceed \$68,652.00.

(ADOPTED)

[18036](#) AN RESOLUTION transferring \$58,311.00 within the 2012 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an Agreement with the Kansas City Metropolitan Crime Commission for the furnishing of a Chief Social Services Supervisor for the Prosecuting Attorney's Office's No Violence Alliance Project, at a cost to the County not to exceed \$58,311.00.

(ADOPTED)

To adopt Ordinances 4475, 4476, 4477, 4478, 4483, 4485, 4487, 4489. To adopt Resolutions 18030, 18031, 18032, 18033, 18034, 18035, 18036.

Dennis Waits moved the passage of the consent agenda. Seconded by Scott Burnett. 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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[4491](#) James D. Tindall moved to perfect Ordinance #4491. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4491](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4491. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

[4491](#) James D. Tindall moved the passage of Ordinance #4491 as perfected, appropriating \$2,385.00 from the undesignated fund balance of the 2012 General Fund in acceptance of insurance proceeds for the repair of vehicles for use by the Family Court. Seconded by Dennis Waits.

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

No objection to the consideration of Ordinance #4491 - not on printed agenda.

[4492](#) Dennis Waits moved to perfect Ordinance #4492. Seconded by James D. Tindall.

The motion passed by a voice vote.

(PERFECTED)

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[4492](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4492. Seconded by James D. Tindall.

The motion passed by a voice vote.

(APPROVED)

[4492](#) Dennis Waits moved the passage of Ordinance #4492 as perfected, appropriating \$50,000.00 from the undesignated fund balance of the 2012 Health Fund in acceptance of settlement proceeds relating to the construction of the Regional Animal Shelter. 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)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[18038](#) Crystal Williams moved the passage of Resolution #18038, congratulating Martha Gershun, Executive Director of Jackson County Court Appointed Special Advocates (CASA), on receiving the 2012 Excellence in Nonprofit Leadership Award. 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)

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[18039](#) Scott Burnett moved the passage of Resolution #18039, transferring \$37,000.00 within the 2012 General Fund, \$12,800.00 within the 2012 Park Fund, \$37,181.00 within the 2012 Special Road and Bridge Fund, and \$82,900.00 within the 2012 Assessment Fund and awarding a three year contract for the furnishing of computer hardware and software for use by the Information Technology Department to Alexander Open Systems of Overland Park, KS, and EMC Global Financial Services of Overland Park, KS, under the terms and conditions of the Cooperating School Districts of Greater Kansas City Contract No. C062512, an existing government contract, at a cost to the County in 2012 not to exceed \$169,880.16, and a total three year cost not to exceed \$509,640.48. 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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[18040](#)

Scott Burnett moved the passage of Resolution #18040, renaming the buildings located at 1305 Locust and 1315 Locust, the "Albert Riederer Community Justice Complex.". 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)

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[18041](#)

Dennis Waits moved the passage of Resolution #18041, authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 3, 2012, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor regarding the leasing, purchase, or sale of real estate pursuant to section 610.021(2) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Scott Burnett.

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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[18042](#)

Scott Burnett moved the passage of Resolution #18042, declaring certain property within the Circuit Court as surplus and unusable personal property and authorizing its disposal. Seconded by Dennis Waits.

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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[18043](#)

Bob Spence moved the passage of Resolution #18043, transferring \$173,504.00 within the 2012 General Fund, to cover the cost of budget shortfalls for utility costs, maintenance expenses, and salaries within the Facilities Division of the Public Works Department. 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)

Discussion regarding Resolutions #18044 and #18045.

No objection to the consideration of Resolutions #18044, #18045 and #18046 - not on printed agenda.

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[18044](#)

Dennis Waits moved the passage of Resolution #18044, awarding a sixty-month contract for the management and operation of the Jackson County Regional Animal Shelter to Great Plains SPCA of Merriam, KS, under the terms and conditions of Request for Proposals No. 76-12. 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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[18045](#)

Dennis Waits moved the passage of Resolution #18045, authorizing the County Executive to execute a First Amendment to the Intergovernmental Cooperative Agreement with the City of Independence, Missouri, for the furnishing of animal sheltering services at the Regional Animal Shelter. 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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[18046](#)

James D. Tindall moved the passage of Resolution #18046, partially rescinding Resolution 18019, dated November 13, 2012, and transferring \$60,000.00 within the 2012 Anti-Drug Sales Tax Fund to cover a shortfall in salaries accounts within the Department of Corrections resulting from staffing moves. 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)

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12 COUNTY EXECUTIVE ORDERS

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[12-19](#)

I hereby make the following reappointments to the Community Advisory Committee of the Health Care Foundation of Greater Kansas City:

Leslie A. Fields, M.D. is reappointed for a term to expire December 31, 2015.

Jill Kanatzar is reappointed for a term to expire December 31, 2015.

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13 UNFINISHED BUSINESS

Fred Arbanas, County Legislator, gave a birthday gift to Dan Tarwater. He also gave a gift to Bob Spence. He wished everyone a Merry Christmas and Happy New Year.

Resolution #18041 was adopted at this time. See page 9 for details.

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14 NEW BUSINESS

None.

15 ADJOURNMENT

Theresa Garza Ruiz moved to adjourn the meeting. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, January 7, 2013 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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