



Office of  
**Mary Jo Brogato**  
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

*James D. Tindall (2nd), Chairman*  
*Ed Growney (4th), Vice-Chairman*  
*John Patrick Burnett (1st), Dennis Waits (3rd),*  
*Mary Lou Smith (5th), Robert E. Hertzog (6th), Silvia Rizzo (1st AL),*  
*Lisa White Hardwick (2nd AL), Fred Arbanas (3rd AL)*

---

**Monday, December 19, 1994**

**1:00 PM**

**Forty-Ninth Regular Meeting**

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

---

James D. Tindall, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

Present: Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Tom Wyrsh and Robert E. Hertzog  
Absent: Ed Growney

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Robert E. Hertzog moved to approve the journal of the previous meeting held on .  
Seconded by Dennis Waits.

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

**(APPROVED)**

**4 HEARINGS**

*None.*

**5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE**

*Marsha Murphy, County Executive, reflected on the achievements of her Administration and the County Legislature over the past four years.*

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

Land Use Committee had no recommendation on Ordinance #2352 or Amendment II and recommended adoption of Amendment I.

[2352](#)

Dennis Waits moved to adopt Amendment II of Ordinance #2352, repealing Chapters 26, 27, 33, 82, 239, and 240, Jackson County Code, 1984, relating to the development of land, and enacting, in lieu thereof, one new chapter relating to the same subject, to be known as Chapter 240, the Unified Development Code of Jackson County, with an effective date. Seconded by Fred Arbanas.

Yes: 1 - Fred Arbanas

No: 7 - Silvia Rizzo, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Tom Wyrsh and Robert E. Hertzog

Abstain: 1 - Lisa White Hardwick

Absent: 1 - Ed Growney

(FAILED)

[2352](#)

Fred Arbanas moved to perfect Amendment I and Ordinance #2352, repealing Chapters 26, 27, 33, 82, 239, and 240, Jackson County Code, 1984, relating to the development of land, and enacting, in lieu thereof, one new chapter relating to the same subject, to be known as Chapter 240, the Unified Development Code of Jackson County, with an effective date. Seconded by Dennis Waits.

Yes: 3 - Fred Arbanas, Dennis Waits and Robert E. Hertzog

No: 5 - Silvia Rizzo, John Patrick Burnett, James D. Tindall, James D. Tindall and Tom Wyrsh

Abstain: 1 - Lisa White Hardwick

Absent: 1 - Ed Growney

(FAILED)

Land Use Committee moved to perfect as amended Ordinance #2356. Consent agenda.

Fred Arbanas objects to the consent agenda.

[2356](#)

Fred Arbanas moved to perfect the Land Use Committee Amendment of 12/19/1994, to omit the original fee schedule and insert the fee schedule marked Ordinance #2362A.. Seconded by Tom Wyrsh.

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

(PERFECTED)

[2356](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2356. Seconded by Tom Wyrsh.

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

(APPROVED)

[2356](#)

Fred Arbanas moved the passage of Ordinance #2356 as perfected, 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. Seconded by Tom Wyrsh.

Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Tom Wyrsh and Robert E. Hertzog

Absent: 1 - Ed Growney

(ADOPTED)

[2359](#) Appropriating \$50,000.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement.

[2360](#) Appropriating \$100,000.00 from the unappropriated surplus of the 1994 General Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement.

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

[2357](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

[10580](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10581](#) Land Use Committee moved do pass. Consent Agenda.

[10586](#) Health and Justice Committee moved do pass. Consent Agenda.

[10592](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10593](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10594](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10595](#) Anti-Drug Committee moved do pass. Consent Agenda.

**9 CONSENT AGENDA**

Tom Wyrsh moved the passage of the consent agenda. Seconded by John Patrick Burnett. The motion passed by a roll call vote:

Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Tom Wyrsh and Robert E. Hertzog

Absent: 1 - Ed Growney

[2357](#) Repealing section 5011., 5013., 5019., 5020., 5040., 5042., 5043., 5045., 5049., and 5067., Jackson County Code, 1984, relating to park regulations, and enacting, in lieu thereof, ten new sections relating to the same subject.

(ADOPTED)

- [10580](#) Awarding a term and supply contract on Bid No. 138-94 for the furnishing of paint and painting supplies for use by various County departments to Sherwin Williams Co. of Kansas City, MO, and Sophir Morris Paint Co. of Kansas City, MO, to provide for their needs for the upcoming one-year period, in the estimated aggregate amount of \$33,000.00.
- (ADOPTED)
- [10581](#) Awarding a term and supply contract on Bid No. 140-94 for maintenance of softball field lights for use by the Parks and Recreation Department to Mark One Electric Co. of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$5,000.00.
- (ADOPTED)
- [10586](#) Rescinding Resolution 10462, dated September 12, 1994, and awarding a contract on Bid No. 113-94 for the installation of a fuel system at Fleming Park for use by the Sheriff's and Parks and Recreation Departments to MAC Corporation of Independence, MO, in the actual amount of \$83,933.00.
- (ADOPTED)
- [10592](#) Authorizing the Chair of the Jackson County Fiscal Commission to execute an agreement with Truman Medical Center (TMC) in the amount of \$80,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- (ADOPTED)
- [10593](#) Authorizing the Chair of the Fiscal Commission to execute an agreement with Sunshine Center, Inc., in the amount of \$40,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- (ADOPTED)
- [10594](#) Authorizing the Chair of the Fiscal Commission to execute an agreement with Midwest Christian Counseling Center in the amount of \$25,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- (ADOPTED)
- [10595](#) Authorizing the Chair of the Fiscal Commission to execute an agreement with the National Council on Alcoholism and Drug Dependence (NCADD) in the amount of \$38,600.00 as a local match on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- (ADOPTED)

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

*A vote on Ordinance #2352 was taken at this time. Please refer to action taken under Perfection of Proposed Ordinances and Reports of Committee.*

*No dissenting vote to consider Ordinance #2362 - not on printed agenda.*

[2362](#) Dennis Waits moved to perfect Ordinance #2362. Seconded by Tom Wyrsh.  
**The motion passed by a voice vote.** (PERFECTED)

[2362](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #2362.  
Seconded by Tom Wyrsh.  
**The motion passed by a voice vote.** (APPROVED)

[2362](#) Dennis Waits moved the passage of Ordinance #2362 as perfected, appropriating \$14,000.00 from the unappropriated surplus of the 1994 Sewer Fund and authorizing the County Executive to negotiate an agreement with the City of Independence to evaluate the condition of the sewer lines in the Farview Heights Sanitary Sewer District. Seconded by Tom Wyrsh.  
Yes: 8 - Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Tom Wyrsh and Robert E. Hertzog  
Absent: 2 - Silvia Rizzo and Ed Growney  
(ADOPTED)

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

*No dissenting vote to consider Resolutions #10596 and #10597 - not on printed agenda.*

[10596](#) Dennis Waits moved the passage of Resolution #10596, requesting the General Assembly to enact legislation authorizing Jackson County to transfer responsibility for the administration of certain sewer districts to the Little Blue Valley Sewer District. Seconded by Robert E. Hertzog.  
Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Tom Wyrsh and Robert E. Hertzog  
Absent: 1 - Ed Growney  
(ADOPTED)

[10597](#) Dennis Waits moved the passage of Resolution #10597, commending Marsha J. Murphy for her outstanding leadership during her four years as County Executive. Seconded by Robert E. Hertzog.  
Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits and Robert E. Hertzog  
Absent: 2 - Ed Growney and Tom Wyrsh  
(ADOPTED)

## 12 COUNTY EXECUTIVE ORDERS

94-31

I hereby promulgate a new section to Rule 15 of the Jackson County, Missouri Personnel Rules, and further amend Section 21.5 of said Rules to include a reference to this new Section so that it will apply to merit and non-merit positions alike. The new Section 15.12 shall read as follows:

Section 15.12 - Controlled Substances and Alcohol Policy - Public Works and Parks and Recreation Department Employees with Commercial Drivers' Licenses.

In accordance with the Regulations of the United States Department of Transportation , 49 CFR Parts 382, et. seq., effective January 1, 1995, the attached Controlled Substances and Alcohol Policy for Public Works and Parks and Recreation Department Employees of December, 1994 is hereby made a part of these Personnel Rules, by reference, as if fully set forth herein.

This executive order shall be effective December 31, 1994.

*This executive order shall be effective December 31, 1994.*

**13 UNFINISHED BUSINESS**

None.

**14 NEW BUSINESS**

Discussion of the request by Judge Whipple for depositions from members of the Legislature and the Administration with regards to jail overcrowding litigation.

The installation in ceremony of the Jackson County Legislature will be held at 3:00 p.m. on January 1, 1995, in the Independence Assembly Area.

**15 ADJOURNMENT**

Robert E. Hertzog moved to adjourn the meeting. Seconded by Silvia Rizzo.

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

(APPROVED)

*Meeting adjourned until Tuesday, January 3, 1995, at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.*