



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

Victor E. Callahan (1st AL), Chairman
Ronald E. Finley (2nd), Vice-Chairman
Scott Burnett (1st), Dennis Waits (3rd), Dan Tarwater (4th),
Terry Young (5th), Bob Spence (6th), Bill Petrie (2nd AL),
Fred Arbanas (3rd AL)

Monday, March 4, 2002

3:30 PM

Eighth Regular Meeting

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

Victor E. Callahan, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley,
Dennis Waits, Terry Young and Bob Spence

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 2/25/2002.
Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Resolution #14042 was adopted at this time. See page 8 for details.

Resolution #14025 was adopted at this time. See page 3 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, advised the Legislature that for the past year the Administration has been working on the issue of siltation at Prairie Lee Lake. The Administration has been working closely with many groups and individuals to find a solution, including: Mayor Karen Messerli of Lee's Summit, residents of Prairie Lee Lake, Lee's Summit Parks Department and the Park Board, the Missouri Department of Natural Resources, the County Counselor's office and Jackson County Parks Department. The matter of siltation of lakes is a serious one affecting the residents quality of life, development surrounding the county lakes and the health of the natural environment. She reported that a tentative short term and long term solution has been reached. For approximately \$350,000.00 we can purchase a state-of-the-art dredge. The City of Lee's Summit has agreed to share the cost with the County and share its use. She said there will be a resolution before the Legislature after they receive bids on the dredge. Ms. Shields thanked the residents of Prairie Lee Lake and Mayor Messerli for their cooperation in this matter.

Mayor Messerli said she was happy with the solution and appreciates the opportunity to work with the County on this project.

Ms. Shields thanked Frank Fitchener, a representative for the residents at Prairie Lee Lake, for his help and for pledging his continued assistance throughout the clean-up process.

Fred Arbanas thanked Mayor Messerli and County Executive Shields for their work on this matter, but said he knew nothing about it until he read it in the newspaper. He suggested that the County also dredge Sheer Lake in Lee's Summit.

Ms. Shields thanked Legislators Arbanas and Spence for their support on this project.

Dennis Waits asked when the equipment would be received and when the work would begin.

Ms. Shields said the plan was to begin work by summer 2002.

Ms. Shields advised the legislators that on March 7th and 8th, 2002, Cindy Frewen from Frewen Architectural Firms will be hosting meetings to discuss possible landscaping improvement options for future consideration for the downtown courthouse one-block area. Ms. Frewen has been an integral part of developing the Civic Mall area, just north of City Hall, and she has been working with the Administration, Parks Department, Sheriff's Department and the Circuit Court on ideas for future landscaping and security improvements. She encouraged the legislators and or their aides to attend and give any input they may have on these issues. The meeting will be held on Thursday, March 7, 2002 from 10 A.M. until noon at the Power and Light Building located at 12th and Walnut. Friday's meeting will be held from 11:30 A.M. until 2 P.M. in Kansas City Legislative Conference Room A. Anyone planning to attend should contact Bob Kelly.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3226](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3227](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3228](#) AN ORDINANCE appropriating \$89,306.00 from the unappropriated surplus of the 2002 Grant Fund to cover the Kidsafe grant for the Prosecuting Attorney's Office, received from the United States Department of Justice and the transfer of the matching funds, and authorizing the County Executive to execute an Agreement with the Heart of America United Way regarding this grant.

(Anti-Drug Committee - 1st. Perfection)

[3229](#) Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[14005](#) Health and Justice Committee moved do pass. Consent Agenda.

[14006](#) Finance and Audit Committee moved do pass the Finance and Audit Committee Amendment of 2/25/2002, to delete the figure "5,000.00" and insert the figure "6,000.00" in the heading, body, fiscal note and agreement where listed. Consent Agenda.

[14007](#) Health and Justice Committee moved do pass. Consent Agenda.

[14008](#) Health and Justice Committee moved do pass. Consent Agenda.

[14019](#) A RESOLUTION awarding a contract for the furnishing of maintenance on the Department of Corrections' hand-held scanning units to Symbol Technologies of Holtsville, NY, in the actual amount of \$16,811.20, as a sole source purchase.

(Health and Justice Committee - 1st. Meeting)

[14020](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14021](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14022](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14023](#) Land Use Committee moved do pass. Consent Agenda.

[14024](#) A RESOLUTION awarding a term and supply contract on Bid No. 129-01 for the furnishing of recreational wearing apparel for use by the Department of Corrections to Raytown Screen Print of Raytown, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$12,000.00.

(Health and Justice Committee - 1st. Meeting)

[14025](#) Scott Burnett moved the passage of Resolution #14025, congratulating Andrew E. Shepard upon successfully completing all requirements to attain scouting's highest honor, the rank of Eagle Scout. Seconded by Dennis Waits.

Yes: 8 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

[14026](#) Health and Justice Committee moved do pass. Consent Agenda.

[14027](#) Anti-Drug Committee moved do pass. Consent Agenda.

[14028](#) Land Use Committee moved do pass the Land Use Committee Amendment of 3/4/2002, to delete the words " Outboard Marine Corporation" and insert the words "Bombardier Motor Corporation of America" in the heading and body where listed. Consent Agenda.

[14029](#) Health and Justice Committee moved do pass. Consent Agenda.

[14030](#) Land Use Committee moved do pass. Consent Agenda.

[14031](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14032](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14033](#) Public Works Committee moved do pass. Consent Agenda.

[14034](#) Public Works Committee moved do pass. Consent Agenda.

[14035](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14036](#) Public Works Committee moved do pass. Consent Agenda.

[14037](#) Public Works Committee moved do pass. Consent Agenda.

[14038](#) Health and Justice Committee moved do pass. Consent Agenda.

[14041](#) A RESOLUTION transferring \$58,602.00 within the 2002 General Fund and authorizing the Director of Purchasing to execute a five-year lease with Tri-City Baptist Church of Independence, Missouri, under RFP No. 119-01, for office space for use by the Jackson County Board of Election Commissioners, at an annual cost of \$145,413.00, and a cost of \$121,178.00 for the remainder of calendar year 2002.

(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

[3226](#) AN ORDINANCE appropriating \$10,000.00 from the unappropriated surplus of the 2002 Grant Fund to cover the Child Protection Center Supplement Grant for the Family Court funded by the National Children's Alliance.

(PERFECTED)

[3227](#) AN ORDINANCE appropriating \$5,000.00 from the unappropriated surplus of the 2002 Grant Fund to cover the Truancy Court Diversion Supplement Grant for the Family Court funded by the American Academy of Matrimonial Lawyers Foundation.

(PERFECTED)

[3229](#) AN ORDINANCE appropriating \$17,500.00 from the unappropriated surplus of the 2002 Grant Fund to cover the Child Protection Center Grant for the Family Court funded by the Missouri Department of Social Services, Division of Family Services.

(PERFECTED)

[14005](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Mid-America Regional Council to provide services under the Older Americans Act and provide staff to plan and monitor aging programs at a cost to the County not to exceed \$22,037.00.

(ADOPTED)

[14006](#) A RESOLUTION authorizing the County Executive to execute a cooperative agreement with the Mid-America Regional Council for its Government Innovations Forum to provide increased efficiency and effectiveness of local government services, at a cost to the County not to exceed \$6,000.00.

(ADOPTED)

[14007](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Mid-America Regional Council to provide hazardous materials emergency response planning at a cost to the County not to exceed \$7,105.00.

(ADOPTED)

[14008](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Mid-America Regional Council to provide a variety of aging programs and services at a cost to the County not to exceed \$101,500.00.

(ADOPTED)

- [14020](#) A RESOLUTION awarding a twelve-month term and supply contract on Electronic Solicitation No. BB200128 for the furnishing of film and photographic supplies for use by various County departments to East Coast Trading of Brooklyn, NY (\$26,000.00), Focus Camera of Brooklyn, NY (\$26,000.00), and B & H Photo of New York, NY (\$4,000.00), to provide for their needs for the upcoming one-year period, in the estimated aggregate amount of \$56,000.00.
- (ADOPTED)
- [14021](#) A RESOLUTION awarding a twelve-month term and supply contract on Electronic Solicitation No. BB200129 for the furnishing of electrical supplies and tools for use by various departments to Rexel-Glasco of Kansas City, MO, in the estimated amount of \$46,500.00.
- (ADOPTED)
- [14022](#) A RESOLUTION awarding a twelve-month term and supply contract on Electronic Solicitation No. BB200134 for the furnishing of telephone equipment for use countywide to Graybar Electric Co., Inc., of Kansas City, MO, in the estimated amount of \$20,000.00.
- (ADOPTED)
- [14023](#) A RESOLUTION authorizing the County Executive to execute a temporary construction easement in favor of Missouri Gas Energy, across a portion of the Blue River Parkway in connection with the Missouri Department of Transportation's Holmes Road Bridge Replacement Project.
- (ADOPTED)
- [14026](#) A RESOLUTION authorizing the County Executive to execute an agreement with Rainbow Center for Communicative Disorders, to provide funding for its day school program for children with developmental disabilities at a cost to the County not to exceed \$25,000.00.
- (ADOPTED)
- [14027](#) A RESOLUTION authorizing the County Executive to execute an agreement with the Curators of the University of Missouri to provide the local match to a federal grant for its UMKC Addictions Training Center for the continuation of its substance abuse training program at a cost to the County not to exceed \$187,412.00.
- (ADOPTED)
- [14028](#) A RESOLUTION approving a five-month term and supply contract for the furnishing of outboard motors for use by the Parks and Recreation Department to Bombardier Motor Corporation of America of Waukegan, IL, under a state of Florida government contract at an actual cost to the County not to exceed \$43,088.20.
- (ADOPTED)
- [14029](#) A RESOLUTION declaring certain property as surplus personal property and authorizing its disposal.
- (ADOPTED)

- [14030](#) A RESOLUTION authorizing the purchase of proprietary carbonated soft drinks for resale by the Parks and Recreation Department at its concessions operations from Coca-Cola Bottling Company of Lenexa, KS (\$65,000.00), and Pepsi Cola General Bottlers of Olathe, KS (\$25,000.00) at an estimated aggregate cost to the County not to exceed \$90,000.00.
- (ADOPTED)
- [14031](#) A RESOLUTION extending for three months the term and supply contract on Bid No. 121-99 for the furnishing of coffee service for use county-wide with Necco Coffee of Kansas City, MO, in the estimated amount of \$7,000.00.
- (ADOPTED)
- [14032](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB20021 for the furnishing of recycled xerographic and computer paper for use county-wide to Data Essentials, Inc., of Kansas City, MO to provide for county-wide needs for the upcoming one year period, in the estimated aggregate amount of \$46,000.00.
- (ADOPTED)
- [14033](#) A RESOLUTION approving a twelve-month term and supply contract for the purchase of hydraulic systems, parts, and services for use by the Public Works and Parks and Recreation departments, from Force America, Inc., of Riverside, MO, under an existing government contract of the City of Kansas City, MO, Contract No. PA3903, in the estimated amount of \$15,000.00.
- (ADOPTED)
- [14034](#) A RESOLUTION awarding a contract on Bid No. 6-02 for the furnishing of a digital imaging system for use by the Public Works Department to Midwest Sign and Screenprint of Kansas City, Missouri, in the actual amount of \$26,057.68.
- (ADOPTED)
- [14035](#) A RESOLUTION authorizing the County Executive to execute a renewal of the County's Agreement with Southwestern Bell Telephone to provide Plexar and related telephone services, for an additional term not to exceed five years, as a sole source purchase, in the estimated annual amount of \$433,613.40.
- (ADOPTED)
- [14036](#) A RESOLUTION awarding a contract on Bid No. 5-02 for the furnishing of a wastewater treatment plant for use by the Public Works Department to Suhor Industries dba Wilbert Wastewater of Overland Park, KS, in the amount of \$74,900.00.
- (ADOPTED)

[14037](#) A RESOLUTION awarding a contract for the purchase of one (1) 3/4-ton pickup truck, two (2) one-ton trucks and one (1) mini-van, for use by the Public Works Department, to Olathe Ford Sales, Inc., of Olathe, KS, under the Mid-America Council of Public Purchasing's Cooperative Fleet Bid No. 12-002, an existing government contract of the City of Lee's Summit, MO, at an actual cost not to exceed \$98,736.00.

(ADOPTED)

[14038](#) A RESOLUTION awarding a contract for the furnishing of one (1) full-size utility vehicle, for use by the Sheriff's Department, to Roberts Auto Plaza, Inc., of Platte City, MO, under the Mid-America Council of Public Purchasing's Cooperative Fleet Bid No. 12-002, an existing government contract of the City of Lee's Summit, MO, at an actual cost to the County of \$24,883.00.

(ADOPTED)

To perfect Ordinances 3226, 3227, 3229. To adopt Resolutions 14005, 14006, 14007, 14008, 14020, 14021, 14022, 14023, 14026, 14027, 14028, 14029, 14030, 14031, 14032, 14033, 14034, 14035, 14036, 14037, 14038.

Dennis Waits moved the passage of the consent agenda. Seconded by Terry Young. The motion passed by a roll call vote:

Yes: 7 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Scott Burnett

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3230](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to GB (General Business), a certain 8.5 ± acre tract.

(Land Use Committee)

The Land Use Committee will have a public hearing regarding Ordinance #3230 on Monday, March 25, 2002 at 2:30 p.m. in the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

[3231](#) Reappropriating \$40,000.00 from the unappropriated surplus of the 2002 Homeless Assistance Fund, partially rescinding Resolution 13399, dated October 23, 2000, and Resolution 13944, dated December 10, 2001, and authorizing the County Executive to execute an Agreement with Legal Aid of Western Missouri, to provide assistance to homeless persons, at a cost to the County not to exceed \$82,800.00.

(Finance and Audit Committee)

[3232](#)

Reappropriating \$40,000.00 from the unappropriated surplus of the 2002 Park Fund, rescinding Resolution 13495 dated January 16, 2001, and authorizing the County Executive to enter into an agreement with the Boys and Girls Clubs of Greater Kansas City for the purpose of partially funding certain youth programs, including the John T. Thornberry Club, the Southeast Club, and the Clymer Center, at a cost to the County not to exceed \$80,000.00.

(Finance and Audit Committee)

[3233](#)

Reappropriating \$15,000.00 from the unappropriated surplus of the 2002 General Fund, rescinding Resolution 13514, dated January 16, 2001, and authorizing the County Executive to execute an agreement with Black Chamber of Commerce, for funding of certain programs to assist minority contractors, at a cost to the County not to exceed \$30,000.00.

(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14042](#) Dennis Waits moved the passage of Resolution #14042, expressing the sympathy of the Legislature to the family and friends of Coach Lynn Alton Davis, Jr., upon the occasion of his untimely death. Seconded by Dan Tarwater.

Yes: 8 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

[14043](#) Authorizing the Trustees of the Land Trust of Jackson County, Missouri ("Trustees") to convey nineteen (19) parcels of real property located in Kansas City, Jackson County, Missouri for support of various projects for the upgrading and redevelopment of the urban core in accordance with § 141.750.0 RSMo, 2000.

(Finance and Audit Committee)

[14044](#) Ronald E. Finley moved the passage of Resolution #14044, awarding a contract on Request for Proposals No. 15-02 for the furnishing of scanning services for use by the Collection Department to Document Automation Development of Kansas City, MO, in the actual amount of \$29,450.00. Seconded by Bill Petrie.

Yes: 7 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

[14045](#) Declaring certain property as surplus personal property and authorizing its disposal by way of trade-in.

(Health and Justice Committee)

[14046](#) Awarding a term and supply contract on Bid No. 131-01 for the furnishing of electrician service for use by the various County departments to Infinite Energy Construction, Inc., dba Progress Electric of Grandview, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$75,000.00.

(Finance and Audit Committee)

[14047](#) Awarding a ten-month term and supply contract for the furnishing of truck tires for use by the Public Works Department to Wingfoot Commercial Tire Systems of Kansas City, MO, under a State of Missouri government contract, at the estimated cost to the County of \$20,000.00.

(Public Works Committee)

[14048](#) Awarding a term and supply contract on Bid No. 8-02 for the furnishing of pump maintenance for use by the Public Works and Parks and Recreation Departments to JCI Industries of Lee's Summit, MO, to provide for their needs for the upcoming one-year period, in the estimated amount of \$20,000.00.

(Public Works Committee)

[14049](#) Awarding a contract for the furnishing of three (3) compact utility vehicles, for use by the Parks and Recreation Department, to Roberts Auto Plaza, Inc., of Platte City, MO, under the Mid-America Council of Public Purchasing's Cooperative Fleet Bid No. 12-002, an existing government contract of the City of Lee's Summit, MO, at an actual cost to the County of \$57,885.00.

(Health and Justice Committee)

[14050](#) Awarding a term and supply contract for the furnishing of image conversion services for use by the Records Department to Casey Associates of Kansas City, MO, at a cost to the County not to exceed \$36,000.00, as a sole source purchase.

(Finance and Audit Committee)

[14051](#) Awarding contracts for the furnishing of nine (9) full-size sedans with police package, and two (2) mid-size sedans under State of Missouri Contract Nos. C101410001 and C10200103, to Joe Machens Ford of Columbia, MO, and one (1) minivan under the Mid-America Council of Public Purchasing's Cooperative Fleet Bid No. 12-002, an existing government contract of the City of Lee's Summit, MO, to Roberts Auto Plaza, Inc., of Platte City, MO, all for use by the Sheriff's Department at an actual aggregate cost to the County of \$229,844.00.

(Health and Justice Committee)

[14052](#) Ronald E. Finley moved the passage of Resolution #14052, authorizing the County Executive to execute an Agreement with National Baptist Convention U.S.A., Inc., for partial funding of its 2003 annual delegate convention, at an actual cost to the County of \$10,000.00. Seconded by Terry Young.

Yes: 7 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Scott Burnett

(ADOPTED)

[14053](#) Congratulating Guadalupe "Virginia" Molino on her 21 years with the Jackson County Facilities Management Department, and wishing her well on her retirement.

(Legislature As A Whole)

12 COUNTY EXECUTIVE ORDERS

[02-04](#) I hereby reappoint Michael G. O'Flaherty to the Land Trust of Jackson County for a term to expire January 31, 2006.

13 UNFINISHED BUSINESS

Victor E. Callahan, Chairman, asked Jane McQueeney, County Counselor, asked if the County Counselor's office defended the office of the OHRCC in the case Turner vs. Garcia.

Jane McQueeney said yes.

Victor E. Callahan asked her to provide the cost of this case to the Legislature. He can fill out an open records request if necessary. He would like to know how much the taxpayers of Jackson County paid for this case.

Jane McQueeney responded that it was protected by the attorney-client privilege.

Ronald E. Finley said his understanding of the attorney-client privilege is that it is a privilege of the client. He asked Ms. McQueeney if she was saying that those who were represented did not want this information to come before the Legislature.

Jane McQueeney said the Jackson County Legislature was not a party to the lawsuit and the judgement has not been filed and she will not discuss it in a public forum.

Victor E. Callahan asked if the fines have been paid.

Jane McQueeney said she did not think it appropriate to discuss it in a public forum as it would be adverse to the commission members and the taxpayers of Jackson County.

Victor E. Callahan said he believed that this information is a matter of public record not privileged information.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 11, 2002 at 3:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.