



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
Lisa White Hardwick (2nd AL), Vice-Chairman
John Patrick Burnett (1st), Dennis Waits (3rd), Dan Tarwater (4th),
Dixie M. Flynn (5th), John C. Graham, Sr. (6th), Victor E. Callahan (1st AL),
Fred Arbanas (3rd AL)

Monday, June 19, 1995

1:00 PM

Twenty-fourth Regular Meeting

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

Lisa White Hardwick, Vice-Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett
and John C. Graham

Absent: James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Victor E. Callahan moved to approve the journal of the previous meeting held on .
Seconded by John Patrick Burnett.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Resolution #10866 adopted at this time. See below for detail.

The Legislature interviewed the nominees for the Jackson County Sports Complex Authority. The following persons were present, stated their political affiliation as Republican and said their taxes were current: Mark Bundy, John J. Godfrey, Judy Hall, Robert E. Hertzog, Jan Martinette, Gavin M. Seeley.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields reported that a private company in Grandview (American Ingredients) dumped waste in sewers leading to the Little Blue River which caused some damages. She will convey further information when it is received.

Fred Arbanas asked the Administration to determine what Jackson County owed the Little Blue Sewer District for past sewer charges. He would like to know why the bills were not paid and if the County has collected adequate fees. The Administration will obtain this information and report back to the Legislature.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

None.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2418](#) Consent Agenda.

[2420](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[10855](#) Transferring \$17,814.00 within the 1995 Anti-Drug Sales Tax Fund to cover the revised budget of the Jackson County Drug Task Force as approved by the State of Missouri.

[10866](#) Dan Tarwater moved the passage of Resolution #10866, commending Michael Christopher Davis for his quick action in waking and alerting home wner John Thompson that his house was on fire, and leading him to safety. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham

Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

(ADOPTED)

[10867](#) Public Works Committee moved do pass. Consent Agenda.

[10868](#) Health and Justice Committee moved do pass. Consent Agenda.

[10869](#) Health and Justice Committee moved do pass. Consent Agenda.

[10870](#) Land Use Committee moved do pass. Consent Agenda.

[10871](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10872](#) A RESOLUTION nominating candidates for appointment to the Jackson County Sports Complex Authority.

[10874](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10875](#) A RESOLUTION declaring certain personal property from the Sheriff's Department as surplus personal property and authorizing its donation to the Lotawana Fire Protection District.

- [10876](#) A RESOLUTION awarding a contract for the furnishing of Hydro Bikes for use by the Parks and Recreation Department to C.G.D. Inc. of Cannon Falls, MN, for rental by the department's patrons.
- [10877](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [10878](#) Health and Justice Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

Fred Arbanas moved the passage of the consent agenda. Seconded by John C. Graham. The motion passed by a roll call vote:

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham

Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

- [2418](#) Appropriating \$708,014 from the unappropriated surplus of the 1995 E 9-1-1 System Fund and authorizing the County Executive to execute a 9-1-1 Interlocal Cooperation Agreement with the Mid-America Regional Council and other member counties, relating to the upgrade and improvement of the regional E 9-1-1 emergency telephone system, at an additional cost to the County in 1995 of \$708,014.

(ADOPTED)

- [2420](#) Appropriating \$9,279.00 from the unappropriated surplus of the 1995 County Urban Road System Fund and authorizing the Public Works Director to execute Change Order No. 5 to the contract with Superior-Bowen Asphalt Company of Kansas City, MO, for the 1994 Road Rehabilitation Program, Project No. 2296, increasing the contract amount by \$9,278.50.

(ADOPTED)

- [10867](#) A RESOLUTION approving a one-year term and supply contract for the purchase of John Deere industrial parts and service for use by the Consolidated Vehicle Service Center, under an existing government contract of the City of Kansas City, MO, Contract PA2840, from Mid-America Industrial Equipment of Kansas City, MO, in the actual amount of \$29,000.00.

(ADOPTED)

- [10868](#) A RESOLUTION authorizing the County Executive to enter into a contract with the City of Oak Grove, Missouri for the provision of city police protection.

(ADOPTED)

- [10869](#) A RESOLUTION awarding a contract on Bid No. 57-95 for the furnishing of memory and printers for us by the Prosecuting Attorney's Office to SEG Technology of Huntingdon Valley, PA and Megabyte International of Tampa, FL, in the actual, aggregate amount of \$33,481.00.
- (ADOPTED)
- [10870](#) A RESOLUTION awarding a term and supply contract on Bid No. 60-95 for the furnishing of Terrain King mower hydraulic and mechanical parts for use by the Parks and Recreation Department to Local Equipment Co., Inc. of Jackson Center, Ohio, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$35,000.00.
- (ADOPTED)
- [10871](#) A RESOLUTION authorizing the Chair of the Jackson County Fiscal Commission to execute a grant agreement with The Curators of the University of Missouri for the continuation of a substance abuse training program at a cost to the County not to exceed \$150,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- (ADOPTED)
- [10872](#) A RESOLUTION nominating candidates for appointment to the Jackson County Sports Complex Authority.
- [10874](#) A RESOLUTION authorizing an increase to the emergency purchase order with Dayco Painting, Inc. of Grandview, MO, for the repair and painting of the Independence Square Courthouse in the actual amount of \$880.00.
- (ADOPTED)
- [10877](#) A RESOLUTION awarding a term and supply contract on Bid No. 48-95 for the furnishing of janitorial supplies and equipment for use county-wide to Perfection Industrial Distributors of Kansas City, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$10,000.00.
- (ADOPTED)
- [10878](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with the City of Kansas City, Missouri to participate in a Household Hazardous Waste Clean Up Days event on June 24-25, 1995, at a cost to Jackson County not to exceed \$4,780.50.
- (ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

- [2421](#) Fred Arbanas moved to perfect Ordinance #2421. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (PERFECTED)

[2421](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2421. Seconded by John Patrick Burnett.

The motion passed by a voice vote. (APPROVED)

[2421](#) Fred Arbanas moved the passage of Ordinance #2421 as perfected, appropriating \$22,798.00 from the unappropriated surplus of the 1995 Grant Fund to cover emergency miscellaneous repairs to the Missouri Board of Probation and Parole's office space in the Community Justice Building. Seconded by John Patrick Burnett.

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham
Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

(ADOPTED)

[2422](#) Appropriating \$244,144.00 from the unappropriated surplus of the 1995 Grant Fund to cover the new DART (Drug Abatement Response Team) Grant funded by the Missouri Department of Public Safety and the transfer of match.

(Anti-Drug Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10880](#) Authorizing total payment of \$2,700.00 to a certain property owner for the acquisition of right-of-way and temporary easement in settlement of claims for damages in connection with the Stringtown Culvert Replacement Project, No. 2322A.

(Public Works Committee)

[10881](#) John Patrick Burnett moved the passage of Resolution #10881, authorizing the Jackson County Legislature to hold a closed meeting on Monday, June 19, 1995, for the purpose of conducting privileged and confidential communications between himself and the Jackson County Counselor concerning the status of litigation. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham
Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

(ADOPTED)

[10882](#) John C. Graham moved to hold Resolution #10882, (Held until 6/26/95), congratulating Lee's Summit High School on its recognition by The United States Department of Education as a "Drug-Free School." Seconded by Fred Arbanas.

The motion passed by a voice vote. (APPROVED)

[10883](#)

Victor E. Callahan moved the passage of Resolution #10883, congratulating Judge Donald L. Mason on his 18 1/2 years as a Jackson County, Missouri circuit judge, and wishing him well on his retirement. Seconded by Fred Arbanas.

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham

Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

(ADOPTED)

[10884](#)

John Patrick Burnett moved the passage of Resolution #10884, authorizing execution of professional services agreements with John C. Garrett and Charlie Franklin for the provision of real property appraisal services in connection with the Board of Equalization at a cost to the County not to exceed the sum total of \$15,000.00. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham

Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

(ADOPTED)

[10885](#)

Authorizing the County Executive to make application for the Victim Services Volunteer Coordinator Grant from the Missouri Department of Public Safety.

(Health and Justice Committee)

No dissenting vote to consider Resolution #10886 - not on printed agenda.

[10886](#)

John Patrick Burnett moved the passage of Resolution #10886, authorizing the Jackson County Counselor to settle a lawsuit styled Paul K. Ballew v James P. Aylward, Jr., et al., now pending in the Circuit Court of Jackson County, Missouri, Cas No. CV91-12277, for a total payment of \$24,000.00. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett and John C. Graham

Absent: 4 - James D. Tindall, James D. Tindall, Dennis Waits and Dixie M. Flynn

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Closed meeting to discuss litigation styled Paul K. Ballew v. James P. Aylward, Jr., et al.

The following persons were present at the closed meeting: John C. Graham, John Patrick Burnett, Victor E. Callahan, Lisa White Hardwick, Dan Tarwater, Fred Arbanas, County Legislators; Christopher Madden, Legislative Auditor; Mary Jo Brogato, Clerk of the County Legislature; James Storkamp, County Counselor; Earlene Farr and Ross Nigro, legal counsel from the County Counselor's office.

Resolution #10886 adopted at this time. See above for detail.

15 ADJOURNMENT

John C. Graham moved to adjourn the meeting. Seconded by John Patrick Burnett.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, June 26, 1995, at 1:00 p.m. in the Legislative Assembly Area, Independence, Missouri.

Prepared by LLP