



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), Lisa White Hardwick (2nd AL),
Fred Arbanas (3rd AL)

Monday, July 26, 1999

3:30 PM

Twenty-ninth Regular Meeting

Old Courthouse on Square, Division 28, 2nd floor, Independence, Missouri

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

1 ROLL CALL

Present: Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Dennis Waits, Terry Young and Bob Spence
Absent: Ronald E. Finley

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 . Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

With regards to Resolution #12801, the Legislature interviewed Margaret J. May, a candidate for the Jackson County Sports Authority.

Resolution #12816 was adopted at this time. See page 6 for details.

Resolution #12817 was adopted at this time. See page 6 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, introduced Sergeant Anthony Brown with the Jackson County Corrections Department who received the Model of Excellence Award for June, 1999 for assisting the Kansas City Police Department and the Jackson County Sheriff's Department in apprehending an escaped inmate in the custody of the Kansas City Police Department on May 26, 1999.

Katheryn Shields said at a press conference held today she announced that the Administration has hired Peat Marwick, a Big 5 accounting firm, to conduct a jail audit in two areas. The audit will include the construction project which will cost \$20,000.00 and the population control program which will cost \$10,000.00. The audit will be complete in approximately one week.

After hearing the presentation made on June 28 by Claire McCaskill, State Auditor, Ms. Shields said she had concerns because as Prosecuting Attorney, Ms. McCaskill helped design and operate the jail population control program which is one of the areas that would be audited. She was also concerned that Ms. McCaskill said the audit would take 60-90 days. Katheryn Shields believes the audit should be independent, objective and performed in a timely fashion.

There was further discussion on the jail audit.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[2916](#) Health and Justice Committee moved to perfect.

Dan Tarwater objects to the consent agenda.

[2916](#) Terry Young moved to perfect Ordinance #2916. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

[2916](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #2916. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

Consent agenda. See Final Passage of Proposed Ordinances.

[2922](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 87 + acre tract and approving the preliminary plat "Rock Ledge Estates," creating a 16-lot residential subdivision.

[2928](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[2928](#) Fred Arbanas moved to perfect Ordinance #2928. Seconded by Dennis Waits.

The motion passed by a voice vote. (PERFECTED)

- [2928](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2928. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent agenda. See Final Passage of Proposed Ordinances.
- [2929](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2929](#) Fred Arbanas moved to perfect Ordinance #2929. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2929](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2929. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent agenda. See Final Passage of Proposed Ordinances.
- [2930](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to LI (Light Industrial), a certain 6.6 + acre tract.
- [2931](#) AN ORDINANCE extending the boundaries of Salem East Sewer District 95.
- [2932](#) AN ORDINANCE appropriating \$600,000.00 from the unappropriated surplus of the 1999 Criminal Justice Fund to cover costs associated with the litigation of claims arising out of the Jackson County Detention Center Annex project.
- [2933](#) AN ORDINANCE appropriating \$50,000.00 from the unappropriated surplus of the 1999 Health Fund and authorizing the County Executive to execute an Agreement with the Mid-America Regional Council to provide social services to the aging and needy through the Palestine Senior Citizens' Activity Center at a cost to the County not to exceed \$50,000.00.
- [2934](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2934](#) Fred Arbanas moved to perfect Ordinance #2934. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2934](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2934. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2916](#) Consent Agenda.

[2927](#) Consent Agenda.

[2928](#) Consent Agenda.

[2929](#) Consent Agenda.

[2934](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[12785](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for sewer service with the City of Independence, Missouri, to control, operate, and maintain the sewerage systems in the Farview Heights, Farview North, Salem East, New Salem, Elm Grove, and Osage Manor sewer districts.

[12801](#) A RESOLUTION nominating candidates for appointment to the Jackson County Sports Complex Authority.

[12810](#) Finance and Audit Committee moved do pass. Consent Agenda.

[12811](#) Anti-Drug Committee moved do pass. Consent Agenda.

[12812](#) Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

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

Yes: 6 - Victor E. Callahan, Fred Arbanas, Scott Burnett, Dennis Waits, Terry Young and Bob Spence

Absent: 2 - Lisa White Hardwick and Ronald E. Finley

[2916](#) AN ORDINANCE renewing a tax of 1.25% on the tariff rate for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911," through August 31, 2000.

(ADOPTED)

- [2927](#) AN ORDINANCE appropriating \$52,547.00 from the unappropriated surplus of the 1999 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 matching funds.
(ADOPTED)
- [2928](#) AN ORDINANCE vacating part of Lot 7 within the subdivision plat "Holly Hill."
(ADOPTED)
- [2929](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to GB (General Business), a certain 2.4 + acre tract.
(ADOPTED)
- [2934](#) AN ORDINANCE approving the preliminary plat "Churchill Estates," creating a 117-lot residential subdivision on 30.5+ acres.
(ADOPTED)
- [12810](#) A RESOLUTION awarding a contract for the maintenance of the Management Information Systems Department's FileNET software to FileNET Corporation of Costa Mesa, CA, at a cost to the County not to exceed \$6,919.70, as a sole source purchase.
(ADOPTED)
- [12811](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Heart of America United Way for its Kansas City Kidsafe Program, to provide a local match to a federal grant, in an amount not to exceed \$50,000.00.
(ADOPTED)
- [12812](#) A RESOLUTION awarding a one-year term-and-supply contract on Bid No. 94-99 for the furnishing of small parts washer service for use by the Public Works Department to Heritage-Crystal Clean of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$6,000.00.
(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

The Land Use Committee will have a public hearing regarding Ordinances #2935 through #2938 at 1:00 p.m. on Friday, August 13, 1999 at Fleming Hall in Blue Springs, Missouri.

- [2935](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RS (Residential Suburban) a certain 1 + acre lot.
(Land Use Committee)

- [2936](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 11 + acre tract.
(Land Use Committee)
- [2937](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 17.3 + acre tract.
(Land Use Committee)
- [2938](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 2.5 + acre tract.
(Land Use Committee)
- [2939](#) Appropriating \$39,121.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Volunteers in Probation Program Grant for Family Court funded by the Missouri Department of Social Services, Division of Youth Services.
(Health and Justice Committee)
- [2940](#) Appropriating \$51,459.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Alternative to School Suspension Program Grant for Family Court funded by the Missouri Department of Social Services, Division of Youth Services.
(Health and Justice Committee)
- [2941](#) Appropriating \$51,411.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Community Outreach Restitution Program Grant for Family Court funded by the Missouri Department of Social Services, Division of Youth Services.
(Health and Justice Committee)
- [2942](#) Appropriating \$22,500.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Project Turn-Around Grant for Family Court funded by the Missouri Department of Social Services, Division of Youth Services.
(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

- [12813](#) Dan Tarwater moved the passage of Resolution #12813, authorizing the County Executive to execute an agreement with Minute Circle F.H., for the prevention of drug and drug-related offenses at a cost to the County not to exceed \$25,000.00. Seconded by Dennis Waits.
- Yes: 6 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Dennis Waits and Terry Young
Abstain: 1 - Bob Spence
Absent: 1 - Ronald E. Finley

(ADOPTED)

[12814](#)

Dan Tarwater moved the passage of Resolution #12814, authorizing the County Executive to execute an agreement with Boys and Girls Club of Eastern Jackson County, for the prevention of drug and drug-related offenses, at a cost to the County not to exceed \$35,000.00. Seconded by Fred Arbanas.

Yes: 5 - Victor E. Callahan, Fred Arbanas, Scott Burnett, Dennis Waits and Terry Young

Abstain: 1 - Bob Spence

Absent: 2 - Lisa White Hardwick and Ronald E. Finley

(ADOPTED)

[12815](#)

Dennis Waits moved the passage of Resolution #12815, authorizing the Jackson County Legislature to hold a closed meeting on Monday, July 26, 1999, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation, and closing all records prepared for discussion at said meeting. Seconded by Terry Young.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Ronald E. Finley

(ADOPTED)

No dissenting vote to consider Resolutions #12816 and #12817 - not on printed agenda.

[12816](#)

Terry Young moved the passage of Resolution #12816, congratulating the Lawrence Heman family upon having been named the Jackson County Farm Family for 1999 by the University of Missouri Outreach and Extension Council. Seconded by Dennis Waits.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Ronald E. Finley

(ADOPTED)

[12817](#)

Bob Spence moved the passage of Resolution #12817, recognizing Downtown Lee's Summit Main Street, Inc. for the advancements it has made in the redevelopment of downtown Lee's Summit. Seconded by Dan Tarwater.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Ronald E. Finley

(ADOPTED)

[12818](#)

Congratulating Bettie Yahn-Kramer upon having been named as Chair Elect of the Great Lakes Regional Council of the Parks and Recreation Association.

(Legislature As A Whole)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Katheryn Shields, County Executive, said after listening to the earlier discussion regarding the jail audit, she agrees with a suggestion made by Lisa White Hardwick and Dan Tarwater, Legislators. She said in the spirit of cooperation, if the Legislature agreed, she would ask Peat Marwick to stop their jail audit, the Legislature could ask the State Auditor's office to do the same and together the Legislature and Administration could hire another Big-5 accounting firm to do the jail audit.

Victor E. Callahan, Chairman, said he was not interested because the State Auditor's office and the Legislative Auditor's office have both spent many hours working on the jail audit. Dan Tarwater, Legislator, agreed that the timing of this offer was not good.

Lisa White Hardwick and Scott Burnett, Legislators, said they would be in favor of hiring an independent auditing firm to perform the jail audit.

Discussion.

14 NEW BUSINESS

Legislature goes into closed session.

Legislature reconvenes.

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 2, 1999, at 10:00 a.m. in the Legislative Assembly Area, Kansas City, Missouri.