



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

Monday, June 30, 1997

4:00 PM

Twenty-fifth 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, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett,
Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Fred Arbanas moved to approve the journal of the previous meeting held on . Seconded
by Carl W. Bussey.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, said that the Legislators received copies of the 1997 Roads, Bridges and Culverts Program as it will be introduced today.

Katheryn Shields introduced Patricia J. Porter, her appointment to the Office of Human Relations and Citizens Complaints Commission.

Victor E. Callahan, Chairman, asked the administration about the renovation of the tenth floor in the Kansas City Courthouse.

Katheryn Shields responded that the tenth floor is being renovated for use by the Prosecuting Attorney's Office.

Victor E. Callahan asked if the 12th floor of the Kansas City Courthouse is being utilized.

Katheryn Shields said she had also discussed the possibility of renovating this space with Claire McCaskill, Prosecuting Attorney, for use by her office.

Katheryn Shields said she will send a memo to the Legislators regarding these renovations and detailing the expenditures.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[2679](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[2679](#) Fred Arbanas moved to perfect Ordinance #2679. Seconded by Dixie M. Flynn.

The motion passed by a voice vote. (PERFECTED)

[2679](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2679. Seconded by Dixie M. Flynn.

The motion passed by a voice vote. (APPROVED)

[2679](#) Fred Arbanas moved the passage of Ordinance #2679 as perfected, amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to LI (Light Industrial), a certain 1.8 + acre tract. Seconded by Dixie M. Flynn.

Yes: 7 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Lisa White Hardwick

(ADOPTED)

[2680](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

- [2680](#) Fred Arbanas moved to perfect Ordinance #2680. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)
- [2680](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2680. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
- [2680](#) Fred Arbanas moved the passage of Ordinance #2680 as perfected, amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette) a certain 10 + acre tract. Seconded by Dixie M. Flynn.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)
- [2681](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2681](#) Fred Arbanas moved to perfect Ordinance #2681. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2681](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2681. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
- [2681](#) Fred Arbanas moved the passage of Ordinance #2681 as perfected, amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to LB (Local Business) a certain 2.7 + acre tract. Seconded by Dixie M. Flynn.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)
- [2682](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2682](#) Fred Arbanas moved to perfect the Land Use Committee Amendment of 6/30/1997, to delete the word "ten" and insert the word "twenty" in Section 1.. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)

- [2682](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2682. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
- [2682](#) Fred Arbanas moved the passage of Ordinance #2682 as perfected, approving a conditional use permit to operate a horse boarding stable and to provide riding lessons as to a certain 14.35 + acre tract. Seconded by Dennis Waits.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)
- [2683](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2683](#) Fred Arbanas moved to perfect Ordinance #2683. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)
- [2683](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2683. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [2683](#) Fred Arbanas moved the passage of Ordinance #2683 as perfected, approving a conditional use permit for a sand and gravel dredging pit as to a certain 52 + acre tract. Seconded by Dennis Waits.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)
- [2684](#) AN ORDINANCE approving a conditional use permit for a private aviation field as to a certain 53 + acre tract.
- [2689](#) Finance and Audit Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2689](#) Fred Arbanas moved to substitute Ordinance #2689, appropriating \$18,267.00 from the unappropriated surplus of the 1997 General Fund to cover the cost of a position classification and compensation study for the County's employees. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [2689](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2689. Seconded by Fred Arbanas.
The motion passed by a voice vote. (APPROVED)

[2689](#) John Patrick Burnett moved the passage of Ordinance #2689 as perfected, appropriating \$18,267.00 from the unappropriated surplus of the 1997 General Fund to cover the cost of a position classification and compensation study for the County's employees. Seconded by Dennis Waits.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[11798](#) Health and Justice Committee moved do pass. Consent Agenda.

[11803](#) Anti-Drug Committee moved do pass. Consent Agenda.

[11804](#) Health and Justice Committee moved do pass. Consent Agenda.

[11805](#) Health and Justice Committee moved do pass. Consent Agenda.

[11806](#) Public Works Committee moved do pass. Consent Agenda.

[11808](#) Public Works Committee moved do pass. Consent Agenda.

[11809](#) Public Works Committee moved do pass. Consent Agenda.

[11810](#) Anti-Drug Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

Dennis Waits moved the passage of the consent agenda. Seconded by Carl W. Bussey. The motion passed by a roll call vote:

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

- [11798](#) A RESOLUTION authorizing the County Executive and Prosecuting Attorney to execute a Child Support Enforcement Cooperative Agreement with the State of Missouri.
(ADOPTED)
- [11803](#) A RESOLUTION authorizing the County Executive to execute a Fourth Addendum to Agreement with Cudney, Ecord, McEnroe, and Mullane concerning accounting standards for the Anti-Drug Sales Tax Fund, at an additional cost to the County not to exceed \$15,000.00.
(ADOPTED)
- [11804](#) A RESOLUTION awarding a term and supply contract on Bid No. 67-97 for the furnishing of high density film for use by the Corrections Department to HPI of Brooklyn, NY, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$5,000.00.
(ADOPTED)
- [11805](#) A RESOLUTION transferring \$14,402.00 within the 1997 General Fund in order to fund two part-time assistant prosecuting attorney positions and eliminate one full-time assistant prosecuting attorney position for the Family Support Division.
(ADOPTED)
- [11806](#) A RESOLUTION awarding a term and supply contract for the furnishing of corrugated culvert pipe and fittings for use by the Public Works Department under contract No. PA3400, an existing government contract of the City of Kansas City, MO, to K. C. Winwater Works Company of Kansas City, MO, at an estimated cost to the County of \$40,000.00.
(ADOPTED)
- [11808](#) A RESOLUTION awarding a contract on Bid No. PW-01-97 for the 1997 Road Surface Reconstruction and Rehabilitation, Project No. 2348, to Superior-Bowen Asphalt Company of Kansas City, MO, in the actual amount of \$1,342,716.10.
(ADOPTED)
- [11809](#) A RESOLUTION awarding a term and supply contract to Van Keppel Co. of Kansas City, KS, for the furnishing of Beuthling, Etnyre, Hi-Way, and Hyster heavy equipment parts and service for use by the Public Works Department to provide for its needs for the upcoming one-year period, as a sole source purchase.
(ADOPTED)
- [11810](#) A RESOLUTION partially rescinding Resolution 11543, dated December 9, 1996, and authorizing the County Executive to execute Agreements with The Salvation Army in the amount of \$132,100.00 and Renaissance West in the amount of \$117,900.00, for their stabilization and treatment transition programs, at an aggregate cost to the County not to exceed \$250,000.00.
(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

- [2691](#) Appropriating \$38,975.00 from the unappropriated surplus of the 1997 Grant Fund to cover the Jackson County Victim Services Program Grant funded by the Missouri Department of Public Safety and the transfer of matching funds.
(Health and Justice Committee)
- [2692](#) Dennis Waits moved to perfect Ordinance #2692. Seconded by John C. Graham.
The motion passed by a voice vote. (PERFECTED)
- [2692](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #2692. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
- [2692](#) Dennis Waits moved the passage of Ordinance #2692 as perfected, appropriating \$132,990.00 from the unappropriated surplus of the 1997 Anti-Drug Sales Tax Fund to cover the Substance Abuse Traffic Offender's Program Grant received from the Missouri Department of Mental Health, and transfer of local match. Seconded by Dixie M. Flynn.
Yes: 7 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Fred Arbanas
(ADOPTED)
- [2693](#) Appropriating \$36,491.00 from the unappropriated surplus of the 1997 Federal Forfeiture Fund to cover auditing and the purchase of computer equipment, printers, and other equipment for the Prosecuting Attorney's Office.
(Health and Justice Committee)
- [2694](#) Dennis Waits moved to perfect Ordinance #2694. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (PERFECTED)
- [2694](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #2694. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
- [2694](#) Dennis Waits moved the passage of Ordinance #2694 as perfected, appropriating \$295,093.00 from the unappropriated surplus of the 1997 Anti-Drug Sales Tax Fund to cover the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office funded by the Missouri Department of Public Safety and the transfer of matching funds. Seconded by Dixie M. Flynn.
Yes: 7 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Fred Arbanas
(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[11811](#) John Patrick Burnett moved the passage of Resolution #11811, authorizing execution of professional services agreements with John C. Garrett and Charlie Franklin for the provision of real property appraisal consultation 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 Carl W. Bussey.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

(ADOPTED)

[11812](#) Authorizing the County Executive to execute an agreement with Greater Kansas City Community Foundation and Affiliated Trust, with a local match from the County not to exceed \$150,000.00.

(Anti-Drug Committee)

[11813](#) Authorizing the County Executive to execute an agreement with the National Council on Alcoholism and Drug Dependence in the amount of \$50,762.00 as a local match to a grant.

(Anti-Drug Committee)

[11814](#) John Patrick Burnett moved the passage of Resolution #11814, awarding a term and supply contract on Bid No. 81-97 for the furnishing of trash removal service for use county-wide to Deffenbaugh Disposal of Shawnee Mission, KS (\$7,534.00), Cass County Disposal of Harrisonville, MO (\$1,820.00), and Waste Management of K. C. of Independence, MO (\$3,500.00), to provide for county-wide needs for the upcoming one-year period, in the estimated aggregate amount of \$12,854.00. Seconded by Dixie M. Flynn.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

(ADOPTED)

[11815](#) Authorizing Change Order No. 2 (final) to the contract with Embrey Excavating of Kingsville, MO, for the Stillhouse Road Culvert #1 Replacement, Project 2328, increasing the contract amount by \$1,992.00.

(Public Works Committee)

[11816](#) Awarding a one-year term and supply contract for the purchase of Toro turf equipment and repair parts for use by the Parks and Recreation Department to Modern Distributing Company of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, as a sole source purchase.

(Land Use Committee)

[11817](#) Awarding a contract on Bid No. 64-97 for a T-1 line and related equipment for the Prosecuting Attorney's office to Data Link Corporation of Lee's Summit, MO, in the actual amount of \$8,999.00.

(Health and Justice Committee)

[11818](#) Authorizing Change Order No. 2 to the contract with Wil-Pav, Inc., of Independence, MO, for the grading of a practice field at Adair Park, increasing the contract amount by \$4,500.00.

(Land Use Committee)

[11819](#) Dixie M. Flynn moved the passage of Resolution #11819, authorizing the Jackson County Legislature to hold a closed meeting on Monday, June 30, 1997, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation. Seconded by Carl W. Bussey.

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dixie M. Flynn and John C. Graham

Absent: 2 - Fred Arbanas and Dennis Waits

(ADOPTED)

No dissenting vote to consider Resolution #11820 - not on printed agenda.

[11820](#) John Patrick Burnett moved the passage of Resolution #11820, awarding a three year contract on Bid No. 75-97 for furnishing property casualty insurance coverage to Corporate Insurance Group, Inc., of Shawnee Mission, KS, for the period of July 1, 1997, to October 1, 2000, in the estimated annual premium amount of \$149,463.00. Seconded by Dixie M. Flynn.

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, Carl W. Bussey, Dixie M. Flynn and John C. Graham

Absent: 2 - Fred Arbanas and Dennis Waits

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Closed meeting to discuss litigation.

Legislature reconvenes.

15 **ADJOURNMENT**

Carl W. Bussey moved to adjourn the meeting. Seconded by Dixie M. Flynn.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, July 14, 1997, at 4:00 p.m. in the Legislative Assembly Area, Independence, Missouri.