



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, September 19, 1994

1:00 PM

Thirty-Sixth 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, Ed Growney, Tom Wyrsh and Robert E. Hertzog

#### 2 THE PLEDGE OF ALLEGIANCE

Recited.

#### 3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Silvia Rizzo moved to approve the journal of the previous meeting held on . Seconded by Ed Growney.

The motion passed by a voice vote.

(APPROVED)

#### 4 HEARINGS

*Fred Arbanas presented a 15 year service pin to Beulah H. King, an employee in the Collections Department, and a 20 year service pin to Dorine Addison, an employee in the Office Services Department.*

*Lisa White Hardwick said there was no need for a closed session to discuss the Medical Examiner's office until reports are received from the Attorney General, the Board of Healing Arts and the Missouri Highway Patrol who are currently investigating the matter.*

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

None.

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

[2317](#)

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.

- [2318](#)           Appropriating \$100,000.00 from the unappropriated surplus of the 1994 General Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement.
- [2322](#)           Finance and Audit Committee moved to perfect. Consent Agenda.
- [2323](#)           Finance and Audit Committee moved to perfect.  
*Ed Growney objects to consent agenda.*
- [2323](#)           Ed Growney moved to perfect Ordinance #2323. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2323](#)           Ed Growney moved to suspend the rules to consider final passage of Ordinance #2323. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)
- [2323](#)           Ed Growney moved the passage of Ordinance #2323 as perfected, setting the 1994 Jackson County, Missouri tax levy. Seconded by Dennis Waits.  
Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog  
(ADOPTED)
- [2324](#)           Health and Justice Committee moved to perfect.  
Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney and Robert E. Hertzog  
Absent: 1 - Tom Wyrsh  
*Ed Growney objects to consent agenda.*
- [2324](#)           Ed Growney moved to perfect Ordinance #2324. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2324](#)           Ed Growney moved to suspend the rules to consider final passage of Ordinance #2324. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)
- [2324](#)           Ed Growney moved the passage of Ordinance #2324 as perfected, setting the 1994 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy. Seconded by Dennis Waits.  
Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney and Robert E. Hertzog  
Absent: 1 - Tom Wyrsh  
(ADOPTED)

- [2325](#) Health and Justice Committee moved to perfect.
- Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
- Ed Growney objects to consent agenda.*
- [2325](#) Ed Growney moved to perfect Ordinance #2325. Seconded by Dennis Waits.
- The motion passed by a voice vote.** (PERFECTED)
- [2325](#) Ed Growney moved to suspend the rules to consider final passage of Ordinance #2325. Seconded by Silvia Rizzo.
- The motion passed by a voice vote.** (APPROVED)
- [2325](#) Ed Growney moved the passage of Ordinance #2325 as perfected, setting the 1994 Jackson County Community Mental Health Fund Levy. Seconded by Silvia Rizzo.
- Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
- (ADOPTED)
- [2326](#) Finance and Audit Committee moved to perfect.
- The motion passed by a voice vote.**
- Silvia Rizzo objects to consent agenda.*
- [2326](#) Silvia Rizzo moved to perfect Ordinance #2326. Seconded by Dennis Waits.
- The motion passed by a voice vote.** (PERFECTED)
- [2326](#) Silvia Rizzo moved to suspend the rules to consider final passage of Ordinance #2326. Seconded by Dennis Waits.
- The motion passed by a voice vote.** (APPROVED)
- [2326](#) Silvia Rizzo moved the passage of Ordinance #2326 as perfected, setting the 1994 merchants/ and manufacturers' inventory replacement tax levy. Seconded by Dennis Waits.
- Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
- (ADOPTED)
- [2327](#) Anti-Drug Committee moved to perfect. Consent Agenda.
- This ordinance is perfected pending compliance.*

[2329](#) Health and Justice Committee moved to perfect. Consent Agenda.

[2330](#) Anti-Drug Committee moved to perfect. Consent Agenda.

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

**8 RESOLUTIONS IN COMMITTEE**

No dissenting vote to consider Resolution #10478 - not on printed agenda.

[10478](#) Dennis Waits moved the passage of Resolution #10478, transferring \$128,200.00 within the 1994 General Fund for the renovation of courtroom space for the Circuit Court in Independence. Seconded by Silvia Rizzo.

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog

(ADOPTED)

[10454](#) Awarding a contract on Bid No. 79-94 for a parking lot extension at Adair Park to T.S.C. of Kansas, Inc. of Prairie Village, KS, in the actual amount of \$69,740.00.

[10456](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10457](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10458](#) Finance and Audit Committee moved do pass the Finance and Audit Committee Amendment of 9/16/1994, to delete the words "business personal and personal property declaration forms and envelopes" and insert the words "tax receipt self mailers" after the word "of" in the heading and in the first paragraph. Consent Agenda.

[10459](#) Land Use Committee moved do pass. Consent Agenda.

[10461](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10462](#) Health and Justice Committee moved do pass. Consent Agenda.

[10463](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10464](#) Land Use Committee moved do pass. Consent Agenda.

- [10465](#) Land Use Committee moved do pass. Consent Agenda.
- [10466](#) Land Use Committee moved do pass. Consent Agenda.
- [10467](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [10468](#) Anti-Drug Committee moved do pass. Consent Agenda.
- [10470](#) Anti-Drug Committee moved do pass the Anti-Drug Committee Amendment of 9/16/1994, to delete the figure "78,500.00" and insert the figure "150,000.00" after the symbol "\$" in the heading, and in the fourth paragraph. To delete the figure "78,500.00" and insert the figure and words "75,000.00 from her grant match account: and," after the symbol "\$" in the first paragraph on page two. To insert the words "WHEREAS, the Anti-Drug Sales Tax Fiscal Commission has reviewed this request and recommends funding in the amount of \$75,000.00 from its grant match account" before the word "therefore," in the second paragraph. Consent Agenda.
- [10471](#) Land Use Committee moved do pass. Consent Agenda.

## 9 CONSENT AGENDA

Silvia Rizzo moved the passage of the consent agenda. Seconded by Lisa White Hardwick. 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, Ed Growney, Tom Wyrsh and Robert E. Hertzog  
Absent: 1 - Dennis Waits

- [2322](#) Revising portions of the Jackson County Code, 1984, relating to the Jackson County, Missouri Revised Pension Plan. (PERFECTED)
- [2327](#) Appropriating \$25,000.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund and authorizing the Chairman of the Legislature to execute a Professional Services Agreement with Ralph C. Johnson and Company for the purpose of performing an audit of the Anti-Drug Sales Tax Trust Fund. (PERFECTED)
- [2329](#) Appropriating \$50,000.00 from the unappropriated surplus of the 1994 General Fund to cover the prisoner warrants for the Sheriff's Department for the remainder of 1994. (PERFECTED)

- [2330](#)           Appropriating \$10,000.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund to cover the reappropriation of funds for legal fees for the Family Court.  
(PERFECTED)
- [10456](#)           Authorizing the Chair of the Jackson County Fiscal Commission to extend the agreement with DeLaSalle Education Center, until December 31, 1994, for a total amount of \$14,585.00.  
(ADOPTED)
- [10457](#)           Authorizing the Chair of the Jackson County Fiscal Commission to extend the agreement with Niles Home for Children, until December 31, 1994, for a total amount of \$12,500.00.  
(ADOPTED)
- [10458](#)           Awarding a contract on Bid No. 123-94 for the furnishing of tax receipt self mailers for use by the Collection Department, to Print Graphics of Blue Springs, MO, in the actual amount of \$8,137.50.  
(ADOPTED)
- [10459](#)           Transferring \$22,796.00 within the 1994 Park Enterprise Fund and awarding a contract on Bid No. 112-94 for the furnishing of scoreboards and timers for use by the Parks and Recreation Department at Adair Park to Stevens Electric Company of Independence, MO, in the actual amount of \$22,796.00.  
(ADOPTED)
- [10461](#)           Awarding a contract on Bid No. 126-94 for the printing of business personal and personal property declaration forms and envelopes for use by the Assessment Department, to Print Graphics of Blue Springs, MO, Brian Pollmiller & Associates of Lenexa, KS, and X-Press Business Source of Kansas City, MO, in the actual aggregate amount of \$14,384.75.  
(ADOPTED)
- [10462](#)           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 Carter Equipment of Kansas City, MO, in the actual amount of \$62,100.00.  
(ADOPTED)
- [10463](#)           Awarding a contract on Bid No. 119-94 for the furnishing of raised floor panel replacement for the Management Information System Department to Data Environment Services of Lenexa, KS, in the actual amount of \$7,245.00.  
(ADOPTED)

- [10464](#) Rescinding Resolution 10448, dated August 22, 1994, and awarding a contract on Bid No. 117-94 for the furnishing of styrofoam logs for use by the Parks and Recreation Department for the South Jacomo boat dock, to Elf Machine Works, Inc., of Independence, MO, in the actual amount of \$11,327.40.  
(ADOPTED)
- [10465](#) Awarding a contract on Bid No. 127-94 for the furnishing of rental construction equipment for the Parks and Recreation Department to Mid-America Industrial Equipment of Kansas City, MO, in the actual amount of \$7,500.00  
(ADOPTED)
- [10466](#) Awarding a term and supply contract on Bid No. 121-94 for the furnishing of blue grass and zoysia sod for use by the Parks and Recreation Department to Reed Turf Farm of Kansas City, MO, and Greenhaven Sod & Landscaping of Riverside, MO, to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$30,000.00.  
(ADOPTED)
- [10467](#) Awarding a contract on Bid No. 108-94 for a truck engine conversion for the Jackson County Election Board van to Boulevard Truck Sales and Service of Kansas City, MO, in the actual amount of \$10,400.00.  
(ADOPTED)
- [10468](#) Rescinding Resolution 10229, adopted March 21, 1994, which authorized the Prosecuting Attorney to execute an agreement with the Eastern Jackson County Youth Court, and transferring the \$6,100.00 previously appropriated therefor within the Anti-Drug Sales Tax Fund from the Prosecuting Attorney to the Family Court Division for the purpose of obtaining services for its anti-drug programs.  
(ADOPTED)
- [10470](#) Authorizing the Prosecuting Attorney to execute an agreement with the Greater Kansas City Community Foundation and Affiliated Trusts for its Project Neighbor H.O.O.D. program, to provide a local match to a private grant, in an amount not to exceed \$150,000.00.  
(ADOPTED)
- [10471](#) Awarding a contract on Bid No. 107-94 for the furnishing of clean rip-rap rock for use by the Parks and Recreation Department to Martin Marietta Aggregates of Greenwood, Missouri, in the actual amount of \$8,910.00.  
(ADOPTED)

**10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

[2331](#) Abandoning certain excess road right-of-way in section 31, township 49, range 29, Jackson County, Missouri, and authorizing the County Executive to execute a quit claim deed in favor of Double M Construction Co., Inc., regarding same.

*(Public Works Committee)*

*No dissenting vote to consider Ordinance #2332 - not on printed agenda.*

[2332](#) Ed Growney moved to perfect Ordinance #2332. Seconded by Silvia Rizzo.

**The motion passed by a voice vote. (PERFECTED)**

[2332](#) Ed Growney moved to suspend the rules to consider final passage of Ordinance #2332. Seconded by Silvia Rizzo.

**The motion passed by a voice vote. (APPROVED)**

[2332](#) Ed Growney moved the passage of Ordinance #2332 as perfected, transferring \$7,009.00 within the 1994 Grant and General Funds and appropriating \$26,509.00 from the unappropriated surplus of the 1994 Grant Fund as a local match by the Prosecutor's Office to cover a grant received from the Missouri Department of Public Safety. Seconded by Silvia Rizzo.

Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Ed Growney, Tom Wyrsh and Robert E. Hertzog  
Absent: 1 - Dennis Waits

**(ADOPTED)**

[2333](#) Appropriating \$95,000.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund to cover planning consultant services for construction of the Department of Corrections' new detention center annex, and authorizing the County Executive to enter into a contract with Correctional Services Group, Inc. for said purpose in an amount not to exceed \$94,260.00.

*(Anti-Drug Committee)*

[2334](#) Appropriating \$8,481.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund and authorizing the Prosecuting Attorney to execute an agreement with the Greater Kansas City Community Foundation and Affiliated Trusts for the Rites of Passage Program through Project NeighborH.O.O.D., with a local match from the County not to exceed \$25,000.00.

*(Anti-Drug Committee)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10473](#) Awarding a contract for the sale of surplus county-owned real estate on Bid No. 109-94 to Missouri Gas Energy of Kansas City, Missouri, in the amount of \$50,500.00.

*(Land Use Committee)*



[10474](#) Awarding a contract for the sale of surplus county-owned real estate on Bid No. 103-94 to Richard Cushon in the amount of \$770.31 and Willie and Lottie Forte in the amount of \$1,500.00.

*(Land Use Committee)*

[10475](#) Awarding a term and supply contract on Bid No. 128-94 for the furnishing of custom file folders for use by the Prosecuting Attorney's Office to Universal Records of Blue Springs, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$11,600.00.

*(Health and Justice Committee)*

[10476](#) Awarding a term and supply contract on Bid No. 74-94 for the furnishing of recreational apparel for use by the Department of Corrections to Jerry's Sport Shops of Grandview, Missouri, New Wave Enterprises of Merriam, Kansas, and Victory Advertising of Kansas City, Missouri, to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$6,697.05.

*(Health and Justice Committee)*

[10477](#) Lisa White Hardwick moved the passage of Resolution #10477, authorizing the Jackson County Prosecuting Attorney to enter into an addendum to the contract of May 2, 1994, with George Rentfrow and Associates, d/b/a Midwest ADP, at no additional costs to Jackson County. Seconded by Silvia Rizzo.

Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Ed Growney, Tom Wyrsh and Robert E. Hertzog  
Absent: 1 - Dennis Waits

(ADOPTED)

[10478](#) Transferring \$128,200.00 within the 1994 General Fund for the renovation of courtroom space for the Circuit Court in Independence.

*Adopted out of sequence.*

*No dissenting vote to consider Resolutions #10479 and #10480 - not on printed agenda.*

[10479](#) Lisa White Hardwick moved the passage of Resolution #10479, authorizing Change Order No. 1 to the contract with Full Employment Council in connection with the Prosecuting Attorney's deferred prosecution program, decreasing the contract amount by \$170,340.00. Seconded by Silvia Rizzo.

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Ed Growney and Robert E. Hertzog  
Abstain: 1 - Tom Wyrsh  
Absent: 1 - Dennis Waits

(ADOPTED)

[10480](#)

Lisa White Hardwick moved the passage of Resolution #10480, authorizing the Prosecuting Attorney to execute an Agreement with Community Development Corporation of Kansas City, in connection with her deferred prosecution program, at a cost to the County not to exceed \$70,340.00. Seconded by Silvia Rizzo.

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Ed Growney and Robert E. Hertzog

Abstain: 1 - Tom Wyrsh

Absent: 1 - Dennis Waits

(ADOPTED)

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

Fred Arbanas asked if Leon Brownfield, Manager of Governmental Affairs, is still employed by the County. Marsha Murphy, County Executive, replied yes.

Fred Arbanas asked James Storkamp, County Counselor, if legislation could be introduced to deal with the pockets of unincorporated areas surrounded by Blue Springs which the city would like to annex. James Storkamp said Leon Brownfield is researching the matter and will report his findings. Fred Arbanas said that if legislation is introduced the County Legislature should support it.

**14 NEW BUSINESS**

Closed meeting to discuss litigation.

Mary Lou Smith asked when Dr. Mitruka was replaced?

Marsha Murphy, County Executive, said Dr. Mitruka was replaced 10 days ago. Dr. Michael Berkland has been hired as the acting Medical Examiner. She said the search for a full time Medical Examiner is ongoing and the salary is set at \$115,000.00 which she may need the Legislature's approval to increase.

**15 ADJOURNMENT**

*Meeting adjourned until Monday, September 26, 1994, at 10:00 a.m. in the Legislative Assembly Area, Independence, Missouri.*