



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
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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, September 10, 2001

3:30 PM

Thirty-fifth Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

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, Ronald E. Finley, Dennis Waits,
Terry Young and Bob Spence
Absent: Scott Burnett

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 9/4/2001.
Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Resolution #13822 adopted at this time. See page 7 for details.

Resolution #13823 adopted at this time. See page 8 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

*Katheryn Shields, County Executive, announced that Jackson County and the Jackson County Historical Society will be hosting the opening night of the World Premier of *Breath of an American Spirit: Sacagawea* at the Coterie Theatre in Crown Center on opening night September 27, 2001. This event is an unofficial beginning for Jackson County's 175th Anniversary Celebration, the actual anniversary date is December 15th.*

The play is the story of Sacagawea, the Native American woman who helped Lewis and Clark on their historical expedition. The evening will include refreshments catered from D'Bronx and a viewing of the play. Tickets are \$10 and can be purchased by calling the Jackson County Historical Society at 461-1897.

Katheryn Shields reported that County volunteers sold over 450 papers on Red Friday to raise money for several charities sponsored by the Kansas City Chiefs. She thanked Fred Arbanas' aide, Karen Conrad, for helping organize this event.

Ronald E. Finley, County Legislator, asked about the memorandum he received regarding the shortfall in sales tax projections.

Katheryn Shields responded that due to the sluggish economy, Jackson County has fallen short of projected sales tax revenues for the first two quarters of 2001. If this trend continues it will create an estimated \$2.5 million shortage in the 2002 budget projections. Additional items in the 2002 budget such as election costs, health insurance increase and the employee merit pool will be impacted by this shortfall. In the Kansas City Star last week it was reported that the City of Kansas City is looking at a \$10.5 million deficit for 2002. Cities such as Blue Springs, Olathe and Overland Park are all experiencing projection shortfalls due to a faltering economy and sales and income tax revenues.

In light of this, the Administration has implemented a limited hiring freeze for all non-essential job openings from September 1, 2001 through the end of the year. This does not include the Collection's or Sheriff's Department. All County Departments have been notified and are making every attempt to find ways to be more frugal with their expenses. Departments are also trying to increase the fund balance by decreasing expenditures from 2001. Katheryn Shields is confident that this sales tax shortfall can be overcome so that Jackson County can still provide the citizens with the best possible services.

Ronald E. Finley, County Legislator, asked if the health insurance plans could go out for bid.

Katheryn Shields said that she would get information and report on this matter at the legislative meeting next week.

Ronald E. Finley asked Ms. Shields to come forward with budget issues so that the Legislature and Administration can work together.

Victor E. Callahan, Chairman, asked if the Records Department is still on schedule for the 7 day return of titles as he has been receiving calls from constituents.

Katheryn Shields replied yes, and said they are trying to process titles on the same day.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3173 through #3176.

Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will hold a public hearing on Ordinances #3173 through #3176 on Monday, September 24, 2001 at 2:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

3173

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 100 ± acre tract, and approving the preliminary plat "Windsor - Lots 29-38," creating a ten-lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

3174

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 5 ± acre tract.

(Land Use Committee - 2nd. Perfection)

3175

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 70 ± acre tract and approving the preliminary plat "Country Summit Estates," creating an eleven-residential and one-commercial lot subdivision.

(Land Use Committee - 2nd. Perfection)

3176

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to LB (Local Business District), a certain 3 ± acre tract.

(Land Use Committee - 2nd. Perfection)

3177

AN ORDINANCE appropriating \$4,587,703.00, from the unappropriated surplus of the 2001 Criminal Justice Improvement Fund and awarding a contract for the furnishing of energy performance contracting services to Johnson Controls, Inc., of Lenexa, KS, at an initial cost of \$3,833,115.00, and a five-year cost of \$4,590,333.00.

(Finance and Audit Committee - 2nd. Perfection)

3180

Health and Justice Committee moved to perfect. Consent Agenda.

3181

Health and Justice Committee moved to perfect.

Terry Young objects to the consent agenda.

3181

Terry Young moved to perfect Ordinance #3181. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(PERFECTED)

[3181](#) Terry Young moved to suspend the rules to consider final passage of Ordinance #3181. Seconded by Bill Petrie.
The motion passed by a voice vote. (APPROVED)

[3181](#) Terry Young moved the passage of Ordinance #3181 as perfected, enacting section 5560., Jackson County Code, 1984, relating to child endangerment. Seconded by Dan Tarwater.
Yes: 7 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence
Absent: 1 - Scott Burnett
(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[13805](#) Health and Justice Committee moved do pass. Consent Agenda.

[13808](#) Finance and Audit Committee moved do pass. Consent Agenda.

[13812](#) Health and Justice Committee moved do pass. Consent Agenda.

[13813](#) Health and Justice Committee moved do pass. Consent Agenda.

[13815](#) Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3180](#) AN ORDINANCE appropriating \$5,773.60 from the unappropriated surplus of the 2001 General Fund to cover the cost of current obligations for services provided by the National Center for Fathering.
(PERFECTED)

[13805](#) A RESOLUTION awarding a contract on Bid No. 85-01 for the furnishing of an x-ray scanning system for use by the Sheriff's Department to Control Screening LLC of W. Lafayette, IN, in the actual amount of \$21,950.00.
(ADOPTED)

[13808](#) A RESOLUTION authorizing the Trustees of the Land Trust of Jackson County, Missouri to convey three (3) 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.

(ADOPTED)

[13812](#) A RESOLUTION authorizing the County Executive to execute a Supplemental Cooperative Agreement with the State of Missouri through the Missouri Department of Social Services, Division of Child Support Enforcement.

(ADOPTED)

[13813](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for Child Support Enforcement with the Missouri Department of Social Services, Division of Child Support Enforcement, the Prosecuting Attorney and the Circuit Court of Jackson County.

(ADOPTED)

[13815](#) A RESOLUTION authorizing payment of \$794.70 to the City of Levasy from the Levasy CURS account to cover costs of the City's 2001 street repair program.

(ADOPTED)

To perfect Ordinance 3180. To adopt Resolutions 13805, 13808, 13812, 13813, 13815.

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

Victor E. Callahan, Chairman, announced that during the legislative meeting on Monday, September, 17, 2001, there will be a public hearing regarding the property tax rates of Jackson County, Missouri, Board of Services for the Developmentally Disabled, the Mental Health Fund and the Merchants' and Manufacturers' Inventory Replacement.

[3182](#) Setting the 2001 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.
(Legislature As A Whole)

[3183](#) Setting the 2001 Jackson County, Missouri, tax levy.
(Legislature As A Whole)

[3184](#) Setting the 2001 merchants and manufacturers' inventory replacement tax levy.
(Legislature As A Whole)

[3185](#) Setting the 2001 Jackson County Community Mental Health Fund Levy.
(Legislature As A Whole)

[3186](#) Appropriating \$16,100.00 from the unappropriated surplus of the 2001 Grant Fund to cover the "Parenting Together Living Apart" Grant for the Family Court Division funded by the Office of State Courts Administrator.
(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[13816](#) Awarding a term and supply contract on Bid No. 95-01 for the furnishing and installation of auto/truck safety glass for use by the Public Works and Parks and Recreation Departments to Safelite Auto Glass Co. of North Kansas City, MO, to provide for their needs for the upcoming one-year period, in the estimated amount of \$10,000.00.
(Public Works Committee)

[13817](#) Awarding a contract on Bid No. 84-01 for the furnishing of one (1) motorgrader, for use by the Department of Public Works to Cooke Sales & Service Co. of Chillicothe, MO, in the actual amount of \$101,468.00, and declaring one (1) 1985 Champion Model 8400 Motorgrader, MG-02, Serial Number 730A13714522282, as surplus and authorizing its disposal by way of a trade-in.
(Public Works Committee)

Ronald E. Finley, Vice-Chairman, assumes the Chair.

Victor E. Callahan, Chairman, comments on Resolution #13818.

[13818](#) Terry Young moved the passage of Resolution #13818, in support of basic concepts presented in the Visitor Orientation Development Study to establish a Visitor Orientation Center in the Historic Independence Courthouse. Seconded by Dan Tarwater.

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

(ADOPTED)

Victor E. Callahan, Chairman, resumes the Chair.

[13819](#) Dennis Waits moved the passage of Resolution #13819, congratulating Ryan Simcosky upon receiving the highest award in scouting, the Eagle Scout Badge. Seconded by Dan Tarwater.

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

(ADOPTED)

[13820](#)

Terry Young moved the passage of Resolution #13820, congratulating Matthew Victor Martin upon receiving the highest award in scouting, the Eagle Scout Badge. Seconded by Dan Tarwater.

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

Absent: 1 - Scott Burnett

(ADOPTED)

Ronald E. Finley, Vice-Chairman, assumes the Chair.

[13821](#)

Victor E. Callahan moved do pass the Floor Amendment of 9/10/2001, to delete the words "to support the Nunc Pro Tunc Motion to be filed by the Democratic Party" and insert the words "not to oppose the Motion to amend filed by Mr. Wyrsh" in the heading, to insert as the second paragraph the words "WHEREAS, the Jackson County Counselor works at the direction of both the Jackson County Legislature and Jackson County Executive; and,", to insert the word "were" after the words "all parties", to delete the words "agreed to draft of the order did not include a requirement of a written progress report to the Judge fifteen days after the Committee begins to meet;" all in the fourth paragraph, to insert the paragraph "WHEREAS, Intervenor Thomas Wyrsh now submits his opposition to the section of the order that orders the Reapportionment Committee to submit to the court a progress report after fifteen days as frivolous, unnecessary, and in conflict with the provision of the order that gives the Committee thirty days to draw a map; and,", to delete the paragraph "WHEREAS, the Jackson County Legislature does not support the inclusion of the fifteen day report requirement in the Judge's order; and" and to delete the words "Nunc Pro Tunc" after the words "Court a", to delete the words "correct the apparent clerical error in the order" and insert the words "Amend to remove the fifteen day provision on September 12, 2001" after the words "Motion to" in the second paragraph on page two, to delete the words "support the Nunc Pro Tunc" and insert the words "not oppose the" after the words "Counselor to", to insert the words "to Amend" after the word "Motion", to delete the words "file with Judge Torrence's court a motion to join with" and insert the words "not interfere with" after the words "and to", to delete the words "Nunc Pro Tunc" after the word "Wyrsh's" in the third paragraph on page two.

Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley and Terry Young

Abstain: 2 - Dennis Waits and Bob Spence

Absent: 1 - Scott Burnett

(APPROVED)

[13821](#)

Terry Young moved to adopt Resolution #13821 as amended, directing the County Counselor not to oppose the Motion to Amend filed by Mr. Wyrsh. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley and Terry Young

Abstain: 2 - Dennis Waits and Bob Spence

Absent: 1 - Scott Burnett

(ADOPTED)

Victor E. Callahan, Chairman, resumes the Chair.

[13822](#)

Terry Young moved the passage of Resolution #13822, congratulating "Lightning Liz" Stephens upon winning the 2001 BMX World Championship for the girls age 16 division. Seconded by Dan Tarwater.

Yes: 6 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley, Terry Young and Bob Spence

Absent: 2 - Scott Burnett and Dennis Waits

(ADOPTED)

[13823](#)

Dan Tarwater moved the passage of Resolution #13823, congratulating Eva Pontalio on her 24 years with Jackson County and wishing her well on her retirement. Seconded by Terry Young.

Yes: 6 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Ronald E. Finley, Terry Young and Bob Spence

Absent: 2 - Scott Burnett and Dennis Waits

(ADOPTED)

No dissenting vote to consider Resolution #13824 - not on printed agenda.

[13824](#)

Bill Petrie moved the passage of Resolution #13824, authorizing the County Executive to execute an Agreement for Services with the Mid-America Local Emergency Planning Committee and the Mid-America Regional Council. 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)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, September 17, 2001, at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.