



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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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, January 30, 1995

1:00 PM

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

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

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Public Hearing on the 1995 budget.

James Storkamp, County Counselor, apologized for not scheduling the public hearing of the 1995 budget at an earlier date.

Larry Vaydik said he did not think it was necessary for the County Executive and County Legislature to have lobbyists in Jefferson City.

Ken McLain, a lawyer from Independence who served on the County Executive transition team, asked the Legislature to keep an open mind when considering additional space for the court facilities in eastern Jackson County. He said the Bar Association does not favor the purchase and renovation of the old City Hall building in Independence. Members of the Bar Association have met with Katheryn Shields and have formed a committee to review this matter.

James D. Tindall, Chairman, asked Mr. McLain if members of the Legislature would be welcome on the committee.

Mr. McLain replied yes.

Dennis Waits said the County has set aside money in the 1995 budget to purchase a building to be used by the courts. However, the purchase will require final approval by the County Legislature and he welcomes the Bar Association's input.

Budget hearing closed.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, thanked Legislators for their help and cooperation during the 1995 budget process. She said since no testimony given will require changes in the budget she planned to sign it later today. She said with the exceptions of the Sheriff's and Prosecutor's office the two percent pay increase for all County employees will be reflected on the next paycheck.

Lisa White Hardwick asked for an update on the jail overcrowding litigation.

Katheryn Shields, County Executive, said the County will need to present a plan to the court on February 14, 1995. Ms. Shields met with Fred Arbanas, Claudia York, the County Counselor and members of the Administration to work out a plan and will continue to report their progress to the Legislature.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[2359](#)

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.

[2360](#)

Appropriating \$100,000.00 from the unappropriated surplus of the 1994 General Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement.

[2363](#) AN ORDINANCE repealing chapters 26, 27, 33, 82, 239, and 240, Jackson County Code, 1984, relating to the development of land, and enacting, in lieu thereof, one new chapter relating to the same subject, to be known as chapter 240, the Unified Development Code of Jackson County.

[2373](#) Anti-Drug Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2365](#) Consent Agenda.

[2369](#) Consent Agenda.

[2370](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[10606](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10612](#) Public Works Committee moved do pass. Consent Agenda.

[10613](#) A RESOLUTION authorizing the Prosecuting Attorney to execute a Second Addendum to the Agreement with Central Kansas City Mental Health Services, to provide for treatment of drug court clients, at no additional cost to the County.

[10614](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10615](#) Health and Justice Committee moved do pass. Consent Agenda.

[10616](#) Inter-Governmental Affairs Committee moved do pass the Inter-Governmental Affairs Committee Amendment of 1/30/1995, to insert the words and figures "ACCOUNT NUMBER: 001 050 0112 6080, ACCOUNT TITLE: General Fund, Legislature, Legislature As A Whole, Other Professional Services, NOT TO EXCEED: \$32,500.00" all in the fiscal note on page three.

Dixie Flynn and Lisa White Hardwick object to the consent agenda.

[10616](#) Dan Tarwater moved to adopt Resolution #10616 as amended, authorizing the Chairman of the Legislature's Intergovernmental Affairs Committee to execute an Agreement with William F. Waris to serve as a public liaison, at a cost to the County not to exceed \$32,500.00. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, John Patrick Burnett, James D. Tindall, James D. Tindall and Dennis Waits

No: 3 - Lisa White Hardwick, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

(ADOPTED)

[10617](#) Inter-Governmental Affairs Committee moved do pass the Inter-Governmental Affairs Committee Amendment of 1/30/1995, to insert the words and figures "ACCOUNT NUMBER: 001 050 0112 6080, ACCOUNT TITLE: General Fund, Legislature, Legislature As A Whole, Other Professional Services, NOT TO EXCEED: \$7,500.00" all in the fiscal note on page three.

Lisa White Hardwick and Dixie Flynn object to the consent agenda.

[10617](#) Dennis Waits moved to adopt Resolution #10617 as amended, authorizing the Chairman of the Legislature's Intergovernmental Affairs Committee to execute an Agreement with W.T. Dawson to serve as the County's assistant public liaison, at a cost to the County not to exceed \$7,500.00. Seconded by Victor E. Callahan.

Yes: 5 - Victor E. Callahan, John Patrick Burnett, James D. Tindall, James D. Tindall and Dennis Waits

No: 3 - Lisa White Hardwick, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

(ADOPTED)

9 CONSENT AGENDA

Victor E. Callahan moved the passage of the consent agenda. Seconded by John Patrick Burnett. The motion passed by a roll call vote:

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

[2373](#) AN ORDINANCE appropriating \$1,500,000 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund.

(PERFECTED)

[2365](#) AN ORDINANCE appropriating \$38,690.00 from the unappropriated surplus of the 1995 County Urban Road System Fund, and authorizing Change Order No. 3 (Final) to the contract with Lamm Construction of Belton, MO, for the 85th Street Improvements, County Project No. 2139, increasing the contract amount by \$38,689.16.

(ADOPTED)

[2369](#) AN ORDINANCE appropriating \$13,028.00 from the unappropriated surplus of the 1995 Grant Fund to cover the SAFE-TYES Grant received from the United States Department of Health and Human Services through Children's Mercy Hospital for the Family Court Division.

(ADOPTED)

[2370](#) AN ORDINANCE appropriating \$32,274.00 from the unappropriated surplus of the 1995 Grant Fund to cover the Linkage Coordinator Grant received from the United States Department of Health and Human Services through Children's Mercy Hospital for the Family Court Division.

(ADOPTED)

[10606](#) A RESOLUTION authorizing the Prosecuting Attorney to execute a contract with the Kansas City Crime Commission, Metropolitan Community Services Program, to provide placement and supervision services for her Deferred Prosecution and Drug Court Programs, at a cost to the County not to exceed \$40,020.00.

(ADOPTED)

[10612](#) A RESOLUTION authorizing total payment of \$760.00 to certain property owners for the acquisition of temporary construction easements in settlement of claims for damage in connection with the Longview Road at Blue Ridge Project, No. 2075-3.

(ADOPTED)

[10614](#) A RESOLUTION authorizing the Prosecuting Attorney to execute a Fourth Addendum to the Agreement with National Council on Alcoholism and Drug Dependence for substance abuse assessment services for deferred prosecution defendants, at no additional cost to the County.

(ADOPTED)

[10615](#) A RESOLUTION approving a contract for the purchase of 15 full size 4-door police package sedans for use by the Sheriff's Department under the 1995 Joint Governmental Fleet Bid, an existing government contract of the City of Olathe, KS, from Metro Ford of Independence, MO, in the actual amount of \$241,267.50.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10618](#)

Dan Tarwater moved the passage of Resolution #10618, recognizing Sister Mary de La Salle McKeon for her talents as a musician and declaring March 19, 1995, as SISTER MARY DE LA SALLE MCKEON DAY in Jackson County, Missouri. Seconded by Lisa White Hardwick.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Fred Arbanas

(ADOPTED)

[AL10619](#)

Authorizing the Prosecuting Attorney to execute an agreement with the National Council on Alcoholism and Drug Dependency, for the purpose of preventing drug and drug-related offenses, at a cost to the County not to exceed \$30,433.00.

(Anti-Drug Committee)

[10620](#)

Authorizing the Prosecuting Attorney to execute an agreement with Central Kansas City Mental Health Services, for the purpose of preventing drug and drug-related offenses, at a cost to the County not to exceed \$180,546.00.

(Anti-Drug Committee)

[10621](#)

Authorizing the County Executive to execute on behalf of Jackson County the 1995 Prisoner Care Rates Agreement with Kansas City, Missouri, at a cost to the County not to exceed \$1,000.00.

(Health and Justice Committee)

[10622](#)

John C. Graham moved the passage of Resolution #10622, authorizing the Chairman of the Legislature's Intergovernmental Affairs Committee to execute an Agreement with Robert T. Johnson to serve as the County's assistant public liaison, at a cost to the County not to exceed \$5,000.00. Seconded by Dan Tarwater.

Yes: 6 - Victor E. Callahan, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits and John C. Graham
No: 2 - Lisa White Hardwick and Dixie M. Flynn
Absent: 1 - Fred Arbanas

(ADOPTED)

[10623](#)

Expressing the intent of the Legislature that the Legislature's liaison efforts in connection with the 1995 regular session of the Missouri General Assembly be bipartisan in nature, and authorizing the Chairman of the Legislature's Intergovernmental Affairs Committee to execute Agreements with W. T. Dawson and Robert E. "Bud" Hertzog to serve as public liaisons, at a total cost to the County not to exceed \$40,000.00.

WITHDRAWN BY SPONSOR FLYNN, CONCURRED BY HARDWICK AND WAITS.

[10624](#)

Dennis Waits moved the passage of Resolution #10624, authorizing the Jackson County Legislature to hold a closed meeting on Monday, January 30, 1995, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation. Seconded by Victor E. Callahan.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Fred Arbanas

(ADOPTED)

No dissenting vote to consider Resolution #10625 - not on printed agenda.

[10625](#)

Dixie M. Flynn moved the passage of Resolution #10625, authorizing the Jackson County Counselor to settle the lawsuit styled Paslay, et al. v. Jackson County, Missouri., now pending in the Circuit Court of Jackson County, Missouri, Case No. CV93-6175, for a total payment of \$90,000. Seconded by Victor E. Callahan.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 2 - Fred Arbanas and John Patrick Burnett

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

There was a five minute recess prior to the closed meeting.

Closed meeting to discuss litigation.

Meeting reconvenes.

Discussion regarding procedures of the Inter-Governmental Affairs Committee working with the lobbyists.

Resolution #10625 was adopted at this time. See above for detail.

14 NEW BUSINESS

None.

15 **ADJOURNMENT**

Lisa White Hardwick moved to adjourn the meeting. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, February 6, 1995, at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.