



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)*

**Tuesday, July 6, 1999**

**3:30 PM**

**Twenty-sixth 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, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

**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 Dennis Waits.

**The motion passed by a voice vote.**

**(APPROVED)**

**4 HEARINGS**

*None.*

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

*Katheryn Shields, County Executive, gave special thanks to the Records Response Team. She said privately raised funds were used to send each team member two AMC theater tickets with two soft drinks and a medium popcorn along with their appreciation certificate.*

*Ken Evans, Public Information Officer, distributed a booklet with information regarding the janitorial services provided by Woodley Building Maintenance.*

*Katheryn Shields said a list of the janitorial complaints has been compiled and provided to the Legislative Auditor for distribution to the Legislature. She said when Woodley was terminated she declared an emergency for the purchase of temporary janitorial service. The County solicited phone bids and hired B & G Services to clean on a temporary basis until approximately September 1, 1999, so the Purchasing Department can re-bid the contract. Per Mr. Finley's request, Ms. Shields said she would give a detailed report of this bid process to the Legislature prior to the next legislative meeting.*

*Terry Young, County Legislator, wanted to clarify that she did invite the County Executive to the public hearing today regarding Woodley Building Maintenance. Ms. Shields indicated that she had a conflict with her schedule but could be at the meeting by 2 p.m. Ms. Young was unable to reschedule the meeting because notice had gone out and she was unable to notify everyone of a time change.*

*Bob Spence, County Legislator, asked questions of the County Executive and asked the Legislative Auditor to verify the answers given.*

*He asked if the cost of the initial plan for a jail annex was in excess of 30 million. Ms. Shields said the previous Administration had a request for design/build contract for the jail annex that was estimated to be between 28-30 million dollars.*

*Mr. Spence said he heard it was going to cost several million more dollars to operate the annex. Ms. Shields said there was an estimate from consultants that it would cost almost 16 million dollars per year to operate the annex. The cost to run the existing jail at that time was approximately 11 million annually. There was a 5 million dollar difference in operating expenses.*

*Mr. Spence asked the legislative auditor to track in the audit of the contracts the County requested enhancements and not just the change orders. Ms. Shields said one such contract was with Mark I in the amount of \$675,000.00 and another \$150,000.00 of change orders that were enhancements to the program.*

*Mr. Spence asked if the County Executive anticipated the County getting out from under the court order. Ms. Shields said it is the decision of Judge Whipple. She said Judge Whipple met with Jane McQueeney, County Counselor, and during their conversation he indicated that he did not have a lot of confidence that Jackson County had the ability to maintain reasonable population levels without input from the federal court. She said the population control program is a program that has saved the County money. Prior to the program, the County was paying nearly \$700,000.00 annually to house prisoners in other facilities. Currently we trade prisoners with Clay County and pay very little. The population control office has a budget of \$501,000.00 in 1999 which includes two staff people who manage the daily population of the jail.*

*Mr. Spence reiterated Mr. Arbanas' request for the amount of money the County has paid to Claudia York, attorney for the inmate class. Ms. Shields said the County Counselor's office is working on that and should have an answer by the next legislative meeting.*

*Ronald E. Finley, County Legislator, asked the legislative auditor to make note of Mr. Spence's questions and concerns regarding the jail annex and discuss them with the staff from the State Auditor's office when they meet on July 19. He said they should be considered in any recommendation regarding the scope of the contract or any further resolutions.*

*Ms. Shields stated that the jail annex built by this Administration is a smaller jail. It was also designed differently to reduce the cost. However, part of the reason the judge agreed to this was due to the population control coordinator being put into effect.*

## 6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[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.

[2917](#) Land Use Committee moved to perfect.

*Fred Arbanas objects to the consent agenda.*

- [2917](#) Fred Arbanas moved to perfect Ordinance #2917. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2917](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2917.  
Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*  
*Resolution #12794 was adopted at this time. See page five for details.*
- [2918](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*
- [2918](#) Fred Arbanas moved to perfect Ordinance #2918. Seconded by Terry Young.  
**The motion passed by a voice vote.** (PERFECTED)
- [2918](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2918.  
Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [2919](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*
- [2919](#) Fred Arbanas moved to perfect Ordinance #2919. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)
- [2919](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2919.  
Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [2920](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*
- [2920](#) Fred Arbanas moved to perfect Ordinance #2920. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (PERFECTED)

- [2920](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2920. Seconded by Terry Young.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [2921](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*
- [2921](#) Fred Arbanas moved to perfect Ordinance #2921. Seconded by Terry Young.  
**The motion passed by a voice vote.** (PERFECTED)
- [2921](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2921. Seconded by Terry Young.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*  
*Fred Arbanas moved to waive the reading of Ordinance #2922. 2nd. by Dan Tarwater.*  
*Voice Vote. (APPROVED)*
- [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.
- [2926](#) Anti-Drug Committee moved to perfect. Consent Agenda.

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

- [2917](#) Consent Agenda.
- [2918](#) Consent Agenda.
- [2919](#) Consent Agenda.
- [2920](#) Consent Agenda.
- [2921](#) Consent Agenda.
- [2925](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

[12751](#) Public Works Committee moved do pass. Consent Agenda.

[12761](#) A RESOLUTION transferring \$158,030.00 within the 1999 Prosecuting Attorney's Sales Tax Collection Fee Fund, to cover the cost of salaries, fringe benefits, supplies, contractual services, and capital equipment for the Prosecuting Attorney's newly-established Back Tax Collection Unit.

[12782](#) Land Use Committee moved do pass. Consent Agenda.

[12783](#) Approving the purchase of AutoCad software for use by the Public Works Department from DLT Solutions of Herndon, Virginia, under the federal government's General Services Administration contract, at an actual cost to the County of \$5,480.00.

*(WITHDRAWN BY SPONSOR HARDWICK, CONCURRED BY FINLEY AND ARBANAS.)*

[12784](#) Health and Justice Committee moved do pass. Consent Agenda.

[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.

*A public hearing will be scheduled at a later date.*

[12786](#) Public Works Committee moved do pass. Consent Agenda.

[12787](#) Ronald E. Finley moved the passage of Resolution #12787, a RESOLUTION approving the hiring of Patricia Weaver by the Housing Resources Commission as Housing Coordinator. Seconded by Terry Young.

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Ronald E. Finley, Terry Young and Bob Spence

Absent: 2 - Scott Burnett and Dennis Waits

(ADOPTED)

[12788](#) Land Use Committee moved do pass. Consent Agenda.

[12789](#) A RESOLUTION authorizing final payment on the contract with Superior-Bowen Asphalt Company of Kansas City, MO, for the 1998 Road Surface Rehabilitation and Reconstruction Project, No. 2370.

[12790](#) A RESOLUTION awarding a term and supply contract on Bid No. 85-99 for the furnishing of maintenance and as-needed service of office equipment for use county-wide to Office Machine Clinic of Blue Springs, MO (\$6,000), Midwest Technology Connection of Kansas City, MO (\$3,000), and Electronic Office Systems of Independence, MO (\$3,000), to provide for county-wide needs for the upcoming one-year period, in the estimated aggregate amount of \$12,000.00.

[12791](#) A RESOLUTION awarding a term and supply contract on Bid No. 43-99 for the furnishing of microfiche services for use by the Department of Finance to Output Technologies of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$21,960.00.

[12792](#) Land Use Committee moved do pass. Consent Agenda.

*Bob Spence, County Legislator, circulated committee amendment #2 but did not make a motion. Therefore, amendment #2 will be included with backup material for Resolution #12794 as no action was taken on it.*

*Bob Spence said he will vote for Resolution #12794 because he does not want to impede the audit. However, he said he objects to some of the acrimonious language in the resolution and hopes future resolutions can be written to get to the point of the matter without seeming to politicize the situation.*

*Victor E. Callahan, Chairman, asked what specifically was acrimonious in the resolution.*

*Bob Spence responded that he does not believe that the 4th Whereas and the 5th Whereas are necessarily factual. He said the 2nd Whereas is not factual anymore. He called for the question.*

**The motion passed by a voice vote.**

[12794](#) Finance and Audit Committee moved do pass the Finance and Audit Committee Amendment of 7/6/1999, to delete the word "and" after the word "management", to insert the words "and operation" after the word "construction", to insert the words "including the Population Control Management Program" after the word "project" all in the heading. To delete the word "and" after the word "management", to insert the words "and operation" after the word "construction", to insert the words "including the Population Control Management Program and" after the word "project" all in the BE IT RESOLVED paragraph.

*Ronald E. Finley objects to the consent agenda.*

[12794](#) Ronald E. Finley moved to adopt Resolution #12794 as amended, requesting the Jackson County Auditor and the Missouri State Auditor to audit all financial transactions and accounts relating to the management and construction of the Jackson County Detention Center Annex and renovation project. Seconded by Terry Young.

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

Absent: 1 - Scott Burnett

(ADOPTED)

- [12795](#) A RESOLUTION authorizing the County Executive and the Sheriff to execute a recognition agreement with the Fraternal Order of Police, Lodge #50 of the Jackson County Sheriff's Department.

**9 CONSENT AGENDA**

Ronald E. Finley moved the passage of the consent agenda. Seconded by Terry Young. The motion passed by a roll call vote:

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Ronald E. Finley, Terry Young and Bob Spence

Absent: 2 - Scott Burnett and Dennis Waits

- [2926](#) AN ORDINANCE appropriating \$243,031.00 from the unappropriated surplus of the 1999 Grant 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.

(PERFECTED)

- [2917](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 39.4 + acre tract and approving the preliminary plat "Ryan's Ridge," creating a six-lot residential subdivision.

(ADOPTED)

- [2918](#) AN ORDINANCE approving a conditional use permit to construct a 147-foot monopole commercial communication tower, as to a certain 0.028 + acre tract.

(ADOPTED)

- [2919](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 14 + acre tract.

(ADOPTED)

- [2920](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 3 + acre tract.

(ADOPTED)

- [2921](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 16 + acre tract and approving the preliminary plat "R&R Estates," creating a four-lot residential subdivision.

(ADOPTED)



- [2925](#) AN ORDINANCE appropriating \$76,121.40 from the unappropriated surplus of the 1999 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute a Cooperative Agreement with the City of Kansas City, MO for its "In School Truancy Prevention Project," at a cost to the County not to exceed \$146,492.63.  
(ADOPTED)
- [12751](#) A RESOLUTION authorizing Change Order No. 1 to the contract with Industrial Excavating of Kansas City, MO, for the Howell Road Bridge Replacement, Project No. 2298, increasing the contract amount by \$592.31.  
(ADOPTED)
- [12782](#) A RESOLUTION awarding a contract on Bid No. 80-99 for the furnishing of an engine diagnostic center package for use by the Parks and Recreation Department, to NAPA Auto Parts of Independence, MO, in the actual amount of \$10,797.00.  
(ADOPTED)
- [12784](#) A RESOLUTION awarding a contract on Bid No. 83-99 for the furnishing of miscellaneous Microsoft computer software for use by the Family Support Division of the Prosecuting Attorney's Office to SAI Computers of Greenville, North Carolina, in the actual amount of \$9,203.54.  
(ADOPTED)
- [12786](#) A RESOLUTION awarding a term and supply contract on Bid No. 89-99 for the furnishing of automotive electronic supplies for use by the Public Works and Parks and Recreation Departments to Kar Products of Des Plaines, IL, in the estimated amount of \$6,000.00.  
(ADOPTED)
- [12788](#) A RESOLUTION awarding a term and supply contract on Bid No. 92-99 for the furnishing of clean rip-rap rock for use by the Parks and Recreation Department to Damon Pursell Construction Co. of Liberty, MO, in the estimated amount of \$20,000.00.  
(ADOPTED)
- [12792](#) A RESOLUTION awarding a contract on Bid No. 47-99 for the installation of an above-ground dual-tank fuel system for use by the Parks and Recreation Department to Environmental Specialists Inc. of Kansas City, MO, in the actual amount of \$18,399.00.  
(ADOPTED)

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

- [2927](#) 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.  
*(Anti-Drug Committee)*

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*A public hearing is scheduled to be held at 1:00 p.m. Friday, July 23, 1999 at Fleming Hall, 21906 Woods Chapel Road, Blue Springs, Missouri regarding Ordinances #2928, #2929 and #2930.*

[2928](#) Vacating part of Lot 7 within the subdivision plat "Holly Hill."

*(Land Use Committee)*

[2929](#) 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.

*(Land Use Committee)*

[2930](#) 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.

*(Land Use Committee)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[12797](#) A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, July 6, 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.

*This resolution will be held until the Legislature reconvenes on Monday, July 12, 1999.*

[12797](#) A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, July 6, 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.

*Authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, July 6, 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.  
(Introduced by Victor E. Callahan)*

[12798](#) Authorizing the County Executive to execute an agreement with Mid America Assistance Coalition (MAAC), to provide assistance to clients of the Prosecuting Attorney's Drug Court Program, at a cost to the County not to exceed \$10,000.00.

*(Anti-Drug Committee)*

[12799](#) Awarding a term and supply contract on Bid No. 73-99 for the furnishing of pipe and plumbing related supplies for use by various county departments to American Pipe & Supply Co., Inc., of Kansas City, MO (\$14,000.00), Pro Fitting, Inc., of Kansas City, MO (\$14,000.00), and Neenan Company of Kansas City, MO (\$14,000.00), to provide for countywide needs for the upcoming one-year period, in the estimated aggregate amount of \$42,000.00.

*(Finance and Audit Committee)*

[12800](#) Fred Arbanas moved the passage of Resolution #12800, in support of submitting a grant application to the Missouri Department of Natural Resources in connection with the Landmark Local Parks Program for funds to renovate two playgrounds in Fleming Park. Seconded by Terry Young.

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

Absent: 3 - Lisa White Hardwick, Scott Burnett and Dennis Waits

(ADOPTED)

*Bob Spence, County Legislator, left the meeting which caused a lack of quorum. The meeting could not be continued or adjourned.*

## 12 COUNTY EXECUTIVE ORDERS

[99-28](#) I hereby reappoint Barbara J. Miller to the Jackson County Mid-Continent Library Board, for a term to expire May 30, 2003.

## 13 UNFINISHED BUSINESS

## 14 NEW BUSINESS

## 15 ADJOURNMENT

*Due to a lack of quorum, the meeting will reconvene on Monday, July 12, 1999 at 3:30 p.m. at 112 W. Lexington, 2nd floor, Division 28, Independence, Missouri.*