



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, November 21, 1994

1:00 PM

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

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 Ed Growney.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[2335](#)

Land Use Committee moved to perfect.

The motion passed by a voice vote.

Fred Arbanas objects to the consent agenda.

- [2335](#) Fred Arbanas moved to substitute Ordinance #2335, amending sections 24010., 24030., and 24202., Jackson County Code, 1984, relating to zoning. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [2335](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2335. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (APPROVED)
- [2335](#) Fred Arbanas moved the passage of Ordinance #2335 as perfected, amending sections 24010., 24030., and 24202., Jackson County Code, 1984, relating to zoning. Seconded by John Patrick Burnett.
Yes: 9 - Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Grownney, Tom Wyrsh and Robert E. Hertzog
Absent: 1 - Silvia Rizzo
(ADOPTED)
- [2340](#) Anti-Drug Committee moved to perfect.
Robert E. Hertzog objects to the consent agenda.
- [2340](#) Robert E. Hertzog moved to perfect Ordinance #2340. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (PERFECTED)
- [2340](#) Robert E. Hertzog moved to suspend the rules to consider final passage of Ordinance #2340. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (APPROVED)
- [2340](#) Robert E. Hertzog moved the passage of Ordinance #2340 as perfected, appropriating \$150,000.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute a contract with Shaughnessy, Fickel, and Scott Architects, Inc., to serve as the County's design criteria consultant in connection with the new detention Center Annex, at a cost to the County not to exceed \$150,000.00. Seconded by John Patrick Burnett.
Yes: 7 - Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits and Robert E. Hertzog
No: 2 - Ed Grownney and Tom Wyrsh
Absent: 1 - Silvia Rizzo
(ADOPTED)
- [2341](#) Finance and Audit Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2341](#) Fred Arbanas moved to perfect Ordinance #2341. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (PERFECTED)

[2341](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2341. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (APPROVED)

[2341](#) Fred Arbanas moved the passage of Ordinance #2341 as perfected, enacting sections 2063. and 2064, Jackson County Code, 1984, relating to the assessment of real property. Seconded by John Patrick Burnett.
Yes: 9 - Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Grownney, Tom Wyrsh and Robert E. Hertzog
Absent: 1 - Silvia Rizzo
(ADOPTED)

[2345](#) Finance and Audit Committee moved to perfect the Finance and Audit Committee Amendment of 11/18/1994, to delete the account number "022" and insert the account number "068" after the words "Account Number" in the fiscal note. Consent Agenda.

[2348](#) Public Works Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[10517](#) Extending the prior contract on Bid No. 92-91 for the furnishing of vehicle liability insurance for use countywide to the Missouri Public Entity Risk Management Fund (MOPERM) of Jefferson City, Missouri, in the estimated amount for 1995 of \$70,000.00.

[10529](#) Public Works Committee moved do pass. Consent Agenda.

[10530](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10531](#) Land Use Committee moved do pass. Consent Agenda.

[10532](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10533](#) Public Works Committee moved do pass. Consent Agenda.

[10534](#) Public Works Committee moved do pass. Consent Agenda.

[10535](#) Public Works Committee moved do pass. Consent Agenda.

[10536](#) Anti-Drug Committee moved do pass.

Dennis Waits objects to consent agenda.

[10536](#) Dennis Waits moved to adopt the floor amendment Resolution #10536, amending Resolution 10195, which authorized the Chairman of the Jackson County Legislature's Anti-Drug Committee to enter into a contract with John McEnroe for the position of Financial Advisor to the County Legislature concerning accounting standards for the Anti-Drug Sales Tax Fund, to modify the funding sources thereof, at no additional cost to the County. Seconded by John Patrick Burnett.

The motion passed by a voice vote.

(APPROVED)

[10536](#) Dennis Waits moved the passage of Resolution #10536, amending Resolution 10195, which authorized the Chairman of the Jackson County Legislature's Anti-Drug Committee to enter into a contract with John McEnroe for the position of Financial Advisor to the County Legislature concerning accounting standards for the Anti-Drug Sales Tax Fund, to modify the funding sources thereof, at no additional cost to the County. Seconded by John Patrick Burnett.

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

(ADOPTED)

[10537](#) Land Use Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

Dennis Waits moved the passage of the consent agenda. Seconded by Tom Wyrsh.
The motion passed by a roll call vote:

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

[2345](#) Appropriating \$341,087.00 from the unappropriated surplus of the 1994 Public Facility Authority (PFA) Debt Service Fund to cover the debt service payment for December.

(PERFECTED)

[2348](#) Amending Load Limits Schedule A of Chapter 53 of the Jackson County Code, 1984.

(PERFECTED)

- [10529](#) Approving a term and supply contract for the purchase of steel products for various departments under Bid No. PA-2666, an existing government contract of the City of Kansas City, MO, from Kansas City Steel Supply Inc. of Kansas City, MO, in the estimated amount of \$10,000.00.
(ADOPTED)
- [10530](#) Awarding a contract for the furnishing of file server memory and processor upgrades for use by the Records Department to Midwest Typewriter of Kansas City, MO, at a cost to the County not to exceed \$12,480.00, as a sole source purchase.
(ADOPTED)
- [10531](#) Authorizing the County Executive to execute an Agreement with the Kansas City Corporate Challenge, Inc., regarding the Kansas City Corporate Challenge Annual Games.
(ADOPTED)
- [10532](#) Awarding a contract on Bid No. 142-94 for the printing of Change Notice II forms for use by the Assessment Department to Better Business Forms of Lenexa, KS, in the actual amount of \$9,685.50.
(ADOPTED)
- [10533](#) Awarding a contract on Bid No. PW-02-94 for the Happy Hollow Road Storm Drainage Project, No. 2308, to Corlew Construction of Raytown, MO, in the actual amount of \$126,345.00.
(ADOPTED)
- [10534](#) Awarding a contract on Bid No. PW-05-94 for the Burnley Road Storm Drainage Project, No. 2307, to Corlew Construction of Raytown, MO, in the actual amount of \$93,242.00.
(ADOPTED)
- [10535](#) Awarding a contract on Bid No. PW-07-94 for the Salem East Storm Drainage Project, No. 2304, to Suburban Contractors, Inc., of Kansas City, MO, in the actual amount of \$82,430.00.
(ADOPTED)
- [10537](#) Approving a five-year master plan for the Parks and Recreation Department.
(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[2349](#) Appropriating \$25,590.00 from the unappropriated surplus of the 1994 Health Fund to cover the payment to Mid-America Regional Council for funding of grant submitted by the Local Emergency Planning Committee from funds received by Jackson County from the State of Missouri Emergency Response Commission.

(Health and Justice Committee)

[2350](#) Appropriating \$30,000.00 from the unappropriated surplus of the 1994 General Fund and authorizing the County Executive to execute an agreement with the Southern Christian Leadership Conference for funding of the 1995 King Birthday Celebration at a cost to the County not to exceed \$30,000.00.

(Finance and Audit Committee)

[2351](#) Appropriating \$40,000.00 from the unappropriated surplus of the 1994 General Fund and authorizing the County Executive to execute a contract with Group 53, Inc., for funding of the 1994 Black Expo at a cost to the County not to exceed \$40,000.00.

(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10538](#) Authorizing the County Executive to execute a Lease Agreement with the Rotary Club Youth Camp Association, Inc., concerning a 19.39-acre tract of land in Fleming Park.

(Land Use Committee)

[10539](#) Transferring \$27,437.00 within the 1994 Grant Fund to cover the cost of building services for the Family Court.

(Health and Justice Committee)

[10540](#) Tom Wyrsh moved the passage of Resolution #10540, declaring November 25, 1994, "Buy American Day" in Jackson County and encouraging and supporting the premises and foundations upon which Buy American, Inc., promotes through its educational initiatives and public awareness campaigns. Seconded by Dennis Waits.

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

Absent: 1 - Silvia Rizzo

(ADOPTED)

[10541](#) Approving the purchase of Apple Computers and Accessories for use by the Prosecuting Attorney's Office under Apple Computers' 1994 Educational and Government Price List, from Apple Computer of Chicago, IL, at a cost to the County not to exceed \$23,581.00.

(Health and Justice Committee)

[10542](#) Dennis Waits moved the passage of Resolution #10542, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 21, 1994, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation. Seconded by Lisa White Hardwick.

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

(ADOPTED)

[10543](#) Authorizing total payment of \$870.00 to certain property owners for the acquisition of permanent drainage and temporary easements in settlement of claims for damage in connection with the Outerbelt Extension No. 10 and Airport Road No. 2 Projects.

(Public Works Committee)

[10544](#) Tom Wyrsh moved the passage of Resolution #10544, approving a contract for the purchase of one full size cargo van for the Sheriff's Department and five Jeep Cherokees for the Parks and Recreation Department under Joint Fleet Bid No. 94-1790, an existing government contract of the City of Olathe, KS, from Sonny Hills Motors of Platte City, MO, in the aggregate amount of \$104,247.45. Seconded by Fred Arbanas.

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

(ADOPTED)

[10545](#) Transferring \$25,000.00 within the 1994 Longview Recreation Complex Fund to cover the County's portion of legal fees agreed to in the Cooperation and Use Agreement authorized by Ordinance #2292.

(Public Works Committee)

[10546](#) Awarding a contract on Bid No. 151-94 for the furnishing of a reel mower and brush clipper for use by the Parks and Recreation Department to Robison's Lawn & Golf of Grandview, MO, and Vermeer Sales, Inc., of Olathe, KS, in the actual amount of \$19,610.00.

(Land Use Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

James D. Tindall, Chairman said orientation for new legislators will begin Tuesday at 9:00 a.m. All legislators are welcome to attend. The Administration will provide Directors to give a brief overview of their department and the Prosecuting Attorney will be present to discuss the Anti-Drug Sales Tax.

Five minute recess.

Closed meeting to discuss litigation.

Legislature reconvenes.

No dissenting vote to consider Resolution #10547 - not on printed agenda.

10547

Dennis Waits moved the passage of Resolution #10547, authorizing the Jackson County Counselor to settle the lawsuit styled Ted Godard, et. al. v. Jackson County, Missouri, et. al., now pending in the Circuit Court for Jackson County, Missouri, case number CV93-0955, for a total payment of \$155,000.00. Seconded by Ed Growney.

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

(ADOPTED)

14 NEW BUSINESS

None.

15 ADJOURNMENT

Robert E. Hertzog moved to adjourn the meeting. Seconded by John Patrick Burnett.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, November 28, 1994, at 12:00 p.m. in the Legislative Assembly Area, Independence, Missouri.