



# Jackson County Missouri

## JOURNAL

### County Legislature

Jackson County Courthouse  
415 East 12th Street, 2nd floor  
Kansas City, Missouri 64106  
(816)881-3242

*Silvia Rizzo (1st AL), Chairman*  
*Lisa Hardwick (2nd AL), Mary Lou Smith (5th),*  
*Robert E. Hertzog (6th)*

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**Monday, April 25, 1994**

**12:00 PM**

**Seventeenth Regular Meeting**

**Legislative Assembly Area, Independence, Missouri**

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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**

Fred Arbanas moved to approve the journal of the previous meeting held on . Seconded by Silvia Rizzo.

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

**(APPROVED)**

**4 HEARINGS**

*John Patrick Burnett is elected unanimously to the 1st County Legislative District.*

*Mike White, attorney for the petitioners for the incorporation of Summit Ridge, will speak at the legislative meeting to be held on May 2, 1994.*

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

*Held until later in the meeting.*

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

[2266](#)

AN ORDINANCE approving the use of an easement across a portion of La Benite Park by Griffith Gaming, Inc., and the Branton Family Partnership, L.P., for the purpose of providing ingress to a d egress from a riverboat casino to be docked on the Missouri River.

- [2286](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*
- [2286](#) Fred Arbanas moved to perfect Ordinance #2286. Seconded by Tom Wyrsh.  
**The motion passed by a voice vote.** (PERFECTED)
- [2286](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2286.  
Seconded by Tom Wyrsh.  
**The motion passed by a voice vote.** (APPROVED)
- [2286](#) Fred Arbanas moved the passage of Ordinance #2286 as perfected, amending the districts established by the Jackson County Zoning Order by changing from D (agricultural district) to F-P (general business-planned zoning district), a certain 6-acre + tract. Seconded by Tom Wyrsh.  
Yes: 9 - Silvia Rizzo, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog  
Absent: 1 - Lisa White Hardwick  
(ADOPTED)
- [2287](#) Health and Justice Committee moved to perfect. Consent Agenda.

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

*None.*

## 8 RESOLUTIONS IN COMMITTEE

- [10243](#) Awarding a term and supply contract on Bid No. 28-94 for the furnishing of ready mix concrete for use county-wide to Concrete Services of Harrisonville, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$10,265.00.
- [10250](#) Dennis Waits moved the passage of Resolution #10250, authorizing the Chair of the Jackson County Fiscal Commission to execute an agreement with The Curators of the University of Missouri, at Kansas City, for a grant to be used as matching funds from a grant from the Center for Substance Abuse Treatment for the training of those who wish to pursue careers in non-profit/public substance abuse treatment recovery programs, at a cost to the County not to exceed \$150,000. Seconded by Tom Wyrsh.  
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)

- [10279](#) A RESOLUTION authorizing an extension to the contract with Intergraph Corporation for computer equipment and software in the estimated amount of \$34,603.00.
- [10284](#) A RESOLUTION authorizing the Prosecuting Attorney to execute an Agreement with the City of Kansas City, Missouri, and the Kansas City, Missouri Board of Police Commissioners relative to the Anti- Drug Sales Tax.
- [10285](#) Land Use Committee moved do pass. Consent Agenda.
- [10287](#) A RESOLUTION authorizing Change Order No. 2 to the contract with Lamm Construction of Belton, MO, for the 85th Street Improvements, County Project No. 2139, increasing the contract amount by \$31,852.00.
- [10289](#) Public Works Committee moved do pass. Consent Agenda.

## 9 CONSENT AGENDA

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

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

- [2287](#) AN ORDINANCE appropriating \$23,931.00 from the unappropriated surplus of the 1994 Grant Fund to cover a grant received by the Circuit Court from the Missouri Division of Highway Safety.

(PERFECTED)

- [10285](#) A RESOLUTION approving the purchase of Toro turf equipment for use by the Parks and Recreation Department under Contract Bid No. 92-1655-05, an existing government contract of the City of Olathe, Kansas, from Modern Distributing Company of Kansas City, MO, at a cost to the County not to exceed \$8,000.00.

(ADOPTED)

- [10289](#) A RESOLUTION awarding a term and supply contract on Bid No. 49-94 for the furnishing of welding gasses and supplies for use county-wide to Oxygen Service Co. of Kansas City, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$11,000.00.

(ADOPTED)

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[2288](#) Appropriating \$180,000.00 from the unappropriated surplus of the 1994 Domestic Abuse Fund to cover the Domestic Abuse Program, funded by fees through the Recorder's Office, now set up as a special revenue fund.  
*(Health and Justice Committee)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10291](#) Dennis Waits moved the passage of Resolution #10291, authorizing the Jackson County Legislature to hold a closed meeting on Monday, April 25, 1994, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation. Seconded by Silvia Rizzo.  
Yes: 9 - Silvia Rizzo, Lisa White Hardwick, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog  
Absent: 1 - Fred Arbanas

(ADOPTED)

[10292](#) Silvia Rizzo moved the passage of Resolution #10292, congratulating Mary Esther and Robert E. Brice, Sr., on their thirtieth wedding anniversary. 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)

[10293](#) Authorizing an increase to the term and supply contract with Midwest Typewriter of Kansas City, MO, for the furnishing of miscellaneous personal computer hardware and software in the amount of \$10,000.00.  
*(Finance and Audit Committee)*

[10294](#) Tom Wyrsh moved the passage of Resolution #10294, proclaiming May 20-21, 1994, as Buddy Poppy Days in Jackson County, Missouri. 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)

*No dissenting vote to consider Resolutions #10295, #10296 and #10297 - not on printed agenda.*

[10295](#) Robert E. Hertzog moved the passage of Resolution #10295, proclaiming May 15-21, 1994, as National Public Works Week in Jackson County, Missouri. Seconded by Ed Growney.  
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)

10296

Robert E. Hertzog moved the passage of Resolution #10296, supporting the efforts of the cities of Lee's Summit and Raytown, Missouri, efforts to encourage the abandonment of the inactive Old Rock Island Railroad and the denial of permission to reactivate the rail line which travels through Jackson County. Seconded by Fred Arbanas.

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)

10297

Robert E. Hertzog moved the passage of Resolution #10297, rescinding Resolution 10290, dated April 18, 1994, and declaring one 1989 Chevrolet Celebrity 4-door Sedan, VIN IGIW5188K6218578, from the Parks and Recreation Department, as surplus personal property and authorizing its disposal by delivery to Farmers Insurance Group as part of a claim settlement in the amount of \$3,765.00 payable to Jackson County, MO. 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)

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

Ed Growney asked to observe a moment of silence in memory of the passing of the 37th President of the United States, Richard Milhous Nixon.

John R. O' Malley, Judge in the Sixteenth Judicial Circuit of Missouri, Marsha Murphy, County Executive, Claire McCaskill, Prosecuting Attorney, Susan Sweeney, Manager of the Division of Finance and Jay Haden, Deputy County Counselor, presented options to the Legislature regarding overpopulation in the Jackson County jail.

**14 NEW BUSINESS**

Jay Haden, Deputy County Counselor, requested the Chairman to invite Judge O' Malley, Claire McCaskill, Susan Sweeney and Marsha Campbell to the closed session.

Five minute recess.

Closed Session.

Legislature reconvenes.

15      **ADJOURNMENT**

Robert E. Hertzog moved to adjourn the meeting. Seconded by Ed Growney.

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

(APPROVED)

*Meeting adjourned until Monday, May 2, 1994 at 1:00 P.M. in the Jackson County Courthouse, Kansas City, Missouri.*