



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*  
*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, April 24, 1995**

**6:00 PM**

**Seventeenth Regular Meeting**

**Independence Legislative Assembly Area, Independence, Missouri**

In the absence of the Chairman and Vice-Chairman, John Patrick Burnett moved that Fred Arbanas Chair the Legislative Meeting. 2nd. by Dennis Waits.  
Voice Vote. (APPROVED)

Fred Arbanas, Acting Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Dennis Waits 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**

None.

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

*Katheryn Shields, County Executive, introduced her appointments to various Boards as reflected by County Executive Order. The following people were present: Charlotte Planer, Scott Douglas De Long, Calvin W. Shelby and Ron E. White Sr.*

*Dan Tarwater thanked the members for attending the meeting.*

*Katheryn Shields, County Executive, has scheduled the jail consultant, Charles Newman, to attend the Legislative Meeting on May 9, 1995, to give an update on his work.*

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

- [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.
- [2384](#) Land Use Committee moved to perfect.
- The motion passed by a voice vote.**
- Victor E. Callahan objects to consent agenda.*
- [2384](#) Victor E. Callahan moved to perfect Ordinance #2384. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (PERFECTED)
- Present: Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: Lisa White Hardwick, James D. Tindall and James D. Tindall
- [2384](#) Victor E. Callahan moved to suspend the rules to consider final passage of Ordinance #2384. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (APPROVED)
- [2384](#) Victor E. Callahan moved the passage of Ordinance #2384 as perfected, amending the districts established by the Jackson County Zoning Order by changing from F (general business) to G-P (light industrial-planned zoning district), a certain 6.6 acres + tract. Seconded by John Patrick Burnett.
- Yes: 4 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett and Dennis Waits  
No: 2 - Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall
- (ADOPTED)
- [2391](#) Amending the districts established by the Jackson County Zoning Order by changing from D (agricultural) to G-P (light industrial-planned zoning district), a certain 11 acres + tract.
- (WITHDRAWN BY SPONSOR DENNIS WAITS, CONCURRED BY VICTOR E. CALLAHAN AND JOHN PATRICK BURNETT.)*
- [2395](#) Public Works Committee moved to perfect.
- The motion passed by a voice vote.**
- Victor E. Callahan objects to consent agenda.*
- [2395](#) Dennis Waits moved to perfect Ordinance #2395. Seconded by Victor E. Callahan.
- The motion passed by a voice vote.** (PERFECTED)

[2395](#) Victor E. Callahan moved to suspend the rules to consider final passage of Ordinance #2395. Seconded by Dixie M. Flynn.  
**The motion passed by a voice vote.** (APPROVED)

[2395](#) Victor E. Callahan moved the passage of Ordinance #2395 as perfected, appropriating \$5,101.00 from the unappropriated surplus of the 1995 County Urban Road System Fund and authorizing payment of \$5,101.00 to the City of Greenwood from the Greenwood CURS account for use in the City's 1995 road maintenance program. Seconded by Dixie M. Flynn.  
Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall  
(ADOPTED)

[2396](#) Public Works Committee moved to perfect. Consent Agenda.  
Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

[2397](#) Anti-Drug Committee moved to perfect.  
*John Patrick Burnett objects to consent agenda.*

[2397](#) John Patrick Burnett moved to perfect Ordinance #2397. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)

[2397](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2397. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)

[2397](#) John Patrick Burnett moved the passage of Ordinance #2397 as perfected, appropriating \$31,034.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund, and authorizing the Jackson County Prosecuting Attorney to execute an Agreement with the City of Lee's Summit, Missouri, relating to the County's providing the City's local match to a grant from the Missouri Department of Public Safety to fund the City's Drug Abuse Resistance Education (DARE) program at a cost not to exceed \$31,034.00. Seconded by Dennis Waits.  
Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall  
(ADOPTED)

[2398](#) Anti-Drug Committee moved to perfect.  
*John Patrick Burnett objects to consent agenda.*

- [2398](#) John Patrick Burnett moved to perfect Ordinance #2398. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2398](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2398. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)
- [2398](#) John Patrick Burnett moved the passage of Ordinance #2398 as perfected, appropriating \$2,075.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund and authorizing the Jackson County Prosecuting Attorney to execute an Agreement with the City of Buckner, Missouri, relating to the County's providing the City's local match to a grant from the Missouri Department of Public Safety to fund the City's Drug Abuse Resistance Education (DARE) program at a cost not to exceed \$1,175.00, and to provide for supplemental costs for the 1995 DARE conference and DARE shirts, at a cost not to exceed \$900.00, for a total cost not to exceed \$2,075.00. Seconded by Victor E. Callahan.  
Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall  
(ADOPTED)
- [2399](#) Anti-Drug Committee moved to perfect.  
**The motion passed by a voice vote.**  
*John Patrick Burnett objects to consent agenda.*
- [2399](#) John Patrick Burnett moved to perfect Ordinance #2399. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2399](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2399. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)
- [2399](#) John Patrick Burnett moved the passage of Ordinance #2399 as perfected, appropriating \$27,546.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund and authorizing the Jackson County Prosecuting Attorney to execute an Agreement with the City of Grandview, Missouri, relating to the County's providing the City's local match to a grant from the Missouri Department of Public Safety to fund the City's Drug Abuse Resistance Education (DARE) and related programs at a cost not to exceed \$22,546.00, and to provide for supplemental costs at a cost not to exceed \$5,000.00 for a total cost not to exceed \$27,546.00. Seconded by Dennis Waits.  
Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall  
(ADOPTED)

- [2400](#) Anti-Drug Committee moved to perfect.  
*John Patrick Burnett objects to consent agenda.*
- [2400](#) John Patrick Burnett moved to perfect Ordinance #2400. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2400](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2400. Seconded by Victor E. Callahan.  
**The motion passed by a voice vote.** (APPROVED)
- [2400](#) John Patrick Burnett moved the passage of Ordinance #2400 as perfected, appropriating \$75,000.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund, and authorizing the Jackson County Prosecuting Attorney to execute an Agreement with the Kansas City Board of Police Commissioners, relating to the County's providing the City's local match to a grant from the Missouri Department of Public Safety to fund the City's Drug Abuse Resistance Education (DARE) program at a cost not to exceed \$75,000.00. Seconded by Dan Tarwater.  
Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham  
Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall  
(ADOPTED)
- [2401](#) Anti-Drug Committee moved to perfect.
- [2401](#) John Patrick Burnett moved to send back to committee Ordinance #2401, appropriating \$15,000.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund to cover 1995 matching funds for the Sheriff's Department's Drug Abuse Resistance Education (DARE) program, and authorizing the Sheriff to execute all documents necessary to accept a grant from the Missouri Department of Public Safety to effect this program. Seconded by Victor E. Callahan.  
**The motion passed by a voice vote.** (APPROVED)
- [2402](#) Anti-Drug Committee moved to perfect.  
*John Patrick Burnett objects to consent agenda.*
- [2402](#) John Patrick Burnett moved to perfect Ordinance #2402. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)
- [2402](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2402. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)

2402

John Patrick Burnett moved the passage of Ordinance #2402 as perfected, appropriating \$39,894.00 from the unappropriated surplus of the 1995 Anti- Drug Sales Tax Fund, and authorizing the Prosecuting Attorney to execute an Agreement with the City of Raytown, Missouri, relating to the County's providing for expenses in conjunction with the City's Here's Looking at You 2000 program at a cost to the County not to exceed \$39,894.00. Seconded by Dennis Waits.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

(ADOPTED)

*Finance and Audit Committee moved do not perfect Ordinance #2403.*

2403

John Patrick Burnett moved to perfect Ordinance #2403, appropriating \$50,000.00 from the unappropriated surplus of the 1995 Anti- Drug Sales Tax Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement. Seconded by Dennis Waits.

Yes: 0

No: 5 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dixie M. Flynn and John C. Graham

Abstain: 1 - Dennis Waits

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

(FAILED)

*Dixie Flynn said the County Legislature needs to develop a policy on Tax Increment Financing.*

*Victor E. Callahan stated the three (3) legal reasons he opposes the ordinances relating to Tax Increment Financing (TIF):*

*1 - The basic philosophical point that it is inappropriate and against the very foundations of government decision making, for an inferior government entity, a municipality, to expend the money and resources of a superior government entity, the County.*

*2 - Regarding the drug tax expenditure, the ballot language that enacted the Anti-Drug Sales Tax which was approved by the voters of Jackson County, stated the money would only be used for fighting drug and drug related crimes. There was no contemplation that a portion of these funds would be used to pay redevelopment costs for a TIF project.*

*3 - Victor Callahan would like to challenge the definition of blight used by the developers. This real estate is one of the most expensive in Eastern Jackson County, across from the Independence Center.*

*Finance and Audit Committee moved do not perfect Ordinance #2404.*

[2404](#) Dennis Waits moved to perfect Ordinance #2404, appropriating \$100,000.00 from the unappropriated surplus of the 1995 General Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement. Seconded by John Patrick Burnett.

Yes: 1 - Dixie M. Flynn

No: 4 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett and John C. Graham

Abstain: 1 - Dennis Waits

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

(FAILED)

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

*None.*

## 8 RESOLUTIONS IN COMMITTEE

[10744](#) A RESOLUTION rescinding Resolution 10700, dated February 27, 1995, authorizing the County Executive to execute an agreement with Boys and Girls Club of Greater Kansas City for the purpose of partially funding the Marching Cobras Program, at a cost not to exceed \$27,500.00.

[10778](#) Land Use Committee moved do pass. Consent Agenda.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

[10781](#) Finance and Audit Committee moved do pass. Consent Agenda.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

[10782](#) Finance and Audit Committee moved do pass. Consent Agenda.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

[10783](#) Land Use Committee moved do pass. Consent Agenda.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

[10784](#) Anti-Drug Committee moved do pass. Consent Agenda.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

- [10785](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Bridging the Gap, Inc., to provide for a solid waste audit and assessment of the County's offices and facilities, at a cost of \$10,000,00 and to provide matching funds to a grant from the Mid-American Regional Council Solid Waste Management District to create and operate a rotating weekend recycling center for portions of the County without adequate recycling services, at a cost of \$20,000,00 for a total cost of \$30,000,00.

## 9 CONSENT AGENDA

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

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 3 - Lisa White Hardwick, James D. Tindall and James D. Tindall

- [2396](#) AN ORDINANCE appropriating \$14,314.00 from the unappropriated surplus of the 1995 County Urban Road System Fund and authorizing the Public Works director to execute Change Order No. 4 to the contract with Superior-Bowen Asphalt Company of Kansas City, MO, for the 1994 Road Rehabilitation Program, Project No. 2296, increasing the contract amount by \$14,313.60.

(PERFECTED)

- [10778](#) A RESOLUTION authorizing the purchase of proprietary fishing tackle for resale by the Parks and Recreation Department at the various marinas from Steve's Wholesale of Cameron, MO, at a cost to the County not to exceed \$7,000.00.

(ADOPTED)

- [10781](#) A RESOLUTION awarding a term and supply contract on Bid No. 172-94 for the furnishing of microfilm services and supplies for use by various County departments to Danka/Dynamic Computer Solutions of Kansas City, MO, Custom Information Services of Holts Summit, MO, and Automated Business Systems of Overland Park, KS, to provide for their needs for the upcoming one-year period, in the estimated aggregate amount of \$55,000.00.

(ADOPTED)

- [10782](#) A RESOLUTION awarding a term and supply contract on Bid No. 8-95 for the furnishing of miscellaneous personal computer hardware and software for use county-wide to Roseland Computer of Livingston, NJ, Data Connect of Olney, MD, Paradigm Systems of Kansas City, MO, Electronic Supply of Kansas City, MO, RJR PC Solutions of Olathe, KS, A Plus Computers of Lenexa, KS, Core Inter-Connectivity of Milpitas, CA, Softmart of Exton, PA, America Direct of Lenexa, KS, Cedar Computer of Overland Park, KS, Centurion Electronics of Kansas City, MO, and Matrix Data of Cleveland, OH, to provide for county-wide needs for the upcoming one-year period, in the estimated aggregate amount of \$62,500.00.

(ADOPTED)



[10783](#) A RESOLUTION authorizing the County Executive to execute an Easement Agreement with Laidlaw Waste Systems (Kansas City), Inc.

(ADOPTED)

[10784](#) A RESOLUTION authorizing the Prosecuting Attorney to execute an Amended Agreement with Visible Horizons, at no additional cost to the County.

(ADOPTED)

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

**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**

**12 COUNTY EXECUTIVE ORDERS**

**13 UNFINISHED BUSINESS**

**14 NEW BUSINESS**

**15 ADJOURNMENT**