



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), Bill Petrie (2nd AL),
Fred Arbanas (3rd AL)

Monday, August 20, 2001

3:30 PM

Thirty-second 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, Bill Petrie, Fred Arbanas, Scott Burnett and Terry Young
Absent: Ronald E. Finley, Dennis Waits and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 8/13/2001.
Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, announced that Judge Lewis Walter Clymer passed away on Monday, August 13, 2001. She said Judge Clymer was a leader in both the legal community and the black community. He was the first African-American Judge to sit on the circuit court and always brought a sense of fairness in justice to his courtroom. She expressed her sincere gratitude and respect for all that Judge Clymer stood for and accomplished.

Katheryn said she would be reactivating the Public Health Task Force to take a closer look at how Jackson County delivers public health services. Larry Guillot has been both the facilitator and coordinator for this "citizens group". The new director of Public Health, Dr. Paula Livingston, has also expressed interest in working with this group. Mr. Guillot and Dr. Livingston are working with the citizens group, as well as the Legislature, to provide the best public health practices to citizens of Jackson County.

Regarding the status of the water supply agreement with Grain Valley for the new Public Works Facility currently being built near Monkey Mountain Park, Katheryn Shields reported that Grain Valley will be perfecting their ordinance tonight. A copy of the agreement will be distributed to members of the County Legislature for signatures so that we may proceed.

Katheryn reported on the condition of the sidewalks surrounding the historic courthouse and the courthouse annex in Independence, Missouri. The steps leading to the historic courthouse have been patched and this fix will last for 2-3 years, giving the County time to assess other needed improvements to the Courthouse and get the results of the structural engineering tests conducted. The County sent out bids for the sidewalk surrounding the annex and received two bids. However, both bids were rejected, so that the County could give a more clearly defined scope of work. Requests for Proposals will be going out within the next 2 weeks so that the sidewalks can be repaired.

Katheryn Shields reminded everyone that Bettie Kramer will be leaving her position as Director of Parks on September 7, 2001 to take a position in St. Charles County. She thanked Bettie for her 23+ years of service to the citizens of Jackson County and wished her the best of luck in her new position. She announced that there is a reception for Bettie Kramer today from 4-7 P.M. at the Longview Fred Arbanas Golf Course clubhouse.

Jane McQueeney, County Counselor, updated the County Legislature on redistricting. She said that today is the deadline for presentation of redrawn maps. The committee has not agreed on maps, there are no notices for meetings today and her office has not been contacted regarding any redistricting meetings. Therefore, she said it is reasonable to assume there will be no redrawn maps of the Jackson County legislative districts. She asked for guidance from the Jackson County Legislature.

Victor E. Callahan, Chairman, said he has prepared a resolution instructing the County Counselor to proceed. Fred Arbanas said to add his name as a co-sponsor of this legislation.

Victor E. Callahan moved that Jane McQueeney, County Counselor, follow the draft ordinance in any court proceedings from this day forward. Seconded by Terry Young.

Roll Call: 6 Yes: Callahan, Petrie, Arbanas, Burnett, Tarwater, Young.
3 Absent: Finley, Waits, Spence.

Victor E. Callahan explained that in 1992 the Court ruled to start the 105 day process over. The County Charter does not state what happens if there is an impasse. So Judge Ely ruled that the process should start over. Therefore, if we get a ruling by early September at the latest, there is a chance that the new commission could be finished by the end of the year. Filings start in February 2002 and the election boards will need to draw some maps. Rather than have a judge come in and draw the maps, he feels that the charter was put in place so that the citizens of Jackson County are represented and it provides that both parties are represented. Therefore, he believes that we should follow the 1992 precedent.

Katheryn Shields, County Executive, suggested that the County Counselor's office make this matter their number one priority and try to draft something that can be filed tomorrow.

Victor E. Callahan agreed and said he would be available in the morning. He said he is pleased that the Administration is seeking the guidance of the Legislature. He asked that the County Counselor keep the Legislature informed on this matter and schedule closed meetings if necessary.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3160](#) Finance and Audit Committee moved to perfect. Consent Agenda.

Fred Arbanas moved to waive the reading of Ordinances #3162 through #3166.

Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will hold a public hearing on Ordinances #3162 through #3166 on Monday, August 27, 2001 at 2:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

[3162](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 2.7 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3163](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 5 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3164](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 11 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3165](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 2.98 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3166](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 14.57 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3167](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3168](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3169](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3170](#)

Public Works Committee moved to perfect the Public Works Committee Amendment of 8/20/2001, to delete the year "1991" and insert the year "1997" on page two, to delete the words "including the generic fire-resistive assemblies listed in the Fire Resistance Design Manual, Twelfth Edition, dated August, 1988, published by the Gypsum Association as referenced in Tables Nos. 43-A, 43-B, and 43-C of the specified Uniform Building Code, including Appendix Chapters as follows: 1 Life-Safety Requirements for Existing Buildings; 7 Aviation Control Towers; 10 Detention and Correctional Facilities; 11 Agricultural Buildings; 12 Regulations for Group R Division 3 Occupancies; 23 Flood Resistant Construction; 24 Prescriptive Masonry High Wind Areas; 25 Light Frame High Wind Area; 26 Protection of Residential Concrete Exposed to Freeze/Thaw; 29 Waterproofing and Damp proofing Foundations; 31 Site Accessibility; 32 Reroofing; 35 Sound Transmission Control; 38 Basement Pipe Inlets; 49 Patio Covers; 51 Elevators, Dumbwaiters, Escalators, and Moving Walks; See ANSI/ASME A17.1, 1984, Safety Code for Elevators and Escalators, including Supplements A17.1a-1985, A17.1b-1985, A17.1c-1986, A17.1d-1986, and A17.1e-1987, published by the American Society of Mechanical Engineers. Copies of this code are also on file in the offices of the director of public works and clerk of the county legislature; 53 Energy Conservation in New Building Construction; 55 Membrane Structures; 57 Regulations Governing Fallout Shelters; and 70 Excavation and Grading." and insert the word "and" on pages two and three, to delete the year "1991" and insert the year "1997" on page three, to delete the words "including (i) Structural Welding Code-Reinforcing Steel, AWS D1.4-79 (U.B.C. Standard No. 26-8); (ii) Structural Welding Code-Steel, ANSI/AWS D1.1-90 (U.B.C. Standard No. 27-6); (iii) Structural Welding Code-Sheet Steel, ANSI/AWS D1.3-81 (U.B.C. Standard No. 27-13), published by the American Welding Society, Inc.; and (iv) Standard for buildings and Facilities-Providing Accessibility and usability for Physically Handicapped People, A117.1-1986 (U.B.C. Standard No. 31-1), published by the American National Standards Institute," on pages three and four, to delete the year "1988" and insert the year "2000", before the words "Uniform Plumbing Code;" to delete the year "1990" and insert the year "1999" before the words "National Electrical Code;"; to delete the year "1991" and insert the year "2000" before the words "Uniform Fire Code and Uniform Mechanical Code;"; to delete the year "1991" and insert the year "1997" before the words "Uniform Housing Code; Uniform Code for the Abatement of Dangerous Buildings; Uniform Sign Code; and Uniform Security Code"; to insert the word "and" after the words "Uniform Security Code", to delete the year "1991" and insert the year "1997" before the words "Uniform Code for Building Conservation", to delete the words "; and [1991] 1995 Uniform CABO One and Two Family Dwelling Code; and 1991 Uniform Disaster Mitigation Plan", to delete the words "except as provided in section 5401. of this chapter" all on page four, to delete the year "1991" and insert the year "1997" after the words "Uniform Building Code" on page four and "Uniform Building Code Standards" on page five.

Bill Petrie objects to the consent agenda.

[3170](#)

Bill Petrie moved to perfect Ordinance #3170 as amended. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[3170](#)

Bill Petrie moved to suspend the rules to consider final passage of Ordinance #3170. Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

[3170](#) Bill Petrie moved the passage of Ordinance #3170 as perfected, repealing sections 5400. and 5401. Jackson County Code, 1984, relating to the building code, and enacting, in lieu thereof, one new section relating to the same subject, with an effective date. Seconded by Dan Tarwater.

Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett and Terry Young
Absent: 3 - Ronald E. Finley, Dennis Waits and Bob Spence

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3161](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[13770](#) Anti-Drug Committee moved do pass. Consent Agenda.

[13781](#) Anti-Drug Committee moved do pass the Anti-Drug Committee Amendment of 8/20/2001, to delete the figure "4,204.00" and insert the figure "60,204.00", to delete the figure "1,066,909.00" and insert the figure "1,112,909.00" where listed in the heading, body and fiscal note, to delete the figure "267,276" and insert the figure "333,276", to delete the figure "20,373" and insert the figure "10,373" under the column "ALLOCATION" on page one. Consent Agenda.

[13783](#) Land Use Committee moved do pass. Consent Agenda.

[13784](#) Health and Justice Committee moved do pass. Consent Agenda.

[13785](#) Public Works Committee moved do pass. Consent Agenda.

[13786](#) Public Works Committee moved do pass. Consent Agenda.

[13787](#) Finance and Audit Committee moved do pass. Consent Agenda.

[13788](#) Anti-Drug Committee moved do pass. Consent Agenda.

[13789](#) Health and Justice Committee moved do pass. Consent Agenda.

[13790](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

- [3160](#) AN ORDINANCE appropriating \$4,800.00 from the unappropriated surplus of the 2001 Grant Fund to cover the Local Records Grant received from the Missouri Secretary of State's office, and the transfer of matching funds.
(PERFECTED)
- [3167](#) AN ORDINANCE appropriating \$49,985.00 from the unappropriated surplus of the 2001 Health Fund to cover increased costs for the Animal Control and Food Protection programs.
(PERFECTED)
- [3168](#) AN ORDINANCE repealing chapter 40 and schedule I thereto, Jackson County Code, 1984, relating to the sanitation of food service establishments, and enacting, in lieu thereof, one new chapter, consisting of 25 sections, and a new schedule I, relating to the same subject, with a penalty provision.
(PERFECTED)
- [3169](#) AN ORDINANCE repealing chapter 45, Jackson County Code, 1984, relating to animal control, and enacting a new chapter 45, consisting of 33 sections, relating to the same subject, with a penalty provision.
(PERFECTED)
- [3161](#) AN ORDINANCE appropriating \$133,901.00 from the unappropriated surplus of the 2001 Grant Fund to cover the Family Centered Out of Home Care Grant for the Family Court Division funded by the Missouri Division of Family Services.
(ADOPTED)
- [13770](#) A RESOLUTION transferring \$79,277.00 within the 2001 Anti-Drug Sales Tax Fund to cover funding for the Sheriff's Department's 2000-2001 Drug Abuse Resistance Education (DARE) program.
(ADOPTED)
- [13781](#) A RESOLUTION transferring \$60,204.00 within the 2001 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute contracts with certain municipalities within Jackson County for the purpose of funding their 2000-2001 Drug Abuse Resistance Education (DARE) or similar anti-drug programs, at a total cost to the County not to exceed \$1,112,909.00.
(ADOPTED)
- [13783](#) A RESOLUTION authorizing the Parks and Recreation Department to make application for a grant from the Department of Natural Resources, Division of State Parks.
(ADOPTED)

- [13784](#) A RESOLUTION awarding a contract for the purchase of training ammunition for use by the Sheriff's Department to The Pro Shop of Kerrville, Texas, at a cost to the County not to exceed \$5,927.08, as a sole source purchase.
(ADOPTED)
- [13785](#) A RESOLUTION authorizing Change Order No. 1 (Final) to the contract with CW Luebbert Construction of Blue Springs, MO, for the 1998 Culvert Replacement - Phase II Project, No. 2374, reducing the contract amount by \$6,812.60.
(ADOPTED)
- [13786](#) A RESOLUTION authorizing Change Order No. 1 (Final) to the contract with CW Luebbert Construction of Blue Springs, MO, for the 1998 Culvert Replacement - Phase I Project, No. 2373, reducing the contract amount by \$3,706.96.
(ADOPTED)
- [13787](#) A RESOLUTION awarding a contract for the maintenance of microfilm equipment for use by the Records Department to Dynamic Computer Solutions of Kansas City, MO, at a cost to the County not to exceed \$7,298.00, as a sole source purchase.
(ADOPTED)
- [13788](#) A RESOLUTION extending the term of the Ewing Kauffman Foundation grant to provide funding for a KC Delegation Site Visit to the East Harlem Tutorial Program, at no additional cost to the County.
(ADOPTED)
- [13789](#) A RESOLUTION awarding a contract for the furnishing of batteries for the Department of Corrections' LRT and PDT devices to Symbol Technologies of Holtsville, NY, at a cost not to exceed \$7,000.00, as a sole source purchase.
(ADOPTED)
- [13790](#) A RESOLUTION declaring certain property as surplus personal property and authorizing its disposal.
(ADOPTED)
- To perfect Ordinances 3160, 3167, 3168, 3169. To adopt Ordinance 3161. To adopt Resolutions 13770, 13781, 13783, 13784, 13785, 13786, 13787, 13788, 13789, 13790.
- Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett and Terry Young
Absent: 3 - Ronald E. Finley, Dennis Waits and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3171](#) Reimposing a tax of 2.0% of 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."

(Finance and Audit Committee)

[3172](#) Appropriating \$225,000.00 from the unappropriated surplus of the 2001 Grant Fund to cover the Family Court Division's "Child Protection Center" project, funded by the Missouri Division of Family Services.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[13791](#) Authorizing Change Order No. 1 to the contract with Superior Bowen Asphalt Company of Kansas City, Missouri for the 2001 Road Rehabilitation Program, Project No. 2427, increasing the contract amount by \$15,750.00.

(Public Works Committee)

[13792](#) Awarding a term and supply contract on Bid No. 80-01 for the furnishing of glazing services for use by various County departments to Southtown Glass Co. of Kansas City, MO, to provide for their needs for the upcoming one-year period, in the estimated amount of \$12,500.00.

(Finance and Audit Committee)

[13793](#) Awarding a term-and-supply contract on Bid No. 73-01 for the furnishing of landscaping supplies for use by the Parks and Recreation and Public Works Departments to Colonial Nursery Corp., of Blue Springs, MO (\$5,250.00), and Grass Pad, Inc., of Olathe, KS (\$5,250.00), to provide for their needs for the upcoming one-year period, in the estimated aggregate amount of \$10,500.00.

(Land Use Committee)

[13794](#) Awarding a term and supply contract on Bid No. 74-01 for the furnishing of custom file folders for use by the Family Support Division of the Prosecuting Attorney's Office to Midwest Power Files of Kansas City, KS, to provide for departmental needs for the upcoming one-year period, in the estimate amount of \$5,000.00.

(Health and Justice Committee)

[13795](#) Awarding a term and supply contract on Bid No. 55-01 for the repair, inspection, and service of the County's fire pump and sprinkler systems for use by the Facilities Management Department to Royal Fire Protection of Independence, MO to provide for its needs for the upcoming one-year period, in the estimated amount of \$5,000.00.

(Finance and Audit Committee)

[13796](#) Fred Arbanas moved the passage of Resolution #13796, congratulating Bettie Yahn-Kramer upon accepting a position as Director of St. Charles County Parks and Recreation. Seconded by Dan Tarwater.

Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett and Terry Young
Absent: 3 - Ronald E. Finley, Dennis Waits and Bob Spence

(ADOPTED)

[13797](#) Awarding a term and supply contract on Bid No. 82-01 for the furnishing of industrial bearings and oil seals for use by various County departments to Applied Industrial Technologies - ABC, Inc., of Kansas City, MO, to provide for countywide needs for the upcoming one-year period, in the estimated amount of \$17,500.00.

(Finance and Audit Committee)

[13798](#) Approving a term and supply contract for the purchase of petroleum dispensing equipment parts and service from Petroleum Equipment, Inc., of Kansas City, MO, for use by the Public Works and Parks and Recreation Departments, in the estimated amount of \$10,000.00, under an existing government contract of the City of Kansas City, MO.

(Public Works Committee)

[13799](#) Authorizing the County Executive to execute an Agreement with the National Center for Fathering, to provide training sessions for clients of the Family Court Division's Fathering Court Diversion Project, at a total cost to the County not to exceed \$25,000.00.

(Health and Justice Committee)

[13800](#) Authorizing the County Executive to execute an Agreement with the Missouri Highway and Transportation Commission for the replacement of the O'Donnell Road Bridge, Project No. 2403.

(Public Works Committee)

[13801](#) Dan Tarwater moved the passage of Resolution #13801, authorizing the County Executive to execute a First Addendum to the contract with County Court Services, Inc., of Kansas City, MO for the furnishing of drug treatment services for use by the Jackson County Drug Court, in the estimated amount of \$600,000.00 and extending the term for a period of 12 months. Seconded by Terry Young.

Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett and Terry Young
Absent: 3 - Ronald E. Finley, Dennis Waits and Bob Spence

(ADOPTED)

[13802](#) Awarding a three-year term and supply contract under Request for Statement of Interest/Qualifications Bid No. 64-10 for the furnishing of electronic home monitoring services for use by the Jackson County Office of Population Control to Midwest ADP, Inc., in the estimated annual amount of \$292,000.00.

(Health and Justice Committee)

[13803](#)

Authorizing an increase to the contract with Casey Micrographics of Kansas City, MO, for the purchase of additional scanning services for use by the Department of Collections, at a cost not to exceed \$2,000.00, as a sole source purchase.

(Finance and Audit Committee)

No dissenting vote to consider Resolution #13804 - not on printed agenda.

[13804](#)

Dan Tarwater moved the passage of Resolution #13804, declaring certain property as surplus personal property and authorizing its disposal. Seconded by Terry Young.

Yes: 5 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett and Terry Young

Absent: 3 - Ronald E. Finley, Dennis Waits and Bob Spence

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 27, 2001 at 3:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.