



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)

Tuesday, May 9, 1995

12:00 PM

Nineteenth Regular Meeting

Independence Legislative Assembly Area, Independence, Missouri

James D. Tindall, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett,
James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham
Absent: Dennis Waits

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 Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, visited Jefferson City, Missouri, as it is the last week of the legislative session. She reported that most of the County's monetary legislation is in good shape. The County will be receiving \$17 per diem for adult prisoners which would give the County an additional \$375,000.00. There is another bill pending to increase it from \$17 to \$20 per diem. Governor Carnahan has agreed to place the additional monies in the County's budget if the pending bill is passed.

Dr. Charles Newman, jail consultant, gave an update on his work since February 10, 1995. He distributed reports to the Legislators for their review and welcomed any questions.

James D. Tindall, Chairman, asked if Dr. Newman is making progress with the courts. Dr. Newman said he believes the presiding judge is willing to cooperate.

Fred Arbanas asked the anticipated completion date for the jail study. Dr. Newman said his report should be completed by August or September, 1995.

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.

[2405](#) AN ORDINANCE appropriating \$21,713.00 from the unappropriated surplus of the 1995 Grant Fund to cover the Family Court Division's program with Children's Mercy Hospital SAFE-TYES funded by a grant from the United States Department of Health and Human Services.

[2406](#) Public Works Committee moved to perfect.

Victor E. Callahan objects to consent agenda.

[2406](#) Victor E. Callahan moved to perfect Ordinance #2406. Seconded by Fred Arbanas.

The motion passed by a voice vote. (PERFECTED)

[2406](#) Victor E. Callahan moved to suspend the rules to consider final passage of Ordinance #2406. Seconded by John Patrick Burnett.

The motion passed by a voice vote. (APPROVED)

- [2406](#) Victor E. Callahan moved the passage of Ordinance #2406 as perfected, appropriating \$9,740.00 from the unappropriated surplus of the 1995 County Urban Road System Fund and authorizing total payment of \$9,740.00 to certain property owners for the acquisition of rights-of-way, temporary construction easements, a permanent retaining wall easement, and a permanent drainage easement in settlement of a claim for damages in connection with the Longview Road at Blue Ridge Project No. 2075-3, Tract Nos. 25, 23-1, and 23-2. Seconded by Fred Arbanas.
- Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham
Absent: 1 - Dennis Waits
- (ADOPTED)
- [2407](#) Public Works Committee moved to perfect.
- Victor E. Callahan objects to consent agenda.*
- [2407](#) Victor E. Callahan moved to perfect Ordinance #2407. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (PERFECTED)
- [2407](#) Victor E. Callahan moved to suspend the rules to consider final passage of Ordinance #2407. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (APPROVED)
- [2407](#) Victor E. Callahan moved the passage of Ordinance #2407 as perfected, appropriating \$25,000.00 from the unappropriated surplus of the 1995 County Urban Road System Fund to cover a design change in the Prospect Bridge project. Seconded by John Patrick Burnett.
- Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham
Absent: 1 - Dennis Waits
- (ADOPTED)
- [2408](#) Public Works Committee moved to perfect.
- Victor E. Callahan objects to consent agenda.*
- [2408](#) Victor E. Callahan moved to perfect Ordinance #2408. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (PERFECTED)
- [2408](#) Victor E. Callahan moved to suspend the rules to consider final passage of Ordinance #2408. Seconded by John Patrick Burnett.
- The motion passed by a voice vote.** (APPROVED)

[2408](#) Victor E. Callahan moved the passage of Ordinance #2408 as perfected, appropriating \$241,857.00 from the unappropriated surplus of the 1995 County Urban Road System Fund and authorizing payment of \$241,857.00 to the City of Blue Springs from the Blue Springs CURS account for use in the City's 1995 road maintenance program. Seconded by Dixie M. Flynn.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham
Absent: 1 - Dennis Waits

(ADOPTED)

[2409](#) Public Works Committee moved to perfect.

Victor E. Callahan objects to consent agenda.

[2409](#) Victor E. Callahan moved to perfect Ordinance #2409. Seconded by John Patrick Burnett.

The motion passed by a voice vote.

(PERFECTED)

[2409](#) Victor E. Callahan moved to suspend the rules to consider final passage of Ordinance #2409. Seconded by John Patrick Burnett.

The motion passed by a voice vote.

(APPROVED)

[2409](#) Victor E. Callahan moved the passage of Ordinance #2409 as perfected, appropriating \$75,000.00 from the unappropriated surplus of the 1995 County Urban Road System Fund to cover the design phase of the Harry S Truman Road west of Byars Road project. Seconded by John Patrick Burnett.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham
Absent: 1 - Dennis Waits

(ADOPTED)

[2410](#) Anti-Drug Committee moved to perfect. Consent Agenda.

[2411](#) Anti-Drug Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2401](#) Consent Agenda.

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.
- [10789](#) Anti-Drug Committee moved do pass. Consent Agenda.
- [10806](#) A RESOLUTION authorizing the County Executive to execute an agreement with the Kansas City Area Development Council for providing a current profile of Jackson County at a cost to the County not to exceed \$15,000.00.
- [10807](#) Health and Justice Committee moved do pass. Consent Agenda.
- [10809](#) Anti-Drug Committee moved do pass. Consent Agenda.
- [10810](#) A RESOLUTION authorizing the Chair of the Jackson County Anti-Drug Sales Tax Fiscal Commission to enter into a Grant Agreement with Children's Mercy Hospital for the continuation of the Safety Assistance in Family Emergencies Teams for Youth Endangered by Substance Abuse program (Safe-TYES) in the amount of \$88,235.00, on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- [10811](#) Anti-Drug Committee moved do pass. Consent Agenda.
- [10813](#) Land Use Committee moved do pass. Consent Agenda.
- [10814](#) Land Use Committee moved do pass. Consent Agenda.
- [10815](#) Finance and Audit Committee moved do pass the Finance and Audit Committee Amendment of 5/5/1995, to delete the word "and" prior to the word "Danka", to insert the words "Corporate Business Systems of Overland Park, KS, and Corporate Technology, Inc. of Overland Park, KS," prior to the word "to", to delete the figure "470,056.32" and insert the figure "464,399.52" after the "\$", all in the heading. To add the words "Class V" after the words "DeCoursey Business Systems", to add the words "Class I & VI" after the words "Danka Business Systems", to add "Corporate Business Systems, Class II, Overland Park, KS" and "Corporate Technology, Inc., Class III & IV, Overland Park, KS", all on page two. Consent Agenda.

9 CONSENT AGENDA

Fred Arbanas moved the passage of the consent agenda. Seconded by John Patrick Burnett. The motion passed by a roll call vote:

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham

Absent: 1 - Dennis Waits

- [2410](#) AN ORDINANCE appropriating \$7,952.00 from the unappropriated surplus of the 1995 Anti- Drug Sales Tax Fund and authorizing the Jackson County Prosecuting Attorney to execute a First Addendum to Agreement with the City of Independence, 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, to provide for supplemental costs for the 1995 DARE summer camp and 1995 National DARE Conference, at a total cost not to exceed \$7,952.00.
- (PERFECTED)
- [2411](#) AN ORDINANCE appropriating \$3,830.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund and authorizing the Jackson County Prosecuting Attorney to execute a First Addendum to Agreement with the City of Blue Springs, Missouri, relating to the County's providing the City's local match to grants from the Missouri Department of Public Safety to fund the City's Drug Abuse Resistance Education (DARE) and related programs, to fund the City's Choices Cooperative/Campus Law Enforcement Education Officer program at a cost not to exceed \$3,830.00.
- (PERFECTED)
- [2401](#) AN ORDINANCE appropriating \$15,000.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund to cover the Sheriff's Department's 1995 Drug Abuse Resistance Education (DARE) program.
- (ADOPTED)
- [10789](#) A RESOLUTION authorizing the Prosecuting Attorney to execute an agreement with Grace United Church for a program entitled, "Street Gang Ministry," with a local match from the County not to exceed \$12,000.00.
- (ADOPTED)
- [10807](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with Local 96, Service Employees International Union, regarding the terms and conditions of employment of members of its bargaining unit.
- (ADOPTED)
- [10809](#) A RESOLUTION authorizing the Chair of the Jackson County Anti-Drug Sales Tax Fiscal Commission to enter into a Grant Agreement with Children's Mercy Hospital for the continuation of the Teams for Infants Endangered by Substance Abuse (TIES) program, in the amount of \$35,000.00, on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.
- (ADOPTED)
- [10811](#) A RESOLUTION authorizing the County Executive to make application for the DART (Drug Abatement Response Team) grant from the Missouri Department of Public Safety.
- (ADOPTED)

[10813](#) A RESOLUTION partially rescinding Resolution 10666, dated February 13, 1995, and Resolution 10695 dated February 21, 1995, as to the governmental contracts with Sonny Hill Motors of Platte City, MO, and awarding that part of each contract for the furnishing of one Jeep Cherokee in the amount of (\$19,770.83) and five Jeep Cherokees in the amount of (\$89,572.45) for use by the Parks and Recreation Department to Nevada Auto Mall of Nevada, Missouri, in the actual amount of \$109,343.28.

(ADOPTED)

[10814](#) A RESOLUTION approving the purchase of twenty outboard motors for use by the Parks and Recreation Department under a state of Iowa government contract at a cost to the County not to exceed \$26,767.00.

(ADOPTED)

[10815](#) A RESOLUTION awarding a term and supply contract on Bid No. 12-95 for the furnishing of photocopier rental equipment and service for use by various County departments to DeCoursey Business Systems of Overland Parks, KS, and Danka Business Systems of Overland Park, KS, to provide for their needs for the upcoming three-year period, in the estimated aggregate amount of \$470,056.32.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[2412](#) Appropriating \$6,376.00 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 Community-Oriented Policing Program (COPS) and related programs at a cost not to exceed \$6,376.00.

(Anti-Drug Committee)

[2413](#) Reappropriating \$300,797.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund to cover the reappropriation of unspent funds allocated to the Fiscal Commission's outside agencies account.

(Anti-Drug Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10816](#) Transferring \$75,000.00 within the 1995 General Fund to cover salaries for the Truancy Program of the Family Court.

(Health and Justice Committee)

[10817](#) Authorizing the Chair of the Jackson County Fiscal Commission to execute an agreement with Resource Development Institute for the continuation of a substance abuse treatment program at the T. B. Watkins Housing Development at a cost to the County not to exceed \$50,000.00.

(Anti-Drug Committee)

[10818](#) Authorizing the Chair of the Anti-Drug Sales Tax Fiscal Commission to execute an agreement with Swope Parkway Health Center, for the continuation of the Health Care for Homeless program in the amount of \$50,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

[10819](#) Authorizing the Chair of the Jackson County Anti-Drug Sales Tax Fiscal Commission to execute an agreement with The Greater Kansas City Chamber of Commerce for the continuation of the Drugs Don't Work program in the amount of \$30,000.00, on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

[10820](#) Authorizing the Chair of the Jackson County Anti-Drug Sales Tax Fiscal Commission to execute an agreement with Children's Mercy Hospital for the continuation of the Family Friends - Healthy Tomorrows program in the amount of \$40,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

[10821](#) Awarding a term and supply contract on Bid No. 31-95 for the furnishing of turf and ornamental shrubbery care products for use by the Parks and Recreation Department to Professional Turf Specialties of Lee's Summit, MO, United Horticulture Supply of North Kansas City, MO, Grass Pad of Olathe, KS, Lesco, Inc., of Rocky River, OH, Terra International of St. Joseph, MO, Cornbelt Chemical Co. of McCook, NE, and D & D Turf of Olathe, KS, in the estimated aggregate amount of \$95,776.49.

(Land Use Committee)

[10822](#) Fred Arbanas moved the passage of Resolution #10822, authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, May 9, 1995, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation. Seconded by Dan Tarwater.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham

Absent: 1 - Dennis Waits

(ADOPTED)

[10823](#) Awarding a contract on Bid No.41-95 for the printing of a 4-color brochure for use by the Parks and Recreation Department to Parsons Graphics of Shawnee Mission, KS, in the actual amount of \$21,360.00.

(Land Use Committee)

- [10824](#) Awarding a contract on Bid No. 50-95 for the furnishing of clean rip-rap rock for use by the Parks and Recreation Department to Martin Marietta Aggregates of Greenwood, Missouri, in the actual amount of \$9,995.40.
(Land Use Committee)
- [10825](#) authorizing the Prosecuting Attorney to execute an Agreement with Women's Employment Network, to provide various services for clients of her Deferred Prosecution and Drug Court programs, at a total cost to the County not to exceed \$50,000.00.
(Anti-Drug Committee)
- [10826](#) Awarding a contract for maintenance on CICS ABEND-AID and VSE ABEND-AID computer software for use by the Management Information Systems Department to Compuware of Farmington Hills, MI, at a cost to the County not to exceed \$9,704.00, as a sole source purchase.
(Finance and Audit Committee)
- [10827](#) Awarding a term and supply contract on Bid No. 49-95 for the furnishing of office supplies and equipment for use county-wide to Data Essentials of Kansas City, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$140,000.00.
(Finance and Audit Committee)
- [10828](#) Victor E. Callahan moved the passage of Resolution #10828, proclaiming May 21-27, 1995, as National Public Works Week in Jackson County, Missouri. Seconded by Fred Arbanas.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dixie M. Flynn and John C. Graham
Absent: 1 - Dennis Waits

(ADOPTED)
- [10829](#) Awarding a contract on Bid No. 52-95 for the furnishing of mowers for the Longview Golf Course for use by the Parks and Recreation Department to Mid-America Industrial of Kansas City, MO, and Modern Distributing Co. of Kansas City, MO, in the actual aggregate amount of \$53,126.00, and declaring two mowers as surplus and authorizing their disposal by way of trade-in.
(Land Use Committee)
- [10830](#) Transferring \$44,472.00 within the 1995 Park Fund and awarding a contract on Bid No. 35-95 for the furnishing of mowers and tractors for use by the Parks and Recreation Department to Modern Distributing of Kansas City, MO, Halferty & Sons of Smithville, MO, Lawn & Leisure of Lee's Summit, MO, and Pleasant Hill Implement, Inc., of Pleasant Hill, MO, in the actual aggregate amount of \$164,901.00.
(Land Use Committee)

[10831](#) Authorizing the County Executive to execute a First Addendum to the Cooperation and Use Agreement with Longview Horse Park Association, at an increased cost to the County of \$10,000.00.

(Land Use Committee)

[10832](#) Authorizing the County Executive to execute Appraisal Agreements with Rogers M. McCrae & Co. and Campbell Appraisal Company for appraisal services, at a cost to the County not to exceed \$3,100.00.

(Finance and Audit Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Closed meeting to discuss litigation regarding Enlightened Reading Inc. The closed meeting was attended by the County Legislators as recorded by Roll Call, Mary Jo Brogato, Clerk of the County Legislature, Katheryn Shields, County Executive, Janet Colt, Manager of Administration and Operations, Walter Van Asselt, Director of Finance, James Storkamp, County Counselor, and Jay Haden, Deputy County Counselor.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Victor E. Callahan moved to adjourn the meeting. Seconded by Dixie M. Flynn.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, May 15, 1995, at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.

prepared by mjb