

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, December 12, 1994

12:00 PM

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

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 Silvia Rizzo.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Mike White made comments on Ordinance #2352, regarding the Unified Development Code of Jackson County.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

2352

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, with an effective date.

<u>2354</u>	Dennis Waits moved to discharge from Committee to the Legislature Ordinance #2354. Seconded by Fred Arbanas.
	Yes: 6 - Lisa White Hardwick, Fred Arbanas, James D. Tindall, James D. Tindall, Dennis Waits and Ed Growney
	No: 4 - Silvia Rizzo, John Patrick Burnett, Tom Wyrsch and Robert E. Hertzog
	(APPROVED)
<u>2354</u>	Dennis Waits moved to perfect Ordinance #2354, establishing a convention trade area in an area of Jackson County, Missouri within the City of Sugar Creek, Missouri. Seconded by Fred Arbanas.
	Yes: 5 - Lisa White Hardwick, Fred Arbanas, James D. Tindall, James D. Tindall and Dennis Waits No: 5 - Silvia Rizzo, John Patrick Burnett, Ed Growney, Tom Wyrsch and Robert E. Hertzog
	(FAILED)
<u>2356</u>	Repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges, and enacting, in lieu thereof, a new schedule relating to the same subject.
<u>2357</u>	Land Use Committee moved to perfect. Consent Agenda.
	Mary Lou Smith presented a 25 year service pin to Parthenia Bazadier, a secretary in Special Recreation for the Parks and Recreation Department.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

<u>2349</u>	Consent Agenda.
<u>2353</u>	Consent Agenda.
<u>2355</u>	Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

<u>10539</u>	Health and Justice Committee moved do pass.	Consent Agenda.
<u>10554</u>	Finance and Audit Committee moved do pass.	Consent Agenda.
10555	Health and Justice Committee moved do pass.	Consent Agenda.

Resolution #10583 was adopted at this time.

<u>10556</u>	Health and Justice Committee moved do pass. Consent Agenda.
<u>10557</u>	Finance and Audit Committee moved do pass. Consent Agenda.
<u>10558</u>	Health and Justice Committee moved do pass. Consent Agenda.
<u>10559</u>	Finance and Audit Committee moved do pass. Consent Agenda.
<u>10560</u>	Public Works Committee moved do pass. Consent Agenda.
<u>10561</u>	Finance and Audit Committee moved do pass. Consent Agenda.
<u>10562</u>	Finance and Audit Committee moved do pass. Consent Agenda.
<u>10563</u>	Finance and Audit Committee moved do pass. Consent Agenda.
<u>10565</u>	Public Works Committee moved do pass. Consent Agenda.
	The motion passed by a voice vote.
<u>10566</u>	Finance and Audit Committee moved do pass the Finance and Audit Committee Amendment of 12/9/1994, to insert the word "(Final)" after the number "4" in heading and in paragraph 3 on page one. Consent Agenda.
<u>10567</u>	Public Works Committee moved do pass. Consent Agenda.
10568	Finance and Audit Committee moved do pass. Consent Agenda.
10569	Finance and Audit Committee moved do pass. Consent Agenda.
<u>10570</u>	Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

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

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

<u>2357</u>	Repealing section 5011., 5013., 5019., 5020., 5040., 5042., 5043., 5045., 5049., and 5067., Jackson County Code, 1984, relating to park regulations, and enacting, in lieu thereof, ten new sections relating to the same subject.	PERFECTED)
<u>2349</u>	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.	o y om
<u>2353</u>	Repealing section 260., Jackson County Code, 1984, relating to the County auditor, a adopting, in lieu thereof, one new section relating to the same subject.	(ADOPTED) and (ADOPTED)
<u>2355</u>	Appropriating \$130,000.00 from the unappropriated surplus of the 1994 County Urban Road System Fund to cover reimbursement to the Public Works Department for engineering service performed on city projects.	
<u>10539</u>	Transferring \$27,437.00 within the 1994 Grant Fund to cover the cost of building serv for the Family Court.	(ADOPTED) ices (ADOPTED)
<u>10554</u>	Awarding a term and supply contract on Bid No. 162-94 for the furnishing of Belden cabling for use by the Management Information Systems Department to Computer Ca Connection of Independence, Missouri, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$20,000.00.	,
<u>10555</u>	Awarding a contract on Bid No. 160-94 for the furnishing of shotguns for use by the Sheriff's Department to Simmons Gun Specialties of Spring Hill, Kansas, in the actual amount of \$5,121.90.	
<u>10556</u>	Awarding a contract for the furnishing of a voice stress analyzer for use by the Sheriff Department to NITV of West Palm Beach, Florida, at a cost to the County not to exce \$6,350.00, as a sole source purchase.	ed
<u>10557</u>	Awarding a contract on Bid No. 148-94 for the furnishing of Report Management Software for use by the Management Information Systems Department to Software Diversified Services of Minneapolis, Minnesota, in the actual amount of \$12,644.25.	(ADOPTED)

<u>10558</u>	Authorizing an increase to the contract with Data Processing Sciences Corporation of Lee's Summit, Missouri, for the furnishing of personal computer network wiring in the actual amount of \$2,350.00.	
		(ADOPTED)
<u>10559</u>	Awarding a term and supply contract on Bid No. 154-94 for the furnishing of frame relative network hardware for use by various County departments to Information Products, Inclindependence, Missouri, to provide for their needs for the upcoming six-month period the estimated amount of \$30,000.00.	. of
		(ADOPTED)
<u>10560</u>	Transferring \$33,685.00 within the 1994 Special Road and Bridge Fund, and awarding contract on Bid No. 146-94 for the furnishing of a vibratory asphalt compactor for use the Department of Public Works to Halco, Inc. of Kansas City, KS, in the actual amou of \$33,685.00.	by
		(ADOPTED)
<u>10561</u>	Awarding a term and supply contract on Bid No. 155-94 for the furnishing of HVAC service and repair for use by the Building Services Department to Waldinger Corporat of North Kansas City, MO, to provide for departmental needs for the upcoming one-ye period, in the estimated amount of \$100,000.00.	
		(ADOPTED)
<u>10562</u>	Awarding a term and supply contract on Bid No. 157-94 for the furnishing of miscellaneous personal computer hardware and software for use by various County departments to 101 Computing of Lenexa, KS, Midwest Typewriter of Kansas City, M Softmart of Exton, PA, and Computerland of Lincoln of Lincoln, NE, in the actual aggregate amount of \$8,943.50.	Ο,
		(ADOPTED)
<u>10563</u>	Awarding a contract for the furnishing of maintenance agreements for the Jackson County Election Board's computer hardware and software to Votec of San Diego, CA, a cost to the County not to exceed \$14,082.09, as a sole source purchase.	at
		(ADOPTED)
<u>10565</u>	Awarding a contract on Bid No. 149-94 for the furnishing of a color plotter for use by the Department of Public Works to Cedar Computer of Overland Park, Kansas, in the actual amount of \$8,074.00.	
		(ADOPTED)
<u>10566</u>	Authorizing Change Order No. 4 (Final) to the contract with DiCarlo Construction Company for the renovation of elevators at the Jackson County Courthouse, Kansas (MO, increasing the contract amount by \$519.78.	City,
		(ADOPTED)

Authorizing total payment of \$8,353.00 to certain individuals for relocation assistance in connection with the Longview Road at Blue Ridge, County Project 2075-3 (Federal STPFY94(2)RW).

(ADOPTED)

Awarding a contract for the furnishing of remittance processor hardware and software maintenance for use by the Management Information Systems Department to AT&T Global of Dallas, Texas, at a cost to the County not to exceed \$17,727.92, as a sole source purchase.

(ADOPTED)

Awarding a term and supply contract on Bid No. 145-94 for the furnishing of trash removal service for use county-wide to A-C Hauling of North Kansas City, MO, Deffenbaugh Disposal of Shawnee Mission, KS, Laidlaw Waste Systems of Kansas City, MO, and Waste Management of Independence, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated aggregate amount of \$90,000.00.

(ADOPTED)

Authorizing total payment of \$870.00 to a certain property owner for the acquisition of a permanent drainage easement in settlement of claims for damages in connection with the Stringtown Culvert Replacement #17, Project No. 2299.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Dennis Waits moved to perfect Ordinance #2359.

Mary Lou Smith objected to the perfection of Ordinance #2359.

2359 Appropriating \$50,000.00 from the unappropriated surplus of the 1994 Anti-Drug Sales Tax Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement.

(Anti-Drug Committee)

Appropriating \$100,000.00 from the unappropriated surplus of the 1994 General Fund to cover the I-470 Redevelopment Area Tax Increment Financing Agreement.

(Anti-Drug Committee)

No dissenting vote to consider Ordinance #2361 - not printed agenda.

Fred Arbanas moved do pass the Floor Amendment of 12/12/1994, to delete the figure "\$6,418.00" and insert the figure "\$2,669.00" in the heading and the body.

Yes: 3 - Silvia Rizzo, Fred Arbanas and Dennis Waits

No: 4 - James D. Tindall, James D. Tindall, Ed Growney and Robert E. Hertzog

Abstain: 3 - Lisa White Hardwick, John Patrick Burnett and Tom Wyrsch

(FAILED)

2361 Robert E. Hertzog moved to perfect Ordinance #2361. Seconded by Ed Growney.

The motion passed by a voice vote.

(PERFECTED)

Robert E. Hertzog moved to suspend the rules to consider final passage of Ordinance #2361. Seconded by Silvia Rizzo.

The motion passed by a voice vote.

(APPROVED)

Silvia Rizzo moved the passage of Ordinance #2361 as perfected, appropriating \$6,418.00 from the unappropriated surplus of the 1994 General Fund and authorizing the Chairman of the Jackson County Legislature's Finance and Audit Committee to execute a contract with Jolley, Walsh, & Hager for the position of Legal Advisor to the County Legislature, at a cost to the County not to exceed \$6,418.00. Seconded by Robert E. Hertzog.

Yes: 6 - Silvia Rizzo, John Patrick Burnett, James D. Tindall, James D. Tindall, Ed Growney and Robert E. Hertzog

No: 2 - Lisa White Hardwick and Fred Arbanas Abstain: 2 - Dennis Waits and Tom Wyrsch

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

Dennis Waits moved the passage of Resolution #10574, rescinding Resolution 10501 dated October 17, 1994, and authorizing the County Executive to execute a Cooperative Agreement with the Raytown Girls' Softball Association concerning the development of a restroom facility at the Little Blue Trace Softball Complex, at a cost to the County not to exceed \$30,000.00. Seconded by Tom Wyrsch.

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

(ADOPTED)

Dennis Waits said Resolution #10574 is adopted contingent on receipt of a letter from the Raytown Girls' Softball Association.

<u>10575</u>

Ed Growney moved the passage of Resolution #10575, authorizing the County Executive to execute a "First Addendum to Jackson County, Missouri Revised Pension Trust Agreement," with UMB Bank, N.A. Seconded by Dennis Waits.

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

(ADOPTED)

10576

Tom Wyrsch moved the passage of Resolution #10576, authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 12, 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: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

(ADOPTED)

10577

Dennis Waits moved the passage of Resolution #10577, rescinding a portion of Resolution 10418, dated July 25, 1994, relating to the construction of the new Jackson County Detention Center Annex. Seconded by Robert E. Hertzog.

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

(ADOPTED)

10578

Tom Wyrsch moved the passage of Resolution #10578, awarding a term and supply contract on Bid No. 147-94 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 \$10,500.00. 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 Wyrsch and Robert E. Hertzog

(ADOPTED)

10579

Tom Wyrsch moved the passage of Resolution #10579, awarding a term and supply contract on Bid No. 144-94 for the furnishing of hydraulic hose and fittings for use by various County departments to Tompkins Industries of Lenexa, KS, to provide for their needs for the upcoming one-year period, in the estimated amount of \$13,200.00. 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 Wyrsch and Robert E. Hertzog

(ADOPTED)

10580

Awarding a term and supply contract on Bid No. 138-94 for the furnishing of paint and painting supplies for use by various County departments to Sherwin Williams Co. of Kansas City, MO, and Sophir Morris Paint Co. of Kansas City, MO, to provide for their needs for the upcoming one-year period, in the estimated aggregate amount of \$33,000.00.

(Finance and Audit Committee)

10581

Awarding a term and supply contract on Bid No. 140-94 for maintenance of softball field lights for use by the Parks and Recreation Department to Mark One Electric Co. of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$5,000.00.

(Land Use Committee)

10582

Tom Wyrsch moved the passage of Resolution #10582, authorizing Change Order No. 1 (Final) to the contract with Corlew Construction Co. of Raytown, MO, for the Al Gossett Stormwater Project #2287, decreasing the contract amount by \$1,045.00. Seconded by Robert E. Hertzog.

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

(ADOPTED)

Resolution #10583 was adopted under Perfection of Proposed Ordinances and Reports of Committee.

10583

Fred Arbanas moved the passage of Resolution #10583, commending Jackson County Sheriff's Deputies Bret McNichols and Terry Rowe for their bravery and quick action in rescuing citizens from an apartment building fire and bringing them to safety. Seconded by Tom Wyrsch.

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

(ADOPTED)

10584

John Patrick Burnett moved the passage of Resolution #10584, recognizing the importance of awareness and education in preventing the further spread of AIDS in our community, and supporting the metropolitan area-wide AIDS awareness campaign, TAKE CARE KANSAS CITY, planned for December 1-14, 1994. 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 Wyrsch and Robert E. Hertzog

(ADOPTED)

<u>10585</u>

Dennis Waits moved the passage of Resolution #10585, authorizing the County Executive to execute three Quit Claim Deeds in favor of the City of Sugar Creek, Missouri, to complete the transfer of ownership of La Benite Park. Seconded by Lisa White Hardwick.

Yes: 8 - Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney and Robert E. Hertzog No: 2 - Silvia Rizzo and Tom Wyrsch

(ADOPTED)

10586

Rescinding Resolution 10462, dated September 12, 1994, and awarding a contract on Bid No. 113-94 for the installation of a fuel system at Fleming Park for use by the Sheriff's and Parks and Recreation Departments to MAC Corporation of Independence, MO, in the actual amount of \$83,933.00.

(Health and Justice Committee)

No dissenting vote to consider Resolutions #10587, #10588, #10589, #10590, #10591 - not on printed agenda.

James D. Tindall presented a plaque to Ed Growney for serving as Vice-Chairman of the Legislature and a second plaque for his years of service on the County Legislature.

10587

Dennis Waits moved the passage of Resolution #10587, commending Ed Growney for his outstanding service during his fourteen years with the Jackson County Legislature. Seconded by Robert E. Hertzog.

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

(ADOPTED)

Fred Arbanas presented a plaque to Mary Lou Smith.

10588

Silvia Rizzo moved the passage of Resolution #10588, commending Mary Lou Smith for her outstanding service during her five years on the Jackson County Legislature. Seconded by Dennis Waits.

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

(ADOPTED)

Dennis Waits presented a plaque to Dr. Robert E. Hertzog.

Dennis Waits moved the passage of Resolution #10589, commending Dr. Robert E. Hertzog for his outstanding service during his sixteen years with the Jackson County Legislature. Seconded by Ed Growney.

Yes: 9 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney and Tom Wyrsch

Abstain: 1 - Robert E. Hertzog

(ADOPTED)

James D. Tindall presented a plaque to Silvia Rizzo.

Dennis Waits moved the passage of Resolution #10590, commending Silvia A. Rizzo for her outstanding service during her five years on the Jackson County Legislature. Seconded by John Patrick Burnett.

Yes: 10 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Ed Growney, Tom Wyrsch and Robert E. Hertzog

(ADOPTED)

Ed Growney presented a plaque to James D. Tindall for his outstanding job as Chairman of the Legislature.

Lisa White Hardwick moved the passage of Resolution #10591, authorizing the Chair of the Fiscal Commission to execute an agreement with The Court Appointed Special Advocate Program (CASA) of the Juvenile Justice Center in the amount of \$18,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission. 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 Wyrsch and Robert E. Hertzog

(ADOPTED)

Authorizing the Chair of the Jackson County Fiscal Commission to execute an agreement with Truman Medical Center (TMC) in the amount of \$80,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

Authorizing the Chair of the Fiscal Commission to execute an agreement with Sunshine Center, Inc., in the amount of \$40,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

Authorizing the Chair of the Fiscal Commission to execute an agreement with Midwest Christian Counseling Center in the amount of \$25,000.00 on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

10595

Authorizing the Chair of the Fiscal Commission to execute an agreement with the National Council on Alcoholism and Drug Dependence (NCADD) in the amount of \$38,600.00 as a local match on the recommendation of the Jackson County Anti-Drug Sales Tax Fiscal Commission.

(Anti-Drug Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

James D. Tindall asked the Administration if they have made preparations to deal with the jail cap over the Christmas and New Year's weekends.

Marsha Campbell, Manager of Administration, said they are working on this problem.

Ed Growney asked James Storkamp, County Counselor, if he will still be represented by the County Counselor in lawsuits pending with the County.

James Storkamp replied that the County Counselor will defend him.

Ed Growney stated that former County Legislator Charlotte Musgrave passed away the morning of December 12, 1994.

15 ADJOURNMENT

John Patrick Burnett moved to adjourn the meeting. Seconded by Silvia Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, December 19, 1994, at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.