



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
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, May 23, 1994

12:00 PM

Twenty-First Regular Meeting

Independence Legislative Assembly Area, Independence, Missouri

Ed Growney, Vice-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, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
Absent: James D. Tindall and James D. Tindall

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 John Patrick Burnett.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

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.

(Until Court of Appeals decision)

- [2292](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2292](#) Fred Arbanas moved to perfect Ordinance #2292. Seconded by Robert E. Hertzog.
The motion passed by a voice vote. (PERFECTED)
- [2292](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2292. Seconded by Tom Wyrsh.
The motion passed by a voice vote. (APPROVED)
- [2292](#) Fred Arbanas moved the passage of Ordinance #2292 as perfected, authorizing Jackson County, Missouri to convey to the Junior College District of Metropolitan Kansas City, Missouri certain property to be conveyed to the county, including property known as the Longview recreation complex, upon and in consideration of the provision by the Junior College District of Metropolitan Kansas City, Missouri for payment of the outstanding lease certificates of participation (Longview recreation complex project) series 1987 issued by the Jackson County, Missouri, Public Facilities Authority; authorizing Jackson County, Missouri to enter into documents in connection therewith, including an amendment to escrow agreement, special warranty deed and cooperation agreement; and authorizing certain other actions in connection with such transaction. Seconded by Silvia Rizzo.
Yes: 7 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Ed Growney, Tom Wyrsh and Robert E. Hertzog
Absent: 3 - James D. Tindall, James D. Tindall and Dennis Waits
(ADOPTED)
- [2293](#) Health and Justice Committee moved to perfect.
Silvia Rizzo assumes the Chair.
Discussion on Ordinance #2293.
Ed Growney, Vice-Chairman, resumes the Chair.
- [2293](#) John Patrick Burnett moved to hold a special meeting Ordinance #2293, authorizing the County to lease to the Jackson County, Missouri, Public Facilities Authority certain real estate of the County; approving the issuance of \$13,000,000 principal amount of Jackson County, Missouri, Public Facilities Authority Leasehold Revenue Refunding and Improvement Bonds (Jackson County, Missouri, Capital Improvements Project) Series 1994, by the Jackson County, Missouri, Public Facilities Authority, for the purpose of providing funds to finance and refinance costs related to facilities for the County; authorizing and approving certain documents in connection with the issuance of said bonds; and authorizing certain other actions in connection with the issuance of said bonds. Seconded by Silvia Rizzo.
The motion passed by a voice vote. (APPROVED)
at 1:00 p.m. in the Kansas City Legislative Assembly Area, to adopt Ordinance #2293

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

- [10312](#) Robert E. Hertzog moved to hold Resolution #10312, for one week until 5/31/1994, granting a waiver of the residency requirement for non-merit employees for assistant prosecuting attorney Katharine Fincham pursuant to 730 Jackson County Code. Seconded by John Patrick Burnett.
The motion passed by a voice vote. (APPROVED)
- [10313](#) John Patrick Burnett moved to hold Resolution #10313, for one week until 5/31/1994, granting a waiver of the residency requirement for non-merit employees for assistant prosecuting attorney David J. Fry pursuant to 730 Jackson County Code. Seconded by Robert E. Hertzog.
The motion passed by a voice vote. (APPROVED)
- [10314](#) Health and Justice Committee moved do pass. Consent Agenda.
- [10315](#) Public Works Committee moved do pass. Consent Agenda.
- [10316](#) Public Works Committee moved do pass. Consent Agenda.
- [10317](#) Land Use Committee moved do pass. Consent Agenda.
- [10318](#) Land Use Committee moved do pass. Consent Agenda.
- [10319](#) Health and Justice Committee moved do pass. Consent Agenda.
- [10320](#) Health and Justice Committee moved do pass. Consent Agenda.
- [10321](#) Land Use Committee moved do pass. Consent Agenda.
- [10323](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [10324](#) Anti-Drug Committee moved do pass. Consent Agenda.
- [10325](#) Anti-Drug Committee moved do pass. Consent Agenda.

[10326](#) Public Works Committee moved do pass. Consent Agenda.

[10327](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10328](#) Finance and Audit Committee moved do pass. Consent Agenda.

[10331](#) Land Use Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

Robert E. Hertzog moved the passage of the consent agenda. Seconded by Dennis Waits. The motion passed by a roll call vote:

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog

Absent: 2 - James D. Tindall and James D. Tindall

[10314](#) A RESOLUTION awarding a contract on Bid No. 62-94 for the furnishing of Huebsch drying tumblers for use by the Department of Corrections to Kee Wes Equipment Co. of Kansas City, KS, in the actual amount of \$14,375.20.

(ADOPTED)

[10315](#) A RESOLUTION authorizing total payment of \$30.00 to certain property owners for acquisition of permanent drainage easement in settlement of a claim for damage in connection with the County Project 2297-ALN6, a replacement culvert on Allen Road.

(ADOPTED)

[10316](#) A RESOLUTION authorizing payment of \$12,869.00 to the City of Sugar Creek from the Sugar Creek CURS account for use in the City's 1994 road maintenance program.

(ADOPTED)

[10317](#) A RESOLUTION authorizing the County Executive to execute Amendment No. 1 to the Agreement with the Missouri Department of Conservation for the Community Assistance Program.

(ADOPTED)

[10318](#) A RESOLUTION authorizing the sale of real estate located at 3rd & Gillis and 3016 E. 19th Terr. in Kansas City.

(ADOPTED)

- [10319](#) A RESOLUTION authorizing the County Executive to execute a Child Support Enforcement Supplemental Agreement with the Missouri Department of Social Services.
(ADOPTED)
- [10320](#) A RESOLUTION awarding a contract on Bid No. 67-94 for the furnishing of ammunition reloading components for use by the Sheriff's Department to The Hunting Shack, Inc. of Missoula, Montana, to provide for departmental needs for the upcoming one-year period, in the actual amount of \$5,276.00.
(ADOPTED)
- [10321](#) A RESOLUTION authorizing the County Executive to execute an Addendum to Lease with Jacomo Water-Slide, Inc., for the water slide concession at Lake Jacomo.
(ADOPTED)
- [10323](#) A RESOLUTION awarding a contract for the publication of notices of delinquent land tax foreclosures and sales for Jackson County to the Daily Record and the Examiner in the aggregate amount of \$152,000.00.
(ADOPTED)
- [10324](#) 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)
- [10325](#) A RESOLUTION authorizing the Prosecuting Attorney to execute an agreement with the Midwest Christian Counseling Center for a program entitled, "Street Psyche," with a local match from the County not to exceed \$2,600.00.
(ADOPTED)
- [10326](#) A RESOLUTION awarding a term and supply contract on Bid No. 60-94 for the furnishing of water treatment services for use by the Building and General Services and Public Works Departments to Blue Valley Laboratories of Mission, KS, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$5,940.00.
(ADOPTED)
- [10327](#) A RESOLUTION awarding a term and supply contract on Bid No. 43-94 for the furnishing of overhead door repair and maintenance for use county-wide to Total Door Company of Shawnee Mission, KS, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$33,000.00.
(ADOPTED)
- [10328](#) A RESOLUTION awarding a three year contract on Bid No. 55-94 for furnishing property casualty insurance coverage to Allendale Insurance Co. for the period of June 1, 1994, to June 1, 1997, in the total amount of \$175,272.00.
(ADOPTED)

[10331](#) A RESOLUTION approving the purchase of a compact pickup truck with long wheelbase for use by the Parks and Recreation Department under Contract Bid No. 93-1721, an existing government contract of the City of Olathe, Kansas, from Shawnee Mission Ford of Shawnee, KS, at a cost to the County not to exceed \$10,319.00.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[2294](#) Appropriating \$98,750.00 from the unappropriated surplus of the 1994 Anti- Drug Sales Tax Fund to cover the contract with Central Kansas City Mental Health Services approved by Resolution 10275 for the Department of Corrections.

(Anti-Drug Committee)

No dissenting vote to consider Ordinance #2295 - not on printed agenda.

[2295](#) Lisa White Hardwick moved to perfect Ordinance #2295. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

[2295](#) Lisa White Hardwick moved to suspend the rules to consider final passage of Ordinance #2295. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

[2295](#) Lisa White Hardwick moved the passage of Ordinance #2295 as perfected, appropriating \$59,770.00 from the unappropriated surplus of the 1994 Anti- Drug Sales Tax Fund and increasing the current contract for the furnishing of electronic home detention equipment and maintenance for use by the Corrections Department with Corrections Services, Inc., of Ft. Lauderdale, FL, at a cost to the County not to exceed \$56,500.00. Seconded by Silvia Rizzo.

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog

Absent: 2 - James D. Tindall and James D. Tindall

(ADOPTED)

[2296](#) Appropriating \$343,402.00 from the unappropriated surplus of the 1994 Anti- Drug Sales Tax Fund to cover the costs of increased staffing within the Department of Corrections.

(Anti-Drug Committee)

[2297](#) Declaring that the Petition for Incorporation of the Town of Summit Ridge meets the requirements of law and ordering the question of the incorporation of the Town be submitted to the voters.

(Legislature As A Whole)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10332](#) Authorizing the Prosecuting Attorney to execute an Addendum to the Agreement with the Ad Hoc Group Against Crime of November 19, 1993 to provide additional community crime prevention activities for the purpose of preventing illegal drug use and drug-related offenses, at a total cost to the County not to exceed \$8,500.00.

(Anti-Drug Committee)

[10333](#) Awarding a contract for the furnishing of maintenance for Dynam Software for use by the Management Information Systems Department to Computer Associates International of Islandia, New York, at a cost to the County not to exceed \$9,468.90, as a sole source purchase.

(Finance and Audit Committee)

[10334](#) Awarding a contract on Bid No. 51-94 for the furnishing of miscellaneous police equipment and supplies for use by various departments to Law Enforcement Equipment of Kansas City, MO, Keisler Police Supply of Jeffersonville, In, C & G Wholesale of Garland, TX, Simmons Gun Specialties of Spring Hill, KS, and Ray O'Herron of Danville, IL, in the actual aggregate amount of \$8,597.42.

(Health and Justice Committee)

[10335](#) Fred Arbanas moved the passage of Resolution #10335, transferring \$24,639.00 within the 1994 Park Enterprise Fund to cover the transfer of Dennis Dovel from Longview Recreation Center to Park Department Recreation Programs. Seconded by Robert E. Hertzog.

Yes: 7 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Ed Growney, Tom Wyrsh and Robert E. Hertzog

Absent: 3 - James D. Tindall, James D. Tindall and Dennis Waits

(ADOPTED)

[10336](#) Awarding a contract on Bid No. 75-94 for the furnishing of a cargo van for use by the Sheriff's Department to Midway Ford of Kansas City, MO, in the actual amount of \$15,798.00.

(Health and Justice Committee)

[10337](#) Robert E. Hertzog moved the passage of Resolution #10337, authorizing the Jackson County Legislature to hold a closed meeting on Monday, May 23, 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: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog

Absent: 2 - James D. Tindall and James D. Tindall

(ADOPTED)

No dissenting vote to consider Resolutions #10338, #10339 and #10340 - not on printed agenda.

[10338](#)

Fred Arbanas moved the passage of Resolution #10338, approving the purchase of outboard motors for use by the Parks and Recreation Department under a state of Missouri government contract at a cost to the County not to exceed \$15,171.00. Seconded by Lisa White Hardwick.

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
Absent: 2 - James D. Tindall and James D. Tindall

(ADOPTED)

[10339](#)

Silvia Rizzo moved the passage of Resolution #10339, authorizing the County Executive to make application for the DART (Drug Abatement Response Team) grant from the Missouri Department of Public Safety. Seconded by Tom Wyrsh.

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
Absent: 2 - James D. Tindall and James D. Tindall

(ADOPTED)

[10340](#)

Lisa White Hardwick moved the passage of Resolution #10340, commending James F. Mullen on his eighteen and one-half years service to Jackson County, Missouri and congratulating him upon his retirement. Seconded by Silvia Rizzo.

Yes: 8 - Silvia Rizzo, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Ed Growney, Tom Wyrsh and Robert E. Hertzog
Absent: 2 - James D. Tindall and James D. Tindall

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Legislature goes into closed session.

Legislature reconvenes.

15 ADJOURNMENT

Robert E. Hertzog moved to adjourn the meeting. Seconded by Silvia Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Wednesday, May 25, 1994 at 1:00 p.m. in the Jackson County Courthouse, Kansas City, Missouri.