



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
John Patrick Burnett (1st), Vice-Chairman
Carl W. Bussey (2nd), Dennis Waits (3rd), Dan Tarwater (4th),
Dixie M. Flynn (5th), John C. Graham, Sr. (6th),
Lisa White Hardwick (2nd AL), Fred Arbanas (3rd AL)

Monday, April 27, 1998

4:00 PM

Seventeenth Regular Meeting

Independence Legislative Assembly Area, Independence, Missouri

Victor E. Callahan, 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, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

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 . Seconded by Dennis Waits.

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

[2797](#)

Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RS (Residential Suburban), a certain 97+ acre tract and approving the preliminary plat "Rolling View Estates," creating an 81-lot residential subdivision.

(WITHDRAWN BY SPONSOR ARBANAS, CONCURRED BY FLYNN AND WAITS)

- [2798](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2798](#) Fred Arbanas moved to perfect Ordinance #2798. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)
- [2798](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2798.
Seconded by Carl W. Bussey.
The motion passed by a voice vote. (APPROVED)
- [2798](#) Fred Arbanas moved the passage of Ordinance #2798 as perfected, approving a conditional use permit to continue placement of a 150-foot free-standing tower for microwave antennas as to a certain 10+ acre tract. Seconded by Dan Tarwater.
Yes: 7 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Lisa White Hardwick
(ADOPTED)
- [2799](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2799](#) Fred Arbanas moved to perfect Ordinance #2799. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [2799](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2799.
Seconded by Carl W. Bussey.
The motion passed by a voice vote. (APPROVED)
- [2799](#) Fred Arbanas moved the passage of Ordinance #2799 as perfected, approving a conditional use permit for the construction of a 42 foot high television receiver terminal as to a certain 10+ acre tract. Seconded by Dixie M. Flynn.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)
- [2800](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2800](#) Fred Arbanas moved to perfect Ordinance #2800. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)

[2800](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2800. Seconded by Carl W. Bussey.
The motion passed by a voice vote. (APPROVED)

[2800](#) Fred Arbanas moved the passage of Ordinance #2800 as perfected, approving a conditional use permit to continue placement of three earth (disc receiving antennas) stations as to a certain 10+ acre tract. Seconded by Dixie M. Flynn.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)

[2801](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.

[2801](#) Fred Arbanas moved to perfect Ordinance #2801. Seconded by Carl W. Bussey.
The motion passed by a voice vote. (PERFECTED)

[2801](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2801. Seconded by Carl W. Bussey.
The motion passed by a voice vote. (APPROVED)

[2801](#) Fred Arbanas moved the passage of Ordinance #2801 as perfected, amending the districts established by the Jackson County Zoning Order by changing from LI (Light Industrial) to RO-p (Residential and Office Use-Planned Development), a certain 0.79+ acre tract and approving the preliminary plat "Lexington Place," creating a 4-lot residential subdivision. Seconded by Dixie M. Flynn.
Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham
(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[12158](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement for Services with the City of Kansas City, Missouri, concerning the Prosecuting Attorney's KC Stop Violence Network Program, at a cost to the County not to exceed \$67,057.00

[12182](#) Land Use Committee moved do pass. Consent Agenda.

- [12183](#) Health and Justice Committee moved do pass. Consent Agenda.
- [12184](#) Public Works Committee moved do pass. Consent Agenda.
- [12185](#) Public Works Committee moved do pass. Consent Agenda.
- [12186](#) Health and Justice Committee moved do pass. Consent Agenda.
- [12187](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [12188](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [12189](#) A RESOLUTION awarding a contract for maintenance on the Inforum software for use by the Management Information Systems Department to Eden Systems of Yakima, WA, at a cost to the County not to exceed \$38,666.49, as a sole source purchase.

9 CONSENT AGENDA

Dennis Waits moved the passage of the consent agenda. Seconded by Dan Tarwater. The motion passed by a roll call vote:

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

- [12182](#) A RESOLUTION awarding a contract on Bid No. 32-98 for the furnishing of tractors, mowers, rake, and utility vehicle for use by the Parks and Recreation Department to Jackson County Implement of Lee's Summit, MO (\$75,867.00), Great American Turf of Kansas City, MO (\$72,165.00), and Modern Distributing of Kansas City, MO (\$14,795.00) in the actual aggregate amount of \$162,827.00, declaring certain equipment as surplus personal property, and authorizing its disposal by way of trade-in.

(ADOPTED)

- [12183](#) A RESOLUTION awarding a contract for the furnishing of four motorcycles for use by the Sheriff's Department to Worth Harley Davidson of Belton, MO, in the actual amount of \$34,870.00, and declaring five motorcycles as surplus and authorizing their disposal by way of trade-in.

(ADOPTED)

- [12184](#) A RESOLUTION authorizing payment of \$14,336.00 to the City of Sugar Creek from the Sugar Creek CURS account for use in the City's 1998 street maintenance program.

(ADOPTED)

[12185](#) A RESOLUTION awarding a contract on Bid No. PW-04-98 for the 1998 Culvert Replacement, Phase II, Project No. 2374, to C. W. Luebbert Construction Company, Inc., of Blue Springs, MO, in the actual amount of \$239,612.96.

(ADOPTED)

[12186](#) A RESOLUTION approving the purchase of modular furniture for use by the Department of Corrections, from Spacesaver (Space Plus) of Lenexa, KS, under an existing government contract of the City of Kansas City, MO, at an actual cost to the County of \$149,183.54.

(ADOPTED)

[12187](#) 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 \$6,250.00, as a sole source purchase.

(ADOPTED)

[12188](#) A RESOLUTION awarding a term and supply contract on Bid No. 33-98 for the furnishing of employee drug testing for use by various county departments to SmithKline Beecham Clinical Laboratories of Cincinnati, OH, to provide for their needs for the upcoming one-year period, in the estimated amount of \$8,722.00.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[2802](#) Appropriating \$1,100,000.00 from the unappropriated surplus of the 1998 General Fund and authorizing the County Executive to execute a Master Equipment Lease Purchase Agreement with Heller Financial Leasing, Inc., of Kansas City, Missouri, for the lease/purchase financing of the tax collection software package for use by the Collection Department, authorized by Resolution 12031.

(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[12194](#) Awarding a contract on Bid No. PW-02-98 for the 1998 Road Surface Reconstruction and Rehabilitation, Project No. 2370, to Superior-Bowen Asphalt Company of Kansas City, MO, in the actual amount of \$1,053,316.35.

(Public Works Committee)

[12195](#) Fred Arbanas moved the passage of Resolution #12195, authorizing the County Executive to apply for grants from the Local Landmark Parks Program administered by the Missouri Department of Natural Resources for renovation and/or restoration and development of public outdoor recreation facilities. Seconded by Dixie M. Flynn.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Carl W. Bussey, Dennis Waits, Dixie M. Flynn and John C. Graham

(ADOPTED)

[12196](#) Authorizing the County Executive to execute an agreement with Young Lawyer's Association of K.C. Foundation for a project entitled "Protect Your Child Day," with a local match from the County not to exceed \$3,000.00.

(Anti-Drug Committee)

[12197](#) Authorizing the Jackson County Legislature to hold a closed meeting on Monday, April 27, 1998, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation.

(WITHDRAWN BY SPONSOR CALLAHAN, CONCURRED BY WAITS AND BURNETT)

[12198](#) Authorizing the County Executive to execute a First Addendum to the Agreement with Swope Parkway Health Center to amend the effective terms of the agreement, at no additional cost to the County.

(Health and Justice Committee)

[12199](#) Authorizing the County Executive to execute an agreement with YouthNet, with a local match from the County not to exceed \$150,000.00.

(Anti-Drug Committee)

12 COUNTY EXECUTIVE ORDERS

[98-11](#) I hereby reappoint Virgil Coon, as the Director of Finance, to the Executive Committee of the Truman Medical Center Board of Directors for a term to expire May 31, 1999.

I hereby reappoint James B. Wilson, Edward B. Rucker, Michael A. Fleschman, and Dixie Flynn to the Truman Medical Center Board of Directors for terms to expire May 31, 1999.

[98-12](#) I hereby appoint Willis L. Toney to the Jackson County Industrial Development Authority to fill a vacant position occasioned by the resignation of Mike LeVota for a term to expire July 28, 2000. A copy of his resume is attached.

13 UNFINISHED BUSINESS

There was no closed meeting.

14 NEW BUSINESS

Fred Arbanas, County Legislator, referred to a memo he received regarding the use tax. He asked the Administration what the status was on this matter.

Katheryn Shields, County Executive, said both sides should begin negotiations and jointly go before the Federal Judge. They will keep the Legislature updated on this matter.

Victor E. Callahan, Chairman, advised the Legislature that the legislative meeting scheduled to be held on Monday, May 11, 1998, at 4:00 p.m. will be held in the Brady Courtroom located in the Independence Courthouse on the Square in honor of Truman's birthday.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Carl W. Bussey.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, May 4, 1998, at 4:00 p.m. in the Legislative Assembly area, Kansas City, Missouri.