



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), Lisa White Hardwick (2nd AL),
Fred Arbanas (3rd AL)

Monday, September 13, 1999

3:30 PM

Thirty-fifth Regular Meeting

Independence City Hall, 111 Maple, Council Chambers, Ground Floor

Victor E. Callahan, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Victor E. Callahan, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits,
Terry Young and Bob Spence
Absent: Lisa White Hardwick

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, said the United Way Campaign kickoff is scheduled for Friday, September 17, 1999 with the 2nd Annual Employee Lock Up. Warrants will be served, arrests will be made, and co-workers will be locked up in a makeshift Jackson County jail which will be located on the front patio of the courthouse. There will also be a lunch of hot dogs, chips and a drink for \$2.00 which will also be donated to United Way.

On Thursday, September 16, 1999 Jackson County will have a Clean Out Your Files Day. The last time this was done in 1997 the County recycled 8 tons of paper. The goal this year is to recycle 10 tons. Employees are encouraged to dress down and participate in this recycling effort.

Last weekend Jackson County Parks and Recreation Department completed the coastal cleanup at county lakes.

Ms. Shields said that a representative from Peat Marwick will be present near the end of the legislative meeting to go over the audit which they just completed on the financial aspects of the Detention Center Annex.

Terry Young, County Legislator, said she was disappointed that the County Executive went ahead with the audit and that the taxpayers are paying for duplicate services.

Katheryn Shields said Peat Marwick did a financial audit only at a cost of approximately \$20,000.00, but nothing was audited with regards to the Population Control issue.

Further discussion on the jail audit being performed by the State Auditor and the Legislative Auditor.

Discussion with Judge O'Malley and Robert Beaird, Prosecuting Attorney, regarding the Farris case and the electronic home device system.

Judge O'Malley said judges are faced with hard decisions under the federal court order to keep the cap down in the county jail. Judges are forced to release instead of being able to choose which inmates to release.

Robert Beaird, Prosecuting Attorney, suggested that a system be set up where the company monitoring the electronic home device would not only contact the State Probation and Parole office but also contact the Population Control Coordinator. The Population Control Coordinator would then notify Criminal A (Judge O'Malley) and a warrant would be issued. The Population Control Coordinator would then notify the local law enforcement so that the escapee would be picked up immediately and there would be no lag time.

Discussion regarding the Detention Center Annex opening 9 months late and being over budget. There was also discussion about the federal matrix system and the population control coordinator.

Ronald E. Finley, County Legislator, moved that the Legislature ask the State Board of Probation and Parole and the contractor of the electronic monitoring program to report to the Legislature on what occurred regarding the monitoring of Mr. Farris. He asked staff to verify the information received in this report as to the effectiveness and provide their recommendations and input on the history and effectiveness of the electronic monitoring program. 2nd by Dan Tarwater.

Voice Vote.

(APPROVED)

Jane McQueeney, County Counselor, asked Mr. Finley if when he referred to staff, if he meant the County Counselor's office or anyone in particular.

Mr. Finley said he prefers to use the generic word "staff" because that encompasses the financial evaluation of the effectiveness of the program (Is the expenditure worthwhile?) and also encompasses the staff of the program for whoever is supervising the contractor. He would like the County Executive or County Counselor to give the recommendation and present their findings to the Legislature.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[2951](#)

AN ORDINANCE appropriating \$32,970.00 from the unappropriated surplus of the 1999 Federal Forfeiture Fund to cover the purchase of computer equipment for the Prosecuting Attorney's Office.

[2952](#)

Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2945](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[12858](#) A RESOLUTION authorizing the County Executive to execute a Second Addendum to the Agreement with County Court Services, in an amount not to exceed \$450,000.00.

[12859](#) A RESOLUTION authorizing the County Executive to execute an agreement with Della Lamb Community Services Center, in the amount of \$30,000.00.

[12861](#) A RESOLUTION awarding a term and supply contract on Bid No. 105-99 for the furnishing of janitorial services for County buildings to Rite-Way Magic Supply of Grandview, MO (\$535,925.00) and Modern Maintenance of Overland Park, KS (\$205,029.02), to provide for countywide needs for the upcoming two-year period, in the estimated aggregate annual amount of \$740,954.02.

[12862](#) Finance and Audit Committee moved do pass. Consent Agenda.

[12863](#) Public Works Committee moved do pass. Consent Agenda.

[12865](#) Public Works Committee moved do pass. Consent Agenda.

[12866](#) Public Works Committee moved do pass. Consent Agenda.

[12869](#) Anti-Drug Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

Ronald E. Finley moved the passage of the consent agenda. Seconded by Dan Tarwater. The motion passed by a roll call vote:

Yes: 6 - Victor E. Callahan, Fred Arbanas, Scott Burnett, Ronald E. Finley, Terry Young and Bob Spence

Absent: 2 - Lisa White Hardwick and Dennis Waits

[2952](#) AN ORDINANCE repealing section 1327., Jackson County Code, 1984, relating to court costs, and enacting, in lieu thereof, one new section relating to the same subject.

(PERFECTED)

[2945](#) AN ORDINANCE transferring \$1,272.00 within the 1999 General Fund and appropriating \$165,272.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Kansas City STOP Violence Network grant received from the Missouri Department of Public Safety and the transfer of matching funds, and authorizing the County Executive to execute a Cooperative Agreement with the City of Kansas City at a cost to the County not to exceed \$66,349.00.

(ADOPTED)

[12862](#) A RESOLUTION awarding a term and supply contract on Bid No. 109-99 for the furnishing of trash removal service for use county-wide to Deffenbaugh Disposal of Shawnee, KS, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$80,510.00.

(ADOPTED)

[12863](#) A RESOLUTION awarding a term and supply contract on Bid No. 106-99 for the furnishing and installation of auto/truck safety glass for use by the Public Works and Parks and Recreation Departments to Safelite Auto Glass Co. of Kansas City, MO, to provide for their needs for the upcoming one-year period, in the estimated amount of \$10,000.00.

(ADOPTED)

[12865](#) A RESOLUTION authorizing total payment of \$20,329.82 to certain property owners for the acquisition of a right-of-way in settlement of a claim for damages, in connection with the Buckner Tarsney @ Colbern Road Intersection (Tract No. 1) Project, No. 2388.

(ADOPTED)

[12866](#) A RESOLUTION authorizing final payment in the amount of \$2,000 on the contract with List & Clark Construction Company of Overland Park, KS, for the Longview Golf Cart Path Replacement, Phase III Project, No. 2393.

(ADOPTED)

[12869](#) A RESOLUTION authorizing the County Executive 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 \$20,000.00, as a local match to a grant.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

The Land Use Committee will have a public hearing regarding Ordinances 2954, 2955, 2956, and 2957 on Friday October 1, 1999 at 1 p.m. at Fleming Hall.

[2954](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to LI (Light Industrial), a certain 10 + acre tract.
(Land Use Committee)

[2955](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 10 + acre tract.
(Land Use Committee)

[2956](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 19.5 + acre tract.
(Land Use Committee)

[2957](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 10 + acre tract.
(Land Use Committee)

[2958](#) Authorizing the County Executive to execute a petition for the voluntary annexation of various roads by the City of Oak Grove.
(Public Works Committee)

[2959](#) Appropriating \$205,084.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Facilitating Treatment Delivery Grant for Family Court funded by the Missouri Department of Social Services, Division of Youth Services.
(Health and Justice Committee)

[2960](#) Appropriating \$450,000.00 from the unappropriated surplus of the 1999 Criminal Justice Fund to cover costs associated with the litigation of claims arising out of the Jackson County Detention Center Annex project.
(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[12870](#) Authorizing total payment of \$50.00 to certain property owners for a permanent drainage easement in settlement of claims for damages in connection with the Sweeney Road Tract No. 2 (east), Project (No. 2405).
(Public Works Committee)

[12871](#) Authorizing the County Executive to execute an Authorization for Entry Upon Real Estate with the City of Kansas City, MO, for repairs to a strip of land between the Blue River and Blue River Road north of Old Bannister Road.
(Land Use Committee)

[12872](#) Transferring \$111,720.00 within the 1999 Special Road and Bridge Fund and awarding a contract on Bid No. 104-99 for the purchase of property to serve as the location for a maintenance and repair building facility for the Public Works Department to James Stephenson of Oak Grove, MO, in the actual amount of \$111,720.00.
(Public Works Committee)

- [12873](#) Authorizing the County Executive to execute Addendum No. 1 to the Utility Agreement with Kansas City Power and Light Co. for required distribution line relocation in connection with the Longview Road at Blue Ridge Blvd. Project, No. 2075-3, in the total amount of \$3,629.26.
(Public Works Committee)
- [12874](#) Awarding a contract on Bid No. 98-99 for the removal and installation of toilet compartments for use by the Parks and Recreation Department to Courtney Day, Inc., of Kansas City, MO, in the actual amount of \$49,593.00.
(Land Use Committee)
- [12875](#) Awarding a term and supply contract on Bid No. 107-99 for the purchase of truck accessory parts for use by the Public Works and Parks and Recreation Departments to American Equipment Co. of Kansas City, KS, to provide for their needs for the upcoming one-year period, in the estimated amount of \$14,000.00.
(Public Works Committee)
- [12876](#) Awarding a term and supply contract on Bid No. 108-99 for the furnishing of hydraulic equipment parts and service for use by the Public Works and Parks and Recreation Departments to Force America, Inc. of Kansas City, MO, to provide for their needs for the upcoming one-year period, in the estimated amount of \$16,000.00.
(Public Works Committee)
- [12877](#) 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.
(Public Works Committee)
- [12878](#) Increasing the contract on Bid No. 114-98 for the furnishing of a fuel tank truck with fuel tank and accessories for use by the Public Works Department to KCR International Trucks, Inc. of Kansas City, MO, in the actual amount of \$4,120.00.
(Public Works Committee)
- [12879](#) Awarding a term and supply contract on Bid No. 111-99 for the maintenance of kitchen equipment for use by the Corrections Department to Food Equipment Repair, Inc. of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$10,000.00.
(Health and Justice Committee)
- [12880](#) Congratulating Megan Evans on receiving the Originality and Design Award at the All American Soap Box Derby Championship.
(Legislature As A Whole)
(Hold until September 27, 1999)

[12881](#)

Authorizing the County Executive to execute an Addendum to the Agreement with Bridging the Gap, Inc. for the Jackson County Rotating Recycling Center Project, at the actual cost of \$10,701.

(Public Works Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Ronald E. Finley said in reference to his earlier motion he would like to receive the report from the State Probation and Parole office as soon as possible so that staff can do the evaluation and report to the Legislature at next week's meeting.

Katheryn Shields said she did not know if that was enough time to evaluate the Electronic Home Device system.

Ronald E. Finley asked that the information be made available at their earliest convenience.

Katheryn Shields agreed to report what information is gathered at the next legislative meeting.

14 NEW BUSINESS

Ronald E. Finley asked what would be discussed in the closed meeting.

Jane McQueeney said they would discuss the arbitration claims and also Ordinance #2960.

Katheryn Shields said that Jackson County needed to hire competent counsel to proceed with the arbitration which will begin in the next two weeks.

Dan Tarwater, County Legislator, said he thought the Legislature agreed that this would be paid by making payments and not by authorizing a lump sum up front.

Jane McQueeney stated that she needs the money to put in the proper line item of her budget so that bills can be paid when received. She said the contracts will be filed with the Clerk's office.

Victor E. Callahan, Chairman, said that he is in favor of appropriating the money to keep the law firm on a retainer and then pay as they go. He believes the taxpayers deserve a level of accountability.

Dan Tarwater suggested putting the money in an account where the Legislature has control instead of having the County Counselor in total control of the money.

Fred Arbanas, County Legislator, asked that the audit prepared by Peat Marwick be distributed to the Legislature today and be discussed at the next legislative meeting.

After some hesitation, Katheryn Shields agreed. She said she would rather give her report first and then distribute copies of the audit.

The Legislature did not have a closed meeting.

15 ADJOURNMENT

Ronald E. Finley moved to adjourn the meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The next legislative meeting is scheduled to be held on Monday, September 20, 1999 at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.