



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, February 22, 1999

3:30 PM

Eighth Regular Meeting

Old Courthouse on Square, Division 28, 2nd floor, 112 W. Lexington, 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, Ronald E. Finley,
Dennis Waits, Terry Young and Bob Spence
Absent: Scott Burnett

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

Resolution #12539 was adopted at this time. See page 5 for details.

Resolution #12543 was adopted at this time. See page 7 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

*Katheryn Shields, County Executive, introduced Susan Duncan, her appointment as the
Manager of Administration.*

*Ronald E. Finley, County Legislator, asked Katheryn Shields when she would have
information regarding the proposal for the construction of the new Courthouse in
Independence.*

*Katheryn Shields said she has spoken with the three Legislators who represent the
district where the Courthouse will be located. She will be meeting with the other
Legislators soon to discuss her proposal.*

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

- [2885](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2885](#) Fred Arbanas moved to perfect Ordinance #2885. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [2885](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2885.
Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [2886](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2886](#) Fred Arbanas moved to perfect Ordinance #2886. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2886](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2886.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [2887](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2887](#) Fred Arbanas moved to perfect Ordinance #2887. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2887](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2887.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

[2888](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RS (Residential Suburban), a certain 33+ acre tract and approving the preliminary plat "Meadows of Lawnwood," creating a 21-lot residential subdivision.

The Land Use Committee will have a public hearing regarding Ordinance #2888 on Wednesday, February 24, 1999, at 11:00 a.m. in the Jury Assembly Room, Independence, Missouri.

[2889](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[2889](#) Fred Arbanas moved to perfect Ordinance #2889. Seconded by Dennis Waits.

The motion passed by a voice vote. (PERFECTED)

[2889](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2889. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[2890](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[2890](#) Fred Arbanas moved to perfect the Land Use Committee Amendment of 2/22/1999, to delete the number "ten" and insert the number "twenty" in the first paragraph.. Seconded by Dennis Waits.

The motion passed by a voice vote. (PERFECTED)

[2890](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2890. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[2892](#) Finance and Audit Committee moved to perfect.

Ronald E. Finley objects to the consent agenda.

[2892](#) Ronald E. Finley moved to perfect Ordinance #2892. Seconded by Dennis Waits.

The motion passed by a voice vote. (PERFECTED)

[2892](#)

Ronald E. Finley moved to suspend the rules to consider final passage of Ordinance #2892. Seconded by Terry Young.

The motion passed by a voice vote.

(APPROVED)

Consent agenda.

Lisa White Hardwick objects to the consent agenda.

[2892](#)

Dennis Waits moved the passage of Ordinance #2892 as perfected, authorizing the renewal of the Series 1996 and 1997 Leasehold Revenue Bond leases between Jackson County, Missouri, and the Jackson County Public Building Corporation, and irrevocably budgeting, appropriating and setting aside County funds in an amount sufficient to pay the anticipated rental payment and additional payments that will become due during the forthcoming renewal terms. Seconded by Dan Tarwater.

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

Abstain: 1 - Lisa White Hardwick

Absent: 1 - Scott Burnett

(ADOPTED)

[2893](#)

Finance and Audit Committee moved to perfect.

Ronald E. Finley objects to the consent agenda.

[2893](#)

Ronald E. Finley moved to perfect Ordinance #2893. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

[2893](#)

Ronald E. Finley moved to suspend the rules to consider final passage of Ordinance #2893. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Consent agenda.

Lisa White Hardwick objects to the consent agenda.

[2893](#) Fred Arbanas moved the passage of Ordinance #2893 as perfected, authorizing the renewal of the Leasehold Revenue Bond Financing Agreement (Truman Sports Complex/County Parks Project) between Jackson County, Missouri, and the Jackson County Sports Complex Authority, and irrevocably budgeting, appropriating and setting aside County funds in an amount sufficient to pay the anticipated rental payment and additional payments that will become due during the forthcoming renewal term. Seconded by Dennis Waits.

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

Abstain: 1 - Lisa White Hardwick

Absent: 1 - Scott Burnett

(ADOPTED)

Fred Arbanas moved to waive the reading of Ordinances #2894 through #2897. 2nd. by Dennis Waits.

Voice Vote.

(APPROVED)

The Land Use Committee will have a public hearing regarding Ordinances #2894 through #2897 on Wednesday, February 24, 1999, at 11:00 a.m. in the Jury Assembly Room, Independence, Missouri.

[2894](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 16 + acre tract.

[2895](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 7 + acre tract.

[2896](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 4.7 + acre tract.

[2897](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 15 + acre tract.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2885](#) Consent Agenda.

[2886](#) Consent Agenda.

[2887](#) Consent Agenda.

[2889](#) Consent Agenda.

[2890](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[12524](#) Health and Justice Committee moved do pass. Consent Agenda.

*Fred Arbanas moved to waive the reading of Resolution #12535. 2nd. by Dennis Waits.
Voice Vote. (APPROVED)*

[12535](#) Land Use Committee moved do pass. Consent Agenda.

[12536](#) Land Use Committee moved do pass. Consent Agenda.

[12537](#) Health and Justice Committee moved do pass. Consent Agenda.

[12538](#) Health and Justice Committee moved do pass.

Fred Arbanas objects to the consent agenda.

[12538](#) Dennis Waits moved the passage of Resolution #12538, authorizing the County Executive to execute an agreement with The Children's Mercy Hospital to provide medical and hospital services to indigent residents of Jackson County at a cost to the County not to exceed \$865,000.00. Seconded by Dan Tarwater.

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence
Abstain: 1 - Fred Arbanas
Absent: 1 - Scott Burnett

(ADOPTED)

[12539](#) Bob Spence moved the passage of Resolution #12539, congratulating Danielle Roemer upon being selected as Miss Missouri American Teen and first runner up in the Miss American Teen contest. Seconded by Dan Tarwater.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

[12540](#) Health and Justice Committee moved do pass. Consent Agenda.

[12541](#) A RESOLUTION authorizing the County Executive to execute Agreements with certain organizations which provide assistance to homeless persons, at a total cost to the County not to exceed \$452,030.00.

[12542](#) Health and Justice Committee moved do pass. Consent Agenda.

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: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Scott Burnett

[2885](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 10 + acre tract.

(ADOPTED)

[2886](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to LI (Light Industrial), a certain 10 + acre tract.

(ADOPTED)

[2887](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RS (Residential Suburban) a certain 1.5 + acre lot residential subdivision.

(ADOPTED)

[2889](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 5 + acre tract.

(ADOPTED)

[2890](#)

AN ORDINANCE approving a conditional use permit to operate a horse boarding facility as to a certain 17.5 + acre tract.

(ADOPTED)

[12524](#)

A RESOLUTION awarding a term-and-supply contract on Bid No. 190-98 for the furnishing of custom file folders and dividers for use by the Prosecuting Attorney's Office to Midwest Power Files of Kansas City, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$12,000.00.

(ADOPTED)

- [12535](#) A RESOLUTION awarding a term and supply contract on Bid No. 176-98 for the furnishing of chemicals and fertilizers for use at the Longview Golf Course by the Parks and Recreation Department to D & D Turf of Olathe, KS (\$155.16), Lesco, Inc., of Rocky River, OH (\$17,684.50), United Horticultural Supply of North Kansas City, MO (\$33,813.00), Professional Turf Services, Inc., of Independence, MO (\$14,988.60), Outdoor Equipment Co. of Grandview, MO (\$1,099.20), The Scotts Company of Marysville, OH (\$11,052.80), Midwest Turf Management of Kansas City, MO (\$8,531.50), Carso, Inc., of Camargo, IL (\$2,220.00), Helena Chemical of Lenexa, KS (\$1,515.52), and Terra Distribution, Inc., of St. Joseph, MO (\$23,620.10), to provide for departmental needs for the upcoming one year period in the estimated aggregate amount of \$114,680.38.
- (ADOPTED)
- [12536](#) A RESOLUTION awarding a term and supply contract on Bid No. 195-98 for the furnishing of pesticides for use by the Parks and Recreation Department to Vegetation Management Supply of Kansas City, KS (\$16,000), United Horticulture Supply of Leavenworth, KS (\$4,000), and Helena Chemical Company of Lenexa, KS (\$8,000), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$28,000.00.
- (ADOPTED)
- [12537](#) A RESOLUTION awarding a term and supply contract on Bid No. 198-98 for the furnishing of LP (propane) gas for use by the Sheriff's and Parks and Recreation Departments to Ray-Carroll County Grain Growers, Inc., of Richmond, MO, to provide for their needs for the upcoming one-year period, in the estimated amount of \$13,000.00.
- (ADOPTED)
- [12540](#) A RESOLUTION authorizing Change Order No. 9 to the contract with Rodriguez Mechanical Contractors, Inc., of Overland Park, KS, (Bid No. PW-2345, Bid Package No. 6), for the construction and installation of mechanical and plumbing systems for the expansion at the Jackson County Detention Center, increasing the contract amount by \$83,284.00.
- (ADOPTED)
- [12542](#) A RESOLUTION authorizing the Director of Finance to make payments totalling \$10,630,000 to Truman Medical Center - East and \$1,601,978 to Truman Medical Center - West, during the 1999 budget year.
- (ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

- [2898](#) Appropriating \$7,100.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Family Court Division's Alpha Phi Alpha Tutoring Project funded by the Missouri Department of Public Safety.
- (Health and Justice Committee)*

[2899](#) Appropriating \$17,500.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Family Court Division's staffing agreement with the Fort Osage School District.
(Health and Justice Committee)

[2900](#) Appropriating \$40,755.00 from the unappropriated surplus of the 1999 Grant Fund to cover the Family Court Division's Our Girls Make a Difference Grant funded by the Missouri Department of Public Safety.
(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[12543](#) Dan Tarwater moved the passage of Resolution #12543, congratulating Claire McClain upon being selected as a winner in the Midland Dairy Council and the Kansas City Chiefs bumper sticker design contest. Seconded by Dennis Waits.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

[12544](#) Authorizing the purchase of proprietary beer for resale by the Parks and Recreation Department at its concessions operations from County Beverage Company of Lee's Summit, MO (\$60,000.00), Miller High Life Sales of Kansas City, MO (\$15,000.00), and Big Sky Distributors of Kansas City, MO (\$15,000.00), at an estimated aggregate cost to the County not to exceed \$90,000.00.
(Land Use Committee)

[12545](#) Authorizing Change Order No. 15 to the contract with Walton Construction Co. of Kansas City, MO (Bid No. PW-2345, Bid Package No. 8), for various changes required in connection with general construction for the expansion at the Jackson County Detention Center, increasing the contract amount by \$23,743.00.
(Health and Justice Committee)

[12546](#) Authorizing the County Executive to execute an Off-System Bridge Replacement and Rehabilitation Program Agreement with the Missouri Highway and Transportation Commission, in connection with the Major Road Bridge, Project No. 2324.
(Public Works Committee)

[12547](#) Authorizing Change Order No. 1 (final) to the contract with Missouri Bridge & Concrete Co. of Warrenton, MO, for the R. D. Mize Bridge Rehabilitation, Project No. 2323, decreasing the contract amount by \$5,700.22.
(Public Works Committee)

- [12548](#) Authorizing the County Executive to execute an Intergovernmental Agreement with the Mid-America Regional Council Solid Waste Management District, to provide access to the Regional Household Hazardous Waste Centers for the residents of the unincorporated county, at a cost not to exceed \$9,441.18 in 1999.
(Public Works Committee)
- [12549](#) Authorizing Change Order No. 1 (final) to the contract with Embrey Excavating of Kingsville, MO, for the Fields Road Bridge Replacement Project, No. 2314, decreasing the contract amount by \$13,398.40.
(Public Works Committee)
- [12550](#) Awarding a term and supply contract on Bid No. 1-99 for the sanctioning of Jackson County softball leagues and tournaments for use by the Parks and Recreation Department to United States Specialty Sports Association of Kearney, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$10,000.00.
(Land Use Committee)
- [12551](#) Awarding a contract for the furnishing of officiating services for the 1999-2000 Jackson County Soccer Leagues for use by the Parks and Recreation Department to Metropolitan Soccer Referee Association of Kansas City, MO, at a cost to the County not to exceed \$73,000.00, as a sole source purchase.
(Land Use Committee)
No dissenting vote to consider Resolution #12552 - not on printed agenda.
- [12552](#) Dennis Waits moved the passage of Resolution #12552, authorizing the Jackson County Counselor to settle the lawsuit styled Vulindhela Larkins v. Jackson County Circuit Court, Case No. 98-0511-CV-W-BC, now pending in the United States District Court of the Western District of Missouri, for a total payment of \$45,000.00. Seconded by Dan Tarwater.
Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

- [99-13](#) I hereby appoint Susan Duncan as the Manager of the Division of Administration. A copy of her resume is attached.

99-14

I hereby promulgate the following procedure to govern requests for payment on Jackson County contracts with private agencies which the County is not legally obligated to fund.

1. No payment shall be made on any such contract unless the contracting agency shall have submitted to the Budget Director the following:

a. A written proposal setting out in detail the intended use of the County's funding, including the target population to be served;

b. The agency's IRS Form 990, from the previous fiscal or calendar year;

c. A statement of the agency's total budget for its most recent fiscal year; and,

d. A detailed explanation of actual expenditures of County funds (pertains to final payments and payments on contracts for future years).

2. If an agency has previously received County funding, to be eligible for future payments, an agency must submit either:

a. An audited financial statement for the agency's most recent fiscal or calendar year, by March 31 of the following year; or

b. A certified public accountant's program audit of County funds, by January 31 of the following year.

3. Any document described above which was submitted to the Budget Director as a part of an application for funding need not be resubmitted to qualify for payment.

4. No payment shall be made if the contracting agency is out of compliance on any other County contract.

5. Executive Order 99-12, dated February 16, 1999, and Executive Order 98-01, dated January 8, 1998, are hereby rescinded.

13 UNFINISHED BUSINESS

Bob Spence move to hold a closed session to discuss litigation. 2nd by Terry Young.
Roll Call: 8 yes - Callahan, Hardwick, Arbanas, Finley, Waits, Tarwater, Young, Spence.
1 absent - Burnett.

(APPROVED)

Legislature retires to the Jury Room.

Legislature reconvenes.

Resolution #12552 was adopted at this time. See above for details.

14 **NEW BUSINESS**

None.

15 **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 1, 1999, at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.