



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

Monday, September 11, 1995

1:00 PM

Thirty-fifth 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: Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall,
James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: Lisa White Hardwick

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dixie M. Flynn moved to approve the journal of the previous meeting held on . Seconded
by Fred Arbanas.

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

[2445](#)

AN ORDINANCE repealing section 5407., Jackson County Code, 1984, relating to the County's Building Code, and enacting, in lieu thereof, three new sections relating to the same subject.

[2447](#)

Anti-Drug Committee moved to perfect. Consent Agenda.

- [2448](#) John Patrick Burnett moved to perfect Ordinance #2448. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2448](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2448. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [2448](#) John Patrick Burnett moved the passage of Ordinance #2448 as perfected. Seconded by John C. Graham.
Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Lisa White Hardwick
(ADOPTED)
*John Patrick Burnett moved to rescind Ordinance #2448. 2nd. by Dennis Waits.
Roll Call: 8 yes - Callahan, Arbanas, Burnett, Tindall, Waits, Tarwater, Flynn, Graham. 1 absent - Hardwick.*
(RESCINDED)
The motion passed by a voice vote.
- [2448](#) John Patrick Burnett moved to perfect the Legislature As A Whole Amendment of 9/11/1995, to insert the words "Drug Abuse Resistance Education (D.A.R.E.) and related programs," after the word "initiatives" in paragraph d on page 4, to delete the words "Drug Abuse Resistance Education (D.A.R.E.) and related programs," after the word "prosecution", to delete the word "to" and insert the word "for" after the word "funds", to delete the words "for law enforcement related purposes" after the word "grants" all in Section 6 on page 4.. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)
- [2448](#) John Patrick Burnett moved to suspend the rules to consider final passage of Ordinance #2448. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
- [2448](#) Dennis Waits moved the passage of Ordinance #2448 as perfected, submitting to the qualified voters of Jackson County at a special election to be held on Tuesday, November 7, 1995, a question authorizing Jackson County to continue its county-wide anti-drug sales tax (COMBAT) at the rate of one-quarter of one percent for a period of seven years solely for the purpose of the arrest and prosecution of those accused of drug-related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug-related offenses. Seconded by John Patrick Burnett.
Yes: 7 - Victor E. Callahan, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 2 - Lisa White Hardwick and Fred Arbanas
(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2444](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[10907](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Jackson County Historical Society, for the purpose of preserving and archiving certain County records, at a cost to the County not to exceed \$50,000.00.

[10938](#) Dixie M. Flynn moved the passage of Resolution #10938, recognizing the fiftieth-year celebration of the Fike Corporation, an international corporation, headquartered in Blue Springs, MO. Seconded by John C. Graham.

Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Lisa White Hardwick

(ADOPTED)

[10946](#) Dixie M. Flynn moved to hold Resolution #10946, until 9/18/1995, recognizing the 60th anniversary of Alcoholics Anonymous. Seconded by John C. Graham.

The motion passed by a voice vote.

(APPROVED)

[10947](#) Land Use Committee moved do pass. Consent Agenda.

[10948](#) Public Works Committee moved do pass. Consent Agenda.

[10949](#) A RESOLUTION authorizing the Chairman of the Legislature's Intergovernmental Affairs Committee to execute an Addendum to the Agreement with W. T. Dawson to serve as the County's assistant public liaison, at an additional cost to the County not to exceed \$5,000.00.

The motion passed by a voice vote.

[10950](#) John Patrick Burnett moved to adopt the floor amendment Resolution #10950, setting out the proposed budget for the proceeds of the Jackson County Anti-Drug Sales Tax. Seconded by Victor E. Callahan.

The motion passed by a voice vote.

(APPROVED)

[10950](#) John Patrick Burnett moved to adopt Resolution #10950 as amended, setting out the proposed budget for the proceeds of the Jackson County Anti-Drug Sales Tax. Seconded by Victor E. Callahan.

Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Lisa White Hardwick

(ADOPTED)

9 CONSENT AGENDA

Dixie M. Flynn moved the passage of the consent agenda. Seconded by Dennis Waits.
The motion passed by a roll call vote:

Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Lisa White Hardwick

[2447](#)

AN ORDINANCE reappropriating \$49,402.63 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund to cover the reappropriation of unspent funds allocated to the Fiscal Commission's grant match account.

(PERFECTED)

[2444](#)

AN ORDINANCE appropriating \$785,000.00 from the unappropriated surplus of the 1995 Anti-Drug Sales Tax Fund to cover additional requests from outside agencies through the Prosecutor's Office and Fiscal Commission.

(ADOPTED)

[10947](#)

A RESOLUTION awarding a contract on Bid No. 80-95 for restroom construction at the Jacomo Marina to River Oak Construction, Inc., of Lee's Summit, MO, in the actual amount of \$59,060.00.

(ADOPTED)

[10948](#)

A RESOLUTION awarding a contract on Bid No. 87-95 for the furnishing of a chip spreader for use by the Department of Public Works to G. W. Van Keppel of Kansas City, KS, in the actual amount of \$138,312.00, and declaring one 1975 Etnyre Model 74 chip spreader, Serial Number K3930, as surplus and authorizing its disposal by way of a trade-in.

(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[2449](#)

Setting the 1995 Jackson County, Missouri tax levy.

(Finance and Audit Committee)

[2450](#)

Setting the 1995 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.

(Health and Justice Committee)

[2451](#)

Setting the 1995 Jackson County Community Mental Health Fund Levy.

(Health and Justice Committee)

[2452](#) Setting the 1995 merchants/ and manufacturers' inventory replacement tax levy.
(Finance and Audit Committee)

[2453](#) Appropriating \$142,240.00 from the unappropriated surplus of the 1995 County Urban Road System Fund and authorizing payment of \$142,240.00 as the commissioners' award in the condemnation case, "Jackson County, Missouri vs. Rosie Burns, et al." (CV95-6317).
(Public Works Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[10951](#) Dennis Waits moved the passage of Resolution #10951, setting out the proposed allocation of the fund balance of the Jackson County Anti-Drug Sales Tax Trust Fund. Seconded by Dixie M. Flynn.
Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Lisa White Hardwick

(ADOPTED)

[10952](#) Dixie M. Flynn moved the passage of Resolution #10952, congratulating Renaissance West, Inc. on its twenty- fifth anniversary of service to the Greater Kansas City community. Seconded by Dennis Waits.
Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Lisa White Hardwick

(ADOPTED)

[10953](#) Awarding a contract on Bid No. 93-95 for the furnishing of wrought iron fencing for use by the Parks and Recreation Department to American Fence Company of Kansas City, MO, and L & M Ornamental Iron of Kansas City, MO, in the actual aggregate amount of \$16,257.10.
(Land Use Committee)

[10954](#) Fred Arbanas moved the passage of Resolution #10954, recognizing Charles R. Keller for having been named DARE Ambassador of the Year by the Missouri Dare Officers Association. Seconded by Victor E. Callahan.
Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: 1 - Lisa White Hardwick

(ADOPTED)

[10955](#)

Dixie M. Flynn moved the passage of Resolution #10955, authorizing the Jackson County Legislature to hold a closed meeting on Monday, September 11, 1995, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of litigation. Seconded by Dennis Waits.

Yes: 8 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Lisa White Hardwick

(ADOPTED)

Ordinance #2448 and Resolutions #10950 and #10951 were adopted at this time. See pages 2, 3 and 4 for detail.

Ordinance #2448 was rescinded, amended and adopted at this time. See page 2 for detail.

Closed session to discuss litigation.

Legislature reconvenes.

[10956](#)

Victor E. Callahan moved the passage of Resolution #10956, approving a revised plan for the temporary and permanent alleviation of the overcrowding of the Jackson County Detention Center so as to comply with the Order of April 28, 1994 and subsequent Orders amending and modifying same, in the matter of Rahn Hall, et al., Plaintiffs, vs. Jackson County Department of Corrections, et al, Defendants, No. 84-1200-CV-W-1, United States District Court for the Western District of Missouri, Western Division, and authorizing the County Executive and County Counselor to proceed in accordance therewith. Seconded by John Patrick Burnett.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, James D. Tindall, James D. Tindall and John C. Graham

Absent: 3 - Lisa White Hardwick, Dennis Waits and Dixie M. Flynn

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 **ADJOURNMENT**

Victor E. Callahan moved to adjourn the meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, September 18, 1995, at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.

Prepared by LLP.