



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
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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)

Tuesday, August 25, 1998

3:30 PM

Thirty-second Regular Meeting

Jury Assembly Room, 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,
Dennis Waits, Dixie M. Flynn and John C. Graham
Absent: Carl W. Bussey

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 that a five minute video will be created at Fort Osage this weekend to meet ADA federal requirements. Most of Fort Osage is not handicap assessible and can not be made handicap assessible. The tape will be shown at the Fort Osage visitor center and will allow visitors with physical handicaps to view portions of the historic sight that are hard to access.

Katheryn Shields said that the circuit breaker tax credit is up to \$750 for elderly and handicap individuals. It is also good for the three previous tax years. There are three ways to get an application. People can call a toll free phone number, mail their request to the Missouri Department of Revenue, or pick up a form at the local State Office Building. She would like to talk to the Legislature about encouraging programs that would give people assistance with their income tax as well as help in filling out this form. She also suggested putting together a strategy committee between the Legislature and her staff to come up with ways to publicize this tax credit. The State said that the city of St. Louis, St. Louis County and Jackson County are very low in terms of people taking advantage of the circuit breaker tax credit.

Katheryn Shields said that she had been meeting with Victor Callahan, the Sports Authority, and the Royals Baseball Corporation regarding the master plan program. There was discussion on things the Royals wanted to accomplish in the next year that were not included in the master plan. An agreement has been reached between the Sports Authority and the Royals deleting some old items and inserting new items in this plan. The county will not be taking on any additional liability. A Resolution will be introduced today that is a consent agreement where we as a County agree to the changes that will be made in the master plan.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[2823](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to A-p (Agricultural-Planned Development), a certain 147.2 + acre tract.

[2834](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[2834](#) Fred Arbanas moved to perfect Ordinance #2834. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

[2834](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2834. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[2835](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

- [2835](#) Fred Arbanas moved to perfect Ordinance #2835. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
- [2835](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2835.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [2836](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2836](#) Fred Arbanas moved to perfect Ordinance #2836. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [2836](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2836.
Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [2837](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [2837](#) Fred Arbanas moved to perfect Ordinance #2837. Seconded by Dixie M. Flynn.
The motion passed by a voice vote. (PERFECTED)
- [2837](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2837.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [2838](#) AN ORDINANCE vacating a certain section of right-of-way on Burris Road.
- [2841](#) Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2822](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RU (Residential Urban), a certain 3.3 + acre tract.

*Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RU (Residential Urban), a certain 3.3 + acre tract.
(PERFECTED)*

Dixie M. Flynn objects to the consent agenda.

*Dixie M. Flynn moved to hold Ordinance #2822. 2nd. by John Patrick Burnett.
Voice Vote. (APPROVED)*

[2834](#) Consent Agenda.

[2835](#) Consent Agenda.

[2836](#) Consent Agenda.

[2837](#) Consent Agenda.

[2839](#) Consent Agenda.

[2840](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[12310](#) Land Use Committee moved do pass. Consent Agenda.

[12311](#) Public Works Committee moved do pass. Consent Agenda.

[12312](#) Health and Justice Committee moved do pass. Consent Agenda.

[12314](#) Public Works Committee moved do pass. Consent Agenda.

[12315](#) Land Use Committee moved do pass. Consent Agenda.

[12317](#)

Dixie M. Flynn moved the passage of Resolution #12317, recognizing Tom Kuntz upon his resignation as Director of Community Development of Blue Springs, and thanking him for eight years of dedicated service to the community. Seconded by John Patrick Burnett.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Carl W. Bussey

(ADOPTED)

9 CONSENT AGENDA

Fred Arbanas moved the passage of the consent agenda. Seconded by John Patrick Burnett. The motion passed by a roll call vote:

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Absent: 1 - Carl W. Bussey

[2841](#)

AN ORDINANCE appropriating \$190,000.00 from the unappropriated surplus of the 1998 General Fund to cover the cost of transporting prisoners on warrants by the Sheriff's Department.

(PERFECTED)

[2834](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 10.8 + acre tract.

(ADOPTED)

[2835](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 4.5 + acre tract.

(ADOPTED)

[2836](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 46.2 + acre tract and approving the preliminary plat "Apple Park," creating a 14-lot residential subdivision.

(ADOPTED)

[2837](#)

AN ORDINANCE approving a conditional use permit for the operation of a dog and cat boarding kennel as to a certain 10 + acre tract.

(ADOPTED)

- [2839](#) AN ORDINANCE appropriating \$132,990 from the unappropriated surplus of the 1998 Anti-Drug Sales Tax Fund to cover the Substance Abuse Traffic Offender's Program Grant received from the Missouri Department of Mental Health, and the transfer of matching funds.
(ADOPTED)
- [2840](#) AN ORDINANCE appropriating \$304,995.00 from the unappropriated surplus of the 1998 Anti-Drug Sales Tax Fund to cover the Narcotics Control Assistance Program (NCAP) grant for the Jackson County Drug Enforcement Task Force from the Missouri Department of Public Safety and the transfer of matching funds.
(ADOPTED)
- [12310](#) A RESOLUTION awarding a contract for the purchase of a patrol boat, motor, and trailer for use by the Parks and Recreation Department to Off Shore Marine of Lenexa, KS, in the actual amount of \$15,500.00.
(ADOPTED)
- [12311](#) A RESOLUTION awarding a term-and-supply contract on Bid No. 92-98 for the furnishing of industrial v-belts for use by the Public Works Department to I.S.P.D., LLC of Los Angeles, CA (\$6,500.00), and Associated Bearing of Kansas City, MO (\$500.00) in the estimated aggregate amount of \$7,000.00.
(ADOPTED)
- [12312](#) A RESOLUTION awarding a term and supply contract on Bid No. 102-98 for the furnishing of uniforms and alterations for use by the Department of Corrections to Tuxall Uniform and Equipment, Inc., of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$105,722.15.
(ADOPTED)
- [12314](#) A RESOLUTION awarding a term and supply contract on Bid No. 104-98 for the furnishing of rock salt for use by the Public Works Department to Hutchinson Salt Company of Paola, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$39,800.00.
(ADOPTED)
- [12315](#) A RESOLUTION awarding a term and supply contract on Bid No. 95-98 for the furnishing of painting services for use by the Parks and Recreation Department to Goens Brothers Painting of Gladstone, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$150,000.00.
(ADOPTED)

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[12318](#) Awarding a contract on Bid No. PW-06-98 for the 1998 Culvert Replacement Project - Phase IV, to Embrey Excavation of Kingsville, MO, in the actual amount of \$371,649.44.
(Public Works Committee)

[12319](#) Authorizing total payment of \$900.00 to certain property owners for the acquisition of a right-of-way in settlement of a claim for damages, in connection with the Six Mile Church Road Turnaround.
(Public Works Committee)

[12320](#) Awarding a term and supply contract on Bid No. 89-98 for the maintenance and repair of doors for use county-wide to Renner Supply Co. of Kansas City, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$33,000.00.
(Finance and Audit Committee)

[12321](#) Awarding a term and supply contract on Bid No.98-98 for the furnishing of aggregate materials (sand) for use by the Public Works and Parks and Recreation Departments to Holiday Sand and Gravel Co. of Overland Park, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$39,150.00.
(Public Works Committee)

No dissenting vote to consider Resolution #12322 - not on printed agenda.

Discussion on Resolution #12322.

[12322](#) Dan Tarwater moved the passage of Resolution #12322, authorizing the County Executive to enter into a contract with the Jackson County Sports Authority and the Kansas City Royals Baseball Corporation. Seconded by Dixie M. Flynn.

Yes: 6 - Victor E. Callahan, Fred Arbanas, John Patrick Burnett, Dennis Waits, Dixie M. Flynn and John C. Graham

Abstain: 1 - Lisa White Hardwick

Absent: 1 - Carl W. Bussey

(ADOPTED)

*John C. Graham moved to reconsider Resolution #12313. 2nd. by John Patrick Burnett.
Voice Vote. (APPROVED)*

12313

John C. Graham moved do pass the Floor Amendment of 8/25/1998, to delete the words "Sarai Construction of Pleasant Hill, MO" and insert the words "Blacktop Paving of Eudora, KS" in the heading and third paragraph on page 1, to delete the figure "224,561.00" and insert the figure "240,144.75" in the heading, to insert the words "as set forth in the attached letter from Public Works Director Jim Davis, III;" after the words "the lowest and best bid" in the third paragraph, to delete the figure "12,280.00" and insert the figure "20,072.00" in the fiscal note, to delete the figure "112,281.00" and insert the figure "120,073.00" in the fiscal note.

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits and John C. Graham

No: 1 - Dixie M. Flynn

Absent: 1 - Carl W. Bussey

(APPROVED)

12313

John C. Graham moved to adopt Resolution #12313 as amended, awarding a contract on Bid No. PW-09-98 for the Longview Park Road (Shelter 2 to Shelter 3) Project, No. 2378, to Blacktop Paving of Eudora, KS, in the actual amount of \$240,144.75. Seconded by John Patrick Burnett.

Yes: 6 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, Dennis Waits and John C. Graham

No: 1 - Dixie M. Flynn

Absent: 1 - Carl W. Bussey

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Resolution #12313 was reconsidered, amended and adopted at this time. See above for details.

14 NEW BUSINESS

John Patrick Burnett moved to excuse the absence of Dixie M. Flynn from the legislative meeting of 8/17/98. 2nd. by Dan Tarwater.

Voice Vote.

(APPROVED)

Victor E. Callahan, Chairman, announced that a legislative meeting will be held the day after Labor Day on September 8, 1998.

15 **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Dixie M. Flynn.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 31, 1998, at 4:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.