



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), Bill Petrie (2nd AL),
Fred Arbanas (3rd AL)

Monday, April 8, 2002

3:30 PM

Thirteenth Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

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

1 ROLL CALL

Present: Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 4/2/2002.
Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

Bill Petrie, County Legislator, asked Jane McQueeny the cost of the OHRCC trial.

Jane McQueeny responded that the actual cost of depositions was \$669.50 and that the attorneys did not track the time they spent on the case. She said the case has been going since 1999 and 6 or 7 people worked on the lawsuit at a time. She said she checked with the cities of Independence and Kansas City and their attorneys do not track their time. The trial took 10 days with one attorney.

Bill Petrie said he has still not received a clear answer and would like his question answered.

Fred Arbanas, County Legislator, said it would be a good practice for the County Counselors office to track time spent by attorneys on projects.

Jane McQueeney said there is not a software package to track time and so therefore, it would need to be done manually.

Ronald E. Finley, County Legislator, asked about the status of the lawsuit.

Jane McQueeney explained that post trial motions are still pending.

Ronald E. Finley asked Jane McQueeney if her office could start tracking time now while the case is still pending.

Jane McQueeney said she would explore the option and discuss it with her staff and report back to the Legislature in two weeks.

Fred Arbanas said that just because other entities are not tracking time spent on cases does not mean that we cannot do it. If fact, we could become a leader in implementing this procedure.

Terry Young, County Legislator, asked Jane McQueeney how her office determines whether or not to pursue a case.

Jane McQueeney said it is always more cost effective to settle a case.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3238](#)

AN ORDINANCE reappropriating \$25,000.00 from the unappropriated surplus of the 2002 Health Fund, rescinding Resolution 13511, dated January 16, 2001, and authorizing the County Executive to enter into an agreement with the Mid-America Regional Council for the purpose of partially funding certain aging programs of Westport Cooperative Services, Inc., at a cost to the County not to exceed \$50,375.00.

(Finance and Audit Committee - 2nd. Perfection)

[3239](#)

AN ORDINANCE appropriating \$168,395.00 from the unappropriated surplus of the 2002 Grant Fund to cover the Kansas City STOP Violence Network grant received from the Missouri Department of Public Safety, and authorizing the County Executive to enter into a Cooperative Agreement with the City of Kansas City at a cost to the County not to exceed \$61,000.00.

(Health and Justice Committee - 1st. Perfection)

[3240](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[3240](#)

Fred Arbanas moved to perfect Ordinance #3240. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

[3240](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3240. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3241](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[3241](#) Fred Arbanas moved to perfect Ordinance #3241. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

[3241](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3241. Seconded by Dan Tarwater.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

The Land Use Committee will have a public hearing regarding Ordinance #3242 on Monday, April 22, 2002 at 2:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas.

[3242](#) AN ORDINANCE 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 - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3237](#) Consent Agenda.

[3240](#) Consent Agenda.

[3241](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[14041](#) A RESOLUTION transferring \$58,602.00 within the 2002 General Fund and authorizing the Director of Purchasing to execute a five-year lease with Tri-City Baptist Church of Independence, Missouri, under RFP No. 119-01, for office space for use by the Jackson County Board of Election Commissioners, at an annual cost of \$145,413.00, and a cost of \$121,178.00 for the remainder of calendar year 2002.

(Finance and Audit Committee - 6th. Meeting)

[14078](#) Public Works Committee moved do pass. Consent Agenda.

- [14087](#) A RESOLUTION in support of House Bill No. 1634, legislation pending before the 91st General Assembly, authorizing performance audits and changing expense funding requirements for certain land trusts, sponsored by Representative Thomas Hoppe.
(Finance and Audit Committee - 2nd. Meeting)
- [14090](#) Land Use Committee moved do pass. Consent Agenda.
- [14091](#) A RESOLUTION approving new on-site sewage disposal rules and regulations promulgated by the Director of Public Works pursuant to the Jackson County Unified Development Code, § 24006.4, Jackson County Code, 1984.
(Public Works Committee - 1st. Meeting)
The Public Works Committee will have a public hearing regarding Resolution #14091 on Monday, April 22, 2002 at 2:00 p.m. at the Independence Courthouse Annex, 308 W. Kansas.
- [14092](#) Land Use Committee moved do pass. Consent Agenda.
- [14093](#) Public Works Committee moved do pass. Consent Agenda.
- [14094](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [14096](#) Land Use Committee moved do pass. Consent Agenda.
- [14097](#) Land Use Committee moved do pass. Consent Agenda.
- [14101](#) Public Works Committee moved do pass. Consent Agenda.
- [14102](#) Land Use Committee moved do pass. Consent Agenda.
- [14103](#) Land Use Committee moved do pass. Consent Agenda.
- [14104](#) Public Works Committee moved do pass. Consent Agenda.
- [14105](#) Land Use Committee moved do pass. Consent Agenda.
- [14106](#) Land Use Committee moved do pass. Consent Agenda.
- [14107](#) Land Use Committee moved do pass. Consent Agenda.
- [14108](#) Land Use Committee moved do pass. Consent Agenda.

- [14109](#) Land Use Committee moved do pass. Consent Agenda.
- [14110](#) Land Use Committee moved do pass. Consent Agenda.
- [14111](#) Land Use Committee moved do pass. Consent Agenda.
- [14112](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [14115](#) Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

- [3237](#) AN ORDINANCE appropriating \$7,500.00 from the unappropriated surplus of the 2002 General Fund to cover the cost of an election day phone bank for the Kansas City Board of Election Commissioners.
(ADOPTED)
- [3240](#) AN ORDINANCE appropriating \$20,000.00 from the unappropriated surplus of the 2002 Grant Fund to cover the grant received from the Missouri Department of Natural Resources for the Stadiums/Recycling Waste Audit Grant Project.
(ADOPTED)
- [3241](#) AN ORDINANCE appropriating \$95,280.00 from the unappropriated surplus of the 2002 Grant Fund and \$40,320.00 from the unappropriated surplus of the 2002 Park Enterprise Fund and authorizing the County Executive to execute a Project Agreement with Missouri Division of State Parks, in connection with the National Recreational Trails Program's Longview Horse Park renovation project.
(ADOPTED)
- [14078](#) A RESOLUTION awarding a contract on Request for Proposals No. 4-02 for the furnishing of a fuel dispensing and management system for use by the Department of Public Works at the new Public Works facility to PEI of KC of Kansas City, Missouri, in the amount of \$293,450.95.
(ADOPTED)
- [14090](#) A RESOLUTION authorizing the County Executive to enter into an agreement with the Soil and Water Conservation District of Jackson County to provide education and information on soil and water conservation at a cost to the County not to exceed \$19,092.00.
(ADOPTED)

- [14092](#) A RESOLUTION authorizing the purchase of proprietary apparel for resale by the Parks and Recreation Department at the Fred Arbanas Golf Course at Longview Lake from Titleist & Foot Joy Worldwide of Fairhaven, MA (\$36,500.00), Callaway Golf Co. of Carlsbad, CA (\$7,100.00), Ashworth, Inc., of Los Angeles, CA (\$6,500.00), and Nike Golf of Dallas, TX (\$7,250.00), plus shipping costs in the amount of \$600.00, in the actual aggregate amount of \$57,350.00.
- (ADOPTED)
- [14093](#) A RESOLUTION authorizing the County Executive to execute a Utility Agreement with Missouri Public Service, a division of UtiliCorp United, Inc., providing for the relocation of power lines in connection with the O'Donnell Road Bridge Project No. 2403.
- (ADOPTED)
- [14094](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the City of Independence, Parks and Recreations Department, Senior Adult Division to provide social services to the elderly through the Roger T. Sermon Community Center at a cost to the County not to exceed \$17,725.00.
- (ADOPTED)
- [14096](#) A RESOLUTION awarding a term and supply contract on Bid No. 10-02 for the rental of portable toilets for use by the Parks and Recreation Department to Deffenbaugh Industries d/b/a Johnny On The Spot of Shawnee, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$35,000.00.
- (ADOPTED)
- [14097](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB20025 for the furnishing of chemicals and fertilizers for use by the Parks and Recreation Department to Pro Source of St. Joseph, MO (\$33,739.00), Outdoor Equipment of Grandview, MO (\$20,515.00), Midwest Turf Management of Raymore, MO (\$14,645.00), Lesco, Inc., of Strongville, OH (\$45,138.00), and Estes of Springdale, AR (\$35,970.00), to provide for departmental needs for the upcoming one year period in the estimated aggregate amount of \$150,007.00.
- (ADOPTED)
- [14101](#) A RESOLUTION authorizing and directing the Office of the County Counselor to institute condemnation proceedings on a certain tract of land required for the Lydia Bridge Replacement Project, No. 2391.
- (ADOPTED)
- [14102](#) A RESOLUTION awarding a term and supply contract on Bid No. 20-02 for the furnishing of concessions candy and cigarettes for use by the Parks and Recreation Department to St. Joseph Tobacco of St. Joseph, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$45,000.00.
- (ADOPTED)

- [14103](#) A RESOLUTION awarding a term-and-supply contract on Bid No. 17-02 for the furnishing of concessions paper products for use by the Parks and Recreation Department to Lady Baltimore of Kansas City, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$10,000.00.
- (ADOPTED)
- [14104](#) A RESOLUTION awarding a term and supply contract for the furnishing of Bomag, Galion, and International Hough recycling machine parts and service for use by the Public Works Department to Roadbuilders Machinery of Kansas City, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$15,000.00, as a sole source purchase.
- (ADOPTED)
- [14105](#) A RESOLUTION awarding a term-and-supply contract on Bid No. 21-02 for the furnishing of concessions chips and snacks for use by the Parks and Recreation Department to Lady Baltimore of Kansas City, KS (\$10,000.00), Frito-Lay of Kansas City, MO (\$25,000.00), and Wisconsin Bar Brand of Olathe, KS (\$5,000.00), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$40,000.00.
- (ADOPTED)
- [14106](#) A RESOLUTION awarding a term-and-supply contract on Bid No.16-02 for the furnishing of miscellaneous concessions canned goods and groceries for use by the Parks and Recreation Department to Lady Baltimore of Kansas City, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$15,000.00.
- (ADOPTED)
- [14107](#) A RESOLUTION awarding a term-and-supply contract on Bid No. 19-02 for the furnishing of concessions deli sandwiches and frozen entrees for use by the Parks and Recreation Department to Landshire, Inc., of Belleville, IL (\$15,000.00), and Lady Baltimore of Kansas City, KS (\$5,000.00), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$20,000.00.
- (ADOPTED)
- [14108](#) A RESOLUTION awarding a term-and-supply contract on Bid No. 23-02 for the furnishing of concessions drinks and juices for use by the Parks and Recreation Department to Coca-Cola Bottling Company of Lenexa, KS (\$5,000.00), Lady Baltimore of Kansas City, KS (\$5,000.00), and American Bottling (7UP) of Lenexa, KS (\$5,000.00), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$15,000.00.
- (ADOPTED)

[14109](#) A RESOLUTION awarding a term-and-supply contract on Bid No. 18-02 for the furnishing of concessions meats and cheeses for use by the Parks and Recreation Department to Lady Baltimore of Kansas City, KS (\$15,000.00), and L & C Meat Company of Independence, MO (\$5,000.00), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$20,000.00.

(ADOPTED)

[14110](#) A RESOLUTION awarding a term and supply contract on Bid No. 22-02 for the furnishing of concessions ice cream novelties for use by the Parks and Recreation Department to Kansas City Ice Cream of Kansas City, MO, to provide for departmental needs for the upcoming one year period, in the estimated amount of \$10,000.00.

(ADOPTED)

[14111](#) A RESOLUTION awarding a twelve-month term and supply contract on Electronic Solicitation No. BB20026 for the furnishing of greenhouse supplies for use by the Parks and Recreation Department to BWI Companies of Lenexa, KS, in the estimated amount of \$8,000.00.

(ADOPTED)

[14112](#) A RESOLUTION awarding a contract on Electronic Solicitation No. BB200216 for the furnishing of bar code printers, receipt printers, and accessories for use by the MIS and Records Departments to Ace Office Supplies of Orlando, FL (\$8,433.00), Navitech Corporation of Indianapolis, IN (\$895.00), and GHA Technologies of Scottsdale, AZ (\$11,571.00), in the actual aggregate amount of \$20,899.00.

(ADOPTED)

[14115](#) A RESOLUTION awarding a contract for the furnishing of Plexar telephone service for use by the Public Works Department at the new Public Works facility to Southwestern Bell Telephone Co. of Kansas City at an estimated cost to the County in 2002 of \$18,223.07, as a sole source purchase.

(ADOPTED)

To adopt Ordinances 3237, 3240, 3241. To adopt Resolutions 14078, 14090, 14092, 14093, 14094, 14096, 14097, 14101, 14102, 14103, 14104, 14105, 14106, 14107, 14108, 14109, 14110, 14111, 14112, 14115.

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

Yes: 7 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits and Bob Spence

Absent: 1 - Terry Young

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3243](#) Appropriating \$48,000.00 from the unappropriated surplus of the 2002 Grant Fund to cover the Prevention and Prosecution of Sexual Assault in Jackson County Grant for the Prosecuting Attorney's office funded by the Missouri Department of Public Safety.
(Health and Justice Committee)

[3244](#) Appropriating \$62,011.00 from the unappropriated surplus of the 2002 Anti-Drug Sales Tax Fund to cover a grant received from the United States Executive Office of the President's Midwest HIDTA Investigative Support Center to allow the Jackson County Drug Task Force to contract with an intelligence analyst.
(Anti-Drug Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14116](#) Awarding a twelve-month term and supply contract for the furnishing of lawn maintenance equipment replacement parts and service for use by the Public Works and Parks and Recreation Departments to Van Wall Equipment d/b/a Great American Turf of Kansas City, MO, under a City of Kansas City, MO government contract at an estimated cost to the County of \$13,500.00.
(Public Works Committee)

[14117](#) Authorizing the County Executive to execute a contract with the Jackson County Board of Services for the Developmentally Disabled to provide for partial funding of various programs of the Parks and Recreation Department's Special Recreation Division.
(Land Use Committee)

[14118](#) Transferring \$21,000.00 within the 2002 Special Road and Bridge Fund and awarding a contract for the furnishing of a full-size sedan for use by the Public Works Department under the Mid-America Council of Public Purchasing's Cooperative Fleet Bid No. 12-002, an existing government contract of the City of Lee's Summit, MO, to Shawnee Mission Ford, Inc., of Shawnee KS, at an actual cost to the County of \$20,795.00.
(Public Works Committee)

[14119](#) Authorizing the County Executive to execute a Second Addendum to the contract with the Salvation Army, to provide housing for Drug Court referrals who are homeless, for the Prosecuting Attorney's Deferred Prosecution and Drug Court Programs, at a cost to the County not to exceed \$35,000.00 and extending the contract for a period of 12 months.
(Anti-Drug Committee)

[14120](#) Authorizing the County Executive to execute an Agreement for Medical Examiner Services with Clay County, Missouri, for compensation payable to Jackson County in the amount of \$188,358.00.
(Health and Justice Committee)

- [14121](#) Authorizing the County Executive to execute an Agreement for Medical Examiner Services with Platte County, Missouri, for compensation payable to Jackson County in the amount of \$63,216.00.
(Health and Justice Committee)
- [14122](#) Authorizing the County Executive to execute an agreement with Benilde Hall for its "Transitional Living" program, at a cost to the County not to exceed \$76,600.00.
(Anti-Drug Committee)
- [14123](#) Awarding a twelve-month term and supply contract on Bid No. 27-02 for the furnishing of entertainment services for use by the Parks and Recreation Department to Kathleen J. O'Malley d/b/a Cathy's Custom Parties of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$5,075.00.
(Land Use Committee)
- [14124](#) Authorizing the County Executive to execute an agreement with Keep Kansas City Beautiful to promote litter abatement and beautification efforts in Jackson County, at the actual cost of \$10,000.00.
(Health and Justice Committee)
- [14125](#) Authorizing the County Executive to execute an Agreement with Bridging the Gap, Inc., for the Jackson County Rotating Recycling Center Project, at the actual two-year cost of \$53,000.00.
(Health and Justice Committee)
- No dissenting vote to consider Resolution #14126 - not on printed agenda.*
- [14126](#) Dan Tarwater moved the passage of Resolution #14126, authorizing the County Executive to execute a contract with the City of Blue Springs to fund its Y.O.U. II program, at an actual cost to the County of \$8,000.00. Seconded by Terry Young.
Yes: 8 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

- [02-05](#) I hereby appoint Ken Ollison to the Stormwater Commission to replace the unexpired term of Randall Moore for term to expire April 19, 2004. A copy of Mr. Ollisons resume is attached.

13 UNFINISHED BUSINESS

None.

14 **NEW BUSINESS**

None.

15 **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, April 15, 2002 at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.