



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, February 4, 2002

3:30 PM

Fifth Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

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

1 ROLL CALL

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

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 1/28/2002.
Seconded by Terry Young.

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 the power company has done a really good job regarding the power outages. Over 380,000 people were without electricity and that number has been reduced to less than 100,000. Last Thursday, before the storm was over, she issued an official proclamation declaring a State of Emergency in Jackson County, authorizing county departments to make necessary preparations to assist and requesting that Governor Holden declare a State of Emergency as a prelude to a request for State and Federal assistance. County facilities have been battling to keep the power on and we only had to shut down the courthouses for one day which was on Thursday. The courthouse annex in Independence had no power and heat. The courthouse in Kansas City did not lose power but was closed for the day due to dangerous road and sidewalk conditions.

There has been extensive tree damage at many of our facilities including the Kansas City Courthouse, Independence Annex, Historic Courthouse on the Square and 200 S. Main. The Parks Department responded immediately to get these locations cleaned up. These areas were cleaned prior to reopening the courthouses so that they would be safe for both the employees and the public. The Parks and Recreation Department still has buildings without power including the Kemper Education Center, Longview, Jacomo and Blue Springs Marina's, and both locations for the offices of our special education and recreation staff. The special recreation programs are held at different city community centers and are open. The golf course is open although there aren't a lot of people playing. The sad news is that 80% of the trees and shrubs at the golf course are damaged and it is estimated that 5% will have to be removed and replaced. There was also extensive tree damage throughout our parks. Fort Osage and Missouri Town are now closed due to storm damage and will remain closed until public safety is assured. Parks and Recreation is currently evaluating the extent of the damage throughout the Parks and setting priorities for clean-up.

Katheryn said that our residents are also doing storm clean up and Jackson County will do everything it can to assist with the clean up process. To make the task easier on our residents in the unincorporated areas of the county, we are providing free pick up and disposal of trees and limbs along all county-maintained roads in the unincorporated area. Residents in the unincorporated area should pile limbs along the edge of the pavement or curb, not in the roadway. Preferably, limbs should be no longer than 8 feet in length. Jackson County crews have started today chipping and shredding debris along the rural roads and are now working on Colbern Road and in the Salem East area. Residents can also use two free drop-off sites: the abandoned pavement at Old Blue Mills Road at the Little Blue River and the Lee's Summit Landfill on Hamblin Road. Residents in the unincorporated area of the county who have questions about tree and limb removal may call 881-4450. We are hoping that all debris will be off the roadways within 60 days.

Another concern is the safety of our food at our homes, restaurants and grocery stores. Immediately after the ice storm last week county food inspection staff began contacting cities to find out where the power outages were located. Staff provided information to the cities to pass on to food establishments and citizens pertaining to food handling. Inspectors then conducted inspections at grocery stores and restaurants. We started in Lee's Summit, Blue Springs and Raytown checking refrigeration units. Several stores and restaurants have back-up generators while others have used dry ice or have rented refrigerated trucks. Establishments without proper refrigeration were instructed to dispose of the food. There are a few establishments that still remain closed and they must contact the county for an inspection prior to reopening. Inspectors are continuing to follow-up in the larger communities and are conducting inspections in the smaller communities. We are also making inspections at the temporary shelters established as a result of this ice storm.

Public Works, Parks and all other departments have been instructed to document all expenses incurred in this effort. This would include electricity, street cleanup, debris pickup, sewers, shelters and transportation, additional security, signage, traffic management and patrols. This documentation will be provided to state and federal authorities when we seek disaster assistance. She has also asked Parks and Public Works to provide an assessment for whether the county needs additional help in this clean up effort. We are looking at the possibility of retaining additional help from private contractors.

Katheryn has also been contacted by the City of Kansas City asking that we coordinate our efforts in this clean-up. The city has requested the use of one of the remote parking lots at the Truman Sports Complex to use as a staging area for their crews and contractors. Any damage to the parking lot would be reimbursable by FEMA and the City of Kansas City would pick up the local share of that expense. She will be talking with the Sports Authority and the teams about the possibility of city/county cooperation.

The most likely scenario for reimbursement would be that the federal government will reimburse 75% and the state 12.5%. That would leave 12.5% that we would have to provide. This can be done by either a cash payment or volunteer work. Volunteers can come and work with older persons helping them cut down trees and taking them to the curb. These private volunteer hours can be used as part of our 12.5% match with documentation. In the last couple of years there have been storms in both Arkansas and Texas where the federal government reimbursed up to 100%. A call has been made to our federal delegation to assist us to see if we can get the 100% reimbursement. She will continue to provide updates to the Legislature as we bounce back from this storm.

Ronald E. Finley, County Legislator, suggested that the chipping and mulching be available to the public as part of their springtime landscaping. Katheryn said that this has been discussed and they will make every effort to make that happen.

Ronald E. Finley asked about the discussion going on in at least two cities regarding a moratorium on traffic warrants and wanted to know if this was something that might be beneficial for the county to consider. Katheryn said she would look into the issue and give a report next week.

Ronald E. Finley asked when there would be a closed session to discuss the open meeting court case. Victor E. Callahan, Chairman, said it would probably be after the Judge makes his decision on February 8, 2002.

Scott Burnett, County Legislator, said that the newspaper reported that 500 rooms were being used at the Adams Mark for out of state crews and they were staging the vehicles at the stadium. Katheryn said that she is not aware of that, but they may have gone directly to the Sports Authority for permission.

Victor E. Callahan asked about the time frame for clearing the county roads and removing limbs for residents. Katheryn said that Public Works believes they can do both jobs concurrently within 60 days. Victor asked that she keep the Legislature informed of the budgetary impact of the storm.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Dennis Waits moved to waive the reading of Ordinances #3218, #3219 and #3220.
Seconded by Terry Young.
The motion passed by a voice vote. (APPROVED)

3218

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 35 ± acre tract, and approving the preliminary plat "Peaceful Acres 2nd Plat - Lots 4-7," creating a four-lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

[3219](#) AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of twenty (20) years to extend an existing 75-foot above the ground tower to a height of 120 feet for the purpose of providing high speed internet service, as to a 10 ± acre parcel.

(Land Use Committee - 2nd. Perfection)

[3220](#) AN ORDINANCE renewing a conditional use permit in District A (Agricultural) for a period of twenty-five (25) years to continue the operation of a gun club, firing ranges and other activities involving firearms as to a 60 ± acre parcel.

(Land Use Committee - 2nd. Perfection)

[3223](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3224](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3225](#) AN ORDINANCE transferring \$58,722.00 within and appropriating \$234,891.00 from the unappropriated surplus of the 2002 Anti-Drug Sales Tax Fund, to cover a seven-month extension to the Multi-Jurisdictional Task Force Grant received from the Missouri Department of Public Safety.

(Anti-Drug Committee - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3221](#) Consent Agenda.

[3222](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[13978](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Truman Medical Center Behavioral Health Services, a division of Truman Medical Center, Inc., in the amount of \$281,205.00, to provide for a substance abuse treatment program for inmates of the Jackson County Detention Center.

(Anti-Drug Committee - 2nd. Meeting)

[13980](#) Land Use Committee moved do pass. Consent Agenda.

[13983](#) Land Use Committee moved do pass. Consent Agenda.

[13984](#) Finance and Audit Committee moved do pass. Consent Agenda.

[13985](#) Land Use Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3223](#) AN ORDINANCE appropriating \$2,452.00 from the unappropriated surplus of the 2002 Health Fund and authorizing the Director of the Department of Finance to issue a check in the amount of \$2,451.92 to the Mid America Regional Council as a pass-through of funds received from the Missouri Department of Public Safety, Division of Fire Safety.
(PERFECTED)

[3224](#) AN ORDINANCE appropriating \$26,546.00 from the unappropriated surplus of the 2002 Health Fund and authorizing the Director of the Department of Finance to issue a check in the amount \$26,545.03 to the Mid America Regional Council as a pass-through of funds received from the Missouri Emergency Response Commission.
(PERFECTED)

[3221](#) AN ORDINANCE transferring \$71,882.00 within and appropriating \$107,824.00 from the unappropriated surplus of the 2002 Anti-Drug Sales Tax Fund to cover the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office funded by the Missouri Department of Public Safety and the transfer of matching funds, and accepting said grant from the Missouri Department of Public Safety.
(ADOPTED)

[3222](#) AN ORDINANCE appropriating \$21,629.00 from the unappropriated surplus of the 2002 Park Fund and \$86,517.00 from the unappropriated surplus of the 2002 Grant Fund and authorizing the County Executive to execute a Program Agreement with the Missouri Highways and Transportation Commission for Little Blue Trace Bicycle Trail improvements.
(ADOPTED)

[13980](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the City of Independence, MO, granting easements across a portion of Hill Park, in connection with the Maywood Road renovation project.
(ADOPTED)

[13983](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB200123 for the furnishing of blue grass and zoysia sod for use by the Parks and Recreation Department to Greenhaven Sod of Riverside, MO (\$5,000.00) and Sod Shop, Inc., of Olathe, KS (\$5,000.00) to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$10,000.00.
(ADOPTED)

[13984](#) A RESOLUTION increasing the contract for the furnishing of frame relay services between the downtown Courthouse and the Independence Annex with Southwestern Bell Advanced Solutions, Inc., of San Antonio, TX, in the amount of \$24,300.00, for a new total cost of \$32,300.00.

(ADOPTED)

[13985](#) A RESOLUTION awarding a twelve-month term and supply contract for the furnishing of maintenance and miscellaneous telephone repair services for the Telrad Phone System for use by the Parks and Recreation Department to Ronan Communications, Inc., of Lenexa, KS, in the estimated amount of \$6,100.00, as a sole source purchase.

(ADOPTED)

To perfect Ordinances 3223, 3224. To adopt Ordinances 3221, 3222. To adopt Resolutions 13980, 13983, 13984, 13985.

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

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

Absent: 1 - Fred Arbanas

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[13996](#) Authorizing the County Executive to execute an Agreement with the Missouri Highways and Transportation Commission to assist with the implementation of an emergency preparedness plan for major earthquakes within the New Madrid Seismic Zone.

(Public Works Committee)

[13997](#) Approving the purchase of solid waste disposal services for use by the Parks and Recreation Department from the City of Lee's Summit, Missouri, at a cost to the County not to exceed \$11,000.00.

(Land Use Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Bill Petrie, County Legislator, asked Bob Kelly, Manager of Operations, to report on Tarsney Lakes at the Public Works Committee Meeting next week.

He also announced that there will be a Public Works Oversight Committee Meeting next week.

Victor E. Callahan, Chairman, asked that a presentation on auctions be given during the Public Works Committee meeting in two weeks.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Bill Petrie.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, February 11, 2002 at 3:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.