



Office of  
**Mary Jo Spino**  
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)*

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**Monday, August 19, 2002**

**3:30 PM**

**Thirty Second Regular Meeting**

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

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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 8/12/2002.  
Seconded by Dan Tarwater.

**The motion passed by a voice vote.**

**(APPROVED)**

**4 HEARINGS**

*None.*

**5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE**

*None.*

**6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

[3274](#)

Anti-Drug Committee moved to perfect. Consent Agenda.

[3275](#)

AN ORDINANCE authorizing the issuance of \$10,000,000.00 principal amount of Jackson County, Missouri Leasehold Revenue Bonds (Truman Sports Complex/County Parks Project Addition) Series 2002, of Jackson County, Missouri, and authorizing and approving certain documents and actions in connection with the issuance of said bonds.

*(Finance and Audit Committee - 2nd. Perfection)*

Fred Arbanas moved to waive the reading of Ordinances #3276 through #3279.  
Seconded by Bill Petrie.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing on Ordinances #3276 through #3279 on Monday, August 26, 2002 at 2:15 p.m. at the Independence Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

[3276](#)

AN ORDINANCE approving a conditional use permit (CUP) in District LB (Local Business) for a period of 5 years subject to conditions, to continue operating a bar serving alcoholic beverages.

*(Land Use Committee - 2nd. Perfection)*

[3277](#)

AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 15 ± acre tract from District A (Agricultural) to RR (Residential Ranchette) District.

*(Land Use Committee - 2nd. Perfection)*

[3278](#)

AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 20.8 ± acres from District A (Agricultural) to RR (Residential Ranchette) District and approving the preliminary plat "John's Hedgewood Acres," creating a four-lot residential subdivision.

*(Land Use Committee - 2nd. Perfection)*

[3279](#)

AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 0.5 ± acre lot from single-family residential to GB (General Business) District.

*(Land Use Committee - 2nd. Perfection)*

[3280](#)

Finance and Audit Committee moved to perfect.

*Terry Young objects to the consent agenda.*

*Dennis Waits moved to perfect Ordinance #3280 as amended. Seconded by Bill Petrie.*

*Ronald E. Finley, County Legislator, said that he advised some people that this matter would be taken up next week. It was his understanding this would occur. He did not know of the intentions to pass Ordinance #3280 this week.*

*Dennis Waits, County Legislator, said that ample time had been given to this matter. Everyone is familiar with it and asked that we go forward.*

*Scott Burnett, County Legislator, asked if the amendment was legally correct. Jane McQueeney, County Counselor, said she briefly looked at the Ordinance as amended and does not see anything wrong legally. If something does come up it can be brought up for reconsideration.*

*Ronald E. Finley said he was mistaken on how this matter would proceed and wanted to let it be known that it was not his intention to misinform anyone about how this process would go.*

Bob Spence moved to hold Ordinance #3280. Seconded by Ronald E. Finley.  
The motion failed by a roll call vote:

Yes: 2 - Ronald E. Finley and Bob Spence

No: 7 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater and Terry Young. (FAILED)

3280

Dennis Waits moved to perfect the Finance and Audit Committee Amendment of 8/19/2002, to insert the words "(a) forty percent (40%) or an amount not less than \$80,000,000 for the following projects:

1) An amount not less than \$40,000,000 to construct, furnish and equip the Eastern Jackson County Performing Arts Center to be located within the legal confines of the City of Independence; and

2) An amount not less than \$7,000,000 to construct, furnish and equip the City of Raytown's Trails Center Amphitheater to be located within the legal confines of the City of Raytown.

3) An amount not less than \$20,000,000 as an operational endowment for the 18th & Vine Museum which includes the Negro Leagues Baseball Museum, the Jazz Museum and the GEM Theatre.

4) An amount not less than \$10,000,000 as an operational endowment for the Alvin Ailey Dance Theatre.

5) An amount not less than \$3,000,000 as an operational endowment for the Avila School for Performing Arts.

A minimum of Twenty (20%) percent minority business and women's business enterprise participation will be required." after the words "Of the balance of such annual revenues," in the ballot question on page four, to delete the section letter "a" and insert the letter "(b)", to delete the words "seventy (70%) percent" and insert the words "thirty percent (30%)", to delete the section letter "b" and insert the letter "(c)", in the ballot question on page five. Seconded by Bill Petrie.

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

No: 1 - Terry Young

(PERFECTED)

3280

Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3280. Seconded by Terry Young.

**The motion passed by a voice vote.**

(APPROVED)

3280

Dennis Waits moved the passage of Ordinance #3280 as perfected, submitting to the qualified voters of Jackson County, Missouri, at the general election to be held on November 5, 2002, a question approving a retail sales tax of one-eighth (1/8) of one cent for the support of cultural facilities and organizations within the Kansas and Missouri Metropolitan Culture District. Seconded by Dan Tarwater.

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

No: 1 - Terry Young

(ADOPTED)

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

**8 RESOLUTIONS IN COMMITTEE**

[14279](#)

Land Use Committee moved do pass.

*Bob Spence objects to the consent agenda.*

*Dennis Waits moved to adopt Resolution #14279. Seconded by Dan Tarwater.*

*Bob Spence, County Legislator, said that this contract was awarded to a company in Louisville, Kentucky in spite of the fact that there is a company here in Jackson County that bid only \$500.00 more. He believes that since this is a difference of less than 5%, consideration should be given to the company from Jackson County.*

*Dennis Waits withdraws his motion to adopt Resolution #14279. Dan Tarwater withdraws his second.*

[14279](#)

Fred Arbanas moved to send back to committee Resolution #14279, awarding a contract under Electronic Solicitation No. BB200239 for the furnishing of 12" HDPE-SDR17 pipe for use by the Parks and Recreation Department to ISCO Industries, LLC, of Louisville, KY, at an actual cost to the County of \$10,780.00. Seconded by Terry Young.

**The motion passed by a voice vote.**

(APPROVED)

[14280](#)

Health and Justice Committee moved do pass the Health and Justice Committee Amendment of 8/19/2002, to delete the words "Custom Forms, Inc., of St. Louis" and insert the words "Service Printing of Kansas City" in the heading and first paragraph on page two. Consent Agenda.

[14281](#)

Anti-Drug Committee moved do pass. Consent Agenda.

[14290](#)

Public Works Committee moved do pass. Consent Agenda.

[14291](#)

Health and Justice Committee moved do pass. Consent Agenda.

[14292](#)

Public Works Committee moved do pass. Consent Agenda.

[14293](#)

Land Use Committee moved do pass. Consent Agenda.

[14294](#)

Health and Justice Committee moved do pass. Consent Agenda.

**9 CONSENT AGENDA**

- [3274](#) AN ORDINANCE reappropriating \$201,577.00 from the unappropriated surplus of the 2002 Anti-Drug Sales Tax Fund to cover unbilled expenses of the Cities of Oak Grove and Lee's Summit's 2001 DARE contracts.  
(PERFECTED)
- [14280](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB200242 for the printing of inmate identification cards for use by the Department of Corrections to Service Printing of Kansas City, Missouri, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$5,000.00.  
(ADOPTED)
- [14281](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Guadalupe Center, Inc., for its El Otro Camino adolescent outpatient substance abuse treatment program, in an amount not to exceed \$20,000.00, as a local match to a federal grant.  
(ADOPTED)
- [14290](#) A RESOLUTION authorizing Change Order No. 1 (Final) to the contract with Radmacher Brothers Excavating, of Pleasant Hill, MO, for the R.F. Gammon Road Bridge Replacement Project, No. 2413, decreasing the contract amount by \$3,458.50.  
(ADOPTED)
- [14291](#) A RESOLUTION awarding a contract on Electronic Solicitation No. BB200247 for the furnishing of one (1) eight-passenger, 3/4 ton window van for use by the Sheriff's Department to Roberts Auto Plaza, Inc., of Platte City, Missouri, at an actual cost to the County of \$24,316.00.  
(ADOPTED)
- [14292](#) A RESOLUTION awarding a term and supply contract under Electronic Solicitation No. BB200245 for the furnishing of rock salt for use by the Public Works Department to Cargill Incorporated-Salt Division of North Olmsted, OH, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$45,000.00.  
(ADOPTED)
- [14293](#) A RESOLUTION awarding a contract on Request for Proposals No. 48-02 for the furnishing of one (1) hydraulic dredge for use by the Parks and Recreation Department to Innovative Material Systems, Inc., of Olathe, KS, in the actual amount of \$331,415.00.  
(ADOPTED)
- [14294](#) A RESOLUTION awarding contract on Request for Proposals No. 30-02 for the furnishing of design, production, publishing, and distribution of employee and vendor waste reduction and recycling manuals for use by the Resource Conservation Coordinator to Bridging the Gap, Inc., of Kansas City, Missouri, in an amount not to exceed \$15,450.00.  
(ADOPTED)

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

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

Absent: 1 - Dennis Waits

**10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

[3281](#) Transferring \$100,000.00 within the 2002 Park Fund, appropriating \$200,000.00 from the unappropriated surplus of the 2002 Grant Fund and authorizing the County Executive to execute an agreement with the National Parks Service to provide architectural services at the Fort Osage National Landmark Education Center.

*(Land Use Committee)*

[3282](#) Appropriating \$2,925.00 from the unappropriated surplus of the 2002 Grant Fund to cover the grant from the Missouri Arts Council for the furnishing of interpretive talent for the Missouri Town Fall Festival of Arts, Crafts and Music.

*(Land Use Committee)*

**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**

[14295](#) Authorizing the Trustees of the Land Trust of Jackson County, Missouri, to convey two (2) parcels of real property located in Kansas City, Jackson County, Missouri for support of various projects for the upgrading and redevelopment of the urban core in accordance with § 141.750.0, RSMo 2000.

*(Finance and Audit Committee)*

[14296](#) Dan Tarwater moved the passage of Resolution #14296, transferring \$255,471.00 within the 2002 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an Addendum to the Agreement with Pan Educational Institute for the "Night Lights/Sentenced to the Arts" programs, at a cost to the County not to exceed \$214,449.93. Seconded by Fred Arbanas.

Yes: 6 - Bill Petrie, Fred Arbanas, Scott Burnett, Ronald E. Finley, Terry Young and Bob Spence

No: 1 - Victor E. Callahan

Absent: 1 - Dennis Waits

(ADOPTED)

[14297](#) Authorizing and directing the Office of the County Counselor to institute condemnation proceedings on certain tracts of land required for the O'Donnell Road Bridge Replacement Project, No. 2403.

*(Public Works Committee)*

[14298](#) Authorizing the County Executive to execute an agreement with Boys and Girls Club of Eastern Jackson County for its Smart Moves program in the amount of \$22,028.00, as a local match to a city grant.

*(Anti-Drug Committee)*

[14299](#) Transferring \$79,277.00 within the 2002 Anti-Drug Sales Tax Fund to cover funding for the Sheriff's Department's 2002 Drug Abuse Resistance Education (DARE) program.

*(Anti-Drug Committee)*

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

*None.*

**14 NEW BUSINESS**

*None.*

Victor E. Callahan, Chairman, said there is an issue that may need to be taken up this week and preferred that the meeting not be adjourned.

Bob Spence moved to recess the meeting until Monday, August 26, 2002 at 3:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

**15 ADJOURNMENT**

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

**The motion passed by a voice vote.**

(APPROVED)

*This meeting was adjourned on Monday, August 26, 2002 at 3:30 p.m. at the Independence Courthouse Annex.*