



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)

Tuesday, April 2, 2002

3:30 PM

Twelfth 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, Fred Arbanas, Scott Burnett, Dennis Waits, Terry Young and Bob Spence
Absent: Ronald E. Finley

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 3/25/2002.
Seconded by Terry Young.

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 McQueeney, County Counselor, the status of the case against the Office of Human Relations and Citizen Complaints.

Jane McQueeney, County Counselor, said the case is still pending and she would be happy to discuss it in a closed meeting. She said there have been some after trial motions that have not been disposed yet by the trial clerk. The court retains jurisdiction for 90 days or until he rules on after trial motions, whatever occurs sooner. She said she is representing the individual defendants which are the commissioners of the OHRCC. The plaintiffs have filed a motion and one of the commission members filed a motion and is representing himself.

Bill Petrie asked what costs were incurred by the County Counselor's office to date on this case.

Jane McQueeney responded that she does not have an answer but would be happy to discuss it with him in a private session. She said one of the post trial motions has to do with attorney fees. The specific defendants have asked that this not be discussed in a public forum.

Bill Petrie said he thinks that the cost of this case that has been incurred by Jackson County and the taxpayers should be a matter of public record.

Jane McQueeney said at this point Jackson County has paid \$600.00 in deposition costs.

Bill Petrie asked the cost of time spent and salaries of the County Counselor's staff.

Jane McQueeney said it is not something that is tracked. She could give the annual salary of the attorney working on the case.

Bill Petrie asked if she could present that information at the next legislative meeting.

Jane McQueeney said yes she could but this is not the only case she has worked on.

Bill Petrie said information regarding costs of this case should be given in an open meeting.

Jane McQueeney said questions regarding public record she could answer but any questions pertaining to trial strategy needs to be discussed in a closed meeting.

Bill Petrie said he should not have to audit the County Counselor's office to find out how much time was spent on this case.

Jane McQueeney said the County Counselor's office does not track time spent on cases.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3237](#) Finance and Audit Committee moved to perfect. Consent Agenda.

[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 - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3234](#) Consent Agenda.

[3236](#) 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 - 5th. Meeting)

[14076](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14077](#) Finance and Audit Committee moved do pass. Consent Agenda.

[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.

(Public Works Committee - 2nd. Meeting)

[14082](#) Health and Justice Committee moved do pass. Consent Agenda.

[14084](#) Public Works Committee moved do pass. Consent Agenda.

[14085](#) Health and Justice Committee moved do pass. Consent Agenda.

[14086](#) 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 - 1st. Meeting)

[14088](#) Finance and Audit 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.

(PERFECTED)

- [3234](#) AN ORDINANCE transferring \$11,563.00 within and appropriating \$40,000.00 from the unappropriated surplus of the 2002 Anti-Drug Sales Tax Fund to cover the Gun Control Prosecution grant for the Prosecuting Attorney's Office funded by the United States Office of Justice Programs and the transfer of matching funds, and accepting said grant from the Office of Justice Programs.
- (ADOPTED)
- [3236](#) AN ORDINANCE reappropriating \$21,400.00 from the unappropriated surplus of the 2002 Homeless Assistance Fund, partially rescinding Resolution 13399, dated October 23, 2000, and Resolution 13944, dated December 10, 2001, and authorizing the County Executive to execute an Agreement with Mother's Refuge, to provide assistance to homeless persons, at a cost to the County not to exceed \$51,400.00.
- (ADOPTED)
- [14076](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Kansas City Free Health Clinic to provide a variety of health care services to indigent residents of Jackson County, at a cost to the County not to exceed \$152,859.00.
- (ADOPTED)
- [14077](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Mid-America Regional Council to provide social services programs to the citizens of Jackson County through the Whatsoever Circle Community House at a cost to the County not to exceed \$37,048.00.
- (ADOPTED)
- [14082](#) A RESOLUTION increasing the contract with the Kansas City Board of Police Commissioners for Alert II law enforcement computer information services, and authorizing the County Executive to enter into an Addendum to Agreement, at an additional cost to the County of \$97,104.00.
- (ADOPTED)
- [14084](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for animal shelter services, at a cost to the County not to exceed \$12,000.00.
- (ADOPTED)
- [14085](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Agreement with the Mid-America Regional Council Solid Waste Management District, to provide access to the Regional Household Hazardous Waste Centers for the residents of the unincorporated county, at a cost not to exceed \$16,074.52 in 2002.
- (ADOPTED)
- [14086](#) A RESOLUTION authorizing the County Executive to execute an agreement with the Missouri Highway and Transportation Commission and the City of Kansas City in connection with its County Urban Road System priorities.
- (ADOPTED)

[14088](#) A RESOLUTION approving the 2002-03 Jackson County Assessment and Equalization Maintenance Plan.

(ADOPTED)

To perfect Ordinance 3237. To adopt Ordinances 3234, 3236. To adopt Resolutions 14076, 14077, 14082, 14084, 14085, 14086, 14088.

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, Dennis Waits, Terry Young and Bob Spence

Absent: 1 - Ronald E. Finley

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3239](#) 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)

[3240](#) 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.

(Land Use Committee)

[3241](#) 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.

(Land Use Committee)

[3242](#) 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)

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.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14090](#) 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.

(Land Use Committee)

[14091](#) 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)

[14092](#) 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.

(Land Use Committee)

[14093](#) 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.

(Public Works Committee)

[14094](#) Authorizing the County Executive to execute an Agreement with the City of Independence, Parks and Recreation 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.

(Finance and Audit Committee)

[14095](#) Dan Tarwater moved the passage of Resolution #14095, authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, April 2, 2002, for the purpose of discussing the purchase of real property. Seconded by Dennis Waits.

Yes: 6 - Victor E. Callahan, Bill Petrie, Fred Arbanas, Scott Burnett, Dennis Waits and Bob Spence

Absent: 2 - Ronald E. Finley and Terry Young

(ADOPTED)

[14096](#) 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.

(Land Use Committee)

[14097](#) 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.

(Land Use Committee)

[14098](#) Bob Spence moved the passage of Resolution #14098, congratulating the Lee's Summit R-7 School District upon receiving Missouri Department of Elementary and Secondary Education's first annual "Distinction in Performance" Award. Seconded by Dennis Waits.

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

Absent: 1 - Ronald E. Finley

(ADOPTED)

[14099](#) Bob Spence moved the passage of Resolution #14099, congratulating the Lee's Summit R-7 School District Business Department upon receiving the Association for Career and Technical Education's 2001 National Program of Excellence in Business Award. Seconded by Dennis Waits.

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

Absent: 1 - Ronald E. Finley

(ADOPTED)

[14100](#) Bob Spence moved the passage of Resolution #14100, congratulating the Lee's Summit North High School girls basketball team upon winning the 2001-2002 Missouri 4A championship. Seconded by Dan Tarwater.

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

Absent: 1 - Ronald E. Finley

(ADOPTED)

[14101](#) 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.

(Public Works Committee)

[14102](#) 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.

(Land Use Committee)

- [14103](#) 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.
(Land Use Committee)
- [14104](#) 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.
(Public Works Committee)
- [14105](#) 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.
(Land Use Committee)
- [14106](#) 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.
(Land Use Committee)
- [14107](#) 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.
(Land Use Committee)
- [14108](#) 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.
(Land Use Committee)
- [14109](#) 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.
(Land Use Committee)

[14110](#) 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.

(Land Use Committee)

[14111](#) 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.

(Land Use Committee)

[14112](#) 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.

(Finance and Audit Committee)

No dissenting vote to consider Resolutions #14113 and #14114 - not on printed agenda.

[14113](#) Dan Tarwater moved the passage of Resolution #14113, proclaiming April 2002 as Child Abuse Prevention Month in Jackson County, Missouri. Seconded by Bill Petrie.

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

Absent: 1 - Ronald E. Finley

(ADOPTED)

[14114](#) Dennis Waits moved the passage of Resolution #14114, awarding a contract on Request for Proposals No. 32-02 for the production of a DARE video for use by the COMBAT Commission in the actual amount of \$12,400.00. Seconded by Dan Tarwater.

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

Absent: 1 - Ronald E. Finley

(ADOPTED)

[14115](#) 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.

(Public Works Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Dan Tarwater, County Legislator, asked for information from Tom Kirkwood regarding a blocked bridge in south Kansas City that had been replaced about four years ago.

Tom Kirkwood, Director of Public Works, said that this was a bailey bridge or temporary bridge. It came to the county from Blue Springs, MO and we later passed the bridge on to Kansas City, MO. Someone drove on to the bridge exceeding the load limit and the city of Kansas City had to block it off until the bridge can be repaired. Replacement bridge timbers have been ordered and the bridge should be back open in about three to five weeks.

Dan Tarwater also asked how long the Holmes Road Bridge will be closed once work begins on that bridge. Mr. Kirkwood said he would check and report back next week.

Resolution #14095 was adopted at this time. See page 6 for details.

Legislature goes into closed session.

Legislature reconvenes.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, April 8, 2002 at 3:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.