



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*DaRon McGee (4th) Chairman,
Megan L. Marshall (3rd AL) Vice Chairman,
Jalen Anderson (1st AL), Donna Peyton (2nd AL),
Manuel Abarca IV (1st), Venessa Huskey (2nd), Charlie Franklin (3rd),
Jeanie Lauer (5th), Sean E. Smith (6th)*

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Tuesday, February 28, 2023

4:00 PM

Eighth Regular Meeting

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

DaRon McGee, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Jalen Anderson, seconded by Jeanie Lauer to approve the journal of the previous meeting held on February 21, 2023. The motion passed by a voice vote.

4 HEARINGS

None.

Resolution #21174 was adopted at this time. See page 7 for details.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Sylvya Stevenson, Chief Administrative Officer, said there was no report from the County Executive.

DaRon McGee, County Legislator, asked Troy Schulte, County Administrator, about the status of the phone conversion. Mr. Schulte said the Information Technology Department is in the process of moving the phones over to the new provider. Collection and Assessment Departments' conversion is complete and the remainder of the County departments should have new phones soon.

Manuel Abarca IV, County Legislator, asked for a status update on the proposed marijuana tax. He heard that the County may not collect the tax

within other municipalities. Caleb Clifford, Chief of Staff, said there are provisions in the Missouri Constitution that allow for recreational marijuana use that are not clear about the County's authority. Because of that lack of clarity, there was a statement from the Department of Revenue, the entity that collects the tax, that said that counties cannot collect the tax in the same areas as incorporated municipalities. Upon further review, the Department of Revenue corrected that statement and has said there are two different provisions. One provision of the constitutional amendment does allow the County to impose the sales tax County-wide and does not limit the County to the unincorporated areas. If the voters of Jackson County do approve Jackson County Question #1, the Department of Revenue has informed the Administration that it will collect and distribute those funds to the County. Mr. Abarca asked if City of Kansas City officials are aware of this. Mr. Clifford said he cannot testify to what the City knows or does not know.

Jeanie Lauer, County Legislator, said that at a meeting of the Missouri Association of Counties it was said that the specific ballot language is a determining factor in the collection of the tax. By stating the tax is County-wide that includes all of the County, not just unincorporated areas. Mr. Clifford agreed. He said to the credit of the County Counselor's Office, they recommended the County-wide wording to be inclusive of the County as a whole. Jay Haden, Chief Deputy County Counselor, said, to clarify, every County tax is County-wide.

DaRon McGee asked if there were any updated figures on the estimate of projected tax revenues that might be generated. Caleb Clifford said because it is early in the sale of recreational marijuana, it is difficult to estimate the long-term usage. News stories indicate high sales in the first week or two, but it is too early to have an accurate estimate. The Treasurer would like the County to project \$1 to \$4 million, which is a large range, but to be clear, this has never been collected in the County before making it difficult to project revenues.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5711](#) AN ORDINANCE enacting section 5575., Jackson County Code, 1984, relating to a ban on conversion therapy for minors, with a penalty provision.

(Diversity, Equity, & Inclusion Committee - 4th. Perfection)

[5714](#) Land Use Committee moved to perfect.

Charlie Franklin objected to the Consent Agenda.

[5714](#) A motion was made by Charlie Franklin, seconded by Sean E. Smith to perfect Ordinance #5714. The motion passed by a voice vote.
(PERFECTED)

[5714](#) A motion was made by Charlie Franklin, seconded by Jeanie Lauer, to adopt Ordinance #5714, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.23± acre tract from District AG (Agricultural) to District RE (Residential Estates). The motion passed by a roll call vote:
Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith
(ADOPTED)

[5715](#) Land Use Committee moved to perfect.
Charlie Franklin objected to the Consent Agenda.

[5715](#) A motion was made by Charlie Franklin, seconded by Jalen Anderson to perfect Ordinance #5715. The motion passed by a voice vote.
(PERFECTED)

[5715](#) A motion was made by Charlie Franklin, seconded by Jeanie Lauer, to adopt Ordinance #5715, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.5± acre tract from District LBp (Local Business-Planned) to District LI (Light Industrial). The motion passed by a roll call vote:
Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith
(ADOPTED)

[5716](#) Land Use Committee moved to perfect.
Charlie Franklin objected to the Consent Agenda.

[5716](#) A motion was made by Charlie Franklin, seconded by Jalen Anderson to perfect Ordinance #5716. The motion passed by a voice vote.
(PERFECTED)

[5716](#)

A motion was made by Charlie Franklin, seconded by Venessa Huskey, to adopt Ordinance #5716, granting a conditional use permit (CUP) in the Agricultural-Planned (AG-p) District for a period of twenty-five years to operate a horse boarding facility, subject to specified conditions, as to a 10.00± acre tract. The motion passed by a roll call vote:

Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5713](#)

Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[21148](#)

A motion was made by Sean E. Smith, seconded by Jeanie Lauer, to adopt Resolution #21148, expressing the opposition of the Legislature to a proposed landfill in the southeastern portion of the City of Kansas City, Missouri, near the city limits of the City of Lee's Summit, Missouri. The motion passed by a roll call vote:

Yes: 8 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

No: 1 - Manuel Abarca IV

(ADOPTED)

Manuel Abarca IV objected to adoption of Resolution #21148. Megan L. Marshall inquired about the reasons behind the objection. Mr. Abarca said he wants additional hearings on the proposed landfill outside of the Downtown Courthouse. Jeanie Lauer asked why he believes there is a need for additional public comment. Most of the municipalities around the County have held public hearings and adopted resolutions stating opposition to the landfill. There have been hearings at the State of Missouri in Jefferson City. She does not know where additional input could be obtained. She asked where the pockets of people would come from who have not already had the opportunity to be heard. Mr. Abarca said he believes the County needs due diligence to have hearings outside of a government building, particularly in Grandview. Ms. Lauer said the City of Grandview has already submitted a resolution in opposition to the landfill. Mr. Abarca asked about the public hearings held in Grandview. Sean E. Smith, County Legislator, said the City of Grandview adopted the resolution before he became involved in the topic. DaRon McGee said he received several emails from constituents that live in the area of the landfill. He did not attend public hearings in

Grandview and cannot speak to when or where they were held. Jeanie Lauer asked if Mr. Abarca had received emails from people about the landfill. He said he had, but they were not from people living in Jackson County. He would like to see more opportunity for input outside of the County Courthouse. Ms. Lauer expressed confusion about where additional testimony could come from since multiple municipalities have already held public hearings, most of which were conducted in the evening.

[21165](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21166](#) Anti-Crime Committee moved to adopt. Consent Agenda.

[21167](#) Land Use Committee moved to adopt. Consent Agenda.

[21168](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21170](#) A motion was made by Sean E. Smith, seconded by Megan L. Marshall, to hold Resolution #21170, amending Rule 12 of the rules of the Jackson County Legislature. The motion passed by a voice vote.

(APPROVED)

[21171](#) Anti-Crime Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5713](#) AN ORDINANCE authorizing the Director of Finance and Purchasing to execute Supplemental Agreement No. 2 to the Agreement with Anderson Engineering, Inc, of Kansas City, Missouri, to extend the project schedule to account for design delays associated with main water relocation as part of the Stoenner Road Bridge Replacement, Federal Project BRO-B048 (59), at no cost to the County.

(ADOPTED)

[21165](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend, for the furnishing of building and grounds maintenance, repair, and operating supplies for use by various County departments to Lowe's Home Centers of Mooresville, NC, under the terms and conditions of the State of Missouri Contract No. CC221120001, an existing competitively-bid government contract.

(ADOPTED)

[21166](#) A RESOLUTION authorizing an extension to the contract with TICO Productions of Kansas City, Missouri, for rebranding services for use by COMBAT staff at no additional cost to the County.

(ADOPTED)

[21167](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of softball umpire services for use by the Parks + Rec Department to Eastern Jackson County USSSA Umpire Association of Independence, MO, as a sole source purchase.

(ADOPTED)

[21168](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of electrical supplies for use by various County departments to Graybar Electric Company of St. Louis, MO, under the terms and conditions of U.S. Communities Contract No. EV2370, an existing government contract.

(ADOPTED)

[21171](#) A RESOLUTION transferring \$3,352,583.00 within the 2023 Anti-Crime Sales Tax Fund and authorizing the Prosecuting Attorney to execute agreements with certain outside agencies which are engaged in anti-crime, anti-violence and anti-drug prevention and treatment activities, and law enforcement school-based initiatives and purposes, at a cost to the County not to exceed \$12,277,283.00.

(ADOPTED)

Ordinance #5713 and Resolutions #21165, #21166, #21167, #21168, and #21171 were moved to the Consent Agenda for adoption.

A motion was made by Donna Peyton, seconded by Jalen Anderson, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5717](#) Repealing sections 4403., 4440., 4441., 4442., 4443., 4450., 4451., 4452., 4454., 4455., 4460., 4461., 4462., and 4463., Jackson County Code, 1984, relating to nuisances, and enacting, in lieu thereof, fourteen new sections relating to the same subject.

(Assigned to the Public Works Committee.)

[5718](#) Appropriating \$5,000,000.00 from the Undesignated Fund Balance of the American Rescue Plan Fund and authorizing the County Executive to execute an agreement with the University of Missouri - Kansas City (UMKC) for the purpose of continuing the Our Healthy KC Eastside program for COVID-19 vaccination and minority health outreach for the calendar year 2023, at a cost to the County not to exceed \$5,000,000.00.

(Assigned to the Finance and Audit Committee.)

[5719](#) Appropriating \$4,000.00 from the undesignated fund balance of the 2023 Grant Fund in acceptance of funds awarded to the Family Court Division by the Family and Community Trust for the “No Kid Hungry Missouri Breakfast Grant” project.

(Assigned to the Finance and Audit Committee.)

[5720](#) Appropriating \$467,177.00 from the undesignated fund balance of the 2023 Grant Fund and awarding a contract for the design and construction of a new bridge in connection with Federal Project No. BRO-B048(58), East Haines Road Bridge Replacement, County Project No. 3242, to Cale Seymour Construction, LLC, of Knob Knoster, MO, at an actual cost to the County in the amount \$467,177.00, under the terms and conditions of Invitation to Bid 79-22.

(Assigned to the Public Works Committee.)

[5721](#) Repealing section 4301., 4308., 4312., and 4316., Jackson County Code, 1984, relating to adult use entertainment and adult entertainment businesses, and enacting, in lieu thereof, four new sections relating to the same subject, with a penalty provision.

(Assigned to the Justice and Law Enforcement Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[21173](#) Awarding a twenty-four month term and supply contract with two twelve-month options to extend for the furnishing of forensic toxicology services for use by the Medical Examiner’s Office to Axis Forensic Toxicology of Indianapolis, IN, under the terms and conditions of Request for Proposals No. 114-22.

(Assigned to the Health and Environment Committee.)

[21174](#) A motion was made by Jalen Anderson, seconded by Sean E. Smith, to adopt Resolution #21174, recognizing the Monday Niters social group for its contributions to the community and the Kansas City Chiefs franchise and for its dedication to promoting equity-minded business ventures and undertakings in Jackson County. The motion passed by a roll call vote:

Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV, to change the date and time of the next two legislative meetings to be held on Tuesday, March 7, 2023, and Tuesday, March 14, 2023 at 3:00 P.M. in the Kansas City Legislative Assembly Area. The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, DaRon McGee and Sean Smith.

No: 3 - Jalen Anderson, Charlie Franklin and Jeanie Lauer

15 ADJOURNMENT

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Tuesday, March 7, 2023 at 3:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.