



Jackson County Missouri

JOURNAL

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

County Legislature

Office of
Mary Jo Spino
Clerk of the County Legislature

*Theresa Galvin (6th) Chair, Dan Tarwater III (4th) Vice Chair,
Jalen Anderson (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Scott Burnett (1st), Ronald E. Finley (2nd), Charlie Franklin (3rd), Jeanie Lauer
(5th)*

Monday, March 11, 2019

1:00 PM

Eleventh Regular Meeting

Eastern Jackson County Courthouse 308 W. Kansas, Independence Missouri, Ground Floor, Legislative Chambers

Theresa Galvin, Chair, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin
Absent 1 - Scott Burnett

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Tony Miller to approve the journal of the previous meeting held on March 04, 2019. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

No report given by the County Executive.

Theresa Galvin, Chair, asked if any legislators had questions for the County Executive. Dan Tarwater III, County Legislator, said that in reference to the Shive Hattery report, he did not know there was another report that could be viewed in the County Counselor's Office. He said he was under the impression that this was the Jail Task Force Report.

Frank White Jr., County Executive, said that the Jail Task Force Report cannot be altered. He said that at the request of the staff within the Department of Corrections, certain parts of the Shive Hattery report should not be made public.

Dan Tarwater said that he believes there is some confusion about the different reports and which is the final report that can be used to move forward with the decision-making process.

Frank White stated that the Shive Hattery report was to supplement the Jail Task Force report to help make an assessment as to the specifications for a new jail.

Jeanie Lauer, County Legislator, asked if the Shive Hattery report would be used to move forward or if there will be a need for an additional assessment.

Frank White Jr. replied that there will not be any additional assessments and the working group made up of representatives from the legislature, sheriff, and administration hopes to use these reports as guidelines, but as the working group moves forward, things may change.

Dan Tarwater III said he does not trust the Shive Hattery report because the report has been edited. He said that information was scrubbed from the report to fit a certain narrative that the administration wants as to the specifications for a new jail.

Mark Trosen, Deputy Chief Operating Officer, said he is the project manager on this matter. He said the November report was a draft report and additional information was received and added to the report. Staff then completed a chart of analysis and after reviewing the report determined that certain sections related to confidential information, safety matters, and security concerns should be separated from the public report. After reviewing the information with the County Counselor's Office it was determined to have a general public report and a separate private report that complied with Sunshine Laws as to information that should not be released to the public. He said the Legislature is welcome to review that information at any time.

Dan Tarwater then asked about the \$13,000.00 that was paid out for the attorney for the Kansas City Star in a legal dispute with the paper. Jay Haden, Interim County Counselor, stated that this was a self-executing

judgment received from the court and it was paid in compliance with Chapter 5 of the Jackson County Code.

Crystal Williams, County Legislator, said that she does not remember being told there was additional information that legislators could review. She said that it would be helpful if the administration, knowing that people may question if there is information being withheld, to make sure this is on the legislature's radar. Clearly communicating this information would go a long way in helping to manage the lack of trust issues.

Tony Miller, County Legislator, asked about the next step in the process in with the working group. He said he sees this group as a positive step forward.

Frank White Jr. said that the next steps are the approval of a financial advisor piece, which is currently before the Legislature. They will then need to select a project manager who will ensure we are following best practices and oversight of the project.

Tony Miller asked if the size of the jail was known at this time.

Crystal Williams, County Legislator, asked if the location of the jail has been predecided.

Frank White Jr. stated that these specifics have not yet been determined.

Caleb Clifford, Chief of Staff, said that as the project moves forward we will have the clarification that everyone is seeking. There is no predetermined size or location. It is expected that we will be presented with different options as to capacity, size and location.

Theresa Galvin stated that other stakeholders will be brought into the process along the way, including the judges, Sheriff and Prosecuting Attorney. She is committed to ensuring that the public and the Legislature will be kept apprised of the working group's progress.

Ronald E. Finley reminded the Legislature of the proposal made by Truman Medical Center during the budget hearings. He said it is another urgent need of the County and would like it to be considered by the financial advisor.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE[5206](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III to perfect Ordinance #5206. The motion passed by a voice vote.

(PERFECTED)

[5206](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adopt Ordinance #5206 appropriating \$83,609.00 from the undesignated fund balance of the 2019 Collector's Maintenance Fund, transferring \$6,391.00 within the 2019 General Fund, and authorizing the County Executive to execute a Cooperative Agreement with the City of Kansas City, Missouri, relating to a tax notice pilot project for the County's delinquent land tax foreclosure sale. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 1 - Scott Burnett

(ADOPTED)

[5207](#)

Health and Environment Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

Finance and Audit Committee moved to adopt Ordinance #5197.

Ronald E. Finley objected to the Consent Agenda.

Ronald E. Finley asked Jay Haden, County Counselor, if there was a limit on the amount the County Counselor could authorize for payment on contracts let by his office that will not come before the County Legislature for approval.

Jay Haden replied that there is no limit in the ordinance. He said depositions are usually no more than \$1,000.00 and mediations are usually no more than \$2,500.00.

Ronald E. Finley asked Jay Haden to submit a quarterly report to the County Legislature with regards to these payments. Jay Haden agreed.

Ronald E. Finley withdrew his objection to the Consent Agenda.

[5197](#)

Consent Agenda.

[5200](#)

Consent Agenda.

Ronald E. Finley objected to the Consent Agenda.

He said the developer wants to build a major project in Jackson County, Missouri and he understands there are concerns in the neighborhood. He understands the transportation issue but said based on the testimony he heard, he questions their motivation.

Comments by Crystal Williams.

[5200](#)

A motion was made by Jeanie Lauer, seconded by Tony Miller, to adopt Ordinance #5200, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 4.4 ± acre tract from District B (Two-Family Dwelling) to District LBp (Local Business Planned). The motion passed by a roll call vote:

Yes: 5 - Crystal Williams, Tony Miller, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

No: 3 - Jalen Anderson, Ronald E. Finley and Charlie Franklin

Absent: 1 - Scott Burnett

(ADOPTED)

[5201](#)

Consent Agenda.

[5202](#)

Consent Agenda.

[5205](#)

Consent Agenda.

8 RESOLUTIONS IN COMMITTEE[20094](#)

A RESOLUTION authorizing the County Executive to execute an Agreement for Services with the Mid-America Regional Council, at an cost to the County not to exceed \$180,000.00, relating to the Jackson County Charter Review Commission.

(Rules Committee - 2nd. Meeting)

[20098](#)

A motion was made by Jeanie Lauer, seconded by Crystal Williams, to approve the Justice and Law Committee Substitute dated March 11, 2019 for Resolution #20098. The motion passed by a voice vote. Consent Agenda.

(APPROVED)

[20099](#)

Health and Environment Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5207](#) AN ORDINANCE appropriating \$61,000.00 from the undesignated fund balance of the 2019 General Fund representing a stipend awarded by Blue Cross and Blue Shield of Kansas City to be used to fund an Associate Wellness Reimbursement Program.
(PERFECTED)

[5197](#) AN ORDINANCE repealing section 241., Jackson County Code 1984, relating to the County Counselor, and enacting, in lieu thereof, one new section relating to the same subject.
(ADOPTED)

[5201](#) AN ORDINANCE transferring \$50,000.00 within the 2019 Park Enterprise Fund and appropriating \$275,000.00 from the undesignated fund balance of the 2019 Grant Fund in acceptance of a supplemental grant received from the Missouri Department of Natural Resources, Division of State Parks Land and Water Conservation Fund Program for use by the Parks + Rec Department.
(ADOPTED)

[5202](#) AN ORDINANCE appropriating \$3,000.00 from the undesignated fund balance of the 2018 Grant Fund in acceptance of a grant received from the U.S. Food and Drug Administration Grant Program, for use by the Environmental Health Division of the Public Works Department.
(ADOPTED)

[5205](#) AN ORDINANCE appropriating \$200,000.00 from the undesignated fund balance of the 2019 General Fund representing an advance payment of insurance proceeds to be used to fund repairs to and the restoration of the downtown Jackson County Courthouse, necessitated by recent water damage.
(ADOPTED)

[20098](#) A RESOLUTION transferring \$56,490.00 within the 2018 General Fund to cover the cost of three new positions within the Department of Corrections.
(ADOPTED)

[20099](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the Mid-America Regional Council (MARC) Solid Waste Management District to provide access to the Regional Household Hazardous Waste Centers for the residents of the unincorporated county, at a cost to the County not to exceed \$24,594.00.
(ADOPTED)

*Ordinance #5207 was moved to the Consent Agenda for perfection.
Ordinances #5197, #5201, #5202, #5205 and Resolutions #20098 and
#20099 were moved to the Consent Agenda for adoption.*

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley,
Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 1 - Scott Burnett

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5208](#) Repealing sections 525., Jackson County Code, 1984, relating to County fiscal policy.

(Assigned to the Rules Committee.)

[5209](#) Amending sections 5210. and 5233. and enacting sections 5267 and 5268, Jackson County Code, 1984, relating to the traffic code, with a penalty provision.

(Assigned to the Justice and Law Enforcement Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20101](#) A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Resolution #20101, authorizing the Jackson County Legislature to hold a closed meeting on Monday, March 11, 2019, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley,
Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 1 - Scott Burnett

(ADOPTED)

Jay Haden said there will be no action needed after the closed session.

[20102](#) Awarding a five-month term and supply contract with four twelve-month options to extend, for the furnishing of galvanized and aluminized type 2 corrugated culvert pipe and fittings for use by the Public Works Department to Kansas City Winwater Works Company of Kansas City, MO, under the terms and conditions of City of Kansas City, Missouri Contract No. EV2571, an existing government contract.

(Assigned to the Public Works Committee.)

- [20103](#) Awarding contracts for the maintenance of computer hardware and software for use by various County departments to certain vendors, at an aggregate cost to the County not to exceed \$230,412.00, as sole source purchases.
(Assigned to the Finance and Audit Committee.)
- [20104](#) Transferring \$70,500.00 within the 2019 County Improvement Fund and awarding a contract for the furnishing of a compensation study for use by the Human Resources Department to Evergreen Solutions, LLC of Tallahassee, FL, under the terms and conditions of Request for Proposals No. 55-18, at an actual cost to the County in the amount of \$70,500.00.
(Assigned to the Finance and Audit Committee.)
- [20105](#) Awarding a twelve-month term and supply contract, with two twelve-month options to extend, for the furnishing of financial advisory services for use by the Jackson County Administration to Springsted, Inc., of St. Paul, MN, under the terms and conditions of Request for Qualifications No. 66-18.
(Assigned to the Finance and Audit Committee.)
- [20106](#) A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Resolution #20106, awarding a twelve-month term and supply contract with three twelve-month options 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. The motion passed by a roll call vote:
Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin
Absent: 1 - Scott Burnett

(ADOPTED)
- [20107](#) Authorizing the County Executive to execute an extension to the cooperative agreement with Ryan Samuelson of Kansas City, MO, to serve as the Community Engagement Coordinator of the East Patrol Pilot Project, for the furnishing of project consulting services as part of the SMART Prosecution grant, at no additional cost to the County.
(Assigned to the Justice and Law Enforcement Committee.)
- [20108](#) Authorizing the Prosecuting Attorney to execute an extension to the contract with Seyferth, Blumenthal, and Harris, LLC, for outside legal services related to collective bargaining contract negotiations, at a cost to the County not to exceed \$50,000.00.
(Assigned to the Justice and Law Enforcement Committee.)

12 COUNTY EXECUTIVE ORDERS[19-06](#)

I hereby make the following appointment to the Jackson County Board of Equalization:

Forestine Beasley is appointed to fill the vacancy occasioned by the expiration of the term of Gerry Winship, for a new term to expire December 31, 2021. A copy of Ms. Beasley's resume' is attached.

[19-07](#)

Pursuant to section 9057, Jackson County Code I hereby make the following appointment and reappointment to the Housing Resources Commission:

Crystal Williams is appointed to fill the vacancy occasioned by the expiration of the term of Alfred Jordan, for a new term to expire December 31, 2022.

Patricia Turner is reappointed for a term to expire October 31, 2022.

13 UNFINISHED BUSINESS

Jalen Anderson, County Legislator, said with the passage of Ordinance #5200 and the building of the halfway house, he urges the County Legislature to watch what happens in Blue Summit, Missouri. He said there was an overwhelming amount of people for and against this project. He said it is key that this facility is protected by the county and the legislature must work with the Sheriff's Department to stay focused on this area. He said he voted no because this is a for profit group. He said it is dangerous what a for profit group can bring into this realm when we are trying to integrate people back into society.

Ronald E. Finley thanked Ms. Beasley for her continued willingness to serve the citizens of Kansas City and Jackson County, Missouri. She was in attendance.

Tony Miller said with regards to the halfway house (Ordinance #5200), he had two concerns regarding transportation and residents who would be placed in the facility. He said there is a document on file in the County Clerk's office regarding these two issues if anyone is interested.

14 NEW BUSINESS

Closed meeting per Resolution #20101. The closed meeting may be followed by the introduction and adoption of a Resolution in open session to authorize the settlement of a legal action, cause of action, or litigation matter.

The County Legislature went into closed session.

The County Legislature reconvened.

15 ADJOURNMENT

A motion was made by Crystal Williams, seconded by Charlie Franklin, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, March 18, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.