



# 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, April 8, 2019**

**1:00 PM**

**Fifteenth 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 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

**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 Scott Burnett to approve the journal of the previous meeting held on April 01, 2019. The motion passed by a voice vote.

**4 HEARINGS**

*Troy Schulte, City Manager for Kansas City, Missouri, and Donna Maize, Assistant City Manager for Public Safety, addressed the Legislature.*

*Troy Schulte said that the City of Kansas City was there to gauge if there was any interest by the County in pursuing an agreement whereby the City would lease the space at the Regional Correctional Center (RCC) for up to one year until the City could complete its own jail facility for the housing of approximately 80 to 100 detainees. He said that the City would staff the facility with police department officers and pay all costs for housing the detainees. The City is seeking the RCC space for lease at a market rate. Troy Schulte said that they City had found alternative housing for the City's sentenced inmates, but for efficiency and logistical reasons, using the RCC location is a good centralized solution for holding these detainees.*

*Frank White Jr., County Executive, thanked Mr. Schulte for appearing at the Legislative meeting. He stated that this was the first he'd heard of this proposal and would have to give this plan some additional thought. He said that Sheriff Forte' has control of the jail and that they both share concern for the safety of the people at the jail.*

*Theresa Galvin, Chair of the Legislature, said that she thinks it is in our best interest to work with our neighbors in a partnership for a regional jail solution. She said that in looking at the Charter it says that the Sheriff is responsible for the County inmates at the jail, not those City detainees at the RCC. Additionally, the Legislature has control and power to rent and lease properties in the County. She said she would lead the charge in pursuing a plan to find a compromise on this issue.*

*Dan Tarwater III, County Legislator, said that he understands that the time for a regional combined jail may have passed. But, he said, the Administration has stated that they plan to mothball this space. The convenience for this location for detainees that will bond out quickly makes this a logical solution.*

*Crystal Williams, County Legislator, asked what would be the downside to leasing this space to the City, given that they intend to assume costs, maintenance, and all expenses. We need this partnership with the City, even as we move forward with a new jail facility. Crystal Williams said she does not think that holding detainees at the patrol stations is in the best interests of the citizens of Kansas City.*

*Jeanie Lauer, County Legislator, asked Mr. Schulte about the City's plans for a permanent jail for all of the City's sentenced inmates and detainees. He said that they are looking to operate about a 440 bed facility. He said the RCC gives them more flexibility and a centralized holding location.*

*Jay Haden, Interim County Counselor, said that the Charter does authorize the Legislature the power to lease vacant space and if the Sheriff's intent is to mothball this space, then that becomes important. If the Sheriff has another use for this space, then he doesn't think the Legislature has the authority to lease space without the consent or recommendation of the Sheriff. Theresa Galvin asked if the County is actually using this space because it is her understanding that the City is currently leasing the facility.*

*Sheriff Darryl Forte' said that his primary concern was for a contingency plan if they had to move inmates from the jail in the case of an emergency. He read from the grand jury report related to the jail. He asked, why would the County want to rent out a facility that is seen as one of the worst jails in the country? The Sheriff said that citizens are not distinguishing between the RCC and the jail as a whole. He said we need to use this space for programs. He said he is concerned about the perception of how we treat people. He said that if there was a disaster, they would need the space. Sheriff Forte' said that reduced numbers of inmates at the jail would help them do what needs to be done to ensure the safety of the detainees.*

*Scott Burnett, County Legislator, said that if we are going to use this space for programs, he does not see how the space then can be used for housing inmates. He said, they have been told that the County cannot take state charged inmates into the RCC space because it is not adequately secured for those inmates.*

*Diana Turner, Director of the Department of Corrections, said that the DOC has offices on its fifth floor for population control and mental health professionals. She said that the Department does need to use this space.*

*Theresa Galvin said that this discussion needs additional exploration and is a topic the Legislature will need to act on quickly.*

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

*None.*

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

[5208](#)

Rules Committee moved to perfect. Consent Agenda.

[5214](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.00 ± acre tract from District AG (Agricultural) to District RE (Residential Estates), to create two single family residential lots.

*(Land Use Committee - 1st. Perfection)*

*The Land Use Committee will have a public hearing regarding Ordinance #5214 on Monday, April 29, 2019 at 12:45 p.m. in the Kansas City Legislative Assembly Area.*

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

**8 RESOLUTIONS IN COMMITTEE**

Theresa Galvin asked Ed Stoll, Chief Administrative Officer, to provide the evaluations on the vendors listed in Resolution #20105. He agreed.

Ed Stoll read a statement he prepared to the County Legislature regarding Resolution #20105.

[20105](#)

A motion was made by Dan Tarwater III, seconded by Scott Burnett, to hold Resolution #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. The motion passed by a voice vote.

(APPROVED)

Action on Resolution #20124 was deferred until after the closed session.

After the closed session, Jay Haden, Deputy County Counselor, said he would revise the contract attached to the resolution from a year severance to 6 months severance. He said he would also correct a minor error in the total amount to be paid annually to Mr. Covinsky.

The County Legislature voted on Resolution #20124 with the revisions to the contract as outlined by Jay Haden.

[20124](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Resolution #20124, authorizing the County Executive to execute an Employment Agreement with Bryan O. Covinsky of Lee Summit, MO, to serve as the County Counselor for a term expiring December 31, 2022. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

(ADOPTED)

[20125](#)

Land Use Committee moved to adopt. Consent Agenda.

[20127](#)

Public Works Committee moved to adopt. Consent Agenda.

[20128](#)

Public Works Committee moved to adopt. Consent Agenda.

[20129](#) Public Works Committee moved to adopt. Consent Agenda.

[20130](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20131](#) Anti-Drug Committee moved to adopt. Consent Agenda.

**9 CONSENT AGENDA**

[5208](#) AN ORDINANCE repealing sections 525., Jackson County Code, 1984, relating to County fiscal policy.  
(PERFECTED)

[20125](#) A RESOLUTION awarding a twelve-month term and supply contract with three twelve-month options to extend for the furnishing of pro shop articles for resale by the Parks + Rec Department to Taylor Made Golf Co, Inc., of Carlsbad, CA, as a proprietary purchase.  
(ADOPTED)

[20127](#) A RESOLUTION awarding a contract on Bid No. PW 01-2019 for the 2019 Pavement Maintenance Project (asphaltic concrete overlay), No. 3232, to Superior Bowen Asphalt Co., LLC, of Kansas City, MO, at an actual cost to the County not to exceed \$1,474,368.10, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.  
(ADOPTED)

[20128](#) A RESOLUTION awarding a contract on Bid No. PW 02-2019 for the 2019 Pavement Maintenance Project, Phase 2 (Chip Seal), No. 3233, to Vance Brothers, Inc., of Kansas City, MO, at an actual cost to the County not to exceed \$915,955.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.  
(ADOPTED)

[20129](#) A RESOLUTION awarding a contract on Bid No. PW 03-2019 for the 2019 Pavement Maintenance Project, Phase 3 - Pavement Marking, No. 3234, to Streetwise Inc., of Grandview, MO, at an actual cost to the County not to exceed \$91,903.83, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.  
(ADOPTED)

[20130](#) A RESOLUTION transferring \$9,700.00 within the 2019 General Fund for the purchase of chairs for the Communications Unit within the Sheriff's Office from an existing County term and supply vendor.  
(ADOPTED)

[20131](#) A RESOLUTION authorizing the County Executive to execute cooperative agreements with certain municipalities within Jackson County for the purpose of funding their 2019 Drug Abuse Resistance Education (DARE) and related programs, at an aggregate cost to the County not to exceed \$1,174,640.00.  
(ADOPTED)

*Ordinance #5208 was moved to the Consent Agenda for perfection.  
Resolution #20125, #20127, #20128, #20129, #20130 and #20131 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: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

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

[5215](#) Appropriating \$3,154.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of insurance proceeds for the repair of a vehicle for use by the Environmental Health Division of the Public Works Department.  
*(Assigned to the Health and Environment Committee.)*

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

[20134](#) Transferring \$25,000.00 within the 2019 General Fund to cover the cost of temporary staffing within the Public Works Department's Facilities Management Division.  
*(Assigned to the Public Works Committee.)*

[20135](#) Awarding a twelve-month term and supply contract with two twelve-month options to extend for the furnishing of heavy equipment maintenance and repair, for use by the Public Works Department to G.W. Van Keppel of Kansas City, KS, as a sole source purchase.  
*(Assigned to the Public Works Committee.)*

- [20136](#) Authorizing the County Executive to execute a Program Agreement with the Missouri Department of Health and Senior Services for a summer food service program, with reimbursed costs to be paid to the County.  
*(Assigned to the Health and Environment Committee.)*
- [20137](#) Awarding a twelve-month term and supply contract with four twelve-month options to extend, for the furnishing of drug and alcohol testing for use by the Human Resources, Public Works, and Parks + Rec Departments, and the Sheriff's Office, to Test Smartly Labs of Overland Park, KS, under the terms and conditions of Request for Proposals No. 03-19.  
*(Assigned to the Finance and Audit Committee.)*
- [20138](#) Authorizing the County Counselor to execute Legal Services Agreements with Seyferth, Blumenthal & Harris LLC of Kansas City, MO, at an aggregate cost to the County in 2019 not to exceed \$127,000.00.  
*(Assigned to the Legislature As A Whole.)*
- [20139](#) Authorizing the Director of Finance and Purchasing to execute an installment payment agreement with Converge One Company of Overland Park, KS, under an existing term and supply contract, for the furnishing of a hyper-converged virtual server platform for use by the Information Technology Department, at an actual cost to the County of \$105,011.30 for 2019, and a total five-year cost of \$525,056.48.  
*(Assigned to the Finance and Audit Committee.)*

## 12 COUNTY EXECUTIVE ORDERS

- [19-13](#) Pursuant to chapter 82 of the Jackson County Code, I hereby make the following reappointments and appointment to the Jackson County Community Children's Services Fund Board of Directors:
- The Honorable Ann Mesle is reappointed as a District 1 member for a new term to expire March 31, 2022.
- Rhonda Holman is reappointed as a District 2 member for a new term to expire March 31, 2022.
- Dr. Robert Bartman, Ed.D. is reappointed as a District 4 member for a new term to expire March 31, 2021.
- Brian Kaberline is reappointed as a District 5 member for a new term to expire March 31, 2021.
- Rachelle Styles is reappointed as a District 6 member for a new term to expire March 31, 2021.

Anthony J. Mondaine is appointed to fill the vacancy occasioned by the resignation of Dr. Dred D. Scott, Ed.D. as a District 3 member for a new term to expire March 31, 2020. A copy of Mr. Mondaine's resume is attached.

[19-14](#)

Pursuant to article VII, section 7 of the 2010 Jackson County Charter and section 1803.2 of the Jackson County Code, I hereby appoint James A. Witteman, Jr. as Acting Jackson County Municipal Court Judge to fill the vacancy occasioned by the resignation of Garry Helm for a term to expire on December 31, 2019. A copy of Mr. Witteman's resume is attached.

**13 UNFINISHED BUSINESS**

Ronald E. Finley, County Legislator, asked about the closed meeting notice.

Jay Haden explained that the closed meeting was called after the agenda was published so there is no Resolution on the agenda. However, a revised agenda and activity calendar were distributed with notice of the closed meeting. In addition it was published to the Internet, so notice was given in a timely manner.

**14 NEW BUSINESS**

A motion was made by Dan Tarwater III, seconded by Tony Miller to go into closed meeting for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(1) and (3) of the Revised Statutes of Missouri, and to close all records prepared for discussion at said meeting. The motion passed by a roll call vote.

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin.

The County Legislature went into closed session.

The County Legislature reconvened.

Resolution #20124 was adopted at this time with a revised contract. See page 4 for details.



**15     ADJOURNMENT**

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

*The next legislative meeting is scheduled to be held on Monday, April 15, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.*