



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 18, 2019

1:00 PM

Twelfth Regular Meeting

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

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

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Jalen Anderson, seconded by Crystal Williams to approve the journal of the previous meeting held on March 11, 2019. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

No reports from the County Executive.

Scott Burnett, County Legislator, asked Jay Haden about the article written by Mike Hendrix regarding the freedom of information request from the Kansas City Star pertaining to the testimony in front of the grand jury. Jackson County refused to give the documents. As a result the case went to court and the judge ruled in favor of the Kansas City Star. So Jackson County had to turn over the documents and pay legal fees in the amount of \$13,400.00. He asked why the County Legislature was not informed about the lawsuit and the judgement.

Jay Haden, Interim County Counselor, said he was not involved in how it was initiated. He said the Prosecuting Attorney or the Circuit Court had custody of the documents, the County Counselor did not. The Administration believed the documents were covered by grand jury secrecy rules. The Prosecuting Attorney's office disagreed. Under Steve Nixon's direction, Jackson County filed a lawsuit against the Kansas City Star to challenge whether or not they were open records. The Judge decided the County Administration and County Counselor's office did not have standing to raise the issue. State law allows the Kansas City Star to draw their attorney fees. Jackson County Code authorizes that once reduced to judgement, the payment could be made without the County Legislature's approval.

Tony Miller, County Legislator, said the judgement is self executing.

Jay Haden said because it is self executing, it did not have to come before the County Legislature for payment. He said this lawsuit was handled in house.

Discussion regarding settlements and judgements.

Tony Miller asked the County Counselor to advise the County Legislature of these types of judgements in the future.

Ronald E. Finley, County Legislator, asked Jay Haden to email him the case number. He also asked Jay to distribute the opinion from Stephen Nixon regarding the Reports of the County Executive. Jay Haden asked Mr. Finley for additional information as he did not recall such an opinion. Mr. Finley agreed to discuss it with him after the meeting. Jay Haden said if the opinion is in writing he will distribute it.

Theresa Galvin said after the legislative meeting last week she received a call from County Executive Frank White Jr. and he stated that he would not answer any more open questions in this forum. He wanted questions or comments to be noticed up under Hearings on the legislative agenda. She shared this request with other legislators. She said as legislators they have a duty and right to represent their constituents and they will ask questions in an open forum if needed. She will not stop any legislator from doing their job. It is the County Executive's decision not to answer and she will respect his decision.

She acknowledged Sheriff Forte in the audience.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5208](#) AN ORDINANCE repealing sections 525., Jackson County Code, 1984, relating to County fiscal policy.
(Rules Committee - 1st. Perfection)

[5209](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5207](#) 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 - 3rd. Meeting)

[20102](#) Public Works Committee moved to adopt. Consent Agenda.

[20103](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[20104](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[20105](#) A RESOLUTION 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.
(Finance and Audit Committee - 1st. Meeting)

[20107](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20108](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

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

(PERFECTED)

[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.

(ADOPTED)

[20102](#) A RESOLUTION 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.

(ADOPTED)

[20103](#) A RESOLUTION 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.

(ADOPTED)

[20104](#) A RESOLUTION 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.

(ADOPTED)

[20107](#) A RESOLUTION 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.

(ADOPTED)

[20108](#) A RESOLUTION 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.

(ADOPTED)

*Ordinance #5209 was moved to the Consent Agenda for perfection.
Ordinance #5207 and Resolutions #20102, #20103, #20104, #20107 and #20108 were moved to the Consent Agenda for adoption.*

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

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

Absent: 1 - Dan Tarwater III

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5210](#)

A motion was made by Tony Miller, seconded by Scott Burnett to perfect Ordinance #5210. The motion passed by a voice vote.

(PERFECTED)

[5210](#)

A motion was made by Tony Miller, seconded by Scott Burnett, to adopt Ordinance #5210, appropriating \$500.00 from the undesignated fund balance of the 2019 Park Fund in acceptance of a donation of funds by the Society of Friends of Fort Osage. The motion passed by a roll call vote:

Yes: 6 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Jeanie Lauer and Theresa Galvin

Absent: 3 - Jalen Anderson, Crystal Williams and Dan Tarwater III

(ADOPTED)

[5211](#)

Appropriating \$1,000,000.00 from the undesignated fund balance of the 2019 General Fund in acceptance of insurance proceeds to be used to fund repairs to and the restoration of the downtown Jackson County Courthouse, necessitated by recent water damage.

(Assigned to the Finance and Audit Committee.)

[5212](#)

Repealing section 5628., Jackson County Code, 1984, relating to fireworks, and enacting, in lieu thereof, one new section relating to the same subject.

(Assigned to the Rules Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20109](#)

A motion was made by Scott Burnett, seconded by Ronald E. Finley, to adopt Resolution #20109, authorizing the Jackson County Legislature to hold a closed meeting on Monday, March 18, 2019, 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 closing all records prepared for discussion at said meeting. The motion passed by a roll call vote:

Yes: 7 - Jalen Anderson, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Jeanie Lauer and Theresa Galvin

Absent: 2 - Crystal Williams and Dan Tarwater III

(ADOPTED)

- [20110](#) Authorizing the County Executive to execute cooperative agreements with certain organizations which provide assistance to homeless persons, at an aggregate cost to the County not to exceed \$275,000.00.
(Assigned to the Health and Environment Committee.)
- [20111](#) Authorizing the County Executive to execute Cooperative Agreements with certain agencies that provide services and assistance to victims of domestic violence, at an aggregate cost to the County not to exceed \$91,560.00.
(Assigned to the Health and Environment Committee.)
- [20112](#) authorizing the County Executive to execute a Second Addendum to the Agreement with Ad Hoc Group Against Crime of Kansas City, MO, for the furnishing of victim and witness support services for use by the Prosecuting Attorney's Office, at an additional cost to the County not to exceed \$150,000.00.
(Assigned to the Anti-Drug Committee.)
- [20113](#) Authorizing the County Executive to execute Cooperative Agreements with certain outside agencies that provide public health-related and other public services to citizens of Jackson County, at an aggregate cost to the County not to exceed \$3,302,677.00.
(Assigned to the Budget Committee.)
- [20114](#) A motion was made by Scott Burnett, seconded by Jalen Anderson, to adopt Resolution #20114, authorizing the Director of Finance and Purchasing to issue a check in the amount of \$1,000.00 to Bridging the Gap, for sponsorship of its "Gala Event Plastics The Planet & You" event, to be held May 11, 2019, in Kansas City, MO. The motion passed by a roll call vote:
Yes: 7 - Jalen Anderson, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Jeanie Lauer and Theresa Galvin
Absent: 2 - Crystal Williams and Dan Tarwater III
- (ADOPTED)
- [20115](#) Authorizing the Director of Public Works to execute a change order to the contract with Delta Innovative Services of Kansas City, KS, for the replacement of the roof at the Eastern Jackson County Courthouse, at an additional cost to the County not to exceed \$13,769.00.
(Assigned to the Public Works Committee.)

- [20116](#) Awarding a contract for the leasing of golf carts for use by the Parks + Rec Department, to M & M Golf Cars of Lee's Summit, MO, at a cost to the County not to exceed \$3,500.00.
(Assigned to the Land Use Committee.)
- [20117](#) Awarding a twelve-month contract for access to real estate market and lease data, for use by the Assessment Department to CoStar Realty Information of Washington, DC, as a sole source purchase, at an actual cost to the County not to exceed \$11,856.00.
(Assigned to the Finance and Audit Committee.)
- No objection to the consideration of Resolution #20118 - not on the printed agenda.*
- [20118](#) A motion was made by Tony Miller, seconded by Jalen Anderson, to adopt Resolution #20118, approving the settlement by the County Counselor of the claims of Nicholas Ayers, in the case styled Nicholas Ayers v. Jackson County, Missouri, et al., No. 17-00187-CV-DK, now pending in United States District Court for the Western District of Missouri, for a total payment by the County of \$50,000.00. The motion passed by a roll call vote:
Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Charlie Franklin, Jeanie Lauer and Theresa Galvin
Absent: 3 - Crystal Williams, Scott Burnett and Dan Tarwater III
(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

- [19-08](#) Pursuant to RSMo 141.981, I hereby appoint Ulysses Maurice Clayborn to the Land Bank of Kansas City, Missouri, for a term to expire on March 18, 2023 to fill the vacancy occasioned by the resignation of Howard T. Townsend. A copy of Mr. Clayborn's resume is attached.
- [19-09](#) I hereby make the following appointments to the Jackson County Board of Services for the Developmentally Disabled - EITAS:
- Ed Van Haele is appointed to a new term to expire December 31, 2021, occasioned by the expiration of the term of Lisa Honn. Mr. Van Haele's resume is attached.
- Angela Segovia, is appointed to a new term to expire December 31, 2021, occasioned by the expiration of the term of Anita Parran. Ms. Segovia's resume is attached.
- Susan Borgmeyer, is appointed to a new term to expire December 31, 2021, occasioned by the expiration of the term of India Williams. Ms.

Borgmeyer's resume is attached.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

The County Legislature went into closed session.

Closed meeting per Resolution #20109. 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 reconvened.

Resolution #20118 was adopted at this time. See page 7 for details.

15 ADJOURNMENT

A motion was made by Tony Miller, seconded by Jeanie Lauer, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, March 25, 2019 at 1:00 P.M. at the Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri, Ground Floor, Legislative Chambers.