



Office of  
**Mary Jo Spino**  
Clerk of the County Legislature

# Jackson County Missouri

## JOURNAL

### County Legislature

*Jeanie Lauer (5th) 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), DaRon McGee (4th),*  
*Sean E. Smith (6th)*

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

**Monday, November 18, 2024**

**3:00 PM**

**Forty-fourth Regular Meeting**

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

Jeanie Lauer, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

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

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

A motion was made by Megan L. Marshall, seconded by Jalen Anderson to approve the journal of the previous meeting held on November 14, 2024. The motion passed by a voice vote.

**4 HEARINGS**

None.

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

Caleb Clifford, Chief of Staff, said there were no reports. The County Executive was not present.

Sean E. Smith, County Legislator, said the recommended budget books were received on Friday, November 15, 2024. However, he noted that the 2023 actuals were incomplete and the 2024 actuals were not listed. He asked if they would receive a revised recommended budget with complete information. Troy Schulte, County Administrator, said the 2024 actuals through November 15 were emailed to legislators in a separate email. He explained that there was no way to upload actuals from Workday to Questica which is the budget software. He said they are working on a manual fix for the adopted budget. Mr. Smith inquired again about the incomplete 2023 actuals. Mr. Schulte said they should be included in the recommended

budget. Sean E. Smith said it is not. He said it is difficult for him to consider adopting a budget not being able to see what was historically spent. Troy Schulte said he will look into it as he was not aware of any issues.

Sean E. Smith said some legislators have received a letter from the City of Lee's Summit, Missouri regarding their request for an easement and some issues that have arisen with executing the paperwork on a timely basis. The easement is on the Rock Island trail. He asked for information from the Administration regarding the easement. Troy Schulte said this issue can be discussed in closed session since there is litigation pending. He said the easement is for access through Rock Island for road realignment. He said as explained by Jackson County's Parks + Rec Department, the original agreement between the city of Lee's Summit and Jackson County was for a 30 foot alternative right of way for a trail realignment but the agreement the City sent to the County was for a 10 foot right of way, which the County believes is too narrow to operate the Rock Island Trail. He can give more details in a closed session.

Manuel Abarca IV asked about the senior property tax freeze and how the STC ruling will impact their application. Troy Schulte said the freeze will be based on the 2024 base or the revised base whichever is lower. There is no reason to delay in completing the application.

Manuel Abarca IV asked for an update on the STC court case and instructions on how to pay under protest. Bryan Covinsky, County Counselor, said pretrial dates have been set for January 6-8, 2025. Whitney Miller, Chief Deputy County Counselor, said taxpayers do not need to pay under protest to receive a refund if there is a value reduction. If a taxpayer chooses to pay under protest, payment must be timely and accompanied by a written communication indicating the value of their property. She said instructions are available on the county's website.

Manuel Abarca IV asked when legislators will receive the actuals since budget hearings start tomorrow. Troy Schulte said legislators should have received 2024 actuals via email today. He will make sure reports are sent for 2023 as well. He said legislators will receive more actuals on Tuesday for Wednesday budget hearings and Wednesday for Thursday hearings.

Resolutions #21806 - #21808 were adopted at this time. See page 6 for details.

## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5897](#)

A motion was made by Megan L. Marshall, seconded by Jalen Anderson to perfect Ordinance #5897. The motion passed by a voice vote.

(PERFECTED)

[5897](#)

A motion was made by Venessa Huskey, seconded by Megan L. Marshall, to adopt Ordinance #5897, appropriating \$195,000.00 from the undesignated fund balance of the 2024 Delinquent Sales Tax Fund for the purpose of providing a retention stipend for the Jackson County Prosecuting Attorney's Office. The motion passed by a roll call vote:

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

(ADOPTED)

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

## 8 RESOLUTIONS IN COMMITTEE

A motion was made by Manuel Abarca IV, seconded by Charlie Franklin, to hold Resolution #21641. The motion passed by a voice vote.

[21641](#)

A RESOLUTION authorizing the County Executive or the Chairman of the Legislature to sell the County-owned property located at 1300 Washington Street, Kansas City, MO 64105 via the competitive bidding process.

*(Legislature As A Whole - 17th Meeting)*

[21752](#)

A RESOLUTION awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of construction management at risk services for use by various County Departments to McCown Gordon, of Kansas City, MO, under the terms and conditions of Request for Qualifications No. 24-051.

*(Public Works Committee - 7th. Meeting)*

[21766](#)

A RESOLUTION transferring \$49,500.00 within the 2024 General Fund and authorizing a contract to cover the cost of consultation and proposal services to Colette Holt & Associates Law Firm of San Antonio, TX, at a cost to the County not to exceed \$49,500.00.

*(Legislature As A Whole - 4th. Meeting)*

A motion was made by Manuel Abarca IV, seconded by Sean E. Smith, to hold Resolution #21766. The motion passed by a voice vote.

[21796](#)

Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[21797](#)

Land Use Committee moved to adopt. Consent Agenda.

[21798](#)

Land Use Committee moved to adopt. Consent Agenda.

[21799](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21800](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[21801](#) Public Works Committee moved to adopt. Consent Agenda.

**9 CONSENT AGENDA**

[21796](#) A RESOLUTION transferring \$77,157.00 within the 2024 General Fund and awarding a contract to Siemens Industry, Inc. of Lenexa, KS for fire notification system replacement components and repairs at the Jackson County Detention Center as a sole source purchase.

(ADOPTED)

[21797](#) A RESOLUTION authorizing the County Executive to execute two permanent utility easements in favor of Spire Missouri, Inc. for a fee payable to the County.

(ADOPTED)

[21798](#) A RESOLUTION awarding contracts for the purchase of golf course landscaping equipment for use by Parks + Rec Department to Redexim North America, Inc. of Valley Park, MO, and Van Wall Equipment, Inc. of Lenexa, KS, under the terms and conditions of invitation to Bid No. 24-055 at a cost to the County not to exceed \$82,363.00.

(ADOPTED)

[21799](#) A RESOLUTION awarding a twelve-month term and supply contract, with four twelve-month options to extend, for the furnishing of broker services for workers' compensation and excess liability insurance for use by the Human Resources Department to Cowell Insurance Solutions of Overland Park, KS, under the terms and conditions of Invitation to Bid No. 24-067.

(ADOPTED)

[21800](#) A RESOLUTION awarding a fourteen-month term and supply contract for the furnishing of laboratory drug testing for use by various County Departments to Avertest, LLC., dba Averhealth, of Richmond, Virginia, under the terms and conditions set forth in Johnson County, Kansas Contract No. 2023-019, an existing government contract.

(ADOPTED)

[21801](#) A RESOLUTION declaring certain County-owned equipment and vehicles as surplus property and authorizing its disposal pursuant to Chapter 11 of Jackson County Code, 1984.

(ADOPTED)

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Resolutions #21796, #21797, #21798, #21799, #21800 and #21801 were moved to the Consent Agenda for adoption.

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

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

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5900](#)

Repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges and enacting, in lieu thereof, one new schedule relating to the same subject.

*(Assigned to the Land Use Committee.)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[21802](#)

Transferring \$76,200.00 within the 2024 Park Fund and awarding a contract for the purchase of one Towmaster trailer and one skid steer loader for use by the Parks + Rec Department to K.C. Bobcat of Blue Springs, MO under the terms and conditions of Sourcewell Contract No. 092922-MNR and Sourcewell Contract No. 020223-CEC, both existing, competitively bid government contracts, at an actual cost to the County in the amount of \$76,200.00.

*(Assigned to the Land Use Committee.)*

[21803](#)

Declaring certain County-owned land as surplus real property and authorizing the County Executive to execute an Inter-governmental Cooperative Agreement with the City of Kansas City, Missouri for the purchase of said real property for the construction of a city-owned Rehabilitation and Detention Center.

*(Assigned to the Land Use Committee.)*

[21804](#)

Awarding a four-month term and supply contract with four twelve-month options to extend for the furnishing of pest management for use by various County Departments to National Exterminating Company dba Smithereen Pest Management, of Kansas City, MO, under the terms and conditions of the City of Kansas City, MO Contract No. EV2535, an existing government contract.

*(Assigned to the Finance and Audit Committee.)*

[21805](#) Awarding a contract for construction services for the Stoenner Road Bridge Replacement County Project No. 3247, Federal Project No. BRO-B048 to Dondlinger & Sons Construction Company, Inc., of Wichita, KS, under the terms and conditions of Invitation to Bid No. 24-068 at a cost to the County not to exceed \$877,022.00.

*(Assigned to the Public Works Committee.)*

[21806](#) A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV, to adopt Resolution #21806, recognizing the Month of November as Indigenous Heritage Month. The motion passed by a roll call vote:

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

(ADOPTED)

[21807](#) A motion was made by Manuel Abarca IV, seconded by Megan L. Marshall, to adopt Resolution #21807, recognizing Sidelines Custom Floral Designs founded by Karyn Brooke and her contribution to enriching the community. The motion passed by a roll call vote:

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

(ADOPTED)

[21808](#) A motion was made by Megan L. Marshall, seconded by Jalen Anderson, to adopt Resolution #21808, recognizing Kansas City Friends of Alvin Ailey for their contribution to the Jackson County community. The motion passed by a roll call vote:

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

(ADOPTED)

[21809](#) A motion was made by DaRon McGee, seconded by Manuel Abarca IV, to adopt Resolution #21809, appointing Q. Troy Thomas as Legislative Auditor for a term to expire December 31, 2028. The motion passed by a roll call vote:

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

No: 1 - Jeanie Lauer

(ADOPTED)

No objection to the consideration of Resolutions #21810 and #21811 - not on printed agenda.

[21810](#)

Authorizing the Chairman of the Legislature to execute a First Amendment of the 201 West Lexington Office Space Agreement with Lex LLC of Independence, MO at a cost to the County not to exceed \$63,714.00.  
*(Assigned to the Legislature As A Whole.)*

[21811](#)

Implementing an allocation methodology for the distribution of approximately \$70.4 million in remaining Jackson County American Rescue Plan Act (ARPA) funds by the end of 2024.  
*(Assigned to the Legislature As A Whole.)*

Jeanie Lauer commented on Resolution #21811 and said it must be adopted at the legislative meeting scheduled to be held at 9 a.m. on Wednesday, November 20, 2024 in order for procurement to happen. Troy Schulte agreed.

Manuel Abarca IV asked in what way a resolution appropriates money from the Undesignated Fund balance. Troy Schulte said it does not appropriate, it is a resolution of intent. He said if it is adopted they can begin the procurement process. Mr. Abarca asked how that would occur. Mr. Schulte said it would require the County Legislature to have special meetings to appropriate the money and authorize the contracts. Mr. Abarca asked if a resolution has the ability to allow appropriations and contract authorization. Mr. Schulte said yes, if supported by the County Executive. Mr. Abarca asked if that was in writing anywhere. Mr. Schulte said it is not written but how things are done in Jackson County. Mr. Abarca asked about the status of the Resolution previously passed allocating \$25 million. Mr. Schulte said it is nowhere. Mr. Abarca said it is interesting how there are different sets of rules for the Legislature and Administration.

Manuel Abarca IV asked the Clerk of the County Legislature when the add-on was presented. Mary Jo Spino said she learned of it today.

Mr. Abarca asked the Chairman why this legislation is an add-on and not under New Business. Jeanie Lauer responded that an add-on is legislation that is added to the agenda when the Chairman of the County Legislature and the Clerk of the County Legislature have been notified and it is listed on the agenda under introduction of proposed ordinances or introduction of proposed resolutions. Mr. Abarca stated this is not a rule included in the Rules of the County Legislature.

DaRon McGee, County Legislator, asked how Resolution #21811 regarding the ARPA allocation is different from the previous legislation he introduced. Jalen Anderson, County Legislator, said there is not much difference. Mr.

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McGee clarified with Jeanie Lauer that the County Legislature will be voting on Resolution #21811 prior to budget hearings on November 20th. Ms. Lauer responded yes.

Manuel Abarca IV said he would need more time to review the details of Resolution #21811 since he just received it today.

## 12 COUNTY EXECUTIVE ORDERS

None.

## 13 UNFINISHED BUSINESS

Veto Messages from the County Executive regarding Ordinance #5865 received November 14, 2024 and Ordinances #5895 and #5896 received November 15, 2024.

**Ordinance #5865**, enacting section 5577., Jackson County Code, 1984, relating to possession of firearms and age restriction.

A motion was made by Manuel Abarca IV, seconded by Jalen Anderson, to **override the veto for Ordinance #5865**. The motion **passed** by a roll call vote:

Yes: 7 - Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin and DaRon McGee

No: 2 - Jeanie Lauer and Sean E. Smith

**Ordinance #5895**, appropriating \$70.4 million from the undesignated fund balance of the 2024 American Rescue Plan Fund.

Manuel Abarca asked to override the veto by line item. Bryan Covinsky said the County Charter allows the County Executive to line item veto but does not provide the authority for the County Legislature to do a line item override. Mr. Abarca asked where he could find that in writing since there is nothing in the County Charter that prohibits. Discussion.

Manuel Abarca IV asked about the deadline for procurement. Troy Schulte said agencies need three weeks to respond, so the RFP's will need to go out next weeks. The County Administrator said he would be asking the County Legislature to call special meetings to appropriate the funds and authorize the contracts.

Manuel Abarca IV asked the County Counselor's office to define the difference between an Ordinance and Resolution. Bryan Covinsky responded that resolutions are more short term and based on the individual circumstance. Whitney Miller said she believes there is a misconception that resolutions are non-binding and ordinances are binding. It is more that there



are certain tasks legally done by resolution and ordinance. She said you can have a non-binding resolution but not a non-binding ordinance, but there can also be binding resolutions. Mr. Abarca asked how to identify each. Whitney Miller responded that certain statutes require that certain things be done by ordinance, a list of about 9-10 things, and everything else is a resolution. Mr. Abarca said it is his understanding that monies need to be disbursed by ordinance. He encouraged his colleagues to see the only option available to meet the deadline is to override the veto and pass the only ordinance that has appropriation ability in accordance with law as well as the process suggested in the State Auditor's previous audit.

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to **override the veto for Ordinance #5895**. The motion **failed** by a roll call vote:

Yes: 5 - Donna Peyton, Manuel Abarca IV, Venessa Huskey, DaRon McGee and Sean E. Smith

No: 4 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson and Charlie Franklin

**Manuel Abarca IV asked that his vote be changed to No. The summary of the vote is as follows:**

Yes: 4 - Donna Peyton, Venessa Huskey, DaRon McGee and Sean E. Smith

No: 5 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Manuel Abarca IV, and Charlie Franklin

**Ordinance #5896**, appropriating \$30 million from the undesignated fund balance of the general fund.

No action was taken on the County Executive's veto of this legislation.

## 14 NEW BUSINESS

DaRon McGee, County Legislator, announced a Missouri Senior Property Tax Credit Program (Tax Freeze) Information session hosted by Legislator Charlie Franklin tonight at 6 p.m. at LifeConnection Church, 3883 Blue Ridge Boulevard, Independence Missouri.

Jeanie Lauer said the County Legislature will have a closed meeting on Monday, December 2, 2024 in Kansas City, Missouri to discuss the Lee's Summit easement mentioned earlier in the meeting.

**15     ADJOURNMENT**

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

Meeting adjourned until Wednesday, November 20, 2024 at 9:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.