



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

Jackson County Courthouse
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County Legislature

*Scott Burnett (1st) Chair, Alfred Jordan (2nd) Vice Chair,
Garry J. Baker (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Dennis Waits (3rd), Dan Tarwater III (4th), Greg Grounds (5th),
Theresa Galvin (6th)*

Wednesday, September 5, 2018

11:00 AM

Thirty-fifth Regular Meeting

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

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds 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 Dennis Waits to approve the journal of the previous meeting held on August 27, 2018. The motion passed by a voice vote.

4 HEARINGS

Public hearing on Resolution #19965 expressing the intent of the Legislature that Jackson County reverse all prior voluntary reductions of property tax rates.

Copies of a PowerPoint presentation were distributed to members of the County Legislature. (Available in the Clerk of the County Legislature's office.)

Ed Stoll, Chief Administrative Officer, spoke in favor of Resolution #19965. He said there are numerous substantial needs for additional revenue. Foremost, the need for a new jail facility with early estimates coming in at a minimum of \$10MM - \$12MM annually for 30 years. The current jail requires repairs, upgrades and operational improvements pending the new jail facility. If additional revenue funding remains, the County Legislature could use the monies to address numerous other needs of the County, including: upgrades/repairs to address deferred

maintenance and lack of improvements in other physical facilities such as elevators and fire suppression systems; software and systems upgrades to improve operations and efficiency and ultimately cost savings; and ensuring that all County associates are paid a fair and competitive wage.

Ed Stoll said the Administration would like to work together with the County Legislature to meet these challenges.

Ed Stoll discussed the PowerPoint presentation. He said Jackson County has had voluntary reductions in the tax levy rates four times in the past 10 years. He said un-reversed voluntary reductions have cost Jackson County more than \$165MM in lost revenue over this time.

He said the timeline for legislative action is to adopt Resolution #19965 today, to introduce an ordinance for the tax levy rate for Jackson County on September 17, and to have a public hearing and adopt that ordinance on September 24, 2018.

Ed Stoll stressed that the failure of the County Legislature to act on this legislation today will result in lost revenue and possible future restrictions. He suggested funding priorities for additional revenue from this recommended course of action should be the new jail facility, current jail repairs/upgrades, operational improvements, and other County needs as determined by the County Legislature.

Frank White Jr., County Executive, said he supports Resolution #19965. He said this is the best way to address the County's current needs.

Ed Stoll confirmed that the additional revenue estimate is \$19.5 MM.

Scott Burnett said Ed Stoll sent a document to the County Legislators regarding the additional funding. It was a draft of an addition to the Jackson County Code that can be adopted by ordinance to change Chapter 5 of the Code to establish an Adult Correctional Institution Fund.

Dennis Waits, County Legislator, asked Ed Stoll for a plan showing where the funds will be placed and used.

Greg Grounds, county Legislator, suggested that elected officials be prepared to explain the increase when constituents receive their tax bills. He said the expenditures should be primarily for the jail since it is such a pressing issue. He said he does not see any other realistic avenue to generate money to address the jail.

Crystal Williams, County Legislator, asked if there was any value in the County Legislature having hands on the different mechanisms to fund the jail in the most equitable ways.

Dennis Waits said the use tax is a good mechanism to generate revenue. The Administration has looked at this and believes that the use tax, based on current spending trends, may not be as reliable as once thought.

Crystal Williams said a use tax is layered. She said based on the explanation given she agrees it should stand on its own.

Alfred Jordan, County Legislator, asked why Jackson County did the rollbacks.

Dan Tarwater III, County Legislator, explained that in 2008 and 2009 the rollback was due to the economic times. At one point, he said, 40% of home sales were foreclosures. The reduction of the tax levy was to help citizens in Jackson County, Missouri. He said that by setting up a separate account fund for these additional revenues we will be receiving as a result of Resolution #19965, we have a plan to use the funds for the jail as they will not be a part of the General Fund. He said we need help not only with the jail but also with the Assessment Department.

Tony Miller, County Legislator, said he will explain to his constituents that it is the most direct route to deal with the jail.

Garry Baker, County Legislator, asked Ed Stoll if this would also affect personal property tax as well.

Ed Stoll said it would affect personal property but no figures have been estimated.

Theresa Galvin, County Legislator, said there are other facility issues besides the jail that need to be addressed, such as the elevators in the Kansas City Courthouse and raises for lower grade county employees. She said she agrees with Crystal Williams about the need for oversight of any specially created account fund.

Scott Burnett asked Ed Stoll to send a breakdown of how the funds will be used to all legislators.

Tony Miller asked if there were any restrictions on how the monies can be

spent.

Jay Haden, Chief Deputy County Counselor, said the only restriction on expenditures is the provision within the Health Fund that states once we start using Health Fund monies, you cannot go back to using General Funds for that purpose. He said this plan will be a creature of county government and not state law and can be adjusted to meet Jackson County needs as the fund is a subset of the County General Fund.

Dennis Waits said the Administration is committed to the jail. He asked if the County Legislature can monitor this in the future if a new Administration did not feel the same way.

Jay Haden said the ordinance can be modified and subject to the annual budget process.

Alfred Jordan asked about page 16 of the PowerPoint presentation. He asked if the amounts in the other funds such as the Health Fund and Road and Bridge Fund were flat?

Ed Stoll responded that the other funds would have slight increases.

With no one else present to testify, the public hearing was closed.

Frank White Jr., thanked the County Legislature for listening to the Administration's presentation.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5135](#)

Land Use Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[19955](#)

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

[19965](#)

A motion was made by Dennis Waits, seconded by Crystal Williams, to adopt Resolution #19965, expressing the intent of the Legislature that Jackson County reverse all prior voluntary reductions of property tax rates. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

Greg Grounds, County Legislator, complimented the County Executive's office for talking out the issues. He said he believes this cordial relationship is a good sign.

Garry Baker, County Legislator, concurred.

[19967](#)

Finance and Audit Committee moved to adopt. Consent Agenda.

Discussion.

[19968](#)

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

9 CONSENT AGENDA

[5135](#)

AN ORDINANCE appropriating \$10,000.00 from the undesignated fund balance of the 2018 Special Road & Bridge Fund to cover the proceeds of the Billy Goat Industries lease for a portion of the Rock Island Rail Corridor Right of Way.

(PERFECTED)

[19955](#)

A RESOLUTION transferring \$1,730,744.00 within the 2018 General Fund, \$37,393.00 within the 2018 Health Fund, and \$141,991.00 within the 2018 Anti-Drug Sales Tax Fund, to cover budget shortfalls for overtime within the Department of Corrections.

(ADOPTED)

[19967](#)

A RESOLUTION partially rescinding Resolution 19849, dated June 11, 2018, and authorizing the Chair of the Legislature to execute an agreement with Great Plains SPCA for its HERO program, at a cost to the County not to exceed \$150,000.00.

(ADOPTED)

[19968](#) A RESOLUTION authorizing the Sheriff to execute a Memorandum of Understanding with the Missouri Department of Health and Senior Services, to provide for the administration of naloxone treatments by Sheriff's Office personnel in emergency situations.

(ADOPTED)

*Ordinance #5135 was sent to the Consent Agenda for perfection.
Resolutions #19955, #19967 and #19968 were sent to the Consent Agenda for adoption.*

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

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5136](#) Appropriating \$12,227.00 from the undesignated fund balance of the 2018 Federal Forfeiture Fund for the purchase of a bi-directional amplifier (BDA) from Commenco Technology Solutions of Lee's Summit, MO, under an existing County term and supply contract, for use by the Sheriff's Office at the Independence Courthouse.

(Assigned to the Justice and Law Enforcement Committee.)

[5137](#) A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5137. The motion passed by a voice vote.

(PERFECTED)

[5137](#) A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5137, appropriating \$10,100.00 from the undesignated fund balance of the 2018 Park Fund in acceptance of insurance proceeds for the repair of hail damage to a 2018 Ford Explorer Police Interceptor for use by the Parks + Rec Department. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5138](#) A motion was made by Crystal Williams, seconded by Dennis Waits to perfect Ordinance #5138. The motion passed by a voice vote.

(PERFECTED)

[5138](#)

A motion was made by Crystal Williams, seconded by Dennis Waits, to adopt Ordinance #5138, appropriating \$9,690.00 from the undesignated fund balance of the 2018 Health Fund in acceptance of funds received from the Missouri Department of Health and Senior Services for the opioid and violent death tracking program. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5139](#)

Appropriating \$2,380.00 from the undesignated fund balance of the 2018 General Fund, to cover the 2017 Family Court Division library fees.

(Assigned to the Justice and Law Enforcement Committee.)

Ordinance #5137 was assigned to Land Use, but Tony Miller, County Legislator, asked to reconsider it at this time. He then made motions to perfect and adopt the legislation. See page 4 for details.

[5140](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits to perfect Ordinance #5140. The motion passed by a voice vote.

(PERFECTED)

[5140](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to adopt Ordinance #5140, transferring \$60,000.00 within and appropriating \$297,317.00 from the undesignated fund balance of the 2018 Anti-Drug Sales Tax Fund in acceptance of the 2018 Edward Byrne Memorial Justice Assistance Grant awarded to the Multi-Jurisdictional Drug Task Force. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[19969](#)

A motion was made by Dennis Waits, seconded by Dan Tarwater III, to adopt Resolution #19969, authorizing the Jackson County Legislature to hold a closed meeting on Wednesday, September 5, 2018, 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: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

Stephen Nixon, County Counselor, said no action will be needed after the closed session.

[19970](#)

Awarding a thirty-six month term and supply contract with two twelve-month options to extend for the furnishing of elevator maintenance and as needed repairs for use by Public Works Department to Schindler Elevator Co. of North Kansas City, MO, under the terms and conditions of Invitation to Bid No. 37-18.

(Assigned to the Finance and Audit Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Closed meeting per Resolution #19969. 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 Dan Tarwater III, seconded by Greg Grounds, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, September 10, 2018 at 2:30 P.M. at the Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri, Ground Floor, Legislative Chambers.