



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

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)*

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

Monday, July 22, 2019

1:00 PM

Twenty-ninth 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, 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 Charlie Franklin, seconded by Tony Miller to approve the journal of the previous meeting held on July 15, 2019. The motion passed by a voice vote.

4 HEARINGS

Judge David Byrn, Presiding Judge, said he was unable to attend the legislative meeting last week but he watched the video. He wanted to share his thoughts with the County Legislature regarding repairs at the Jackson County Courthouse as a result of the water damage. He said they finished the scope of work with BNIM in March and the contract has not yet been executed so we have lost another week. He inquired today about the contract and was told that it was awaiting review by the County Counselor prior to it being signed. He is told it will be another 3-4 months to complete the project so realistically it will be a year before work in the courthouse is started which is problematic. He said his concern is not only for the courts but also the taxpayers. He said the courts have engaged in discussions regarding the work to be done. It is his understanding that Jackson County has funds to get the work done and can then get reimbursed by the insurance company. He said it has been 6 months since the damage and 4 months since the scope of work and contract was completed. He said he

is not confident that there will be any betterment. He stated that the courts just want the courtrooms repaired to the extent they were prior to the flooding. He informed the Legislature that the court administrator's office is operating in a building where the air conditioning is not fully operational, they are working from tables not desks and there are 2-3 people to an office which makes it difficult for confidentiality. They hoped this displacement would be temporary. The courts have sent a request to the Administration requesting space in the Kansas City courthouse so they can move back into the building.

With regards to the elevators, he said the courts did not ask for rear doors. He said he did inquire about rear doors in the garage elevators used to transport detainees and was told it was under discussion. The courts do not want rear doors on other elevators due to the noise, security issues and because it would be too expensive. It was his understanding that the rear doors on the elevators was an alternative not a mandatory alternative or part of the bid. He said there was some indication that a work group would be formed with regards to elevators. He said the courts do not need to participate because they do not want rear doors on the elevators. He said he would really appreciate approval of the contract with the architect so that the repairs can begin promptly.

Theresa Galvin asked for a valid reason for the delay in signing the contract.

Jay Haden, Chief Deputy County Counselor, said he received a contract by email last Thursday and he was out of the office on Friday. He said the funds were approved at last week's legislative meeting.

Judge Byrn said he finds it amazing that 4 months after the scope of work was determined there is still an unsigned contract.

Brian Gaddie, Director of Public Works, said as soon as the contract is signed they will begin the work. He said exposure is the reason the work has not begun sooner. Exposure from the insurance company and Jackson County regarding ADA compliance and historic preservation.

Theresa Galvin asked about the air conditioning in the Kessler Building.

Judge Byrn replied that it is not only about the air conditioning but also the associates need to be working from desks not tables and he needs the court associates in the building not only for the courts but also for the public.

Brian Gaddie said the architect was selected in February 2019 and the analysis started in February.

Judge Byrn said the scopy of work was completed in March 2019.

Brian Gaddie said the Public Works Department does not have experience with historical preservation. The insurance company has dictated this process, it is not lack of Jackson County's due diligence. The insurance company said from the beginning that this would be a multi year event. The insurance company allows accommodations to be made in kind.

Caleb Clifford, Chief of Staff, said there needs to be discussion between Jackson County and the insurance company. He said he was out of the office last week so he does not have an answer with regards to the courts request for space in the Kansas City courthouse. He said the Administration will try to find space for the court administrator. He said he will gather information and share it with the County Legislature regarding this request.

Tony Miller, County Legislator, said he wants to be supportive and the discussion has been helpful. He said the County Legislature is willing to help Brian Gaddie find money to get things done and then get reimbursed by the insurance company.

Caleb Clifford said Lockton, the insurance broker, strongly recommends Jackson County not spend money with the intention of being reimbursed.

Tony Miller asked if the County Executive's emergency declaration has been lifted.

Caleb Clifford said the emergency declaration has not been lifted but it only applies to vendors on site at the time of the emergency.

Tony Miller said he promotes an expedited process.

Judge Byrn made suggestions for an emergency declaration to get the court project done since the repairs are cosmetic and for hiring a project manager. He said they just want things back to where they were before the water damage.

Caleb Clifford said the issue is the insurance policy with regards to code

and law compliance, in particular American Disabilities Act (ADA) compliance. He said it is complicated to move forward without insurance approval.

Judge Byrn agrees with Mr. Clifford but said it has been 6 months since the incident with no answers as to why it has taken so long. He said he shares frustration with the residents, jurors, county associates and taxpayers. He has no belief this will be rectified anytime soon.

Ronald E. Finley asked if Jackson County had a month to month lease for the space being used by the Court Administrator and Public Administrator. He suggested looking at Oak Tower for space so we can give notice to the Kessler Building and move county associates. He asked for a report from the Administration next week regarding the status of this complaint.

Caleb Clifford said he will check and agrees with Mr. Finley. He will report back to the County Legislature next week or sooner.

Ronald E. Finley said he knows first hand about the difficulty with the building that the courts are currently utilizing.

Brian Gaddie said he is also frustrated.

Theresa Galvin thanked Brian Gaddie and said he is doing a good job as he has taken on not only this project but also is involved in the jail group.

Brian Gaddie said he is ready to move forward but with regards to the code and compliance issues he does not want to complete work and then have to tear it out.

Ronald E. Finley and Theresa Galvin thanked Judge Byrn for sharing his thoughts and information with regards to the courthouse restoration.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5236](#)

AN ORDINANCE repealing section 1051., Jackson County Code, 1984, relating to County purchasing policy, and enacting, in lieu thereof, one new section relating to the same subject.

(Rules Committee - 3rd. Perfection)

[5238](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

[5239](#) Land Use Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20192](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20193](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20194](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20195](#) A motion was made by Ronald E. Finley, seconded by Scott Burnett, to adopt the floor amendment for Resolution #20195 dated July 22, 2019, to insert the word "and," after the word "duties" in the fifth paragraph, to insert the sixth paragraph to read "WHEREAS, the Missouri General Assembly has near plenary jurisdiction to enact legislation that could remedy many of the inequities suggested in this Resolution;" prior to the words "now therefore, "; to insert the eighth paragraph to read "BE IT FURTHER RESOLVED that the Legislature also requests the Missouri General Assembly review these matters and enact appropriate remedial legislation; and," all on page two. 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

(APPROVED)

[20195](#) Ronald E. Finley moved to adopt Resolution #20195 as amended, supporting a review and other actions to remedy issues related to the 2019 Jackson County reassessment. Seconded by Scott Burnett.

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

(ADOPTED)

[20196](#) A RESOLUTION authorizing the County Counselor to execute an increase to the Legal Services Agreement with Ronald L. Jurgeson of Lee's Summit, MO, at an additional cost to the County not to exceed \$17,500.00.
(Finance and Audit Committee - 1st. Meeting)

[20200](#) Health and Environment Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5238](#) AN ORDINANCE appropriating \$19,176.00 from the undesignated fund balance of the 2019 Federal Forfeiture Fund to cover the cost of mobile radios for four new patrol vehicles for use by the Sheriff's Office, under an existing County term and supply contract.

(PERFECTED)

[5239](#) AN ORDINANCE transferring \$222,475.00 within and appropriating \$211,625.00 from the undesignated fund balance of the 2019 Park Fund, and awarding a contract on Bid No. PW 05-2019 for the Longview Metal Buildings (Arbanas and Park Operations) Project No. 3235 to Mega Industries Corporation of North Kansas City, MO, at an actual cost to the County in the amount of \$514,575.00.

(PERFECTED)

[20192](#) A RESOLUTION transferring \$30,000.00 within the 2019 General Fund and authorizing an increase in compensation for seated petit and grand jurors.

(ADOPTED)

[20193](#) A RESOLUTION transferring \$44,479.00 within the 2019 General Fund and authorizing the purchase of x-ray inspection systems for use by the Sheriff's Office to Smiths Detection, of Edgewood, MD under the terms and conditions set forth in GSA Contract No. GS-07F-081DA, an existing competitively bid contract, at an actual cost to the County not to exceed \$44,479.00.

(ADOPTED)

[20194](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Fort Osage School District for one deputy to serve as the School Resource Officer at Fort Osage High School, for a fee of \$95,415.45 payable to the County.

(ADOPTED)

[20200](#)

A RESOLUTION transferring \$60,000.00 within the 2019 Health Fund to cover the costs of relief forensic pathologist consultation services within the Medical Examiner's Office.

(ADOPTED)

Ordinances #5238 and #5239 were sent to the Consent Agenda for perfection. Resolution #20192, #20193, #20194 and #20200 were sent to the Consent Agenda for adoption.

A motion was made by Scott Burnett, seconded by Tony Miller, 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

[5240](#)

A motion was made by Scott Burnett, seconded by Crystal Williams to perfect Ordinance #5240. The motion passed by a voice vote.

(PERFECTED)

[5240](#)

A motion was made by Scott Burnett, seconded by Crystal Williams, to adopt Ordinance #5240, transferring \$9,250.00 within and appropriating \$213,511.00 from the undesignated fund balance of the 2019 General Fund, representing a payment of insurance proceeds to be used to fund repairs to and the restoration of the downtown Jackson County Courthouse and related costs, necessitated by recent water damage, less a contractual depreciation deduction. 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

(ADOPTED)

[5241](#)

Appropriating \$7,346.00 from the undesignated fund balance of the 2019 Federal Forfeiture Fund to cover the costs of two GPS trackers and a pole camera for use by the Multi-Jurisdictional Drug Task Force.

(Assigned to the Anti-Drug Committee.)

[5242](#)

A motion was made by Tony Miller, seconded by Crystal Williams to perfect Ordinance #5242. The motion passed by a voice vote.

(PERFECTED)

[5242](#)

A motion was made by Tony Miller, seconded by Crystal Williams, to adopt Ordinance #5242, appropriating \$82,500.00 from the undesignated fund balance of the 2019 Grant Fund, in acceptance of a grant received from the United States Office of National Drug Control Policy, High Intensity Drug Trafficking Area (HIDTA) program, for use by the Multi-Jurisdictional Drug Task Force. 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

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20201](#)

A motion was made by Scott Burnett, seconded by Tony Miller, to adopt Resolution #20201, authorizing the Jackson County Legislature to hold a closed meeting on Monday, July 22, 2019, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(3) and (13) 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, Scott Burnett, Ronald E. Finley, Charlie Franklin, Jeanie Lauer and Theresa Galvin

Absent: 1 - Dan Tarwater III

(ADOPTED)

[20202](#)

Awarding a twelve-month term and supply contract, with four twelve-month options to extend, for the furnishing of herbicides for use by the Public Works Department to Helena Agri Enterprises, of Shawnee, KS, under the terms and conditions of Invitation to Bid No. 22-19.

(Assigned to the Public Works Committee.)

[20203](#)

Authorizing the County Executive to execute a cost-share agreement with the Kansas City Area Transportation Authority's Regional Wayfinding and Branding Plan, a planning sustainable places project, as a partner with the Mid-America Regional Council and fifteen other local governments, at an actual cost to the County in the amount of \$3,000.00.

(Assigned to the Land Use Committee.)

[20204](#)

Transferring \$24,644.00 within the 2019 Health Fund to restore funding previously transferred for the Chief Medical Examiner's salary.

(Assigned to the Health and Environment Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

The County Legislature went into closed session.

Closed meeting per Resolution #20201.

The County Legislature reconvened.

15 ADJOURNMENT

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

Meeting adjourned until Monday, July 29, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.