



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Theresa Cass 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, September 14, 2020

10:00 AM

Thirty-fourth Regular Meeting

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

Theresa Cass Galvin, Chairman, 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 Cass 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 Jalen Anderson to approve the journal of the previous meeting held on August 31, 2020. The motion passed by a voice vote.

4 HEARINGS

Bridgette Shaffer, Director of the Jackson County Health Department, gave a presentation regarding the County's response to the COVID-19 pandemic. Ms. Shaffer said that Eastern Jackson County currently has had 6,277 COVID-19 cases and 87 deaths. In the metropolitan area there have been 37,000 COVID-19 cases and 519 deaths. The 14-day rolling positivity average is at 13.8%, but the seven-day average is on the decline.

Ms. Shaffer said the Health Department has hired 62 additional staff to assist with its pandemic response. The office has been balancing the need for immunizations for back to school and COVID testing, but is now moving some staff from its immunization clinic to the testing program so they can now offer COVID testing five days a week with no age limit for testing. The Health Department staff includes 38 full-time disease investigators and six part-time weekend investigators. They have hired three additional epidemiological staff to oversee the investigators. In early

August, the state Department of Health and Senior Services rolled out a new software for disease tracking and data reporting. Both Wyandotte and Clay Counties have adopted this program. There have been a few challenges with data reporting as they transition to this new software.

School gating recommendations have been developed as a cooperative effort of local health departments, school superintendents, and Children's Mercy Hospital. The goal has been to offer districts a tool for consistent decision-making across the region. As more information is learned about the virus, these criteria are updated.

The contract tracing approach is to work collaboratively with school district health service leads to provide for an effective contract tracing model.

Ms. Shaffer said there has been confusion over the CDC reports of death data. CDC statistics show that six percent of deaths from COVID-19 were people without underlying health conditions. People with certain health conditions are more vulnerable to complications from this virus, but the virus can also affect people without preexisting health conditions.

Theresa Cass Galvin, County Legislator, said the legislature has received multiple emails and messages from constituents who have children struggling with online learning. The situation feels helpless. Ms. Shaffer said the reopening plan is a decision of the school boards. Ms. Galvin asked about reports that districts could have a misdemeanor against them if they do not follow certain guidelines. Ms. Shaffer said the districts have the flexibility to make their own reopening plans, but there is a mandate regarding wearing masks and the number of people in a location. Ms. Galvin asked about allowing more people inside than are allowed outside. Troy Schulte said they may consider pulling down the allowable limits for indoor groups. They may be restricting the limits on indoor gatherings as long as the County continues to be above 10% red zone infection rate.

Jeanie Lauer, County Legislator, said we will have a backlash to increased restrictions indoors and outdoors. Ms. Lauer asked about notification of parents if a child is determined to be exposed at school. Ms. Shaffer said the schools are sending letters home with students, but contact tracers are also supposed to be contacting parents. Ms. Lauer asked if the Health Department has any authority over the organ transplant programs. Ms. Shaffer said the Health Department does not give hospitals guidance regarding their transplant programs.

Ronald E. Finley, County Legislator, asked who was making decisions

about reopening schools. Ms. Shaffer said individual school districts are making those decisions including how they open. Mr. Finley asked if all districts are open. Ms. Shaffer said all districts in Jackson County are open. Mr. Schulte said that all schools have some students in person, but there is a mix of districts that are hybrid or in person. Mr. Finley asked if there will be a report regarding whether school districts are in person or virtual. Mr. Schulte said the schools' reopening plans would not impact their funding allocation.

Dan Tarwater III, County Legislator, asked about contact tracing. Ms. Shaffer said the Jackson County contact tracers are assisting the Kansas City Health Department. She said her department will be implementing a contact tracing software that will assist with daily follow ups.

Mr. Tarwater said he supports the athletic event issues allowing parents to attend sporting events that are held outside. He encouraged the administration to find a way to work out this issue.

Jalen Anderson, County Legislator, asked about projections for the area getting below the 10% red zone threshold. Ms. Shaffer said they anticipate an increase after the holiday and as more students return to school. She said this also puts a strain on their contact tracing efforts. Ms. Shaffer said the Jackson County Health Department works with other health departments and regional partners in emergency management and hospitals to make determinations as to stay at home orders. Mr. Anderson asked if there have been any outbreaks in schools. Ms. Shaffer said they have seen some outbreaks in schools, but they do not have a report regarding a cluster of cases in schools.

Crystal Williams, County Legislator, said there are entire swaths of parents that are hunkering down and dealing with what we are dealing with this situation. She said it is not fair to just discuss those people that are unhappy about what we are doing. She said it is concentrated groups that complain. In her opinion the County either follows what is best in the public health or not.

Ronald E. Finley asked Bryan Covinsky, County Counselor, about the status of the lawsuit with the Blue Springs School District. Mr. Covinsky said he preferred to discuss this matter in closed session or speak to Mr. Finley individually. A temporary restraining order was filed and the judge has set this matter for trial.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5393](#)

Health and Environment Committee moved to perfect.

Ronald E. Finley objected to the Consent Agenda.

[5393](#)

A motion was made by Jalen Anderson, seconded by Jeanie Lauer to perfect Ordinance #5393. The motion passed by a voice vote.

(PERFECTED)

[5393](#)

A motion was made by Jalen Anderson, seconded by Jeanie Lauer, to adopt Ordinance #5393 as perfected, repealing sections 4000., 4001., 4010., and 4051., and Schedule I to chapter 40, Jackson County Code, relating to public health, and enacting, in lieu thereof, five new sections and one new schedule relating to the same subject, with a penalty provision. The motion passed by a roll call vote:

Yes: 7 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Charlie Franklin, Jeanie Lauer and Theresa Cass Galvin

No: 2 - Ronald E. Finley and Dan Tarwater III

(ADOPTED)

[5394](#)

Legislature As A Whole moved to perfect. Consent Agenda.

Troy Schulte explained that Ordinance #5394 will cover the costs for PPE and temporary staffing of temperature takers through December 31, 2020. He said they may purchase technology to replace the temperature takers. Dan Tarwater III said he has heard and knows first hand that the contact less thermometers may not be accurate, so temperature taking is not a full proof tool. Troy Schulte agreed and said they are looking at a permanent approach going forward. He confirmed the Truman Courthouse closed this week due to two positive cases of COVID and no one was reported to have had a temperature. Frank White, Jr., County Executive, said he has had a high reading just from being outside in the heat so he realizes that digital thermometers are not the best.

[5395](#)

Legislature As A Whole moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5389](#)

AN ORDINANCE appropriating \$50,000.00 from the undesignated fund balance of the 2020 CARES Act Fund for use by the Mid-Continent Public Library of Kansas City, MO, to implement a hotspot lending program to facilitate additional internet connectivity for students of higher education in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and the migration to virtual classrooms for the 2020-2021 school year.

Dan Tarwater III asked about the agreement that these hotspots would be provided to students with a valid student ID. Jeanie Lauer expressed concern about releasing these funds without reviewing the contract wording. Tony Miller, County Legislator, said he is in favor of releasing these funds if it will assist kids to be connected to the internet. After much discussion, the County Legislature decided to defer action for one week to allow the Administration to finalize the contract and look into Tony Miller's suggestion of giving money to the school districts in Jackson County to leverage receiving a match in grant monies from the State of Missouri.

A motion was made by Jeanie Lauer, seconded by Dan Tarwater III to hold Ordinance #5389. The motion passed by a voice vote.

[5391](#)

AN ORDINANCE appropriating \$1,500,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to support an eviction prevention program and authorizing the County Executive to execute a Cooperative Agreement with the United Way of Greater Kansas City for this program, in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic, at a cost to the County not to exceed \$1,500,000.00.

Jay Haden, Chief Deputy County Counselor, said he spoke with the circuit court counsel and reviewed the CDC order. The information provided is that there is not a federal stay on evictions. Anyone in this situation would still need legal help. Jeanie Lauer said she would prefer to review the contract before moving forward.

A motion was made by Jeanie Lauer, seconded by Dan Tarwater III, to hold Ordinance #5391. The motion passed by a voice vote.

8 RESOLUTIONS IN COMMITTEE

Michele Newman, Director of Parks + Rec and Brian Nowotney, Deputy Director of Park Operations were present to explain the Floor Amendment dated September 14, 2020 for Resolution #20462. Discussion.

[20462](#)

A motion was made by Dan Tarwater III, seconded by Jeanie Lauer, to approve the Floor Amendment dated September 14, 2020 for Resolution #20462, to delete the figure "750,000.00" and insert the figure "142,074.00" after the dollar sign in the heading on page one, in the BE IT RESOLVED paragraph on page two and in the fiscal note on page three; to insert the word "design" before the word "costs" in the heading on page one; to insert the phrase "design of the" before the word "projects" in the second paragraph on page two; to delete "58060 - Other Improvements" and insert "56030 - Architectural and Engineering Services" in the CHARACTER/DESCRIPTION column on page two. The motion passed by a voice vote.

[20462](#)

Legislature As A Whole moved to adopt. Consent Agenda.

Resolution #20462 was sent to the Consent Agenda for adoption as amended by the Floor Amendment dated September 14, 2020.

[20478](#)

Requesting the County Administration to develop and present to the Legislature for approval and funding a plan to assist public school districts within Jackson County in the reopening of schools for the upcoming fall 2020 semester.

(WITHDRAWN BY SPONSOR FINLEY. CONCURRED BY ANDERSON AND TARWATER III.

[20483](#)

A RESOLUTION awarding a twelve-month term and supply contract for the furnishing of fleet fuel cards for use by various County departments to WEX Bank of Midvale, UT, under the terms and conditions of State of Missouri Contract No. CC160898001, an existing government contract.

(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

[5394](#)

AN ORDINANCE appropriating \$426,081.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide for health screenings at County facilities and personal protective equipment and pay other costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.

(PERFECTED)

[5395](#)

AN ORDINANCE appropriating \$15,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds for the City of Lake Lotawana, Missouri, to acquire supplies and equipment, make minor building improvements, and pay public safety overtime and other costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and authorizing the County Executive to execute an Intergovernmental Agreement with the City of Lake Lotawana, Missouri, at an actual cost to the County not to exceed \$15,000.00.

(PERFECTED)

[20462](#)

A RESOLUTION transferring \$142,074.00 within the 2020 County Improvement Fund to cover the design costs of three projects to make critical and mandated repairs in the Jackson County parks system as identified by the Missouri Department of Natural Resources.

(ADOPTED)

Ordinances #5394 and #5395 were moved to the Consent Agenda for perfection. Resolution #20462 was moved to the Consent Agenda for adoption.

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

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

No: 1 - Ronald E. Finley

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5396](#)

Authorizing the issuance of not to exceed \$4,500,000 principal amount of special obligation refunding bonds (Animal Shelter Project), series 2020, of Jackson County, Missouri, and authorizing certain other documents and actions by the County.

(Assigned to the Legislature As A Whole.)

Michael Short with Stifel, Nicolaus and Company, will be in attendance at next week's legislative meeting to make a presentation and answer questions regarding Ordinance #5396.

[5397](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson to perfect Ordinance #5397. The motion passed by a voice vote.

(PERFECTED)

[5397](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Ordinance #5397, appropriating \$90,429.00 from the undesignated fund balance of the 2020 CARES Act Fund to reimburse the Circuit Court for expended funds and make funds available to pay other costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic. 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 Cass Galvin

(ADOPTED)

[5398](#)

Appropriating \$5,000,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds for school districts located in Jackson County, Missouri, to compensate them for unanticipated costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and authorizing the County Executive to execute Intergovernmental Agreements with school districts, at an actual cost to the County not to exceed \$5,000,000.00.

(Assigned to the Legislature As A Whole.)

[5399](#)

Appropriating \$14,500.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds for use by the Information Technology and Communications Departments to acquire queue-management, software, tent rental, and billboard rental in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic, at an aggregate cost to the County not to exceed \$14,500.00.

(Assigned to the Legislature As A Whole.)

[5400](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III to perfect Ordinance #5400. The motion passed by a voice vote.

(PERFECTED)

[5400](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adopt Ordinance #5400, appropriating \$1,000.00 from the undesignated fund balance of the 2020 Park Fund in acceptance of a donation from Sara Lovins to the Parks + Rec Department, to be used for a new commemorative park bench at Lake Jacomo. 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 Cass Galvin

(ADOPTED)

[5401](#) Appropriating \$5,590,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds to Swope Health Services, KC Care Health Center, and Samuel U. Rodgers Health Center, to compensate them for unanticipated costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and authorizing the County Executive to execute cooperative agreements with the agencies, at an aggregate cost to the County not exceed \$5,590,000.00.
(Assigned to the Legislature As A Whole.)

[5402](#) Appropriating \$80,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds to the Jackson County Board of Election Commissioners to compensate for unanticipated costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic, at an actual cost to the County not to exceed \$80,000.00.
(Assigned to the Legislature As A Whole.)

[5403](#) Repealing section 9504., Jackson County Code. 1984, relating to the Freedom Memorial Wall Commission, and enacting, in lieu thereof, one new section relating to the same subject.
(Assigned to the Legislature As A Whole.)

[5404](#) Repealing sections 286. and 287., Jackson County Code, 1984, relating to County associates not within the merit system and enacting, in lieu thereof, two new sections relating to the same subject.
(Assigned to the Legislature As A Whole.)

[5405](#) Setting the 2020 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.
(Assigned to the Legislature As A Whole.)

[5406](#) Setting the 2020 merchants' and manufacturers' inventory replacement tax levy.
(Assigned to the Legislature As A Whole.)

[5407](#) Setting the 2020 Jackson County Community Mental Health Fund Levy.
(Assigned to the Legislature As A Whole.)

[5408](#) Setting the 2020 Jackson County, Missouri, tax levy.
(Assigned to the Legislature As A Whole.)

The County Legislature will have a public hearing regarding Ordinances #5405, #5406, #5407 and #5408 on Monday, September 21, 2020 at 10 A.M. in the Kansas City Legislative Assembly Area.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20484](#) Awarding a contract for annual maintenance of the Ascend computer software for use by the Assessment Department to Manatron, Inc., of Chicago, IL, at an actual cost to the County in the amount of \$345,709.00, as a sole source purchase.

(Assigned to the Finance and Audit Committee.)

[20485](#) 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 \$125,000.00.

(Assigned to the Budget Committee.)

[20486](#) 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.

(Assigned to the Justice and Law Enforcement Committee.)

[20487](#) Awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of fuel dispensing equipment, repairs, and parts, for use by various County departments to Petroleum Equipment, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 26-20.

(Assigned to the Finance and Audit Committee.)

[20488](#) Transferring \$12,300.00 within the 2020 Special Road and Bridge Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$12,300.00, representing the commissioners' award in the condemnation case styled Jackson County, Missouri vs. Lakes Development Company et al., Case No. 2016-CV12894 in the Circuit Court of Jackson County, Missouri.

(Assigned to the Finance and Audit Committee.)

[20489](#) Transferring \$6,750.00 within the 2020 Special Road and Bridge Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$6,750.00 for commissioners' fees relating to the condemnation proceeding for the Tarsney Lake Bridge Replacement, Federal Project No. BRO-B048(55).

(Assigned to the Finance and Audit Committee.)

[20490](#)

Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of liquid asphalt for use by the Public Works Department to Vance Brothers, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 21-20.

(Assigned to the Public Works Committee.)

[20491](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Resolution #20491, transferring \$78,850.00 within the 2020 County Improvement Fund to provide for necessary security enhancements at the Eastern Jackson County Courthouse requested by the 16th Judicial Circuit Court. 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 Cass Galvin

(ADOPTED)

Presiding Judge David Byrn said this resolution will provide security enhancements including bullet proof glass on the lower level of the Eastern Jackson County Courthouse.

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to move the meetings scheduled for Independence for October, November, and December to the Kansas City Legislative Assembly Area. The motion passed by a voice vote.

14 NEW BUSINESS

Jalen Anderson asked Troy Schulte if the COVID-19 cases that closed the Historic Truman Courthouse were any associates with underlying health conditions. Mr. Schulte said there were two cases at the Independence office. One of those positive cases had also come in contact with other departments in the building. No one in an at-risk group is positive.

Scott Burnett, County Legislator, asked Troy Schulte about the status of our CARES Act funds. Mr. Schulte said of the \$123 million, \$94.5 million has been approved and allocated. There is \$21.1 million remaining, which includes \$10 million as an emergency reserve. He is hopeful there will be a federal extension beyond the December 31, 2020 deadline for contact tracing.

15 ADJOURNMENT

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, September 21, 2020 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.