



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, October 26, 2020

10:00 AM

Forty-first 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 8 - Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley,
Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent 1 - Jalen Anderson

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 Charlie Franklin to approve the journal of the previous meeting held on October 19, 2020. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE[5427](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5427. The motion passed by a voice vote.

(PERFECTED)

[5427](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5427, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 2.14± acre tract from District AG (Agricultural) to District RE (Residential Estates). The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

Resolution #20543 was adopted at this time. See page 10 for details.

[5428](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5428. The motion passed by a voice vote.

(PERFECTED)

[5428](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5428, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 20.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette). The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[5429](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5429. The motion passed by a voice vote.

(PERFECTED)

[5429](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5429, amending the Planned Development Zoning in District GBp (General Business Planned) established pursuant to the Unified Development Code to allow a change in the size and configuration of a proposed building previously authorized. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[5430](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5430. The motion passed by a voice vote.

(PERFECTED)

[5430](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5430, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 9.00± acre tract from District AG (Agricultural) to District RE (Residential Estates). The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[5431](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5431. The motion passed by a voice vote.

(PERFECTED)

[5431](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5431, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 1.83± acre tract from District AG (Agricultural) to District RS (Residential Suburban). The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[5432](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5432. The motion passed by a voice vote.

(PERFECTED)

[5432](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5432, granting a conditional use permit (CUP) in District RU (Residential Urban) for a period of five years to operate a bed and breakfast inn (Airbnb), subject to specified conditions, as to a .48 ± acre tract. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[5433](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5433. The motion passed by a voice vote.

(PERFECTED)

[5433](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5433, vacating the platted pedestrian walkway between Lots 69 and 70, Block 21, in Tarsney Lakes, a subdivision in Jackson County. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20519](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to approve the Land Use Committee Amendment dated October 26, 2020 for Resolution #20519, to delete the date "May 22" and insert the date "September 11" before the year 2021 in the first paragraph on page one and in the attached agreement where indicated. The motion passed by a voice vote. Consent Agenda.

A motion was made by Dan Tarwater III, seconded by Tony Miller, to waive the reading of Resolution #20526. The motion passed by a voice vote.

[20526](#)

Budget Committee moved to adopt. Consent Agenda.

[20527](#)

Finance and Audit Committee moved to adopt. Consent Agenda.

[20528](#)

Land Use Committee moved to adopt. Consent Agenda.

[20529](#) A RESOLUTION authorizing the County Executive to execute a First Amendment to the Amended and Restated Service Contract with Little Blue Valley Sewer District.

(Public Works Committee - 1st. Meeting)

[20531](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

Dan Tarwater III, County Legislator, said Friends of the Zoo, Inc of Kansas City Missouri submitted three individuals to be considered by the County Legislature for appointment to the Kansas City Zoological District due to the resignation of Kevin Pistilli: Sharon Cleaver, Carol Hallquist and Chris Egan. Resumes were received for Sharon Cleaver and Carol Hallquist.

Based on the votes, Carol Hallquist was appointed to the Kansas City Zoological District Commission.

[20532](#) A motion was made by Dan Tarwater III, seconded by Tony Miller, to approve the Floor Amendment dated October 26, 2020 for Resolution #20532, to insert the name "Carol Hallquist" at the end of the BE IT RESOLVED paragraph on page 2. The motion passed by a voice vote.

[20532](#) A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt as amended Resolution #20532, appointing a member to the Kansas City Zoological District Commission. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[20533](#) Land Use Committee moved to adopt. Consent Agenda.

[20534](#) A RESOLUTION transferring \$53,790.00 within the 2020 County Improvement Fund to cover the cost of moving expenses and the purchase of replacement furniture for the Public Administrator's Office, made necessary by water damage at the Downtown Courthouse.

(Legislature As A Whole - 1st. Meeting)

Theresa Cass Galvin asked why this request for furniture damaged in the flood was not paid through insurance funds. John Killian, Public Administrator, said this was not identified earlier and the furniture is older. Caleb Clifford, Chief of Staff, said Troy Schulte, County Administrator, is out today. He may be able to provide more information about this and any other flood related requests that may be unresolved. He said there were

decisions made as part of negotiations with the insurance company to move things along and this may not have been included. Dan Tarwater III, County Legislator, said the insurance plan was a replacement cost plan that would have covered this expense, but it is likely this was an item that was not covered through the negotiated settlement with the insurance company.

Theresa Cass Galvin asked if the part of the request related to movers was the term and supply vendor, or if the department had obtained other bids. Mr. Killian said the term and supply vendor was used for both parts of the request. Ms. Galvin said there are situations in which the term and supply quote comes in high and departments should determine if the costs are reasonable of if they should get two additional quotes.

Ronald E. Finley, County Legislator, asked if this should not come out of the County Improvement Fund. Ms. Galvin said it should have been part of the insurance claim. Mr. Finley asked if there are funds left in the insurance fund. Ms. Galvin said those funds have been spent. Mr. Finley asked what else will be designated to come from the County Improvement Fund. Mr. Clifford replied that the County has many needs within the County Improvement Fund. Mr. Finley asked for clarifications about what else will be coming from the County Improvement Fund and what is the current status of the Fund. Mr. Clifford said he does not know of other plans for the County Improvement Fund for this year. He would like to consult with Ms. Schulte to confirm that information. Mr. Finley said he is anticipating a complicated budget process. Ms. Galvin said this is a small request. She asked if Mr. Killian had other places out of his budget that this expense could be allocated. Mr. Killian said he may have soft savings in his salary budget.

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to hold Resolution #20534. The motion passed by a voice vote.

9 CONSENT AGENDA

[20519](#)

A RESOLUTION authorizing the Director of Parks + Rec to execute a License Agreement with Social House Entertainment, LLC, of Overland Park, KS, for the Shake the Lake Country Music Festival, at no cost to the County.

(ADOPTED)

[20526](#) A RESOLUTION transferring \$11,563.00 within the 2020 Special Road and Bridge Fund and \$24,562.00 within the 2020 Park Fund and awarding a contract for the furnishing of an asset management software system for use by the Public Works and Parks + Rec Departments to Pubworks/Tracker Software Corporation of Snowmass Village, Colorado, at an actual cost to the County in the amount of \$49,125.00, under the terms and conditions of Request for Proposals No.15-20.

(ADOPTED)

[20527](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of office furniture for use by various County departments to Office Product Alliance of Kansas City, MO, and Interior Landscapes of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 33-20.

(ADOPTED)

[20528](#) A RESOLUTION awarding a contract on Bid No. PW 06-2020 for the Little Blue Trace Trail Improvements at M-78 Highway, County Project No. 3243, to Radmacher Brothers Excavating Company, Inc., of Pleasant Hill, MO, at an actual cost to the County in the amount of \$422,411.82.

(ADOPTED)

[20531](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of laundry chemicals for use by the Department of Corrections to EcoLab Center, of St. Paul, MN, under the terms and conditions of Invitation to Bid No. 27-20.

(ADOPTED)

[20533](#) A RESOLUTION authorizing the County Executive to execute a Letter of Understanding with the Nodaway County Commission and the Missouri Department of Transportation relating to the transfer of Off-System Replacement Bridge funds, in accordance with the Missouri Highway Bridge Program.

Resolution #20519, #20526, #20527, #20528, #20531 and #20533 were moved to the Consent Agenda for adoption.

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

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5436](#)

A motion was made by Charlie Franklin, seconded by Dan Tarwater III to perfect Ordinance #5436. The motion passed by a voice vote.

(PERFECTED)

Captain David Epperson addressed Ordinance #5436. He said this is the Sheriff's Office's ongoing traffic unit grant. He said this is a matching grant against County funds. Tony Miller, County Legislator, asked if this is a saturation patrol program since checkpoints are no longer allowed. Captain Epperson said this is to fund the Sheriff's full-time team that handles hot spot areas with saturation patrols.

[5436](#)

A motion was made by Charlie Franklin, seconded by Dan Tarwater III, to adopt Ordinance #5436, transferring \$230,911.00 within the 2020 General Fund and appropriating \$515,821.00 from the undesignated fund balance of the 2020 Grant Fund, in acceptance of the Sheriff's Office's DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the acceptance and expenditure of grant funds. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[5437](#)

A motion was made by Charlie Franklin, seconded by Dan Tarwater III to perfect Ordinance #5437. The motion passed by a voice vote.

(PERFECTED)

[5437](#)

A motion was made by Charlie Franklin, seconded by Dan Tarwater III, to adopt Ordinance #5437, appropriating \$13,328.26 from the undesignated fund balance of the 2020 Grant Fund in acceptance of funds received from the Federal Emergency Management Agency relating to the 2019 Levasy flood. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20536](#)

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to adopt Resolution #20536, authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 26, 2020, 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: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[20537](#)

Awarding a contract for the furnishing of pistols for use by the Sheriff's Office to GT Distributors of Austin, TX, under the terms and conditions of Invitation to Bid No. 18-20, declaring certain existing weapons as surplus personal property, and authorizing their disposal by way of trade-in, at a net actual cost to the County in the amount of \$22,090.00.

(Assigned to the Justice and Law Enforcement Committee.)

[20538](#)

Transferring \$32,670.00 within the 2020 General Fund and awarding a contract for the furnishing of X-ray equipment for use by the Department of Corrections to Smith Detection of Edgewood, MD, under the terms and conditions of GSA Contract No. GS-07F-081DA, an existing government contract, at an actual cost to the County in the amount of \$33,682.00.

(Assigned to the Budget Committee.)

[20539](#)

A motion was made by Scott Burnett, seconded by Dan Tarwater III, to adopt Resolution #20539, congratulating St. James Missionary Baptist Church of Kansas City, Missouri, on the occasion of its 150th anniversary. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[20540](#)

Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of janitorial supplies for use by various County departments to Controlled Environmental Products, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 41-20.

(Assigned to the Finance and Audit Committee.)

[20541](#)

A motion was made by Jeanie Lauer, seconded by Tony Miller, to adopt Resolution #20541, excusing the absence of County Legislator Jalen Anderson from the Legislature's meetings of October 5, 12, and 19, 2020. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[20542](#)

Transferring \$90,729.00 within the 2020 General Fund from various accounts representing projected savings to cover remaining financial obligations of the Department of Corrections through the end of 2020. (Assigned to the Budget Committee.)

[20543](#)

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to adopt Resolution #20543, authorizing the Prosecuting Attorney to execute an agreement with Swope Health Services, in collaboration with Morningstar Development Corporation, to engage in anti-drug and anti-violent crime treatment activities and purposes, at a cost to the County not to exceed \$67,000.00. The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

Jean Peters Baker, Prosecuting Attorney, addressed Resolution 20543. She said this is for a COMBAT treatment program to clear a backlog of court case dockets for people needing drug and addiction treatment. This is using 2020 budgeted funds. It is an in-community program. It is a pre-filed diversion program that will put the treatment in place more quickly. Swope Health Services in collaboration with Morningstar Development Corporation is the provider.

Theresa Cass Galvin, Chairman, asked if this is a COMBAT program or a program of the Prosecuting Attorney's Office. Ms. Baker said it is a joint program that her office is promoting using COMBAT dollars.

Theresa Cass Galvin asked Ms. Baker to correct the errors on the RLA pertaining to the numbers. Corrections need to be emailed to the Clerk of the County Legislature.

[20544](#)

A motion was made by Scott Burnett, seconded by Dan Tarwater III, to adopt Resolution #20544, honoring the life and achievements of Gene Morgan.
The motion passed by a roll call vote:

Yes: 7 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Crystal Williams

(ADOPTED)

[20545](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Resolution #20545, authorizing the settlement of the claims made by Deborah Groh et al. in case numbers 1816-CV00401, 1916-CV10539, and 1916-CV26967, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County in the amount of \$225,000.00, of which \$75,000.00 will be reimbursed out of funds held by the County for the benefit of the Kansas City Transportation Authority. The motion passed by a roll call vote:

Yes: 5 - Tony Miller, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 4 - Jalen Anderson, Crystal Williams, Scott Burnett and Ronald E. Finley

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[20-16](#)

I hereby make the following appointment the Board of Equalization:

John B. Boyd is appointed to fill the vacancy occasioned by the expiration of the term of Christopher Smith, for a new term to expire December 31, 2022. A copy of Mr. Boyd's resume is attached. Further, I designate Mr. Boyd to serve as chair of the Board.

13 UNFINISHED BUSINESS

Theresa Cass Galvin expressed her thanks to the Communications team and Kansas City Parks and Recreation for the successful Walktober events.

Tony Miller said he explored the north end of the Rock Island Trail. Matt Davis, Manager of the Rock Island Trail, said the trail should be completed early in 2021 and they will have a grand opening in early spring.

14 NEW BUSINESS

Closed meeting per Resolution #20536. 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.

Resolution #20545 was adopted at this time. See page 11 for details.

15 ADJOURNMENT

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

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