



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, July 29, 2024

3:00 PM

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Jalen Anderson, seconded by Donna Peyton to approve the journal of the previous meeting held on July 22, 2024. The motion passed by a voice vote.

4 HEARINGS

Cheryl Colter, Deputy Director of Finance, introduced Jonathan Nibarger, Senior Vice President and Brian Holst, Vice President, from Allen, Gibbs & Houlik regarding the 2023 Annual Comprehensive Financial Report. A copy of the 2023 Annual Comprehensive Financial Report (CAFR) is available under the meeting details for the July 29, 2024, Legislative meeting, located here: <https://jacksonco.legistar.com/MeetingDetail.aspx?ID=1217805&GUID=ED2FB6D9-2924-42D2-BB4F-59A5500882A1&Options>>

Sean E. Smith, County Legislator, asked about the estimates of civil liabilities and outstanding lawsuits. Mr. Holst said the civil liability items are in the financial statements. They typically only list the major liabilities, although small suits may add up. The four listed are the ones the auditors believed will have the biggest impact on the County's financial statements. Mr. Smith asked if the Legislature would receive a list of outstanding civil litigation lawsuits.

Bryan Covinsky, County Counselor, said the estimated civil liability matters were sent to the auditors as part of the audit process. They will meet with the Legislature to review those matters at a later date.

Manuel Abarca IV, County Legislator, asked about the undesignated fund balance and if there is a general accounting principle for how much should be maintained in that account. Mr. Holst said it is a management decision. There are no accounting standards that determine that amount. Mr. Abarca asked if there is an amount that is considered to be too much of undesignated funds. Troy Schulte, County Administrator, said the standard recommendation for the undesignated fund balance is a minimum of 25%. Mr. Abarca asked about the American Rescue Plan Act (ARPA) funds and if the risk of losing these funds will create an issue with a clean audit. Mr. Holst said the audit process reviews the accuracy of the financial systems in place for the previous year. The auditors are not in a position to direct an entity to encumber funds. Mr. Abarca asked for the remaining amount of ARPA funds. Mr. Holst said about \$80 million. Mr. Abarca said that number has changed at least four times since he was elected. He wondered if the risk of losing these funds should be listed as a risk in the audit.

Jeanie Lauer, County Legislator, asked to what degree are the ARPA funds considered in the audit. Mr. Nibarger said the auditors test all material balances as part of the audit. An additional piece on the ARPA funds is a separate audit. That process is still in place and performed by the sub-contractor. The single audit piece is still in progress.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr, County Executive, was present. He had no report.

Manuel Abarca IV asked about Mr. White's priorities for the ARPA funds. Mr. White said he will make an announcement next week regarding his priorities.

Mr. Abarca asked about the measures put in place regarding tax assessments. Mr. White said they have better technology and better staff. The assessment process is dictated by state law. The Administration will make sure values are mailed out on time and he encourages taxpayers to take advantage of the process that is put in place. This is a state mandated process. Mr. White said he will have the County Assessor give an update on the department's processes for the upcoming reassessment for 2025. The priority is to get notices out on time.

Manuel Abarca IV asked about work to repair the front steps of the Downtown Kansas City Courthouse and opening the front entrance. Mr. White said the Legislature voted down a proposal to repair the steps months ago. The entrance is not ADA compliant. He is concerned that some

members of the Legislature do not take ADA compliance seriously. Mr. White said this is not a political game. He encourages the Legislature to recognize what is important for public safety.

Mr. Abarca asked if there are any other places in the County where the ADA compliance is a priority for the County Executive. He asked about access to the trails, the Independence Courthouse, and other Independence-related facilities. Mr. Abarca said there was an issue with bid steering from the Executive's office. Mr. White said he does not agree with that characterization. He has been with the County for 10 years. He knows more about the County and its infrastructure issues. It will take a lot to correct these issues. Mr. Abarca asked why the County Executive is not present at the meetings every week. Mr. White said the Charter does not require his attendance every week. The County is not a school board, and he is not a superintendent.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

The Finance and Audit Committee recommended do not perfect.

[5860](#)

A motion was made by Sean E. Smith, seconded by Manuel Abarca IV, to perfect Ordinance #5860, submitting to the qualified voters of Jackson County, Missouri, at a General Election to be held on November 5, 2024, a question authorizing Jackson County to impose a countywide capital improvement sales tax of one-eighth of one percent for a period of twenty-five years for the purpose of retaining the Kansas City Chiefs sports team in Jackson County, Missouri. The motion failed by a roll call vote:

Yes: 1 - Donna Peyton

No: 8 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

(FAILED)

[5861](#)

AN ORDINANCE submitting to the qualified voters of Jackson County, Missouri, at a General Election to be held on November 5, 2024, a question authorizing Jackson County to impose a countywide capital improvement sales tax of three-eighths of one percent for a period of forty years for the purpose of retaining the Kansas City Chiefs sports team in Jackson County, Missouri.

(Legislature As A Whole - 1st. Perfection)

Sean E. Smith, County Legislator, explained his proposed amendment to Ordinance #5861. He said the amendment reduces the sales tax by a third from three-eighths of one percent to one-fourth of one percent. This specifically is to fund the Truman Sports Complex, so that could be one or both stadiums located at the site. This amendment also provides for a

funding source after 2031. In the event that the teams leave, the tax will sunset after five years. He believes the amendment sets a baseline level for any other entity considering helping to fund the teams.

Manuel Abarca IV asked the County Counselor's Office how this amendment is a floor amendment as opposed to a new piece of legislation. Whitney Miller, Chief Deputy County Counselor, said this amendment was requested by Mr. Smith. The title is in the same subject matter as the original legislation. It was determined to be appropriate as an amendment.

No action was taken on the amendment.

A motion was made by Manuel Abarca, seconded by Sean E. Smith, to hold Ordinance #5861. The motion passed by a roll call vote:

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

No: 4 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson and Donna Peyton
(APPROVED)

[5864](#)

AN ORDINANCE submitting to the qualified voters of Jackson County, Missouri, at the general election to be held on November 5, 2024, a question to amend the Jackson County Charter, with an effective date.
(Legislature As A Whole - 1st. Perfection)

A motion was made by Manuel Abarca IV, seconded by Sean E. Smith, to hold Ordinance #5864. The motion passed by a roll call vote:

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

[5865](#)

AN ORDINANCE enacting section 5577., Jackson County Code, 1984, relating to possession of firearms and age restriction.
(Rules Committee - 1st. Perfection)

[5866](#)

AN ORDINANCE enacting section 2066., Jackson County Code, 1984, relating to the Senior Property Tax Credit.
(Legislature As A Whole - 1st. Perfection)

Manuel Abarca IV said he believes this ordinance needs a fiscal impact statement to fully understand how the taxing jurisdictions, particularly school districts, libraries, and the community colleges, will be affected by this measure. This is not an attempt to withhold benefits from senior citizens.

Caleb Clifford, Chief of Staff, said the changes being recommended will not have an impact on the taxing jurisdictions. The changes being proposed will put into place the process in which the County will implement the Senior Homestead measure. The decision was already made by the Legislature to direct the County to implement the SB190 law. The proposed ordinance will align the County with state law, allowing taxpayers 62 and older to apply for this credit.

Sean E. Smith said this echoes his sentiment. This aligns the County with state law. Mr. Abarca said he does not understand how a fiscal note is not assigned. He disagrees with Mr. Clifford. This will cost revenue to taxing jurisdictions, which he has verified with the Missouri school district associations. Mr. Clifford said he welcomes a presentation by the Collection Department regarding this issue.

Jalen Anderson, County Legislator, said he agrees with Mr. Clifford's points. If the legislature was concerned about the impact on taxing jurisdictions, they should have considered that last year when the original legislation was passed.

Donna Peyton, County Legislator, said this will increase the number of people eligible for the senior tax credit. There is nothing the Legislature can do. Having the data would be beneficial, but the data will not change the outcome. If you are eligible under state law, then you are eligible. DaRon McGee, County Legislator, said he echoes the comments of Legislator Peyton. He has been working with the Director of Collections on this issue. This ordinance clarifies the rules to align with state law.

Manuel Abarca IV said the previous legislation had a trigger clause to put caps in place as a circuit breaker allowing the Legislature to reconsider the program. He believes the Legislature should gather information from the school districts before passing this legislation.

Whitney Miller said what was passed previously is no longer a legal program. These changes will make it into a legal program. The ordinance passed previously is no longer in compliance with state statutes. If these changes are not passed, then there will be no program.

A motion was made by Sean E. Smith, seconded by Jalen Anderson, to perfect Ordinance #5866, followed by a motion to hold.

A motion was made by Manuel Abarca IV, seconded by Donna Peyton, to hold Ordinance #5866. The motion failed by a roll call vote:

Yes: 1 - Manuel Abarca IV

No: 7 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Donna Peyton, Charlie Franklin, DaRon McGee and Sean E. Smith

Abstain: 1 - Venessa Huskey

[5866](#)

A motion was made by Sean E. Smith, seconded by Jalen Anderson, to perfect Ordinance #5866, enacting section 2066., Jackson County Code, 1984, relating to the Senior Property Tax Credit. The motion passed by a roll call vote:

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

(PERFECTED)

[5867](#)

A motion was made by Jalen Anderson, seconded by DaRon McGee to perfect Ordinance #5867. The motion passed by a voice vote.

(PERFECTED)

[5867](#)

A motion was made by Jalen Anderson, seconded by DaRon McGee, to adopt Ordinance #5867, appropriating \$577,680.00 within the 2024 County Improvement Fund and authorizing two twelve-month extensions to the term and supply contract with Remy Corporation of Lake Denver, CO, for the furnishing of professional services for use by the Information Technology Department, under the terms of State of Oklahoma contract No. SW1025, a competitively-bid government contract. The motion passed by a roll call vote:

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

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[21641](#)

A motion was made by Manuel Abarca IV, seconded by Sean E. Smith, to discharge Resolution #21641 from the Land Use Committee to the Legislature As A Whole, 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.. The motion passed 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

(APPROVED)

A motion was made by Manuel Abarca, seconded by Venessa Huskey, to hold Resolution #21641 in Legislature As A Whole. The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

No: 3 - Jeanie Lauer, Megan L. Marshall and Jalen Anderson
(APPROVED)

[21667](#)

A RESOLUTION amending Rules 16 and 19 of the Rules of the Jackson County Legislature relating to the transfer of legislation between committees.

(Rules Committee - 4th. Meeting)

[21668](#)

A RESOLUTION expressing the support of the Jackson County Legislature for the creation of a Jackson County Office of Gun Violence Prevention.

(Budget Committee - 3rd. Meeting)

[21677](#)

Finance and Audit Committee moved to adopt. Consent Agenda.

[21678](#)

Finance and Audit Committee moved to adopt. Consent Agenda.

[21680](#)

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

9 CONSENT AGENDA

[21677](#) A RESOLUTION awarding a twelve-month term and supply contract with two twelve-month options to extend for the furnishing of custodial services for use by the Public Works Department - Facilities Management Division to MC Janitorial of Olathe, Kansas, under terms and conditions of Invitation to Bid No.24-033.

(ADOPTED)

[21678](#) A RESOLUTION awarding twenty-four-month term and supply contracts, with one twelve-month option to extend, for the furnishing of lawn and golf course equipment repair for use by various County departments to Lawn & Leisure, Inc., of Lee's Summit, MO and Van Wall Equipment, Inc. of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 24-034.

(ADOPTED)

[21680](#) A RESOLUTION awarding a contract for the furnishing of nine full size SUVs for use by the Sheriff's Office to Reed Motors STJ, LLC, dba Reed Chrysler Dodge Jeep Ram of Saint Joseph, MO, under the terms and conditions of State of Missouri Contract No. CC240138010, an existing competitively bid government contract, at an actual cost to the County in the amount of \$384,399.00.

(ADOPTED)

Resolutions #21677, #21678 and #21680 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 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[21681](#) Awarding a twenty-four-month term and supply contract, with one twelve-month option to extend, for the furnishing of glazing services for use by the Public Works Department to Binswanger Glass of Independence, Missouri, under the terms and conditions of Invitation to Bid No. 23-026.
(Assigned to the Public Works Committee.)

[21682](#) Awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of asphaltic concrete 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. 24-007.

(Assigned to the Public Works Committee.)

[21683](#) Awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of electronic monitoring equipment for use by the Jackson County Sheriff's Population Control Office, to BI Incorporated of Boulder, CO, under the terms and conditions of OMNIA Partners - City of Mesa, Arizona Contract No. 2022118, an existing competitively bid government contract.

(Assigned to the Justice and Law Enforcement Committee.)

[21684](#) Transferring \$778,483.00 within the 2024 General Fund and \$59,772.00 within the E-911 System Fund for the furnishing of advanced cybersecurity solutions from existing term and supply contract vendors.

(Assigned to the Finance and Audit Committee.)

[21685](#) Awarding a twenty-four-month term and supply contract, with one twelve-month option to extend, for the furnishing of livestock feed, animal food, and agricultural supplies and equipment for use by various County departments to Feldman's Farm and Home of Liberty, MO, under the terms and conditions of Invitation to Bid No. 24-038.

(Assigned to the Finance and Audit Committee.)

[21686](#) Transferring \$127,500.00 within the 2024 General Fund to replace a pedestrian bridge along the Little Blue Trace Trail damaged by a severe storm, utilizing an existing term and supply contract.

(Assigned to the Land Use Committee.)

[21687](#) A motion was made by Megan L. Marshall, seconded by Jalen Anderson, to adopt Resolution #21687, authorizing the Jackson County Legislature to hold a closed meeting on Monday, July 29, 2024, 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: 8 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin and DaRon McGee

Abstain: 1 - Sean E. Smith

(ADOPTED)

No objection to the consideration of Resolution #21688 - not on printed agenda.

[21688](#)

A motion was made by Jalen Anderson, seconded by DaRon McGee, to adopt Resolution #21688, approving the settlement by the County Counselor of the claims of Next of Friend Sean Moore related to a personal injury with the Parks + Rec Department, for a total payment by the County of \$120,000.00. The motion passed by a roll call vote:

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

No: 1 - Donna Peyton

Absent: 1 - Sean E. Smith

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Sean E. Smith asked the County Counselor if the County had taken any remedial action as a result of the Administrative Order received from the State Tax Commission on July 11, 2024. Bryan Covinsky, County Counselor, said the Board of Equalization was already meeting before that notice came out. The BOE plans to continue meetings through August 16. Mr. Smith said right now the BOE is meeting three days a week, Tuesday, Wednesday, and Thursday. Mr. Covinsky said the BOE meets Tuesday, Wednesday, Thursday, and Friday, four days a week. The STC requires that the BOE meet on Mondays. Mr. Covinsky said the basis for that statute is for small counties that do not necessarily meet, to have a start date to meet. The County already had meetings scheduled. Mr. Smith said the order came through the Clerk's Office and was emailed to all Legislators. Mr. Smith said there are over 10,000 appeals from 2023 still outstanding. He is concerned why the BOE has requested additional compensation but are meeting less and having smaller dockets. Troy Schulte, County Administrator, said the Administration has had several conversations with the Chair of the BOE to move more quickly on its hearings.

Mr. Smith said he had requested recordings of the BOE hearings. He was told by Mr. Covinsky that he needed to request those through the Sunshine request process. Mr. Covinsky said that is because the BOE is having hearings right now as well as current litigation on these issues. He said this information should be presented as a Sunshine request. Mr. Smith said he used to receive these recordings routinely every day. He said he had been

removed from the distribution list. When he listened to the live meeting, the BOE was advising appellants that they won't receive their decision for 30 days. But the law requires taxpayers to file an appeal to the STC within 30 days following an action of the BOE. He is concerned taxpayers are being denied due process. He requested that someone take responsibility for making sure decision letters are properly dated and sent on the day the decision is made. Troy Schulte said that he will check on that. He said the 30-day clock starts the date the letter is sent out. The decision letters are printed in a batch. Mr. Smith said the previous BOE Chair sent the letter at the end of each week. Now they are sending them each month.

Donna Peyton expressed concern that the Legislature is not receiving information timely. She asked if they are in violation of the Sunshine Law if they are not responding timely. Mr. Covinsky said there are 72 hours to respond. That response does not have to provide the information requested but is an acknowledgment of the Sunshine request. Mr. Covinsky said this information is included in the County's GovQA public request system. The requester is told how much the request will cost. That may not happen within the initial response but may follow.

Manuel Abarca IV asked if the County Executive has a response to his letter regarding gun violence legislation. Mr. White said he has no comment at this time.

Jalen Anderson asked for clarification about the SB190 ordinance. He asked if taxpayers who previously applied for the credit need to reapply. Whitney Miller said no one who previously applied needs to re-apply. Those applications still stand. Mr. Schulte said there have been 12,000 applications submitted.

14 NEW BUSINESS

The County Legislature went into closed meeting per Resolution #21687. The County Legislature reconvened.

Resolution #21688 was adopted at this time. See page 10 for details.

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.

The next legislative meeting is scheduled to be held on Monday, August 5, 2024 at 3:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.