



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, November 30, 2020

10:00 AM

Forty-sixth 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 Tony Miller to approve the journal of the previous meeting held on November 23, 2020. The motion passed by a voice vote.

4 HEARINGS

Public Hearing regarding Ordinance #5461, to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2021 and Ordinance #5449, setting the 2021 Jackson County, Missouri tentative tax levy.

Theresa Cass Galvin, Chairman, recognized the Budget Committee Chairman, Crystal Williams. Ms. Williams opened the public hearing for Ordinance #5461. No members of the public were present to speak to the budget ordinance. Dan Tarwater III, County Legislator, asked if Ms. Williams had received any feedback from departments regarding the budget. Ms. Williams said the communication between the Legislative Auditor, County Legislature, the County Administrator and the Executive staff has been exemplary and she thanked them for their cooperation during the budget process. She has not heard from any departments regarding their budget. Dan Tarwater III asked Troy Schulte, County

Administrator, if there were any issues from the circuit court regarding the budget.

Judge David Byrn, Presiding Judge, came forward and said he echoed Ms. Williams's comments that the budget process has been handled cooperatively, with good information and sharing of ideas. He had a question regarding the proposed \$2 million difference for courts which was included in the recommended budget but excluded in the budget Ordinance #5461. Troy Schulte said the issue is absorbing the salary savings in the court's budget, but yet knowing the court will be conducting a salary study next year that will likely result in a budget increase. The Administration may need to come back before the Legislature with a supplemental budget request next year. It is not yet clear the timing of the Court's salary study so it is possible the salary adjustment may be deferred until 2022. Mr. Schulte said there are many unknowns in 2021. He said every general fund operation will operate under a hiring freeze for the remainder of 2020. Judge Byrn said that they all agree that 2020 has been anomaly. The courts have seen a savings in jury trial costs but have had an increase in expenses for sanitizing. The courts have agreed to absorb the health insurance and COLA expenses, but will be coming back on the salary issues as they complete the compensation study. Ronald E. Finley, County Legislator, asked why the County could not just add \$2 million to its proposed budget. Mr. Schulte said the County has been spending more than it collects in revenues. He said the County needs to figure out a way to solve this structural problem; it needs to increase revenues and decrease expenditures, but the bulk of costs are for salaries. The County can rely on reserves for the short term, but cannot continue to rely on reserves. The County is trying to squeeze out what it can from salary savings, but for the County's long-term health we need to bring expenditures in line with revenues. Mr. Finley said he would like to have additional information regarding these accounts and the reserve fund. Mr. Finley added that he is aware the courts have an administrative remedy when there are budget disputes. He asked if this is an issue that may result in such a remedy. Judge Byrn replied that the courts are not headed toward exercising its administrative option. He is satisfied with Mr. Schulte's response on the budget.

Ms. Williams said if no one else was present to speak to the proposed budget, the public hearing is closed.

Ms. Galvin asked if anyone was present to speak to Ordinance #5449, the tentative tax levy. Ronald E. Finley asked if the tax levy was the same as last year. Mr. Schulte said it is the same as 2019. No further public comments. The public hearing closed.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Troy Schulte said the County Executive appreciates the Legislature's efforts and cooperation in allocating the remaining CARES Act funds. Tony Miller, County Legislator, asked about the federal payroll protection program (PPP) and if there is a similar application through CARES Act funds. Mr. Schulte said that many of the local cities used their allocation of CARES Act funds for small business relief similar to the PPP funding.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5440](#) AN ORDINANCE repealing section 9303., Jackson County Code, 1984, relating to the Anti-Crime Sales Tax, and enacting, in lieu thereof, one new section relating to the same subject.

(Anti-Crime Committee - 4th. Perfection)

[5449](#) AN ORDINANCE setting the 2021 Jackson County, Missouri tentative tax levy.

(Legislature As A Whole - 2nd. Perfection)

[5451](#) A motion was made by Crystal Williams, seconded by Charlie Franklin, to approve the Budget Committee Amendment dated November 30, 2020, to delete the number "031-9999" and insert the number "031-5031" under the heading "Department/Division" at the bottom of page one. The motion passed by a voice vote.

[5451](#) Budget Committee moved to perfect. Consent Agenda.

[5452](#) Land Use Committee moved to perfect. Consent Agenda.

[5453](#) Legislature As A Whole moved to perfect. Consent Agenda.

The backup for Ordinance #5453 was amended on November 30, 2020.

[5454](#) Legislature As A Whole moved to perfect. Consent Agenda.

Troy Schulte said Ordinance #5454 will authorize the County to absorb the Pay IT fees that are incurred when a taxpayer uses the online application to pay their property taxes. This amount is an estimate. If this is adopted, anyone that has paid the fee will be able to request a refund of the \$2 transaction fee and \$1.50 e-check fee. Pay IT has started waiving the handling fees in anticipation of the adoption of this ordinance. The refunds will only be for this year.

[5455](#) AN ORDINANCE appropriating \$247,236.00 from the undesignated fund balance of the 2020 Grant Fund in acceptance of the Prosecuting Attorney's Office's Special Assistant United States Attorney program grant awarded by the U.S. Department of Justice.

(Finance and Audit Committee - 1st. Perfection)

[5456](#) AN ORDINANCE appropriating \$9,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds to enable the Clerk of the Legislature to acquire Q-Less flex appointment management software in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic, at an aggregate cost to the County not to exceed \$9,000.00.

(Legislature As A Whole - 1st. Perfection)

Barb Casamento, Purchasing Administrator, said she believes the County will exceed the \$25,000 limit with this ordinance. She recommends this be held until compliance issues are reviewed.

[5457](#) A motion was made by Charlie Franklin, seconded by Scott Burnett, to approve the Finance and Audit Committee Amendment dated November 30, 2020 for Ordinance #5457, to delete the figure "52,411.47" and insert the figure "52,412" after the "\$" in the heading on page one, to delete the numbers "010-2810" and insert the numbers "010-32810" under "Department/Division" at the top of page two, to delete the numbers "010 2810" and insert the numbers "010 32810" after "Account Number" on page three. The motion passed by a voice vote.

[5457](#) Finance and Audit Committee moved to perfect. Consent Agenda.

[5458](#) A motion was made by Dan Tarwater III, seconded by Tony Miller to perfect Ordinance #5458. The motion passed by a voice vote.

(PERFECTED)

Troy Schulte said the Department of Corrections is conducting weekly testing of inmates through the end of the year. Most of this cost is for the labor needed to administer the tests. The Administration is exploring a saliva test that will reduce the labor costs. Ronald E. Finley asked how it is handled if an inmate refuses to be tested. Deloris Wells, Deputy Director of Corrections, said the inmate is isolated if they refuse a COVID test.

[5458](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Ordinance #5458, appropriating \$1,000,000.00 from the undesignated fund balance of the 2020 CARES Act Fund for use by the Department of Corrections for COVID-19 testing of inmates and staff at the Jackson County Detention Center, 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)

[5459](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller to perfect Ordinance #5459. The motion passed by a voice vote.

(PERFECTED)

[5459](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Ordinance #5459, repealing section 255. Jackson County Code, 1984, relating to fees charged by the Clerk of the Legislature, and enacting, in lieu thereof, one new section relating to the same subject, with an effective date. 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)

Jay Haden, Chief Deputy County Counselor, explained Ordinance #5459 sets the exact fee for notarizations for the Clerk's office with an effective date of December 1, 2020.

[5460](#)

Finance and Audit Committee moved to perfect. Consent Agenda.

[5461](#)

AN ORDINANCE to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2021.

(Legislature As A Whole - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20558](#) A motion was made by Jalen Anderson, seconded by Tony Miller, to approve the Corrected Public Works Committee Substitute dated November 30, 2020 for Resolution #20558, awarding a contract on Bid No. PW 04-2020 for the Morris Road Culvert Replacement Project, No. 3229, to Linaweaver Construction, Inc., of Lansing, KS, at an actual cost to the County not to exceed \$225,253.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County. The motion passed by a voice vote. Consent Agenda.

(APPROVED)

[20560](#) Transferring \$84,728.00 within the 2020 Special Road and Bridge Fund to allow for the purchase of inclement weather-related equipment from an existing term and supply vendor for use by the Public Works Department.

(WITHDRAWN BY SPONSOR WILLIAMS, CONCURRED BY TARWATER III AND ANDERSON.)

[20563](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[20564](#) Anti-Crime Committee moved to adopt. Consent Agenda.

The Request for Legislative Action (RLA) and backup for Resolution #20564 were revised on November 30 2020.

[20565](#) Land Use Committee moved to adopt. Consent Agenda.

[20566](#) A RESOLUTION transferring \$51,131.00 within the 2020 Assessment Fund to cover remaining financial obligations of the Assessment Department through the end of 2020.

(Budget Committee - 1st. Meeting)

[20567](#) A motion was made by Charlie Franklin, seconded by Crystal Williams, to approve the Finance and Audit Committee Substitute dated November 30, 2020 for Resolution #20567, awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of pipe and plumbing supplies for use by various County departments to Reeves Wiedeman Company of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 37-20. The motion passed by a voice vote. Consent Agenda.

(APPROVED)

[20568](#) Finance and Audit Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5451](#) AN ORDINANCE transferring \$800,000.00 within the 2020 General Fund and appropriating \$800,000.00 from the undesignated fund balance of the 2020 E-911 System Fund to cover unbudgeted costs associated with operating and maintaining the 911 phone system in Jackson County.
(PERFECTED)

[5452](#) AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges and enacting, in lieu thereof, one new schedule relating to the same subject.
(PERFECTED)

[5453](#) AN ORDINANCE appropriating \$27,339.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide for the purchase of upgraded computer equipment for use by the Prosecuting Attorney's Office to improve remote work capabilities and communications in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.
(PERFECTED)

[5454](#) AN ORDINANCE appropriating \$350,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to enable the County to assume responsibility for e-check and transaction fees to encourage Jackson County taxpayers to pay real estate and personal property taxes online in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.
(PERFECTED)

[5457](#) AN ORDINANCE appropriating \$52,412.00 from the undesignated fund balance of the 2020 Grant Fund in acceptance of an increase to the Gender Specialized Tracker Program Grant received from the Missouri Department of Public Safety.
(PERFECTED)

[5460](#) AN ORDINANCE repealing section 570., Jackson County Code, 1984, relating to the County's personal services policy and enacting, in lieu thereof, one new section relating to the same subject.
(PERFECTED)

[20558](#) A RESOLUTION awarding a contract on Bid No. PW 04-2020 for the Morris Road Culvert Replacement Project, No. 3229, to Linaweaver Construction, Inc., of Lansing, KS, at an actual cost to the County not to exceed \$225,253.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(ADOPTED)

[20563](#) A RESOLUTION authorizing the County Counselor to execute addenda to the Legal Services Agreements with certain law firms, at an increased aggregate cost to the County not to exceed \$16,275.00.

(ADOPTED)

[20564](#) A RESOLUTION transferring \$110,960.00 within the 2020 Anti-Crime Sales Tax Fund and awarding a contract for the furnishing of additional software and service packages for the COMBAT Connections database to First Call of Kansas City, MO, at an actual cost to the County in the amount of \$125,834.00, as a sole source purchase.

(ADOPTED)

[20565](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of trail design and engineering services for use by the Parks + Rec Department to McClure Engineering of North Kansas City, MO, under the terms and conditions of Request for Qualifications No. 40-20.

(ADOPTED)

[20567](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of pipe and plumbing supplies for use by various County departments to Reeves Wiedeman Company of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 37-20.

(ADOPTED)

[20568](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of softball field light maintenance for use by the Parks + Rec Department to Mark One Electric Company, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 29-20.

(ADOPTED)

Ordinances #5451, #5452, #5453, #5454, #5457, and #5460 were moved to the Consent Agenda for perfection. Resolutions #20558, 20563, 20564, 20565, 20567, and 20598 were moved to the Consent Agenda for adoption.

A motion was made by Dan Tarwater III, seconded by Charlie Franklin, to approve the Consent Agenda. 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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5462](#) Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 2.79± acre tract from District LB (Local Business) to District GB (General Business).
(Assigned to the Land Use Committee.)

[5463](#) Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 12.66± acre tract from District C (Multi-Family) to District LI (Light Industrial).
(Assigned to the Land Use Committee.)

[5464](#) Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 6.00± acre tract from District AG (Agricultural) to District RE (Residential Estates).
(Assigned to the Land Use Committee.)

[5465](#) Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.51± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).
(Assigned to the Land Use Committee.)

The Land Use Committee will have a public hearing regarding Ordinances #5462, #5463, #5464, and #5465 on Monday, December 7, 2020 at 9:45 a.m. in the Kansas City Legislative Assembly Area

[5466](#) A motion was made by Charlie Franklin, seconded by Dan Tarwater III to perfect Ordinance #5466. The motion passed by a voice vote.
(PERFECTED)

[5466](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5466, appropriating \$340,000.00 from the undesignated fund balance of the 2020 Grant Fund in acceptance of the Prosecuting Attorney's Office's Innovative Prosecution for Combating Violent Crimes grant awarded by the U.S. Department of Justice. 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)

Troy Schulte explained that Ordinance #5467 covers the last of the undesignated CARES Act funds. He said there will be an ordinance next week for park rangers. A ruling a few months ago clarified that entities could use CARES Act monies to cover the budgeted salaries for first responders. This ordinance will reimburse the County budget for salary costs back to March for Sheriff's deputies. Tony Miller asked if funds could only be used for budgeted costs. Mr. Schulte responded that it could be used for budgeted and unbudgeted costs. He said other departments to be included are Emergency Management, Corrections and the Medical Examiner. He said they will bank the money in the general fund and use it to pay public health costs. Ronald E. Finley asked for clarification if this is an approved CARES Act expense. Mr. Schulte explained that the original guidance from the federal government was that governments could not use CARES monies for previously budgeted items, but information later released expressly stated that government entities could use CARES funds for its first responder salaries.

Jay Haden said he left a voice mail for Mr. Finley this morning and he will provide him with the information regarding federal guidance.

Troy Schulte said there is pending legislation to extend the deadline to September 2021 and if the time is extended no additional county ordinances will be necessary.

[5467](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to approve the Floor Amendment dated November 30, 2020 for Ordinance #5467, to delete the number "55010 and insert the numbers "55060", to delete the number "55060" and insert the number "55040 under the heading "Character/Description" on page two. The motion passed by a voice vote.

(APPROVED)

[5467](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller to perfect Ordinance #5467. The motion passed by a voice vote.

(PERFECTED)

[5467](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Ordinance #5467, appropriating \$7,138,142.00 from the undesignated fund balance of the 2020 CARES Act Fund to reimburse the County for regular salary and overtime costs incurred by the Sheriff's Office from March 1, 2020, to December 30, 2020, in its role as first responders and emergency service providers for the residents of Jackson County. 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)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20570](#)

Expressing the intent of the Legislature regarding the disposition of remaining CARES Act funds.

(WITHDRAWN BY SPONSOR FINLEY, CONCURRED BY TARWATER III AND MILLER.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Jeanie Lauer, County Legislator, asked about the County's plans to assist with the roll out of the COVID vaccine and its refrigeration needs. Troy Schulte said part of the funding allocation to Truman Medical Centers addressed the refrigeration needed in laboratories for the vaccine. He said he would ask TMC representatives to attend the next legislative meeting to report to the County Legislature. Theresa Cass Galvin suggested Bridgette Shaffer also attend and give a final report for this year.

Crystal Williams asked if it would be possible to get regular updates regarding COVID testing at the jail. Theresa Cass Galvin said the Legislature receives weekly updates from the Health Department and regular updates are in the works from the Assessment Department. Perhaps

it could be arranged to get regular updates from the Department of Corrections. Theresa Cass Galvin asked for weekly updates from the Assessment and Corrections Departments.

Ronald E. Finley asked if the Administration could explore obtaining additional CARES Act Funds from the State of Missouri. Troy Schulte said he could make a request.

Dan Tarwater III said he had a request from a small business owner/constituent in south Kansas City regarding the burden of their business tax bill when the business is unable to open because of the pandemic. Jay Haden, Chief Deputy County Counselor, said this type of relief would need action by the State of Missouri. The County does not have the authority to waive taxes. Mr. Tarwater said the taxpayer was not asking for taxes to be waived, but for options such as a quarterly payment plan. Theresa Cass Galvin proposed a resolution supporting an action on the state level. Jalen Anderson, County Legislator, asked if anyone had reached out to the County's lobbyist. Mr. Tarwater said he would follow up with the lobbyist this week and personally contact his State Senator and State Representative.

Jay Haden reminded everyone that next week's meeting is the next to last meeting for the year. If any department had agenda items, they need to get those turned in as soon as possible and not wait for the Wednesday deadline.

Theresa Cass Galvin said Christmas in the Park was beautiful and will be open until January 2, 2020. She said she saw the interview on the news with Parks + Rec associates, Tina Spallo and Bruce Wilke. She said Parks + Rec, Public Works and the Communications Department did a great job. Michele Newman, Director of Parks + Rec said she has an amazing staff and gave a special thanks to the Longview Lake crew and Mark Hite.

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, December 7, 2020 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.