



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Theresa Galvin (6th) Chair, Dan Tarwater III (4th) Vice Chair,
Jalen Anderson (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Scott Burnett (1st), Ronald E. Finley (2nd), Charlie Franklin (3rd),
Jeanie Lauer (5th)*

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

Monday, November 25, 2019

9:30 AM

Forty-sixth Regular Meeting

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

Theresa Galvin, Chair, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 8 - Jalen Anderson, Crystal Williams, Scott Burnett, Ronald E. Finley,
Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin
Absent 1 - Tony Miller

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 Crystal Williams to approve the journal of the previous meeting held on November 18, 2019. 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

[5291](#) Budget Committee moved to perfect. Consent Agenda.

[5292](#) 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, 2020.

(Legislature As A Whole - 1st. Perfection)

- [5293](#) AN ORDINANCE setting the 2020 Jackson County, Missouri tentative tax levy.
(Legislature As A Whole - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

- [5285](#) Consent Agenda.
[5287](#) Consent Agenda.
[5288](#) Consent Agenda.
[5289](#) Consent Agenda.
[5290](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

- [20302](#) Finance and Audit Committee moved to adopt. Consent Agenda.
[20303](#) Finance and Audit Committee moved to adopt. Consent Agenda.
[20304](#) Public Works Committee moved to adopt. Consent Agenda.
A motion was made by Scott Burnett, seconded by Dan Tarwater III, to waive the reading of Resolution #20305. The motion passed by a voice vote.
[20305](#) Land Use Committee moved to adopt. Consent Agenda.
[20306](#) Finance and Audit Committee moved to adopt. Consent Agenda.
[20307](#) Budget Committee moved to adopt.

Regarding Resolution #20310, Jeanie Lauer, Ronald E. Finley, and Jalen Anderson, County Legislators, objected to the Consent Agenda. Mr. Finley requested discussion regarding Resolution #20310. He asked for clarification about the meaning of dismissal for cause as referenced on pages 4 and 5 of the Employment Agreement. Jay Haden, Chief Deputy County Counselor, said that this clause has been included in every employment contract by the County for at least the past 10 years. In his opinion the clause specifies that an act justifying dismissal for cause must be an intentional act against the County's best interest. He said the intent is if the County decides to remove the County Administrator because of a policy dispute or judgment call, he would be entitled to severance pay, but an act of misconduct that is intentional or perhaps verging on criminal

would mean the County Administrator would not be eligible for severance.

Crystal Williams, County Legislator, said she is familiar with this verbiage as standard language that has been included in numerous local and state employment contracts.

Jeanie Lauer, County Legislator, said that she is objecting to passage of this resolution because the position and pay range have not been inserted into the County Code as stated in the Agreement.

Jay Haden said he distributed a revised employment agreement for Mr. Schulte dated November 20, 2019. Changes were made on the bottom of page 1 regarding term and on page 4 paragraph V. section B. regarding termination and severance.

[20310](#)

A motion was made by Dan Tarwater III, seconded by Scott Burnett, to adopt Resolution #20310, authorizing the County Executive to execute an Employment Agreement with Troy M. Schulte to serve as the County Administrator for Jackson County. The motion passed by a roll call vote:

Yes: 5 - Crystal Williams, Scott Burnett, Charlie Franklin, Dan Tarwater III and Theresa Galvin

No: 3 - Jalen Anderson, Ronald E. Finley and Jeanie Lauer

Absent: 1 - Tony Miller

(ADOPTED)

[20311](#)

Health and Environment Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5291](#)

AN ORDINANCE appropriating \$9,136.00 from the undesignated fund balance of the 2019 General Fund representing a payment from the United States Marshal Service for overtime salaries.

(PERFECTED)

[5285](#)

AN ORDINANCE transferring \$57,260.00 within the 2019 General Fund and appropriating \$666,689.00 from the undesignated fund balance of the 2019 Grant Fund in acceptance of the 2019 JAG Grant awarded to the Prosecuting Attorney's Office.

(ADOPTED)

[5287](#)

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.

(ADOPTED)

[5288](#) AN ORDINANCE repealing sections 710. and 720., Jackson County Code, 1984, relating to County personnel practices, and enacting, in lieu thereof, two new sections relating to the same subject.

(ADOPTED)

[5289](#) AN ORDINANCE transferring \$125,000.00 within the 2019 General Fund and appropriating \$53,600.00 from the undesignated fund balance of the 2019 Anti-Crime Sales Tax Fund and \$22,000.00 from the undesignated fund balance of the 2019 Park Enterprise Fund to cover the costs of health savings account contributions and insurance administrative fees.

(ADOPTED)

[5290](#) AN ORDINANCE appropriating \$330,000.00 from the undesignated fund balance of the 2019 General Fund, \$6,750.00 from the undesignated fund balance of the 2019 Health Fund, and \$52,056.00 from the undesignated fund balance of the 2019 Anti-Crime Sales Tax Fund to cover the costs of vacation and sick leave payouts through the end of 2019.

(ADOPTED)

[20302](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing, installation, and recycling of carpet for use countywide to RD Mann Commercial Flooring of Kansas City, KS, under the terms and conditions of the Jackson County Circuit Court Contract No. 800805-19-22-3, an existing competitively bid contract.

(ADOPTED)

[20303](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend, for the furnishing of t-shirts and wearing apparel for use by various County departments to Raytown Screen Print of Greenwood, MO, under the terms and conditions of Invitation to Bid No. 53-19.

(ADOPTED)

[20304](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend, for the furnishing of hydraulic systems parts and repair services for use by the Public Works Department to Calibrated Products, Inc., of Blue Springs, MO under the terms and conditions of Invitation to Bid 52-19.

(ADOPTED)

[20305](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend, for the furnishing of floating structure maintenance, inspection, and repair services for use by the Parks + Rec Department to Ozark Barge and Dock Services of Gravois Mills, MO, under the terms and conditions of Invitation to Bid No. 50-19.

(ADOPTED)

[20306](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of office paper for use by various County departments to Clayton Paper & Distributing of St. Joseph, MO, under the terms and conditions of MARC/KCRPC Contract No. 88, an existing competitively bid contract.

(ADOPTED)

[20307](#) A RESOLUTION transferring \$82,000.00 within the 2019 Anti-Crime Sales Tax Fund and \$746,926.00 within the 2019 General Fund to cover the cost of budget shortfalls for overtime salaries, supplies, furniture, and other contractual services.

(ADOPTED)

[20311](#) A RESOLUTION authorizing the County Executive to execute a Program Services Contract with the Missouri Department of Health and Senior Services for a tracking program for statistical reporting of opioid and violent deaths, for a fee payable to the County.

(ADOPTED)

Ordinance #5291 was moved to the Consent Agenda for perfection. Ordinances #5285, #5287, #5288, #5289 and #5290 were moved to the Consent Agenda for adoption. Resolutions #20302, #20303, #20304, #20305, #20306, #20307 and #20311 were moved to the Consent Agenda for adoption.

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

Yes: 7 - Jalen Anderson, Crystal Williams, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III and Theresa Galvin

No: 1 - Jeanie Lauer

Absent: 1 - Tony Miller

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5294](#) A motion was made by Crystal Williams, seconded by Dan Tarwater III to perfect Ordinance #5294. The motion passed by a voice vote.

(PERFECTED)

[5294](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adopt Ordinance #5294, appropriating \$9,645.00 from the undesignated fund balance of the 2019 General Fund representing a payment from the United States Marshals Service for overtime salaries and office supplies. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 1 - Tony Miller

(ADOPTED)

[5295](#)

Transferring \$84,155.00 within the 2019 General Fund and appropriating \$340,256.00 from the undesignated fund balance of the 2019 Grant Fund in acceptance of Jackson County's portion of the City of Kansas City, Missouri's 2018 JAG grant from the United States Department of Justice.

(Assigned to the Finance and Audit Committee.)

[5296](#)

A motion was made by Crystal Williams, seconded by Jalen Anderson to perfect Ordinance #5296. The motion passed by a voice vote.

(PERFECTED)

[5296](#)

A motion was made by Crystal Williams, seconded by Jalen Anderson, to adopt Ordinance #5296, appropriating \$63,600.00 from the undesignated fund balance of the 2019 Health Fund, representing the proceeds of a grant from the Greater Kansas City Community Foundation to partially cover the cost of indigent cremations. The motion passed by a roll call vote:

Yes: 7 - Jalen Anderson, Crystal Williams, Scott Burnett, Ronald E. Finley, Charlie Franklin, Jeanie Lauer and Theresa Galvin

Abstain: 1 - Dan Tarwater III

Absent: 1 - Tony Miller

(ADOPTED)

No objection to the consideration of Resolution #5297 - not on the printed agenda.

[5297](#)

Repealing sections 9103. and 9104., Jackson County Code, 1984, relating to the Board of Equalization, and enacting, in lieu thereof, two new sections relating to the same subject.

(Assigned to the Budget Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20312](#) Transferring \$45,000.00 within the 2019 Anti-Crime Sales Tax Fund to cover the costs of additional electronic monitoring equipment and drug testing for use by the Population Control Division of the Department of Corrections.
(Assigned to the Budget Committee.)

[20313](#) Transferring \$81,000.00 within the 2019 General Fund to cover the costs of step increases, shift differential pay, and education incentives for staff of the Sheriff's Office.
(Assigned to the Budget Committee.)

[20314](#) Transferring \$43,350.00 within the 2019 Special Road and Bridge Fund, to cover unanticipated budgetary shortfalls within the Road and Bridge Maintenance Division of Public Works.
(Assigned to the Budget Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Jalen Anderson asked Bryan Covinsky, County Counselor, who he was representing when he spoke before the Board of Equalization hearing on Thursday. Mr. Covinsky replied that he was representing the Assessment Department. In reference to the resolution adopted by the Legislature in support of rolling back the reassessment to the 2018 levels, Mr. Anderson asked if Mr. Covinsky is willing to argue that position on behalf of the Legislature. Mr. Covinsky said at this point in time, he does agree with the Assessment Department. Mr. Anderson said that means the County Counselor is siding with the Administration and not the Legislature. Mr. Covinsky said he didn't think of it that way. He said he made the argument from a legal perspective.

Crystal Williams said that Mr. Covinsky's position has been consistent throughout this reassessment process. The County Counselor is representing the Administration and not the Legislature or the constituents on the issue of the reassessment. She said that the pain and hardship on the constituents has been minimized by the Administration. A Board of

Equalization official pointed out that 17,000 challenges to the values in this year is significant and this is a bigger deal than has been represented.

Add on Ordinance #5297 was introduced at this time. See page 6 for details.

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, December 2, 2019 at 9:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.