



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

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

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

Monday, December 5, 2022

10:00 AM

Forty-seventh Regular Meeting

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

Charlie Franklin, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III and Jeanie Lauer

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 Scott Burnett to approve the journal of the previous meeting held on November 28, 2022. The motion passed by a voice vote.

4 HEARINGS

Charlie Franklin, Chairman, turned the meeting over to the Budget Chairman, Theresa Cass Galvin, County Legislator. Theresa Cass Galvin opened the public hearing regarding Ordinance #5701, 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, 2023, and Ordinance #5702, setting the 2023 Jackson County, Missouri tentative tax levy. There was no public comment on Ordinances #5701 and #5702. Jeanie Lauer, County Legislator, said during the Budget Hearings there was a lot of discussion regarding moving funds out of the County Improvement Fund and into the General Fund. It was stated the reason for this move is to allow the County to obtain a more favorable bond rating. Ms. Lauer said she wants the record to reflect her concerns about moving these funds since it was discussed numerous times over the previous few years, that these funds would be dedicated for debt service on the jail. The previous discussions were that

these funds would be rolled over to get a jump start on debt payments for the jail.

Ronald E. Finley, County Legislator, said he is not sure why the Legislature is having a discussion regarding the budget. There is a whole new group of policy makers coming in January. They will have the authority and the responsibility for working with the Administration on this budget for the next four years. As far as he is aware it traditionally has been left to the new Legislature to approve the budget. He thinks this is something the new Legislature should study and decide after they are sworn in.

With no further comment, Theresa Cass Galvin closed the public hearing on Ordinances #5701 and #5702.

Charlie Franklin resumed the duties as Chairman.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., County Executive, introduced Bridgette Shaffer, Director of the Jackson County Health Department, for an update regarding communicable diseases in our community. A copy of Ms. Shaffer's update is available under the Meeting Details for the December 5, 2022, Legislative Meeting, located at <https://jacksonco.legistar.com/MeetingDetail.aspx?ID=1061554&GUID=040DFD1D-5746-4511-8B43-B732AF2F5F8F&Options>

Scott Burnett, County Legislator, asked if Jackson County hospitals are full or busy. Ms. Shaffer said they are busy. The hospitals are at high volume. This is expected this time of year.

Jeanie Lauer asked about RSV testing. Ms. Shaffer said, currently the Health Department provides a respiratory panel that tests clients for COVID-19 and influenza. They are adding RSV to that panel for testing. That should go live on Thursday. This is free to anyone utilizing the Health Department testing. This will be one nasal swab for all three tests.

Ronald E. Finley asked about the vaccine program. Ms. Shaffer said they continue to offer vaccines for COVID-19 and influenza. These are offered at Mattie Rhodes and businesses that have requested to conduct these vaccine programs. The COVID vaccine booster is available. Mr. Finley asked how many people have been vaccinated and requested that the upcoming vaccine events schedule be emailed to him. Ms. Shaffer said

the Health Department has administered 90,000 vaccines throughout the pandemic. Ms. Shaffer said they continue to supply vaccines as requested. Mr. Finley asked for information regarding the number of vaccines through the Healthy Eastside program. Caleb Clifford, Chief of Staff, said he would send updated information to Mr. Finley regarding the upcoming vaccine programs and status of the vaccine program conducted through the Healthy Eastside program.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

A motion was made by Dan Tarwater III, seconded by Theresa Cass Galvin to hold Ordinance #5667. The motion passed by a voice vote.

[5667](#)

AN ORDINANCE authorizing the issuance of special obligation bonds (Justice with Dignity Project) Series 2022A of Jackson County, Missouri, and authorizing certain other documents and actions in connection therewith. *(Legislature As A Whole - 3rd. Perfection)*

[5701](#)

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, 2023. *(Legislature As A Whole - 1st. Perfection)*

[5702](#)

AN ORDINANCE setting the 2023 Jackson County, Missouri tentative tax levy. *(Legislature As A Whole - 1st. Perfection)*

Jalen Anderson, County Legislator, asked why there was a request to hold the budget ordinance. Dan Tarwater III, County Legislator, said the budget is not yet complete. He believes the budget should be approved by the new Legislature. He thinks the budget hearings helped everyone get a roadmap on the budget. Mr. Anderson said he was not clear if this was everyone's opinion. Charlie Franklin asked Jay Haden, Chief Deputy County Counselor, for clarification on the proper procedures. Jay Haden initially stated a motion to perfect would take precedent over a motion to hold. Mr. Haden then corrected his statement. He said a motion to hold takes precedent over a motion to perfect or adopt.

Crystal Williams, County Legislator, asked why the Legislature had budget hearings. Mr. Franklin responded that some legislators requested the hearings. Ms. Williams said there is a lot of talk about a historic precedent of the new Legislature making the decision on the budget. She said that precedent actually only goes back to 2011. She does not understand why the Legislature would go through the process of having hearings but then not take responsibility for this budget.

Dan Tarwater III said the Legislature has always had budget hearings. It is unprecedented that there are six new legislators coming in. In his experience the adoption of the budget has been handled by the new Legislature in January.

Tony Miller, County Legislator, asked what the final date is for adopting the budget. Mr. Haden said January 31, 2023. Mr. Miller asked how many votes it will take to adopt the budget. Mr. Haden said any ordinance or resolution requires five affirmative votes.

Charlie Franklin asked Mr. Haden what the procedures are for the budget to be adopted this year. Mr. Haden said under normal procedures an ordinance will go to the County Executive for his signature, veto, or to leave it unsigned. If there is a motion to hold, that is a procedural motion. As such, it will require the majority of those present. A motion to perfect or to adopt would require five votes.

Jalen Anderson asked for a roll call vote on the motion to hold Ordinances #5701 and #5702. Mr. Haden said this is at the discretion of the Chairman.

Theresa Cass Galvin said during election years when the budget is not adopted until January 31st, the departments have to wait to spend money until after the budget is adopted. She gave the example of Human Resources being out of printer ink and unable to order any replacements to produce new employee badges because the budget had not yet been adopted. Jay Haden said Troy Schulte, County Administrator, has stated that if a department has a bill that must be paid before the budget is adopted, he will find a way to get those bills paid.

Jalen Anderson said the new Legislature will still have the ability to discuss and decide on outside agency funding. Ronald E. Finley said they also have not had specifics on the COMBAT allocations.

Charlie Franklin asked Jay Haden about the next steps. Jay Haden said there is a motion on the floor for a roll call vote on the motion to hold Ordinances #5701 and #5702. An affirmative vote will hold the items.

Mary Jo Spino, County Clerk, reread the motion. A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to hold Ordinance #5701. The motion passed by a roll call vote:

Yes: 5 - Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, and Dan Tarwater III

No: 4 - Jalen Anderson, Crystal Williams, Jeanie Lauer and Theresa Cass Galvin

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to hold Ordinance #5702. The motion passed by a roll call vote:

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

No: 1 - Jalen Anderson

Tony Miller said to be clear, he is voting to hold for one week. He is not trying to open a can of worms, and he does not have any particular insight, but if there is a crisis under the charter which may be litigated about who may take office while holding another office, then what happens if there is an ongoing process that requires a court to sort that out before the end of January. He hopes the government will continue to function.

[5703](#) Finance and Audit Committee moved to perfect. Consent Agenda.

[5704](#) Budget Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[21098](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[21102](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21103](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21104](#) Health and Environment Committee moved to adopt. Consent Agenda.

[21105](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21106](#) Budget Committee moved to adopt. Consent Agenda.

[21107](#) Land Use Committee moved to adopt. Consent Agenda.

[21108](#) Finance and Audit Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5703](#) AN ORDINANCE appropriating \$2,400.00 from the undesignated fund balance of the 2022 Grant Fund and authorizing the Director of Parks + Rec to execute a Cost-Share Agreement with the Missouri Department of Conservation for land management and invasive species removal services on County parkland.

(PERFECTED)

[5704](#) AN ORDINANCE appropriating \$108,786.00 from the undesignated fund balance of the 2022 County Improvement Fund and awarding a contract on Bid No. 112-22 for a park road repair maintenance project to Superior Bowen Asphalt Company, LLC, of Kansas City, MO, at an actual cost to the County not to exceed \$2,001,136.00, and authorizing the Director of Parks + Rec to approve line item adjustments under this contract at no additional cost to the County.

(PERFECTED)

[21098](#) A RESOLUTION awarding a thirty-six month term and supply contract with two twelve-month options to extend for the furnishing of inmate pay telephone services for use by the Department of Corrections to Smart Communications Holding, Inc., of Seminole, FL, under the terms and conditions of Request for Proposals No. 11-22, for a commission payable to the County.

(ADOPTED)

[21102](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of HVAC Filters for use by various County departments to Kansas City Air Filters of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 86-22.

(ADOPTED)

[21103](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of fuel dispensing equipment services for use by various County departments to Petroleum Equipment, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 85-22.

(ADOPTED)

[21104](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of body transportation services for use by the Medical Examiner's Office to Metro Removal of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 99-22.

(ADOPTED)

[21105](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of bottled water and dispenser services for use by various County departments to Pure Water Oasis, Inc., of Independence, MO, under the terms and conditions of Invitation to Bid No. 101-22.

(ADOPTED)

[21106](#) A RESOLUTION transferring \$69,840.00 within the 2022 General Fund for the purpose of funding an architectural study to accommodate the Family Court's Emerging Adults Program.

(ADOPTED)

[21107](#) A RESOLUTION approving the Blue River Parkway Master Plan.

(ADOPTED)

[21108](#) A RESOLUTION transferring \$38,383,428.00 within the 2022 American Rescue Plan Fund to charge to that fund previously authorized expenditures that are allowable expenses under the Federal American Rescue Plan Act.

(ADOPTED)

Ordinance #5703 and #5704 were moved to the Consent Agenda for perfection. Resolutions #21098, #21102, #21103, #21104, #21105, #21106, #21107, and #21108 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: 9 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III and Jeanie Lauer

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5705](#) 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.

(Assigned to the Finance and Audit Committee.)

[5706](#)

A motion was made by Dan Tarwater III, seconded by Theresa Cass Galvin to perfect Ordinance #5706. The motion passed by a voice vote.

(PERFECTED)

[5706](#)

A motion was made by Jalen Anderson, seconded by Dan Tarwater III, to adopt Ordinance #5706, enacting a new section 250., Jackson County Code, 1984, relating to the Clerk of the County Legislature, and renumbering existing code sections accordingly. The motion passed by a roll call vote:

Yes: 9 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III and Jeanie Lauer

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[21111](#)

Transferring \$197,000.00 within the 2022 General Fund to cover remaining year-end financial obligations for the Jackson County Detention Center.

(Assigned to the Budget Committee.)

[21112](#)

Awarding a contract for the maintenance of software for use by the Compliance Review Office to AskReply, Inc., dba B2Gnow of Phoenix, AZ, at an actual cost to the County in the amount of \$32,906.55 for 2023, as a sole source purchase.

(Assigned to the Finance and Audit Committee.)

[21113](#)

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. 102-22.

(Assigned to the Finance and Audit Committee.)

[21114](#)

Transferring \$31,225.00 within the 2022 Park Enterprise Fund and awarding a contract for the installation of scoreboards for use by the Parks + Rec Department to Athco, LLC, of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 104-22.

(Assigned to the Budget Committee.)

[21115](#) Transferring \$402,506.00 within the 2022 American Rescue Plan Fund and awarding a contract for the furnishing and installation of furniture, fixtures, and equipment at the new Health Department building to Kansas City Office Design, LLC, of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 94-22, at an actual cost to the County not to exceed \$402,506.00.

(Assigned to the Budget Committee.)

[21116](#) A motion was made by Dan Tarwater III, seconded by Theresa Cass Galvin, to adopt Resolution #21116, authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 5, 2022, 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 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III and Jeanie Lauer

Absent: 1 - Crystal Williams

(ADOPTED)

Bryan Covinsky, County Counselor, said there would be legislation to vote on after the closed meeting.

[21117](#) Transferring \$196,400.00 within the 2022 General Fund to cover unexpected building modification needs and service areas for the Family Court.

(Assigned to the Budget Committee.)

[21118](#) Awarding a twelve-month term and supply contract with three twelve-month options to extend for the furnishing of vehicle insurance for use Countywide to the Missouri Public Entity Risk Management Fund (MOPERM) of Jefferson City, Missouri, under the terms and conditions of Request for Proposals No. 113-22.

(Assigned to the Finance and Audit Committee.)

[21119](#) Authorizing the Director of Finance and Purchasing to execute contracts with Enterprise Fleet Management of Merriam, KS, to sell certain County-owned vehicles and declaring county-owned vehicles as surplus and authorizing their disposal pursuant to chapter 11 of the Jackson County Code.

(Assigned to the Finance and Audit Committee.)

[21120](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Resolution #21120, congratulating Tony Romano on the occasion of his retirement after thirty-one years of service to Jackson County. The motion passed by a roll call vote:

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

Absent: 1 - Crystal Williams

(ADOPTED)

[21121](#)

Awarding a twelve-month term and supply contract with one twelve-month option to extend for community engagement consultant services for use by the Assessment Department from Mod Op of Kansas City, MO, under the terms and conditions of Request for Proposals No. 107-22.

(Assigned to the Finance and Audit Committee.)

No objection to the consideration of Resolutions #21122 and #21123 - not on the printed agenda.

[21122](#)

A motion was made by Dan Tarwater III, seconded by Jeanie Lauer, to adopt Resolution #21122, approving the settlement by the County Counselor of the claims of Jeffrey Sedorcek related to employment with Jackson County Parks + Rec for a total payment by the County of \$135,000.00. The motion passed by a roll call vote:

Yes: 7 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

Abstain: 1 - Ronald E. Finley

Absent: 1 - Crystal Williams

(ADOPTED)

[21123](#)

A motion was made by Dan Tarwater III, seconded by Jeanie Lauer, to adopt Resolution #21123, transferring \$4,682,356.00 with the 2022 General Fund and authorizing the County Counselor to settle the claims of Douglas Caster, in the case styled Douglas Caster v. Jackson County, Missouri, et al., now pending in the Missouri Court of Appeals, Western District, for a total payment by the County of \$5,300,000.00. The motion passed by a roll call vote:

Yes: 6 - Charlie Franklin, Theresa Cass Galvin, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

No: 2 - Jalen Anderson and Ronald E. Finley

Absent: 1 - Crystal Williams

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Jalen Anderson said he wanted to give his reasoning regarding his actions on Ordinances #5701 and #5702. He said he expects the body to adopt the ordinances and resolutions next week that were introduced today. Never in the history of our County has the budget ever been so crucial. There is an obligation of \$256 million for the jail right now that the County cannot afford. Over \$250 million is needed for the renovation of the courthouse, there are expenses for the new administration building and additional monies needed for the completion of the Health Department building. He wants everyone to understand the county's position. Jackson County does not have the funds to do all of the necessary improvements needed. It will be necessary to tighten our belts. Jackson County has never faced this amount of debt. This is not an attack on the new Legislature. This government has issues that will change the trajectory of the County for the next thirty years.

Ronald E. Finley asked Crissy Wooderson, County Auditor, about the remaining money in the American Rescue Plan Fund. Ms. Wooderson said she does not have current numbers on hand. The County received \$136 million. The County should have substantial funds remaining. Mr. Finley said he believes about \$38 million has been allocated. He does not want to get into the monumental aspect of the budget. He said the incoming Legislature can handle it. Many of the newly elected legislators are government officials now. He said these issues can be dealt with and deliberated. The current Legislature has a responsibility and must carry out their responsibility until the end of their term. He believes the public has the right to be heard on their election.

14 NEW BUSINESS

Closed meeting per Resolution #21116. The County Legislature recessed and went into closed session.

The County Legislature reconvened.

Resolutions #21122 and 21123 were adopted at this time. See page 10 for details.

15 ADJOURNMENT

A motion was made by Jalen Anderson, seconded by Jeanie Lauer, to adjourn the meeting. The motion passed by a voice vote.

The next legislative meeting is scheduled to be held on Monday, December 12, 2022 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.