

Jackson County Missouri JOURNAL

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

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)

Monday, February 19, 2024

Clerk of the County Legislature

3:00 PM

Fifth Regular Meeting

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

Megan Marshall, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent 1 - Jeanie Lauer

Excused 1 - Jalen Anderson

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Sean E. Smith, seconded by Charlie Franklin to approve the journal of the previous meeting held on February 05, 2024. The motion passed by a voice vote.

4 HEARINGS

Donna Peyton, County Legislator, requested a moment of silence in remembrance of the life that was lost and the injuries to those children and adults at the Chiefs' Championship Parade on February 14, 2024.

Ms. Peyton expressed on behalf of the Legislature their gratitude to the first responders and hospital personnel who assisted on the day of the shooting.

Resolutions #21550 was adopted at this time. See page 12 for details. Resolution #21548 was adopted at this time. See page 11 for details. Resolution #21547 was adopted at this time. See page 11 for details. Resolution #21541 was adopted at this time. See page 9 for details. Resolution #21528 was adopted at this time. See page 6 for details. Resolution #21535 was adopted at this time. See page 7 for details. Resolution #21549 was adopted at this time. See page 11 for details.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., County Executive, was not present.

Manuel Abarca IV, County Legislator, asked why the County Executive was not present. Caleb Clifford, Chief of Staff, explained that the County Executive's mother-in-law passed away and he was with family preparing for funeral services.

Mr. Abarca asked for an update on the budget. Troy Schulte, County Administrator, said Workday is live as of February 1, 2024. Departments are able to pay bills and submit transactions. Budget books will be available soon.

Mr. Abarca asked about the status of implementation of SB190. Whitney Miller, Chief Deputy County Counselor, said her office received a draft of frequently asked questions and staff was reviewing those. The County Counselor's Office has created a draft application which is currently under review to make sure it is within the boundaries of the law. Caleb Clifford said the goal is to have an application finalized by the end of the month. They will come back to the Legislature with a presentation on that process. There will likely be an ordinance needed to enact the language to implement the process for SB190. They will likely request the deadline for applications be pushed to July 31st from April to supply Jackson County residents with additional time to apply and for the application to be processed. This is a difficult and complicated legal issue. The County Counselor is working with the department to get something on Jackson County's website.

Mr. Abarca asked for an update on the appeal process. Mr. Schulte said as of today, there are 13,157 open appeals with 2,724 pending before the Board of Equalization. They have four and a half hearing officers working through 96 appeals a day. They hope to have the BOE restart hearings soon. Mr. Abarca said last year he requested a progress report regarding data on the accuracy of the reassessment as compared to the appeals. Mr. Schulte said he will try to have that report next week.

Mr. Abarca asked about the Compliance Department staff update. To his knowledge, additional staff have not yet been hired. Caleb Clifford said the County Executive has approved the additional positions. He is working with the Chair of the Legislature to move those items through the Human Resources Department. Troy Schulte said they are completing the paperwork.

DaRon McGee, County Legislator, asked for a follow-up on the Board of

Equalization. He said all legislators received a letter from the Board. He asked the name of the new Chairman of the Board and asked how the Administration responded to the letter. Mr. Schulte said there is discussion planned for closed session originally scheduled for today but will be deferred until next week. He indicated that one of the existing board members will fill the vacancy of the Chair. Mr. Schulte said he disagrees with some of the assumptions in the letter. Mr. Abarca asked if there is legal counsel for the BOE. Mr. Schulte said Ronald Jurgeson, the legal counsel for the Board resigned effective at the end of February. They are working to hire his replacement.

Sean E. Smith, County Legislator, asked about the SB190 and additional staff in the Collection Department for advocating for taxpayers. Mr. Schulte said those jobs have been posted and they are working on these issues. Applicants should apply through the HR Department.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

AN ORDINANCE 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, with an effective date.

(Finance and Audit Committee - 3rd. Perfection)

AN ORDINANCE appropriating \$22,000,000.00 from the undesignated fund balance of the General Fund and authorizing the construction of two floors of office space in the Health Sciences building for use by University Health.

(Budget Committee - 6th. Perfection)

Sean E. Smith, County Legislator, reported that the Budget Committee recommended approval of the substitute for Ordinance #5823 dated February 19, 2024 and then held it in committee.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

21519 A RESOLUTION 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.

(Land Use Committee - 2nd. Meeting)

Charlie Franklin, County Legislator, reported that the Land Use Committee recommended approval of the substitute for Resolution #21519 dated February 19, 2024 and then held it in committee.

- 21520 Anti-Crime Committee moved to adopt. Consent Agenda.
- <u>21526</u> Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

A RESOLUTION transferring \$1,641,518.00 within the 2024 Anti-Crime Sales Tax Fund and authorizing the Prosecuting Attorney to execute agreements with certain outside agencies which are engaged in anti-crime, anti-violence, drug prevention and treatment activities, and law enforcement school-based initiatives and purposes, at a cost to the County not to exceed \$12,528,743.00.

(ADOPTED)

21526 A RESOLUTION authorizing a grant application to the Missouri Department of Natural Resources in connection with the National Recreational Trails Program for funds to improve the Cave Spring Park Trail.

(ADOPTED)

Resolutions #21520 and #21526 were moved to the Consent Agenda for adoption.

A motion was made by Donna Peyton, seconded by Sean E. Smith, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

A motion was made by Venessa Huskey, seconded by Megan L. Marshall to perfect Ordinance #5827. The motion passed by a voice vote.

(PERFECTED)

A motion was made by Venessa Huskey, seconded by Sean E. Smith, to adopt Ordinance #5827, appropriating \$10,000.00 from the undesignated fund balance of the 2024 Grant Fund in acceptance of funding provided by the Organized Crime Enforcement Task Force, for use by the Jackson County Drug Task Force for "Operation Twisted Tiger." The motion

carried by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

5828 Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.7± acre tract from District AG (Agricultural) to District RR (Residential Ranchette). (Assigned to the Land Use Committee.) 5829 Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 3.34± acre tract from District AG (Agricultural) to District RE (Residential Estates). (Assigned to the Land Use Committee.) 5830 Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 11.4± acre tract from District AG (Agricultural) to District RE (Residential Estates). (Assigned to the Land Use Committee.) 5831 Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 7.99± acre tract from District AG (Agricultural) to District LI (Light Industrial). (Assigned to the Land Use Committee.) 5832 Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 9.43± acre tract from District LB-p (Local Business-Planned) to District LI-p (Light Industrial-Planned). (Assigned to the Land Use Committee.) 5833 Requesting a conditional use permit (CUP) in District AG (Agricultural) for a period of three years to operate an archery range, as to a 4.36± acre tract. (Assigned to the Land Use Committee.) 5834 Amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.74± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

P.M. in the Kansas City Legislative Assembly Area.

The Land Use Committee will have a public hearing regarding

Ordinances #5828 through #5834 on Monday, February 26, 2024 at 1:30

(Assigned to the Land Use Committee.)

A motion was made by Sean E. Smith to hold Ordinance #5835. The motion failed for lack of a second.

A motion was made by Manuel Abarca IV, seconded by Donna Peyton to perfect Ordinance #5835. The motion passed by a voice vote.

Yes: 6 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin and DaRon McGee

No: 1 - Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(PERFECTED)

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Ordinance #5835, enacting section 242., Jackson County Code, 1984, relating to the approval of proposed legislation by the County Counselor as to form and legality. The motion failed by a roll call vote:

Yes: 2 - Megan L. Marshall and Charlie Franklin

No: 5 - Donna Peyton, Manuel Abarca IV, Venessa Huskey, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(DEFEATED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Resolution #21528, congratulating Marvin Kelley on the occasion of his retirement after more than 35 years of service to Jackson County. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

Authorizing the Sheriff to execute a contract for services with the Family Court Division of the 16th Circuit Court of Missouri to provide deputies to assist with the Family Court's Connections supervised visitation program.

(Assigned to the Justice and Law Enforcement Committee.)

<u>21530</u>	Authorizing the County Executive to execute a permanent utility
	easement in favor of the Kansas City, Missouri Water Department across
	a portion of the Rock Island Corridor, for a fee payable to the County.
	(Assigned to the Land Use Committee.)

- Authorizing the County Executive to execute a permanent utility easement in favor of the Kansas City, Missouri Water Department across a portion of the Rock Island Corridor, for a fee payable to the County.

 (Assigned to the Land Use Committee.)
- A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Resolution #21532, directing the Clerk of the County Legislature to establish, pursuant to RSMo115.395 (2), a system of ballot name order by random drawing for candidates filing for County office. The motion passed by a roll call vote:

Yes: 1 - Sean E. Smith

No: 6 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin and DaRon McGee

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(DEFEATED)

Authorizing the County Executive to execute a contract with the Jackson County Board of Services for the Developmentally Disabled to provide for partial funding of various Parks + Rec Department's Special Population Services Division programs.

(Assigned to the Land Use Committee.)

Awarding a twenty-four-month term and supply contract, with two twelve-month options to extend, for the furnishing of fishing supplies for resale by the Parks + Rec Department at County-owned marinas to Robinson Wholesale of Genoa, WI, under the terms and conditions of Invitation to Bid No. 23-089.

(Assigned to the Land Use Committee.)

- A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Resolution #21535, recognizing the important contributions of African Americans to our community in observance of Black History Month during February 2024. The motion passed by a roll call vote:
 - Yes: 7 Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

<u>21536</u>	Approving the 2024-2025 Jackson County Assessment and Equalization
	Maintenance Plan.

(Assigned to the Finance and Audit Committee.)

Expressing the intent of the Legislature to direct the Chief Lobbyist to advocate to the Missouri General Assembly in support of greater local controls for Jackson County.

(Assigned to the Inter-Governmental Affairs Committee.)

A motion was made by Manuel Abarca IV to adopt Resolution #21537. Megan L. Marshall, County Legislator, requested an opinion from the County Counselor's Office regarding requests for action by the County's Chief Lobbyist. Whitney Miller said pursuant to section 295 of the Jackson County Code, any request for action by the County Lobbyist must be approved by the Inter-Governmental Affairs Committee.

21538 Expressing the intent of the Legislature to direct the Chief Lobbyist to advocate in support of trans rights to the Missouri General Assembly.

(Assigned to the Inter-Governmental Affairs Committee.)

A motion was made by Manuel Abarca IV to adopt Resolution #21538. Megan L. Marshall, County Legislator, requested an opinion from the County Counselor's Office regarding requests for action by the County's Chief Lobbyist. Whitney Miller said pursuant to section 295 of the Jackson County Code, any request for action by the County Lobbyist must be approved by the Inter-Governmental Affairs Committee.

- Authorizing the County Executive to execute cooperative agreements with certain organizations which provide assistance and services to homeless persons, at an aggregate cost to the County not to exceed \$207,000.00.

 (Assigned to the Budget Committee.)
- Expressing the intent of the Legislature to direct the Chief Lobbyist to advocate to the Missouri General Assembly in opposition to House Bills 2367, 2470, and 2523.

(Assigned to the Inter-Governmental Affairs Committee.)

A motion was made by Manuel Abarca IV to adopt Resolution #21540. Megan L. Marshall, County Legislator, requested an opinion from the County Counselor's Office regarding requests for action by the County's Chief Lobbyist. Whitney Miller said pursuant to section 295 of the Jackson County Code, any request for action by the County Lobbyist must be approved by the Inter-Governmental Affairs Committee.

Manuel Abarca IV asked the County Counselor's Office why the

Legislature approved a resolution regarding a landfill in Kansas City. Ms. Marshall said this may be taken up under New Business.

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to suspend the rules to go to New Business. The motion failed by a roll call vote:

Yes: 4 - Donna Peyton, Manuel Abarca IV, Venessa Huskey, and DaRon McGee

No: 3 - Megan L. Marshall, Charlie Franklin, and Sean E. Smith

Absent: 1 - Jeanie Lauer Excused: 1 - Jalen Anderson

Sean E. Smith stated the rules say six votes are required to suspend the rules. Despite the motion failing, Megan L. Marshall allowed Mr. Abarca to raise a point of personal privilege to inquire of the County Counselor's Office. Mr. Abarca again asked the County Counselor's Office why the Legislature approved a resolution regarding a landfill in Kansas City. Ms. Miller explained that the landfill resolution stated the intent of the Legislature, not directing the Chief Lobbyist. Mr. Abarca then requested that his resolutions be drafted using the alternative language. Ms. Miller said the request is too late for the upcoming agenda but will be addressed for a later agenda.

Donna Peyton, County Legislator, said she wanted to clarify that she was not trying to run the meeting as Ms. Marshall implied, rather she was repeating what Mr. Smith said so everyone could hear.

Ms. Marshall thanked her for the clarification and said she is trying to be mindful of legislators talking over each other. The online captioning cannot catch all comments when legislators fail to take turns speaking.

21541

A motion was made by Venessa Huskey, seconded by Manuel Abarca IV, to adopt Resolution #21541, recognizing the Kansas City Black History Project, an annual production since 2010 by LINC, the Kansas City Public Library, and the Black Archives of Mid-America, that has helped the Kansas City area share the inspiring stories of our local heroes for Black History Month and throughout the year. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

21542

Awarding a twenty-four-month term and supply contract, with two twelve-month options 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. 23-087.

(Assigned to the Land Use Committee.)

Sean E. Smith asked to be added as a sponsor to Resolution #21543.

21543

Authorizing the Jackson County Legislature to hold a closed meeting on Monday, February 19, 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.

(WITHDRAWN BY SPONSOR SMITH. CONCURRED BY FRANKLIN AND McGEE)

21544

Awarding a twelve-month term and supply contract, with one twelve-month option to extend for the furnishing of ammunition for use by various County law enforcement agencies to Bald Ridge Outdoors, LLC of Van Buren, MO, Gulf States Distributors, Inc. of Montgomery, AL, Howards Premium Ammo, LLC of Florence, SC, On Target Ammunition of Grain Valley, MO, Precision Delta Corporation of Ruleville, MS, S1 Armory, LLC of Weatherford, TX, Specialty Cartridge Inc. of Covington, GA, and Sunset Law Enforcement, LLC of Ackley, IA under the terms and conditions of the State of Missouri Contract No. CC240449 Series 001 through 008, an existing, competitively-bid government contract.

21545

A motion was made by Manuel Abarca IV, seconded by Donna Peyton, to adopt Resolution #21545 transferring \$414,356.00 within the 2024 E-911 System Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$414,356.00 for the purchase of Unified Computer Aided Dispatch workstations and Auto Attendant software for the Kansas City Police Department Communications unit. The motion failed by a roll call vote:

(Assigned to the Justice and Law Enforcement Committee.)

Yes: 5 - Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin and DaRon McGee

No: 2 - Megan L. Marshall and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(DEFEATED)

Pursuant to section 533.2 Jackson County Code, 1984, and Ordinance #5038, dated October 23, 2017, the County Legislature may by resolution

at any time transfer any unencumbered appropriation balance or any portion of that balance from one (1) appropriation account to another within the same agency without the recommendation of the County Executive, provided that any such resolution received the affirmative vote of six members of the County Legislature. The motion to adopt received five affirmative votes, therefore it is defeated.

Expressing the intent of the Legislature to direct the Chief Lobbyist to advocate to the Missouri General Assembly in support of maintaining a fair and equitable citizen initiative petition process.

(Assigned to the Inter-Governmental Affairs Committee.)

A motion was made by Donna Peyton, seconded by Venessa Huskey, to adopt Resolution #21547, congratulating Charlie Shields, President and Chief Executive Officer of University Health, on being named the Kansas City Chamber of Commerce Citizen of the Year for 2023. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

A motion was made by Sean E. Smith, seconded by Venessa Huskey, to adopt Resolution #21548, recognizing Anita Dixon-Brown and Dr. Jacob Wagner for preserving Black history, while enriching students in global culture and economic development strategies, with their work to make Kansas City a member of the Creative Cities Network of the United Nations Educational Scientific and Cultural Organization and celebrating the history of Black American Music. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

21549

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Resolution #21549, recognizing Joshua Bodden and Whitney Huell, African American members of the Kansas City Ballet Company, for their contributions to performing arts. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

No objection to the consideration of Resolution #21550 - not on printed agenda.

21550

A motion was made by Sean E. Smith, seconded by Venessa Huskey, to adopt Resolution #21550, honoring the life and memory of Lisa Lopez-Galvan, a beloved member of our community, who was tragically killed while celebrating the Kansas City Chiefs victory in Super Bowl LVIII. The motion passed by a roll call vote:

Yes: 7 - Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee and Sean E. Smith

Absent: 1 - Jeanie Lauer

Excused: 1 - Jalen Anderson

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

24-03 I hereby make the following appointments and reappointments to the Board of Domestic Violence:

Ashley Burke is appointed to fill the vacancy occasioned by the expiration of Melba Curls' term, for a one-year term that expires on February 7th, 2025. A copy of Ms. Burke's resume is attached.

Chiquita Singleton is appointed to fill a vacant board position, for a two-year term that expires on February 7th, 2026. A copy of Ms. Singleton's resume is attached.

Kristina Jones is appointed to fill the vacancy occasioned by the expiration of Jennifer Von Fintel's term, for a two-year term that expires on February 7th, 2026. A copy of Ms. Jones' resume is attached. Shelly Doucet is appointed to fill the vacancy occasioned by the expiration of Teresa Chu's term, for a three-year term that expires on February 7th, 2027. A copy of Ms. Doucet's resume is attached. Tonya Hampton is reappointed for a three-year term that expires on February 7th, 2027.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Resolution #21543 authorizing the closed session was withdrawn. See page 10 for details.

Questions regarding the County's Chief Lobbyist were addressed. See page 9 for details.

15 ADJOURNMENT

A motion was made by Manuel Abarca IV, seconded by Charlie Franklin, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, February 26, 2024 at 3:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.