



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Scott Burnett (1st) Chair, Alfred Jordan (2nd) Vice Chair,
Garry J. Baker (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Dennis Waits (3rd), Dan Tarwater III (4th), Greg Grounds (5th),
Theresa Galvin (6th)*

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

Monday, August 27, 2018

2:30 PM

Thirty-fourth Regular Meeting

Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri, Ground Floor, Legislative Chambers

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa 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 Dennis Waits to approve the journal of the previous meeting held on August 20, 2018. The motion passed by a voice vote.

4 HEARINGS

Discussion regarding Ordinance #5129, repealing subsections 1503.14 and 1503.24 and section 1512., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan and enacting, in lieu thereof, two new subsections and one new section relating to the same subject.

Scott Burnett, Chairman, announced that Ordinance #5129 would be withdrawn pending further review.

Discussion regarding Ordinance #5131, renewing the tax, and setting its rate at 7.00% of the tariff rate, for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911".

Eric Winebrenner, Public Safety Program Director at the Mid-America

Regional Council, addressed Ordinance #5131. Mr. Winebrenner stated that the Missouri General Assembly adopted House Bill 1456 to give counties in Missouri the ability to impose a tariff on cell phones for the benefit of the 911 system. Previously this tariff was only imposed on landlines. He said that the number of landlines in Jackson County has increased, but the tariff is only imposed upon the first 100 lines at each location. He said that beginning January 1, 2019, a 3.00% tariff will go into effect for prepaid cell phones. For the tariff to be imposed upon all cell phones will require counties to put this matter before voters.

Scott Burnett, Chairman, said that Jackson County does not have a scheduled election to be held during 2019. He requested that the Administration explore whether it would be cost effective to move this matter to an election in 2019, which will come at a cost to the County.

John Gordon, County Treasurer, addressed the requested increase to the levy for 911 service. Mr. Gordon stated that revenues have not kept pace with income. State law requires that the legislature vote on the 911 levy by September 1st each year. Ed Stoll, Chief Administrative Officer, said that he would distribute a specific income and expense report so that the legislature could take this ordinance up today.

Discussion regarding Resolution #19965, expressing the intent of the Legislature that Jackson County reverse all prior voluntary reductions of property tax rates.

Scott Burnett, Chairman, announced that discussion regarding Resolution #19965 will take place during a public hearing on this resolution to be held September 5, 2018 at 11:00 a.m. at the Jackson County Courthouse, 415 E. 12th Street, 2nd Floor, Legislative Assembly Area.

Scott Burnett asked Greg Grounds, County Legislator, to assume the role of Chairman to lead the discussion related to the veto of Ordinance #5102, listed under Unfinished Business on the Agenda.

Greg Grounds said that although this is not a public hearing he asked if there was any objection to allowing anyone from from the public to speak. There was no objection. No one came forward to make a public comment.

Greg Grounds said that he had reviewed the County Executive's message regarding Ordinance #5102. He said that the Charter allows three ways to amend the Charter: 1. By public petition, 2. By ordinance of the legislature, and 3. By a Charter Review Commission appointed by the County

Executive. He said that the legislative and executive branches have disputes on many of these issues and now have lawsuits related to those disputes. He said there are major issues of disagreement related to the appointment of directors and acting directors, the administration of COMBAT, and issues involving the jail and putting the Sheriff in charge of the jail. Greg Grounds said that he felt it was his duty to move this forward. He stated that this issue has been under discussion since last November. He has discussed the Charter issues with the County Executive, members of the Legislature, the Sheriff, and the Prosecuting Attorney. He said he has presented information on the radio and at public forums. The Legislature has held discussions and two public hearings regarding the Charter. He said that this legislature has spent more time considering this Charter review than the previous Charter Review Commission that was formed in 2010. He said that at that time the public vote was on a single question to approve many changes to the Charter. Greg Grounds asked the Legislators to consider the vote to override the veto not as a vote for or against the Charter amendments, but a vote to allow the issue to be put before the voters.

A motion was made by Dennis Waits, seconded by Garry J. Baker to override the veto of Ordinance #5102, submitting to the qualified voters of Jackson County, Missouri, at the general election to be held on November 6, 2018, seven questions to amend the Jackson County Charter, with an effective date. The motion passed by a roll call vote:

Yes: 6 - Garry Baker, Scott Burnett, Dennis Waits, Dan Tarwater III, Greg Grounds, and Theresa Galvin

No: 3 - Crystal Williams, Tony Miller, Alfred Jordan

Scott Burnett resumes as Chairman.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5129](#)

Repealing subsections 1503.14 and 1503.24 and section 1512., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan and enacting, in lieu thereof, two new subsections and one new section relating to the same subject.

(WITHDRAWN BY SPONSOR WAITS. CONCURRED BY TARWATER AND GROUNDS).

[5130](#) A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5130. The motion passed by a voice vote.
(PERFECTED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[5131](#) A motion was made by Alfred Jordan, seconded by Theresa Galvin, to approve the Floor Amendment dated August 27, 2018 for Ordinance #5131, to delete 7.00% and insert 6.00% in the heading on page 1 and the body on page 2. The motion passed by a voice vote.
(ADOPTED)

[5131](#) A motion was made by Dennis Waits, seconded by Alfred Jordan to perfect Ordinance #5131 as amended. The motion passed by a voice vote.
(PERFECTED)

Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5118](#) Consent Agenda.

[5119](#) Consent Agenda.

[5128](#) Consent Agenda.

[5130](#) Consent Agenda.

[5131](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

A motion was made by Theresa Galvin, seconded by Alfred Jordan, to waive the reading of Resolution #19955. The motion passed by a voice vote.

[19955](#) A RESOLUTION transferring \$1,730,744.00 within the 2018 General Fund, \$37,393.00 within the 2018 Health Fund, and \$141,991.00 within the 2018 Anti-Drug Sales Tax Fund, to cover budget shortfalls for overtime within the Department of Corrections.
(Justice and Law Enforcement Committee - 2nd. Meeting)

[19957](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[19958](#) Finance and Audit Committee moved to adopt. Consent Agenda.

- [19959](#) Finance and Audit Committee moved to adopt. Consent Agenda.
- [19960](#) Anti-Drug Committee moved to adopt. Consent Agenda.
- [19961](#) Anti-Drug Committee moved to adopt. Consent Agenda.
- [19962](#) Health and Environment Committee moved to adopt. Consent Agenda.
- [19963](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.
- [19964](#) Health and Environment Committee moved to adopt. Consent Agenda.
- [19965](#) A RESOLUTION expressing the intent of the Legislature that Jackson County reverse all prior voluntary reductions of property tax rates.
(Legislature As A Whole - 1st. Meeting)

9 CONSENT AGENDA

- [5118](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 8.28 + acre tract from District AG (Agricultural) to District RE (Residential Estates).
(ADOPTED)
- [5119](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 2.69 + acre tract from District AG (Agricultural) to District RE (Residential Estates).
(ADOPTED)
- [5128](#) AN ORDINANCE appropriating \$6,800.00 from the undesignated fund balance of the 2018 Park Fund in acceptance of donations from The Society of the Friends of Missouri Town 1855 to the Parks + Rec Department to be used for the restoration of the Colonel's House.
(ADOPTED)
- [5130](#) AN ORDINANCE appropriating \$1,000.00 from the undesignated fund balance of the 2018 Park Fund in acceptance of a donation from Kansas City Radio Control Association to the Parks + Rec Department, to be used for a new park bench and concrete pad at Fleming Park.
(ADOPTED)
- [5131](#) AN ORDINANCE renewing the tax, and setting its rate at 6.00% of the tariff rate, for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911."
(ADOPTED)

- [19957](#) A RESOLUTION authorizing the County Executive and the Prosecuting Attorney to execute an Agreement to Extend the Memorandum of Understanding with Local Union No. 42 of the International Association of Fire Fighters through November 15, 2018.
(ADOPTED)
- [19958](#) A RESOLUTION awarding a twelve-month term and supply contract, with two twelve month options to extend for the furnishing of online payment processing services for use by the Collections Department to UMB Bank of Kansas City, MO, as a sole source purchase.
(ADOPTED)
- [19959](#) A RESOLUTION declaring certain property within various County departments as surplus and unusable personal property and authorizing its disposal.
(ADOPTED)
- [19960](#) A RESOLUTION partially rescinding Resolution 19849, dated April 30, 2018, that authorized agreements with certain agencies for the furnishing of anti-drug and anti-violent crime prevention activities.
(ADOPTED)
- [19961](#) A RESOLUTION transferring \$56,141.00 within the 2018 Anti-Drug Sales Tax Fund to cover the second portion of funds allocated for the Sheriff's Office's 2018 Drug Abuse Resistance Education (DARE) program.
(ADOPTED)
- [19962](#) A RESOLUTION authorizing the County Executive to execute an amendment to the Program Agreement 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)
- [19963](#) A RESOLUTION transferring \$20,000.00 within the 2018 Special Road and Bridge Fund to cover the cost of wearing apparel for use by the Sheriff's Office.
(ADOPTED)
- [19964](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Missouri Department of Health and Senior Services relating to Enhanced Opioid Surveillance Toxicology Testing to receive grant funds.
(ADOPTED)

Ordinances #5118, #5119, #5128, #5130, #5131, and Resolutions #19957, #19958, #19959, #19960, #19961, #19962, #19963, and #19964 were moved to the Consent Agenda for adoption.

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

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5132](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III to perfect Ordinance #5132. The motion passed by a voice vote.

(PERFECTED)

[5132](#)

A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Ordinance #5132, appropriating \$150,000.00 from the undesignated fund balance of the 2018 Grant Fund, in acceptance of additional funds for the Family Court Division's Juvenile Court Diversion Program grant received from the State of Missouri Division of Youth Services. The motion passed by a roll call vote:

Yes: 8 - Garry Baker, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

Absent: 1 - Crystal Williams

(ADOPTED)

[5133](#)

A motion was made by Alfred Jordan, seconded by Theresa Galvin to perfect Ordinance #5133. The motion passed by a voice vote.

(PERFECTED)

[5133](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III, to adopt Ordinance #5133, appropriating \$2,908.00 from the undesignated fund balance of the 2018 Special Road & Bridge Fund, to cover the cost of overtime and office supplies related to Operation Spring Cleaning, as reimbursed by the U.S. Marshalls Service to the Sheriff's Office. The motion passed by a roll call vote:

Yes: 8 - Garry Baker, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

Absent: 1 - Crystal Williams

(ADOPTED)

[5134](#) A motion was made by Dennis Waits, seconded by Theresa Galvin to perfect Ordinance #5134. The motion passed by a voice vote.
(PERFECTED)

[5134](#) A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Ordinance #5134, appropriating \$92,762.00 from the undesignated fund balance of and transferring \$391,870.00 within the 2018 Health Fund, transferring \$7,600.00 within the 2018 General Fund and \$492,232.00 within the 2018 Park Fund, and authorizing certain additional actions with regard to seven contracts with outside agencies previously authorized by the Legislature. The motion passed by a roll call vote:

Yes: 8 - Garry Baker, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

Absent: 1 - Crystal Williams

(ADOPTED)

[5135](#) Appropriating \$10,000.00 from the undesignated fund balance of the 2018 Special Road & Bridge Fund to cover the proceeds of the Billy Goat Industries lease for a portion of the Rock Island Rail Corridor Right of Way.
(Assigned to the Land Use Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[19966](#) Authorizing the Jackson County Legislature to hold a closed meeting on Monday, August 27, 2018, 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 BURNETT. CONCURRED BY GROUND AND TARWATER.)

[19967](#) Partially rescinding Resolution 19849, dated June 11, 2018, and authorizing the Chair of the Legislature to execute an agreement with Great Plains SPCA for its HERO program, at a cost to the County not to exceed \$150,000.00.

(Assigned to the Finance and Audit Committee.)

[19968](#) Authorizing the Sheriff to execute a Memorandum of Understanding with the Missouri Department of Health and Senior Services, to provide for the administration of naloxone treatments by Sheriff's Office personnel in emergency situations.

(Assigned to the Justice and Law Enforcement Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Veto Message from County Executive regarding Ordinance #5102. Veto was overridden. For details see HEARINGS on page 3.

14 NEW BUSINESS

Closed meeting per Resolution #19966 was withdrawn, therefore no closed meeting was held.

Dennis Waits, County Legislator, expressed his gratitude to Greg Grounds related to his efforts he put forth in the charter amendments. He said that Mr. Grounds has been inclusive every step of the way. He said he believes giving the public the right to vote on these amendments is crucial. He added that he believes the Prosecuting Attorney is vastly underpaid and this effort is vital to attracting quality people to that office and he hopes this will pass. Garry J. Baker, County Legislator, concurred.

15 ADJOURNMENT

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Wednesday, September 5, 2018 at 11:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.