



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, December 3, 2018

2:30 PM

Forty-eighth Regular Meeting

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

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 Garry J. Baker, seconded by Dennis Waits to approve the journal of the previous meeting held on November 27, 2018. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5177](#) AN ORDINANCE setting the 2019 Jackson County, Missouri tentative tax levy.
(Legislature As A Whole - 2nd. Perfection)

[5178](#) 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, 2019.
(Legislature As A Whole - 2nd. Perfection)

[5179](#) A motion was made by Alfred Jordan, seconded by Dennis Waits, to perfect Ordinance #5179. The motion passed by a voice vote.
(PERFECTED)

[5179](#) A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Ordinance #5179 appropriating \$34,686.00 from the undesignated fund balance of the 2018 Federal Forfeiture Fund to cover the purchase of a pickup truck under an existing term and supply contract. 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
(ADOPTED)

[5180](#) A motion was made by Tony Miller, seconded by Crystal Williams to perfect Ordinance #5180. The motion passed by a voice vote.
(PERFECTED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[5181](#) A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5181. The motion passed by a voice vote.
(PERFECTED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[5182](#) A motion was made by Tony Miller, seconded by Theresa Galvin to perfect Ordinance #5182. The motion passed by a voice vote.
Consent Agenda. See Final Passage of Proposed Ordinances.

[5183](#) AN ORDINANCE vacating a portion of an unnamed, unimproved right-of-way lying north of Langsford Road.
(Land Use Committee - 1st. Perfection)

[5184](#) A motion was made by Tony Miller, seconded by Crystal Williams to perfect Ordinance #5184. The motion passed by a voice vote.
Consent Agenda. See Final Passage of Proposed Ordinances.

[5185](#) A motion was made by Dennis Waits, seconded by Greg Grounds, to approved the Finance and Audit Committee Substitute dated December 3, 2018 for Ordinance #5185. The motion passed by a voice vote.
(APPROVED)

[5185](#) A motion was made by Dennis Waits, seconded by Garry Baker, to perfect the Finance and Audit Committee Substitute dated December 3, 2018 for Ordinance #5185, The motion passed by a roll call vote:

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

No: 3 - Crystal Williams, Tony Miller and Theresa Galvin

(PERFECTED)

Crystal Williams and Tony Miller objected to the Consent Agenda.

[5185](#) A motion was made by Dennis Waits, seconded by Garry Baker, to adopt the Finance and Audit Committee Substitute to Ordinance #5185 repealing sections 1511. and 1516., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan and enacting, in lieu thereof, two new sections relating to the same subject. The motion passed by a roll call vote:

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

No: 3 - Crystal Williams, Tony Miller and Theresa Galvin

(ADOPTED)

[5186](#) A motion was made by Dan Tarwater III, seconded by Alfred Jordan, to approve the Anti-Drug Committee Substitute dated December 3, 2018 for Ordinance #5186. The motion passed by a voice vote.

(APPROVED)

[5186](#) A motion was made by Dan Tarwater III, seconded by Alfred Jordan, to perfect the Anti-Drug Committee Substitute dated December 3, 2018 for Ordinance #5186. The motion passed by a voice vote.

(PERFECTED)

Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5175](#) Consent Agenda.

[5176](#) Consent Agenda.

[5180](#) Consent Agenda.

[5181](#) Consent Agenda.

[5182](#) Consent Agenda.

[5184](#) Consent Agenda.

[5186](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[20053](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20054](#) Anti-Drug Committee moved to adopt. Consent Agenda.

[20055](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20057](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5175](#) AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges and enacting, in lieu thereof, a new schedule relating to the same subject.

(ADOPTED)

[5176](#) AN ORDINANCE appropriating \$30,691.00 from the undesignated fund balance of the 2018 Health Fund and authorizing the Director of Finance and Purchasing to issue a check to the Mid-America Regional Council in the amount of \$30,691.00 in relation to the Local Emergency Planning Committee (LEPC).

(ADOPTED)

[5180](#) AN ORDINANCE renewing a conditional use permit (CUP) in District AG (Agricultural) for a period of thirty years to operate a winery, subject to specified conditions as to a 7.00 ± acre tract.

(ADOPTED)

[5181](#) AN ORDINANCE renewing a conditional use permit (CUP) in District RR (Residential Ranchette) for a period of twenty years to operate a horse boarding and training facility, subject to specified conditions as to a 15.00 ± acre tract.

(ADOPTED)

[5182](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.40 ± acre tract from District AG (Agricultural) to District RE (Residential Estates), to create two single family residential lots.

(ADOPTED)

[5184](#) AN ORDINANCE renewing a conditional use permit (CUP) in District AG (Agricultural) for a period of twenty years to operate a horse boarding stable, subject to specified conditions as to a 15.00 ± acre tract.

(ADOPTED)

[5186](#) AN ORDINANCE enacting new section 9604., Jackson County Code, 1984, relating to the Anti-Crime Sales Tax.

(ADOPTED)

[20053](#) A RESOLUTION authorizing the County Executive to execute an extension to the sub-agreement with the California State University, Fresno Foundation for the furnishing of project consulting services as part of the SMART Prosecution grant, at no additional cost to the County.

(ADOPTED)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to waive the reading of Resolution #20054. The motion passed by a voice vote.

[20054](#) A RESOLUTION transferring \$17,189.00 within the 2018 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an Agreement with the City of Kansas City, Missouri, for the partial funding of a code enforcement officer for the Prosecuting Attorney's Office's Drug Abatement Response Team (DART) Program, at a cost to the County not to exceed \$24,000.00.

(ADOPTED)

[20055](#) A RESOLUTION transferring \$42,000.00 within the 2018 Special Road and Bridge Fund, to cover a budget shortfall for fuel within the Sheriff's Office.

(ADOPTED)

[20057](#) A RESOLUTION declaring certain vehicles and equipment within various County departments as surplus and unusable personal property and authorizing its disposal.

(ADOPTED)

Ordinances #5175, #5176, #5180, #5181, #5182, #5184, #5186, and Resolutions #20053, #20054, #20055, and #20057 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[5187](#)

A motion was made by Dennis Waits, seconded by Dan Tarwater III to perfect Ordinance #5187. The motion passed by a voice vote.

(PERFECTED)

[5187](#)

A motion was made by Crystal Williams, seconded by Dennis Waits, to adopt Ordinance #5187, appropriating \$120,500.00 from the undesignated fund balance of the 2018 General Fund, \$16,000.00 from the undesignated fund balance of the 2018 Park Fund, and \$70,994.00 from the undesignated fund balance of the 2018 Anti-Drug Sales Tax Fund to cover the costs of vacation and sick leave payouts during the 2018 fiscal year. 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

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[20060](#)

A motion was made by Dennis Waits, seconded by Dan Tarwater III, to adopt Resolution #20060, transferring \$7,725.00 within the 2018 General Fund, \$723.00 within the 2018 Park Fund, and \$633.00 within the 2018 Special Road and Bridge Fund to cover the cost of budget shortfalls within the Human Resources Department. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20061](#)

A motion was made by Greg Grounds, seconded by Garry J. Baker, to adopt Resolution #20061, authorizing the County Executive to execute a Letter of Understanding with the Lafayette County Commission and the Missouri Department of Transportation relating to the transfer of Off-System Replacement Bridge funds, in accordance with the Missouri Highway Bridge Program. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20062](#)

A motion was made by Dennis Waits, seconded by Garry J. Baker, to adopt Resolution #20062, transferring \$9,758.00 within the 2018 General Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$11,000.00 to Eastern Jackson County Development Alliance for annual dues. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20063](#)

A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Resolution #20063, transferring \$111,572.00 within the 2018 Special Road and Bridge Fund to cover the cost of HVAC repairs to the Sheriff Office Headquarters. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20064](#)

A motion was made by Crystal Williams, seconded by Alfred Jordan, to adopt Resolution #20064, authorizing the County Executive to execute addenda to the Cooperative Agreements with Hope House, Newhouse, Rose Brooks and Synergy domestic violence shelters in order to provide assistance to victims of domestic violence during 2018, at an aggregate cost to the County not to exceed \$66,217.00. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20065](#)

A motion was made by Dennis Waits, seconded by Dan Tarwater III, to adopt Resolution #20065, transferring \$61,400.00 within the 2018 General Fund, \$50,401.00 within the 2018 Health Fund, \$2,000.00 within the 2018 Park Fund, \$2,200.00 within the 2018 Special Road and Bridge Fund, \$32,500.00 within the 2018 Anti-Drug Sales Tax Fund, and \$16,700.00 within the 2018 Park Enterprise Fund, to cover budgetary shortfalls for employee insurance benefits within various County departments. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20066](#)

A motion was made by Dennis Waits, seconded by Garry J. Baker, to adopt Resolution #20066, authorizing the County Executive to execute an amendment to the engineering design service contract with Burns and McDonnell Engineering Co., LLC, relating to the Rock Island Rail Corridor Shared Use Path Project for additional services, at a cost to the County not to exceed \$151,150.00. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20067](#)

A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Resolution #20067, transferring \$150,500.00 within the 2018 General Fund to cover the cost of food, refrigeration equipment, and supplies within the Family Court Division. The motion passed by a roll call vote:

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

Absent: 1 - Tony Miller

(ADOPTED)

[20068](#)

A motion was made by Dennis Waits, seconded by Garry J. Baker, to adopt Resolution #20068, transferring \$5,760.00 within the 2018 Special Road and Bridge Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$7,500.00 to the Mid-America Regional Council for its Water Quality Education Program. The motion passed by a roll call vote:

Yes: 7 - Garry Baker, Crystal Williams, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III and Greg Grounds

Absent: 2 - Tony Miller and Theresa Galvin

(ADOPTED)

[20069](#)

A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Resolution #20069, transferring \$5,000.00 within the 2018 Anti-Drug Sales Tax Fund, to cover a budget shortfall for overtime within the Population Control Office. The motion passed by a roll call vote:

Yes: 7 - Garry Baker, Crystal Williams, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III and Greg Grounds

Absent: 2 - Tony Miller and Theresa Galvin

(ADOPTED)

[20070](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adopt Resolution #20070, transferring \$68,743.00 within the 2018 Health Fund to cover the purchase of digital x-ray equipment for use by the Medical Examiner's Office. The motion passed by a roll call vote:

Yes: 7 - Garry Baker, Crystal Williams, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III and Greg Grounds

Absent: 2 - Tony Miller and Theresa Galvin

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

Amendment to Personnel Rules - closure of County Offices on December 24, 2018.

[18-21](#)

Pursuant to section 706.1, Jackson County Code, 1984, I hereby promulgate the attached amendment to section 9.1 of the Personnel Rules for Jackson County Employees. The amendment shall be effective immediately and shall expire on December 31, 2018. Upon expiration, section 9.1 of the Personnel Rules for Jackson County Employees shall revert to its form prior to this Executive Order.

Pursuant to Section 9.1 of the Personnel Rules for Jackson County Employees, as amended, county offices will be closed on Monday, December 24, 2018.

13 UNFINISHED BUSINESS

Scott Burnett announced that the new Legislature will be sworn in at 11:00 a.m. on Friday, December 28, 2018 at the Kansas City Legislative Assembly Area. Dan Tarwater III asked for clarification about the potential for another meeting of the Legislature. Scott Burnett said that it may be necessary to call another meeting before the end of the year due to an issue with the Workers' Compensation contract. Dennis Dumovich, Director of Human Resources, stated that because of a delay by the state, vendors and brokers are unable to go out to the marketplace for this contract. He said that the state is way behind on processing this information. He said that although the current vendor's contract expires December 31, 2018, it has two twelve-month options to extend so it could be extended. Dan Tarwater III, County Legislator, stated that extending the contract for a full twelve months may not be in the best interest of the County. He said that perhaps the vendor might consider a one-month extension to allow this matter to be taken up in January to avoid an additional meeting. Dennis Dumovich said that he would follow up on this matter and keep the Legislature informed if action is needed before the end of the year.

Scott Burnett presented a plaque to Garry J. Baker, County Legislator, in

recognition of his service from 2016 through 2018. Garry Baker thanked the Legislature, Georgia Sanders, and other associates of the County.

Scott Burnett presented a plaque to Greg Grounds, County Legislator, in recognition of his services from 2007 through 2018. Greg Grounds expressed his gratitude to Jane Cavanaugh for her assistance as his aide.

Scott Burnett presented a plaque to Alfred Jordan, County Legislator, in recognition of his service from 2015 through 2018. Alfred Jordan thanked his aide, Dawn Hickman, for her assistance. Scott Burnett and Alfred Jordan also exchanged plaques recognizing their service as Chairman and Vice Chairman for 2018.

Scott Burnett presented a plaque to Dennis Waits, County Legislator, in recognition of his service from 1987 through 2018. Dennis Waits thanked Mary Jo Spino, Troy Thomas, Gary Panethiere, Crissy Wooderson, Stephen Nixon, Mary Riggs, Jay Haden, Bishop James Tindall, Scott Burnett, Theresa Galvin, Dan Tarwater, Garry Baker, Bob Spence, Bud Hertzog, and Greg Grounds for their support and encouragement throughout his years of service on the Legislature.

14 NEW BUSINESS

None.

15 ADJOURNMENT

A motion was made by Dennis Waits, seconded by Garry J. Baker, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, January 7, 2019 at 2:30 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.