



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

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

County Legislature

*Theresa Cass 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)*

Wednesday, June 3, 2020

11:00 AM

Twenty-first Regular Meeting

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

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

1 ROLL CALL

Present 7 - Crystal Williams, Scott Burnett, Ronald E. Finley, Charlie Franklin,
Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin
Absent 2 - Jalen Anderson and 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 Charlie Franklin to approve the journal of the previous meeting held on June 01, 2020. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., County Executive, made a statement to the Legislature. Mr. White said the prior Legislature elevated him to this position because of their confidence in him. Since that time, he feels many things have happened to discredit his administration rather than work with him to get things done.

He said he has been blamed for problems at the jail, even though those problems existed before his administration. He said moves to change the County Charter have been made to take away his power to appoint directors and interim directors and to limit his veto power. Mr. White added acts to defund positions within his Administration caused the loss of some staff. He believes this has impeded his ability to hire quality staff. He said

there have been unwarranted negative press against his Administration. He said this is a respect issue by this body for his Administration. He said the Legislature called an emergency meeting and he was not notified. He found out about the meeting from the Sheriff's Office while handing out food. He said he did not know why this meeting was called or what was to be on the agenda. Mr. White said this goes back to respect, respect for him as a person, and respect for the County Executive's Office. Mr. White said he was voted into this office and he has earned this title. He believes there has been a strong desire by this Legislature to take administrative duties away from the Administration and move power to the Legislature. He said they are two co-equal branches of government. He said they should move simultaneously and should respect each other's responsibilities.

Mr. White said when the County received the CARES Act funds, there should have been an overwhelming positive reaction. He said this would be an opportunity for the County to do something meaningful in the community. He said instead the first response from the Legislature was to say they wanted total oversight, as if this Administration cannot be trusted to do its job. Mr. White said this is offensive to his Administration. He said the Legislature wants to be able to move dollars without consulting his Administration. He said the County Code says they are co-equal branches of government and must move simultaneously.

Mr. White said the Advisory Committee is made up of reputable people from the community who are excited to make an impact in the community. Mr. White said he heard there is a movement to disapprove the appointment of this Advisory Committee. He asked if this is disapproved, then who is going to do this work to reach out to the community. He said these are top quality people to give top quality advice. He said he does not want his Administration to be cast as people who cannot get the job done. He said let the Administration's staff bring measures to the Legislature, as the policy makers for the County, and the Legislature can vote those measures up or down. He said he wants the respect of the Legislature to let them get his job done. He requested that the Legislature reconsider voting this down. He said, the Advisory Committee has completed three weeks of work. The Administration believed having an Advisory Committee was a great way to be transparent. He said he is disappointed. He said Jackson County needs to let the community know we are working toward making progress together.

Mr. White said he is a big advocate and supporter of Truman Medical Centers, both with funding in the budget and support through charity golf

tournaments. He is not opposed to funding to help TMC, but he is opposed to the way this was done today. He said he wished the Legislature would consider working together with the Administration as we move forward to work to help our community.

Ordinances #5354 and #5352 were adopted at this time. See pages 4 - 7 for details.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

The Land Use Committee will have a public hearing regarding Ordinances #5343, #5344, #5345, #5346, #5347, #5348, and #5349 on Monday, June 15, 2020 at 9:30 a.m. at the Kansas City Courthouse located at 415 E. 12th Street, 2nd floor, Kansas City Legislative Assembly Area.

A motion was made by Dan Tarwater III, seconded by Crystal Williams to waive the reading of Ordinances #5343, #5344, #5345, #5346, #5347, #5348, and #5349. The motion passed by a voice vote.

[5343](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 9.22± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).
(Land Use Committee - 1st. Perfection)

[5344](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).
(Land Use Committee - 1st. Perfection)

[5345](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 16.16± acre tract from District AG (Agricultural) to District RE (Residential Estates).
(Land Use Committee - 1st. Perfection)

[5346](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 9.668± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).
(Land Use Committee - 1st. Perfection)

[5347](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain .88± acre tract from District AG (Agricultural) to District RS (Residential Suburban).
(Land Use Committee - 1st. Perfection)

- [5348](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 7.75± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).
(Land Use Committee - 1st. Perfection)
- [5349](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 80.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette) and approving the preliminary plat "Peaceful Ridge," creating a thirteen-lot residential subdivision.
(Land Use Committee - 1st. Perfection)
- [5351](#) AN ORDINANCE appropriating \$25,000.00 from the undesignated fund balance of the 2020 CARES Act Fund and authorizing the County Counselor to execute a Legal Services Agreement with Ellis, Ellis, Hammons & Johnson P.C. of Springfield, MO, at an actual cost to the County not to exceed \$25,000.00.
(Legislature As A Whole - 1st. Perfection)
- The contracting party for Ordinance #5351 is not in compliance.*
- Dan Tarwater III addressed Ordinance #5352. He said there is a floor substitute prepared to include some employees from the Corrections Department and the Medical Examiner's Office to make sure everyone is covered.*
- Crystal Williams asked about the County Counselor's opinion related to this Ordinance. Dan Tarwater III stated that the Legislature's attorney is also looking at this opinion. Ms. Williams said she hopes people realize this may not go into effect despite passage by the Legislature.*
- Jeanie Lauer said she was concerned about rushing this through without fully vetting the legality of the issue.*
- [5352](#) A motion was made by Dan Tarwater III, seconded by Scott Burnett, to approve the Floor Substitute dated June 3, 2020 for Ordinance #5352. The motion passed by a voice vote.

(APPROVED)
- [5352](#) A motion was made by Dan Tarwater III, seconded by Scott Burnett, to perfect the Floor Substitute for Ordinance #5352. The motion passed by a voice vote.

(PERFECTED)

[5352](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt the Floor Substitute dated June 3, 2020 for Ordinance #5352, appropriating \$314,395.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide for hazard pay for impacted County associates in the Corrections, Public Works, and Parks + Rec Departments, Environmental Health, and Sheriff's and Medical Examiner's Offices in connection with the workplace risks of the ongoing Coronavirus/COVID-19 pandemic, at a cost to the County not to exceed \$314,395.00. The motion passed by a roll call vote:

Yes: 6 - Crystal Williams, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III and Theresa Cass Galvin

Abstain: 1 - Jeanie Lauer

Absent: 2 - Jalen Anderson and Tony Miller

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5338](#)

Consent Agenda.

Crystal Williams objected to the Consent Agenda.

[5338](#)

A motion was made by Dan Tarwater III, seconded by Charlie Franklin, to adopt Ordinance #5338 submitting to the qualified voters of Jackson County, at the general election to be held on Tuesday November 3, 2020, a question authorizing Jackson County to impose a monthly fee not to exceed \$1.00 on each subscriber of any communications service that has been enabled to contact 911, for the purpose of funding 911 service in Jackson County. The motion failed by a roll call vote:

Yes: 1 - Jeanie Lauer

No: 6 - Crystal Williams, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III and Theresa Cass Galvin

Absent: 2 - Jalen Anderson and Tony Miller

(DEFEATED)

8 RESOLUTIONS IN COMMITTEE

[20438](#)

A RESOLUTION awarding a contract for the construction of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Gunter Construction of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 7-20, at an actual cost to the County in the amount of \$44,500.00.

(Land Use Committee - 1st. Meeting)

9 CONSENT AGENDA

None.

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Theresa Cass Galvin, Chairman, read a statement regarding Ordinance #5354. She said over the past couple of weeks, the County has seen large gatherings not practicing social distancing or using PPE. It will only take one person in one of those crowds to be positive for COVID to spread like wildfire and it probably has, people just have not shown symptoms yet. Yesterday Mayor Lucas announced 200 cases that can be traced back to a paper company in Kansas City. The County Executive has told the Chairman that the County needs to be prepared for the second wave of COVID cases expected this fall. Ms. Galvin said she initiated this ordinance because Truman Medical Centers (TMC) is our public health system and through no fault of their own, they are not prepared for what lies ahead. This ordinance would allow them to start the process of ensuring the safety of health care workers and the people of Jackson County. Ms. Galvin said she was told yesterday that this cannot be appropriated without the County Executive's approval and he would not approve it because he does not agree with it.

Ms. Galvin said she called the County Executive this morning and asked why he was not approving this ordinance. From what she gathered from the conversation, the County Executive does support TMC, however, he didn't like the way the Legislature went about it, saying the Legislature is excluding the Administration and there isn't enough respect for the Administration. Ms. Galvin said she was sorry he felt that way. That was not her intention or the intention of anyone on the Legislature. Also, he said, the Administration needed more clarification and there was no vetting. On May 14th there was a Zoom meeting with TMC, and the Administration was present. On May 26th TMC made a presentation at the Legislative meeting under Hearings, the Administration was present. On May 27th TMC presented once again in a Zoom meeting, the Administration and the advisory group were present. On May 29th, TMC had another Zoom meeting, the Administration was present. Ms. Galvin said she really does not know what more TMC could have done. She said she thinks it is sad that egos are getting in the way of the greater good of the people of Jackson County.

Ronald E. Finley, County Legislator, said he understands and appreciates the County Executive's statement. He respects the fact that the County Executive came here to make his statement. He said he wishes the

County could do what it can to get together. The intent of this Ordinance with TMC is a good intent. This is a large amount of money. It is needed. It has been discussed. He said he understands the Chairman's concerns about getting something done because people are sick and dying. The County needs to try to move ahead together. He said he respectfully suggests this be mediated to find a solution on how to proceed. Mr. Finley said the Legislature was promised more information as stated in the order itself. Before the Legislature and the Administration start a fight, they should try to settle this matter. This funding measure is important. Mr. Finley said he would like to have the opportunity to visit TMC to see what kind of capital improvements they are requesting. He would also like to see consideration of the request by Kansas City, Missouri. He said he is prepared to support this Ordinance.

Discussion.

Dan Tarwater III, County Legislator, said that this action is not giving TMC this money upfront. It is appropriating these funds into an account from which TMC can request reimbursement as work is completed. This will make sure the funds are there for the County hospital.

[5354](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams to perfect Ordinance #5354. The motion passed by a voice vote.

(PERFECTED)

[5354](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Ordinance #5354, appropriating \$27,039,000 from the undesignated fund balance of the 2020 CARES Act Fund for use by Truman Medical Centers, Inc., to make critical facility improvements and acquire needed equipment to better prepare for current and future pandemic response and authorizing the County Executive to execute a Cooperative Agreement with Truman Medical Centers, Inc., for the purchase or reimbursement by Jackson County for this purpose. The motion passed by a roll call vote:

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

Absent: 2 - Jalen Anderson and Tony Miller

(ADOPTED)

Scott Burnett, County Legislator, asked for clarification from the County Executive about the Advisory Committee. He asked if the committee has already met and if there is an application in place for agencies. Mr. White said that if it meets with everyone's approval he will invite former Mayor James to attend Monday's meeting. Mr. Burnett said that is up to the Chairman.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

None.

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Ronald E. Finley said with recent gatherings he would like to place the health department reports in the record. He said research indicates that today in Eastern Jackson County there have been 20 deaths. In Kansas City, MO 1,183 persons have been infected with COVID and there have been 27 deaths. The Kansas City Health Department reports 109 hospitalizations. The total number of persons tested in Kansas City, MO is 26,009.

Dan Tarwater III said we are all appalled by the murder of George Floyd. People have forgotten that COVID-19 is still present. He said there are people protesting right next to people without masks. He said he is concerned about these numbers increasing.

Theresa Cass Galvin asked Mr. Finley if the reports included the number recovered. He said they did not.

Theresa Galvin asked to reconsider Executive Order #20-07.

A motion was made by Dan Tarwater III, seconded by Scott Burnett to disapprove Executive Order #20-07 regarding the CARES Act - Volunteer Advisors. The motion passed by a roll call vote:

Yes: 4 - Scott Burnett, Charlie Franklin, Dan Tarwater III, Theresa Cass Galvin

No: 1 - Ronald E. Finley

Absent: 3 - Jalen Anderson, Crystal Williams, Tony Miller

14 NEW BUSINESS

None.

15 ADJOURNMENT

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

The next legislative meeting is scheduled to be held on Monday, June 8, 2020 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.