



1. CALL TO ORDER

Present: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex
Absent: Vogt

Others in attendance were City Manager, Michael Wilkes, Deputy City Manager, Susan Sherman, and City Attorney, Ron Shaver.

2. BEGIN TELEVISED SESSION – 7:00 P. M.

3. PLEDGE OF ALLEGIANCE

4. SPECIAL BUSINESS

- A.** Presentation of K-State Olathe annual update by Dean Ben Wolfe. Councilmembers asked clarifying questions on what classes and programs the campus is offering. Dr. Wolfe highlighted some of the new programs and classes, including different bootcamps, to the council.

Councilmember Felter asked about how the campus measured enrollment and if enrollment is impacted by career learners. Dr. Wolfe stated most of the students enrolled are adult learners and that post Covid they have seen a change in how people access their education.

Councilmember Gilmore thanked Dr. Wolfe for living up to the innovations and collaborations. He also asked if the Financial Planning course was a CIP course. Dr. Wolfe stated yes.

5. PUBLIC HEARINGS

Persons wanting to speak regarding a public hearing must sign up no later than 30 minutes prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, emailing CCO@Olatheks.org or in person at City Hall. Each speaker is allowed up to 5 minutes to address the City Council.

- A.** Public Hearing and consideration of Resolution No. 23-1017 regarding

the structure (single-family detached house) located at 16440 W 139th Street, declaring the structure to be unsafe and dangerous, and ordering the property owner to commence repairs or demolition of the structure by April 30, 2023.

Barry Walthall, Chief Building Official, provided a brief presentation to the council.

Councilmember Essex asked what the process is when the city is trying to find owners of the property. Mr. Walthall went over the process with the council.

Councilmember Mickelson asked what would constitute commencement of repairs at the property and if work would have to be started or if the issuance of a permit would be enough. Deputy City Attorney, Chris Grunewald, explained applying for a permit will not be enough.

Councilmember Felter asked if the time frame for this property is normal or if it is an outlier? She also stated she would like to see the deadline changed to April 12th if it is possible to be respectful to the neighboring property owners.

Councilmember McCoy stated with the extenuating circumstances of the property owner passing away, he didn't feel it was in the best interest of the city to spend 30K for demolition. He noted he was in favor of the April 30th deadline to try and work with the new property owner.

Councilmember Gilmore asked how repayment would work if the city raised the house. Mr. Grunewald explained the process to the council.

Mayor Bacon asked if the house was reparable and if a performance bond would be required with the permit. Mr. Walthall stated that a performance bond would not be required and that it will take extensive work to fix the home.

Matt Connolly, with Reinvent KC, 713 N Lindenwood Ste A, Olathe, spoke to council about his scope of work plan for the property at

16440 W 139th Street, Olathe.

Motion by Gilmore, seconded by McCoy, to close the public hearing, the motion carried with the following vote:

Yes: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex

Absent: Vogt

Motion by Gilmore, seconded by McCoy, to approve Resolution No. 23-1017 as presented, the motion carried with the following vote:

Yes: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex

Absent: Vogt

6. CONSENT AGENDA

Motion by Gilmore, seconded by McCoy to approve the Consent Agenda as presented. The motion carried with the following vote.

Yes: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex

Absent: Vogt

- A. Consideration of approval of the City Council meeting minutes for the February 21, 2023 meeting.
Approved
- B. Consideration of a cereal malt beverage application for calendar year 2023.
Approved
- C. Consideration of Resolution No. 23-1018 authorizing the execution of a 3rd Amendment to Development Agreement and assignment of Tax Increment Financing revenues related to the Garmin Olathe Soccer Complex project.
Approved
- D. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Heartland Coca-Cola Bottling Olathe Facility, Project Acura (FP23-0001), containing one (1) lot on approximately 116.88 acres; located south of W. 167th Street and west of Hedge Lane. Planning Commission approved plat 7 to 0.
Approved
- E. Consideration of Consent Calendar.
Approved
- F. Consideration of Supplemental Agreement No. 2 with HDR Engineering, Inc. for the design of the 119th Street, Woodland to Northgate,

- Improvements Project, PN 3-C-024-21.
Approved
- G.** Consideration of a Professional Services Agreement with Landworks Studio for design of the Prairie Center Park Improvements Project, PN 4-C-016-22.
Approved
- H.** Consideration of a Professional Service Agreement with Olsson, Inc. for design of the Cedar Lake Dam Restoration Project, PN 2-C-021-23.
Approved
- I.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Freeman Concrete Construction, LLC for construction of the 2023 Local and Collector Street Mill and Overlay Project - Group A, PN 3-P-008-23.
Approved
- J.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Superior Bowen Asphalt Company, LLC for construction of the Kansas City Road Arterial Mill and Overlay Project, PN 3-P-004-23, and the 159th Street Arterial Mill and Overlay Project, PN 3-P-005-23.
Approved
- K.** Consideration of bid and award of project to Mayer Specialty Services, LLC for CMP Replacement and Stormwater Asset Management Project, PN 2-C-004-22.
Approved
- L.** Acceptance of renewal of contract to Johnson County Landfill (Waste Management) for the disposal of biosolids from the City's wastewater treatment facilities.
Approved
- M.** Consideration of renewal of contract with R.E. Pedrotti Company, Inc. for SCADA services for the Environmental Services Division of Infrastructure.
Approved
- N.** Consideration of award of contract with Remi for the negotiation of service rates for critical laboratory equipment.
Approved
- O.** Consideration of Change Order No. 1 with MTS Contracting, Inc. for repairs to the downtown parking garage as part of the Parking Garage Repair and Protection project, PN 6-C-010-23.
Approved
- P.** Consideration of Resolution 23-1019 authorizing the Police Building Expansion Phase II project, PN 6-C-010-20, and amending Resolution

22-1038.

Approved

- Q.** Consideration of GMP Amendment No. 3 to the agreement with Turner Construction for construction services for the Police Building Expansion Phase II project, PN 6-C-010-20.

Approved

- R.** Consideration of utilizing \$170,000 in federal award funding to be used in the implementation of stationary License Plate Reader (LPR) equipment/software through Electronic Technology, Inc. (ETI) to be implemented at four major intersections within the City of Olathe.

Approved

- S.** Consideration of Resolution No. 23-1020, approving participation with the Regional Resource Sharing Agreement.

Approved

7. NEW BUSINESS

- A.** Consideration of Ordinance No. 23-06, RZ22-0021, requesting a zoning amendment to Ordinance 99-83 and a preliminary site development plan for The Clearing at Anderson Pointe, Phase II on approximately 2.8 acres; located southwest W 127th Street and S Black Bob Road. Planning Commission recommends approval 8-0.

Interim Planning Manager, Kim Hollingsworth, presented a brief presentation to council.

Councilmember Gilmore asked if there were any other mixed use projects in Olathe. Ms. Hollingsworth stated there were two other sites where mixed use will be utilized.

Councilmember McCoy stated he liked the concept of mixed use and how the project looked.

Motion by Gilmore, seconded by McCoy, to approve Ordinance No. 23-06 regarding RZ22-0021, as presented, the motion carried with the following vote:

Yes: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex

Absent: Vogt

8. NEW CITY COUNCIL BUSINESS

Councilmember Essex stated she had been able to enjoy some of Olathe's trails and thanked the Parks and Recreation staff for the upkeep of the trail system.

Councilmember McCoy spoke about the police project that was approved on the consent agenda and noted the help from Senator Moran on funding for the JAG grant.

Councilmember Felter stated she attended the Olathe Chamber of Commerce lunch and thanked Chamber CEO Tim McKee for his leadership. She also reminded citizens that the new downtown library would be opening on April 29th and congratulated Councilmember Essex on her first bill being passed in the Kansas House of Representatives and sent to Senate committee.

Mayor Bacon stated that at the Olathe Chamber of Commerce meeting, the City of Olathe was awarded the 2022 Corporate Citizen of the Year Award.

9. END OF TELEVISED SESSION

10. GENERAL ISSUES AND CONCERNS OF CITIZENS

Persons wanting to speak regarding a general concern must sign up no later than 30 minutes prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, emailing CCO@Olatheks.org or in person at City Hall. The Council has allocated up to 3 minutes per speaker, and up to 30 minutes total for this portion of the meeting.

Patty Lanter, 10559 S. Millstone Dr, Olathe, spoke against the rezoning at K10 and Woodland Rd.

11. CONVENE FOR PLANNING SESSION

Reports are prepared for informational purposes and will be accepted as presented. There will be no separate discussion unless a Councilmember requests that a report be removed and considered separately.

A. REPORTS

1. Report on a request by 1918, LLC for an issuance request for industrial revenue bonds and tax phase-in for the construction of a 320,000 square foot beef processing and packaging production facility on approximately 60 acres of a 138 acre site located near the northwest corner of 167th Street & 169 Highway.

Mayor Bacon asked for a time frame of the 169 Hwy and 167th Street project and if it would affect this project. City Engineer, Nate Baldwin, explained the timing of the project and noted that the development will have full access to the roads.

Accepted

2. Report on the authorization of the 2024 Street Reconstruction Program, 3-R-000-24.
Accepted
3. Report on the authorization of the Black Bob Road, 153rd Terrace to 159th Street, Improvements Project, PN 3-C-041-23.
Councilmember Gilmore asked if this project would go to 159th Street, but not further south. City Engineer, Nate Baldwin stated yes, but noted that a separate project for 159th Street to 167th Street was being designed now and will be constructed in 2024, with this project, PN-3-C-041-23 being constructed in 2025.
Accepted
4. Report on the authorization of the BNSF East Track Quiet Zone Engineering Project, PN 3-C-038-23.
Mayor Bacon asked if this report is for the engineering portion of the project. City Engineer, Nate Baldwin, stated yes.

Councilmember Felter thanked staff for working on the Quiet Zone.

Accepted

B. DISCUSSION ITEMS

1. Planning staff will report on the State of the Neighborhoods including program updates and accomplishments associated with the Olathe Healthy Neighborhoods Initiative.
Senior Planner, Emily Carrillo and Planner 1, Ben Schnelle, provided a presentation on the State of the Neighborhood program.
Councilmember Gilmore asked to see a trend line added to future presentations to show the growth of healthy neighborhoods.
2. Discussion on the Parks and Recreation Master Plan, PN 4-C-120-22.
Quality of Life Director, Mike Sirna introduced Brian Trusty, with Pros Consulting who provided a presentation on the Parks and Recreation Master Plan.

Mayor Bacon stated he felt the plan had everything he wanted

and asked when the item would come back for approval. Mr. Trusty said edits were being made and hoped to have it back to the city within the next couple meetings.

12. EXECUTIVE SESSION

- A. Preliminary discussion regarding the acquisition of real property pursuant to the exception provided in K.S.A. 75-4319(b)(6) pertaining to the improvement of 119th Street, Woodland Road to Northgate Street, PN 3-C-024-21.

Motion by Gilmore, seconded by McCoy to recess into an executive session for Preliminary discussion regarding the acquisition of real property pursuant to the exception provided in K.S.A. 75-4319(b)(6) pertaining to the improvement of 119th Street, Woodland Road to Northgate Street, PN 3-C-024-21, for 10 minutes, returning to Council Chambers at 9:21 PM. The motion carried with the following vote:

Yes: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex

Absent: Vogt

13. RECONVENE FROM EXECUTIVE SESSION

Motion by Gilmore, seconded by McCoy, to authorize staff to proceed with the acquisition of real property, public street right-of-way, temporary easements and permanent easements for the improvement of 119th Street, Woodland Road to Northgate Street, PN 3-C-024-21, as directed by the governing body. The motion carried with the following vote:

Yes: Mickelson, McCoy, Bacon, Gilmore, Felter, and Essex

Absent: Vogt

14. ADDITIONAL ITEMS

Councilmember Gilmore asked if the Parks Master Plan will have revenue enhancement ideas in it. City Manager, Michael Wilkes, stated yes.

Mayor Bacon stated the Comprehensive Plan recommendations from councilmembers are due and that 2-3 councilmembers will be on the committee as well. He added his intention is to add Councilmembers Felter, Gilmore, and Vogt to the committee.

15. ADJOURNMENT

The meeting was adjourned at 9:25 P.M.

Eric Strimple
Assistant City Clerk