

City of Olathe

*100 E. Santa Fe
Olathe, KS*



Meeting Minutes

Tuesday, June 16, 2026

7:00 PM

100 E. Santa Fe | Council Chamber

City Council

Reception for Judge Franzenburg, 6:30 PM. - City Hall Lobby**1. CALL TO ORDER**

Present: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

2. REGULAR MEETING BEGINS - 7:00 P.M.**3. NATIONAL ANTHEM - Amelia Mattox, OPS Student**

Mayor Bacon introduced Amelia Mattox, an Olathe Public School high school student, who performed the National Anthem.

4. PLEDGE OF ALLEGIANCE**5. SPECIAL BUSINESS****A.** Installation of Municipal Judge Matt Franzenburg.

Mayor Bacon administered the oath of office of Municipal Judge to Matt Franzenburg. Municipal Judge, Jill Kenney, presented Mr. Franzenburg with a robe and gavel.

B. Presentation of the City of Champion Awards.

Mayor Bacon introduced Matt Johnson, Olathe School District Director of Athletics and Activities. The Mayor also mentioned that Mr. Johnson would be retiring this summer after spending 10 years with the Olathe Public Schools. Mr. Johnson introduced representatives from each school who then shared about the student's accomplishments. Mayor Bacon presented each of the students with an award.

6. PUBLIC HEARINGS**A.** Consideration of Resolutions No 26-1051 and No. 26-1052 on behalf of 175 Commerce Center Land, LLC, and Assigns to Amend and Assign Resolution 21-1054 & Resolution 21-1056 (Master Resolution).

Motion by Vakas, seconded by Essex, to approve Resolution No. 26-1051 and Resolution No. 26-1052. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- B.** Public Hearing and Consideration of Resolution No. 26-1053 on behalf of 175 Commerce Center Land, LLC and assigns for an issuance request for industrial revenue bonds and tax phase-in for a single series application under a master resolution. The project will entail the construction of 1,102,793 square foot industrial facility on an approximately 61.113 acre lot located at the northeast corner of 175th Street and Hedge Lane.

Mayor Bacon opened a public hearing. Hearing no comments, a motion was made to close the public hearing.

Motion by Vakas, seconded by Essex, to close the public hearing. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

Motion by Vakas, seconded by Essex, to approve Resolution No. 26-1053. The motion carried with the following vote:

Yes: Bacon, Vakas, Essex, Creighton, and Deneault

No: Schoonover

Absent: Felter

7. CONSENT AGENDA

The items listed below are considered to be routine by the City Council and may be approved in one motion. These may include items that have been reviewed by the City Council in a prior planning session. There will be no separate discussion unless a council member requests that an item be removed from the consent agenda and considered separately.

Approval of the Consent Agenda

Motion by Vakas, seconded by Creighton, to approve the Consent Agenda. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- A.** Consideration of approval of the City Council minutes of the May 27, 2026, Special Call, May 28, 2026 (AM) Special Call, May 28, 2026 (PM) Special Call, and June 2, 2026 Council meeting.
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.

approved.

- C. Consideration of Expense Reports for City Manager, Susan Sherman, Mayor John Bacon and all Councilmembers to travel to Washington, DC to visit congressional delegates.

approved.

- D. Consideration of Resolution No. 26-1054 authorizing the public sale of General Obligation Temporary Notes, Series 2026-A; and General Obligation Improvement Bonds, Series 2026A

approved.

- E. Consideration of renewal of contract with Qualtrics for Experience Management Software, Licensing, and Services.

approved.

- F. Consideration of Resolution 26-1055 Authorizing the Sale of Neighborhood Stabilization Program (NSP) Rental Properties After the Program Affordability Period.

approved.

- G. Consideration of the Consent Calendar.

approved.

- H. Consideration of an Agreement with Johnson County for funding the Stormwater CCTV Inspection Project, PN 2-R-006-26.

approved.

- I. Consideration of a Professional Services Agreement with TREKK Design Group, LLC for the Stormwater CCTV Inspection Project, PN 2-R-006-26

approved.

- J. Consideration of a Relocation and Reimbursement Agreement with Atmos Energy Corporation for the Santa Fe, Ridgeview to Mur-Len, Improvements Project, PN 3-C-025-18.

approved.

- K. Consideration of renewal of contract to Crossland Heavy Contractors to support routine maintenance and emergency repair at Environmental Services' facilities.

approved.

8. **NEW BUSINESS**

- A. Consideration of Ordinance No. 26-29 (RZ25-0009), requesting approval of a rezoning from the NC (Neighborhood Center) District to the R-3 (Residential Low-Density Multifamily) District for Lone Elm Townhomes on approximately 7.7 acres, located northeast of W. 119th Street and S. Lone Elm Road.

Nathan Jurey, Senior Planner, provided additional information to the Council regarding this project and the ordinance being considered.

Mayor Bacon asked if the design stipulations were clear. Mr. Jurey said the design was agreed on.

Councilmember Creighton said he had voted in opposition to this item in the past, but he wanted to clarify that since the council had voted to move forward, he would support the ordinance and he was happy with the stipulations.

Motion by Vakas, seconded by Deneault, to approve Ordinance 26-29. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Creighton, and Deneault

No: Essex

Absent: Felter

- B.** Consideration of Ordinance No. 26-30 repealing Ordinance No. 05-75 (Coffee Creek Master Plan), Ordinance No. 07-80 (Lone Elm Vicinity Plan) and Ordinance No. 02-15 (K-7 Corridor Study and Design Guidelines) pertaining to certain Land Use Plans and Design Guidelines for the City of Olathe (PLN26-0002).

Motion by Vakas, seconded by Essex, to approve Ordinance No. 26-30. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- C.** Consideration of Ordinance No. 26-31 amending Chapter 15.04 of the Olathe Municipal Code pertaining to the Residential Building Code of the City of Olathe, Kansas.

Motion by Vakas, seconded by Essex, to approve Ordinance No. 26-31. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- D.** Consideration of Ordinance No. 26-32 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$6,600,000 for Cherry Santa Fe, LLC for the construction of a 10,859 sq ft multi-tenant restaurant/retail project at 114-126 N Cherry Street.

Motion by Vakas, seconded by Essex, to approve Ordinance 26-32. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- E.** Consideration of Ordinance No. 26-33 amending Ordinance No. 24-50 regarding the commencement date of the CID Sales Tax imposed within the 119th and Renner Community Improvement District.

Mayor Bacon explained this ordinance would move the start date of the CID closer to when the project would be open.

Motion by Vakas, seconded by Essex, to approve Ordinance No. 26-33. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- F.** Consideration of a Contract Amendment No. 1 with Nabholz Construction for construction of the City Hall Parking Garage Project, PN 6-C-003-24.

Senior Design and Construction Project Manager, Laura Gagliano, gave a presentation to the Council on the project. Ms. Gagliano introduced Kimball Hales with Finkle Williams and Aaron Keady with Nabholz Construction. She shared renderings and additional information regarding the GMP.

Mayor Bacon asked some questions about the location of the elevators.

Councilmember Essex asked how many parking spots there will be. Mr. Hales said there are approximately 400 spaces. Ms. Essex asked if there is a “way finding” system included. Mr. Hales said that there will be an accurate count for vehicles going into the garage.

Councilmember Schoonover asked how many spaces were being added and Ms. Gagliano said there is more than double the current spaces. Mr. Schoonover asked if there was a solar component and Mr. Hales said they had looked into it and it was not cost effective.

Mayor Bacon asked if there was a covered walkway to the entrance of City Hall and Ms. Gagliano said if there were funds in the future it could be added. Mayor Bacon said it is a beautiful building.

Mr. Keady with Nabholz provided information regarding the bids and the guaranteed maximum price.

Mayor Bacon asked what the timeline for construction is. He also asked where the Council would park during construction. Ms. Gagliano provided additional information regarding parking plans during the construction.

Councilmember Schoonover asked about the split between the County and asked when they would provide final approval. Ms. Gagliano said the County would be having the same presentation at their next meeting. He also asked for clarification on the County's financial contribution. He said he believed it is a beautiful building.

Councilmember Deneault asked about a shuttle during construction for City staff and Ms. Sherman said they had looked at it and employees had said they would not use a shuttle.

Councilmember Vakas asked for additional information about adding a covered walkway if there was contingent funding available and Ms. Gagliano said it would be an option.

Councilmember Creighton asked for clarification on the number of handicap parking spaces. He also asked about security concerns. Ms. Gagliano provided details on the location of the handicap parking and also said the County's security team is satisfied with the security features included in the design.

Mr. Hales said one side is designated as handicap on the lower level and more could be added if needed.

Motion by Vakas, seconded by Essex, to approve the contract amendment no. 1 with Nabholz Construction. The motion carried by the

following vote:

Yes: Essex, Vakas, Schoonover, Bacon, Deneault, and Creighton

- G.** Consideration of Resolution No. 26-1056 authorizing the Super Critical Water Oxidation Pilot Project, PN 1-C-019-25, and amending Resolution 25-1004.

Councilmember Vakas asked for a presentation. Nate Baldwin, City Engineer, provided additional information regarding this project. He outlined what the Council had approved in the past and explained the resolution before them tonight is to increase the amount from the State. He also shared that the amount from the State is fully forgivable.

Councilmember Essex said she is excited for this and stated the City is a leader in technology.

Motion by Vakas, seconded by Essex, to approve Resolution No. 26-1056. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

- H.** Consideration of Ordinance No. 26-34 approving a Loan Amendment with the Kansas Department of Health and Environment (KDHE) acting on behalf of the State of Kansas, for the funding of the Super Critical Water Oxidation Pilot, PN 1-C-019-25.

Motion by Vakas, seconded by Essex, to approve Ordinance No. 26-34. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

9. GENERAL ISSUES AND CONCERNS OF CITIZENS

Al Heger, an Olathe resident, spoke regarding a City of Olathe Police Department traffic stop.

10. CONVENE FOR PLANNING SESSION

A. REPORTS

1. Quarterly Procurement Report

Report accepted.

2. Report regarding proposed amendments to Olathe Municipal Code Chapter 3.50 (Procurement Policies) pertaining to public improvement project contracts.

Mayor Bacon commented that all the changes were in line with State statutes and City Manager, Susan Sherman, confirmed that is correct.

Report accepted.

B. DISCUSSION ITEMS

1. Discussion on the Santa Fe, Ridgeview to Mur-Len, Improvements Project, PN 3-C-025-18.
Theresa Vink, Assistant City Engineer, provided a presentation to the Council, giving them an overview of the entire project.

Councilmember Creighton said everyone is excited for this project but acknowledged it will be difficult for awhile. He asked about construction in the area and asked what is being done at this time. Ms. Vink said they would be doing some grading and planting seed to help with the appearance during construction and utility relocation.

Mayor Bacon asked for some clarification on the funding sources and Ms. Vink provided some additional information.

Mayor Bacon thanked Ms. Vink for the update.

11. EXECUTIVE SESSION

Consideration of motion to recess into an executive session to discuss the following items:

- A. Consultation with the City Attorney which would be deemed privileged in the attorney-client relationship pursuant to KSA 75-4316(b)(2) regarding pending legal matters.

Motion by Vakas, seconded by Essex, that the Olathe City Council recess into an executive session for consultation with the City Attorney to discuss matters deemed privileged in the attorney-client relationship regarding pending legal matters including possible litigation pursuant to the exception provided in K.S.A. 75-4319(b)(2) for a time not to exceed 30 minutes. The open meeting will resume in the City Council chambers no later than 8:56 PM. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

Motion by Vakas seconded by Schoonover to authorize the City Attorney to proceed with the strategies discussed with and directed by the governing body. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, and Creighton

Absent: Felter, Essex, and Deneault

- B.** Personnel matters of non-elected personnel pursuant to the exception provided in K.S.A. 75-4319(b)(1) regarding a municipal judge.

Motion by Vakas, seconded by Schoonover, to recess into executive session to discuss personnel matter of non-elected personnel concerning a municipal court judge pursuant to the non-elected personnel exception provided by K.S.A. 75-4319(b)(1) for a period of time not to exceed 15 minutes. The open meeting will resume in the City Council chambers no later than 9:13 PM. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, and Creighton

Absent: Felter, Essex, and Deneault

12. RECONVENE FROM EXECUTIVE SESSION

Motion by Vakas, seconded by Essex, to authorize the Human Resources Director in consultation with the City Attorney, to proceed with the strategies discussed with and directed by the governing body. The motion carried by the following vote:

Yes: Bacon, Schoonover, Vakas, Essex, Creighton, and Deneault

Absent: Felter

13. ADDITIONAL ITEMS

Councilmember Creighton congratulated the student award winners. He also mentioned that it is Juneteenth this coming Friday and some City offices and services will not be available. He shared that he had attended Mahaffie's wicket tournament and he and Councilmember Mr. Schoonover had won first place.

Councilmember Schoonover thanked Parks and Mahaffie staff for all they do. He also thanked staff for the miniature plastic bag recycle container.

Councilmember Vakas said he was privileged to be with Representative

Sharice Davids to lay a wreath at a veteran's grave.

Councilmember Essex said she is impressed with the students and the award winners. She also wished America a happy 250th birthday.

Councilmember Deneault also acknowledged that Friday is Juneteenth. He expressed his congratulations to the new Judge and also congratulated the student award winners. He reminded everyone that the postponed summer kickoff would be July 2nd and festivities will begin at 5:30 PM at Lake Olathe.

City Manager, Susan Sherman, introduced the new Senior Management Analyst, Alex Freeman.

Mayor Bacon invited citizens to participate in the Goal-Athe celebration next week! He reminded everyone that the Chamber of Commerce Fourth Friday on June 26.

He announced that Teen Council applications are open for two more weeks! He said the application is online at OlatheKS.gov/TeenCouncil and they are due July 1.

He also shared that applications for the Olathe Mayor's Children's Fund grants will open July 1.

Mayor Bacon asked staff to check the water fountain on 119th street to determine why it is off sometimes. Ms. Sherman said she would have staff look into it and report back.

14. ADJOURNMENT

The meeting was adjourned at 9:16 P.M.

Brenda D. Swearingian
City Clerk