



1. CALL TO ORDER

Present: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex
Absent: Schoonover

2. EXECUTIVE SESSION

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

- A. Personnel matters of non-elected personnel pursuant to the exception provided in K.S.A.75-4319(b)(1) regarding the City Auditor Position. Councilmember Felter arrived at 6:33 PM.

Motion by Vogt, second by Gilmore, to recess into an executive session to discuss personnel matters of non-elected personnel pursuant to the exception provided in K.S.A.75-4319(b)(1) regarding the City Auditor Position, for 25 minutes, returning to council chambers at 6:56 PM. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Vakas, and Essex
Absent: Schoonover, and Felter

3. RECONVENE FROM EXECUTIVE SESSION

Motion by Vogt, seconded by Gilmore, to move forward as discussed in executive session. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex
Absent: Schoonover

4. BEGIN LIVE STREAMED SESSION – 7:00 P. M.

5. PLEDGE OF ALLEGIANCE

6. SPECIAL BUSINESS

- A. Presentation of the Mayor’s Cup.
Mayor Bacon announced that Garmin was the highest scoring Olathe company in the Kansas City Corporate Cup Challenge. Garmin associate, Katie Stapleton accepted the Mayor's Cup award.

Ms. Stapleton thanked the Mayor and Council for the recognition and stated the Mayor's Cup falls in line with their wellbeing program at Garmin.

- B.** Proclamation recognizing September as Deaf Cultural Month
Mayor Bacon read and presented the proclamation to Chriz Dally, Executive Director of the Museum of Deaf History, Arts & Culture.

Ms. Dally thanked the Mayor and Council for the proclamation and spoke about the Museum and invited everyone to visit.

- C.** Proclamation recognizing Sept. 15-21 as Co-Responder and Crisis Responder Week
Mayor Bacon read and presented the proclamation to Olathe Police Sergeants, Robert McKeirnan and Ben Smith, along with Co-Responders, Kimberly Rowlands and Jordyn Chaffin.

Sergeant McKeirnan thanked the Mayor and Council for the proclamation and spoke about the great work that the Co-Responders do for Olathe citizens.

- D.** Consideration of Resolution No. 24-1044 appointing a new member to the Mahaffie Stagecoach Stop and Farm Advisory Board.
Mayor Bacon invited Chair of the Mahaffie Stagecoach Stop and Farm Advisory Board, Don Seifert up to speak. Mr. Seifert introduced Kevin Corbett, who is a new member to the board.

Mr. Corbett spoke about how Mahaffie has improved over the years and thanked the Council for the opportunity to give back to the community.

Motion by Vogt, seconded by Gilmore, to approve Resolution No. 24-1044 as presented. The motion carried by the following vote:

Yes: Vogt, Gilmore, Felter, Vakas, Essex, and Bacon

7. PUBLIC HEARINGS

- A.** Public Hearing and consideration of Resolution No. 24-1045 on a request by Blue Springs Safety Storage South, LLC and assigns for an issuance request for industrial revenue bonds and tax phase-in for a master resolution over a business park. The project will entail the construction of 1,549,955 square feet of warehouse and industrial facilities on a total of 139-acres located on the east side of 169 Highway between 159th and 167th Streets.

Financial Strategy & Procurement Manager, John Page, provided a brief presentation to the council.

Samuel Graham, Olathe resident, spoke against IRBs and focused on the large amount of empty warehouse and industrial space in Olathe currently.

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

Yes: Bacon, Vogt, Gilmore, Felter, and Essex

No: Vakas

Absent: Schoonover

Motion by Vogt, second by Gilmore to approve Resolution No. 24-1045. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex

Absent: Schoonover

- B.** Public Hearing and consideration of Resolution No. 24-1046 regarding the structure (single-family detached house) located at 413 S. Cherry Street, declaring the structure to be unsafe and dangerous, and ordering the property owner to commence repairs or demolition of the structure by October 3, 2024.

Chief Building Official, Ryan Arter, provided a brief presentation to the council.

Councilmember Vogt asked if the property was inhabited. Mr. Arter stated, no.

Councilmember Vakas asked how the process would work. Mr. Arter stated that if repairs are to take place, staff would expect to have permits pulled by the deadline or the process would begin by the city to demolish the structure.

Loren Brownlee, owner of 413 S. Cherry St, spoke about the issues he has had getting the property fixed.

Mayor Bacon stated the owner spoke on concerns on the time frame and asked Mr. Arter if he felt it was a good time frame. Mr. Arter stated he feels that the 30 days is a good time frame to commence

work.

Deputy City Attorney, Chris Grunewald, stated that sealed engineer plans would be needed within 30 days to pull permits and commence repairs. He added that if plans were received then staff would expect forward momentum on fixing the property within the next 30 days.

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

Yes: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex

Absent: Schoonover

Motion by Vogt, seconded by Gilmore, to approve Resolution No. 24-1046 regarding the structure at 413 S. Cherry Street declaring the structure to be unsafe and dangerous, and ordering the property owner to commence repairs or demolition of the structure by October 3, 2024. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex

Absent: Schoonover

8. 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 Council Member Vogt, seconded by Council Member Gilmore, to approve the Consent Agenda. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex

Absent: Schoonover

- A.** Consideration of approval of the City Council meeting minutes of the August 20, 2024 council meeting and the August 27, 2024 budget hearing.
approved.
- B.** Consideration of Travel Requests for City Manager Michael Wilkes to travel to Wichita, Kansas to attend a League of Kansas Municipalities Annual meeting with Council Members Felter and Vakas; and for Michael Wilkes to travel to Westminster Colorado to attend an Alliance for Innovation conference.

- approved.
- C.** Request for the acceptance of the dedication of land for public easements for a final plat for Hope Roots Collective (FP24-0020), containing one (1) lot and (1) tract on approximately 1.87 acres, located at 11515 S. Black Bob Road. Planning Commission approved the plat 7 to 0.
approved.
- D.** Consideration of Resolution No. 24-1047 for the assignment and assumption of lease agreements and bond documents from Double T Enterprises, LLC to Lindenwood Olathe Holdings, LLC; Kansas City Road Holdings, LLC; and RPB Holdings, LLC - 158th Olathe Series.
approved.
- E.** Consideration of Resolution No. 24-1050 expressing the intent to issue industrial revenue bonds on behalf of Rosebud Partners, LLC at the northeast corner of Santa Fe Street and Mur-Len Road (Sales Tax Exemption Only).
approved.
- F.** Consideration of Consent Calendar.
approved.
- G.** Consideration of a Water Main Relocation Agreement with Water District No. 1 of Johnson County for the Black Bob Road, 153rd Terrace to 159th Street, Improvements Project, PN 3-C-041-23.
approved.
- H.** Consideration of a Turn Lane Construction & Reimbursement Agreement with Heritage Ranch Developers, LLC for the Black Bob Road, 159th to 167th, Improvements Project, PN 3-C-008-22.
approved.
- I.** Consideration of award of contract Border States Industries Inc for the purchase of LED lighting for Traffic Division.
approved.
- J.** Consideration of award of contract to GSC Lighting and Supply for the purchase of streetlight poles and bases for Traffic Division.
approved.
- K.** Consideration of award of contracts to GSC Lighting and Supply and Border States Industries Inc for the purchase of streetlight supplies for Traffic Division.
approved.
- L.** Consideration of award of contract to Denton Excavating, Inc., dba Midland Wrecking to perform on-call demolition services.

approved.

- M.** Consideration of quote and purchase of water transmission main valves from Olathe Winwater Company for the 119th Street, Woodland to Northgate, Improvement Project, PN 3-C-024-21.

approved.

- N.** Consideration of award of contract to Staco Electric Construction company for general electrical services for the City of Olathe.

approved.

- O.** Consideration of award of contract to Core and Main for the purchase of water meters and associated supplies.

approved.

- P.** Consideration of award of contract to Foley Equipment Company for the replacement of a Weiler 385P Asphalt Paving Machine for the Street Maintenance Division of Infrastructure.

approved.

9. NEW BUSINESS

- A.** Consideration of Ordinance No. 24-33 (RZ24-0013), requesting approval of a rezoning from the AG (Agricultural) District to M-1 (Light Industrial) District and a preliminary site development plan for Hope Roots Collective on approximately 1.87 acres; located at 11515 S Black Bob Road. Planning Commission recommended approval 7 to 0.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-33 pertaining to RZ24-0013. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Felter, Vakas, and Essex

Absent: Schoonover

- B.** Consideration of Ordinance No. 24-34 adopting the 2025 City of Olathe Budget.

Councilmember Felter expressed her desire to provide a tax or rate cut for citizens. However, after discussing the matter with the Director of Infrastructure, Mary Jaeger, she was informed of the implications of such a decision. Ms. Jaeger explained that maintaining city assets and accommodating the city's growth are essential. She warned that a tax cut this year could be shortsighted, as it might result in higher costs in the following year. Dr. Felter stated she is supportive of the budget.

Councilmember Vogt stated that it is important for citizens to know she felt that the council went into the budget season thinking a

mill-levy cut may be possible. However, Olathe is an older but also a growing city, so taking care of current and future needs is important. She also noted the addition of public safety staff that will be added if the budget is passed along with other large infrastructure projects. Ms. Vogt stated she would support the budget and fees as they have been presented.

Councilmember Gilmore stated he would not vote in favor of the budget because it does not provide property tax relief to citizens. Mr. Gilmore also stated that everyone in the city is dealing with the high level of inflation, and citizens have to make cuts to make ends meet, while the city benefits with the higher property values. He also stated that the council needs to move on lowering taxes before citizens lose trust. Additionally, he does not like the budget being generated without the guidance of the council to limit the rate of increase in property tax revenues with the result being the use every dollar generated by the property valuation increases.

Councilmember Essex, stated that there are incredible projects coming to Olathe, and citizens demand those projects. She stated she struggles with the budget and balancing what is expected of the city and recognizing a 7% tax increase is still 7%. Ms. Essex added that she would never be supportive of cutting staff or resources for staff, but she feels there could have been some skimmed off the top a little bit.

Councilmember Vakas, stated it is the total package with taxes from the state down to the city and feels we should be working to see the state freeze taxes or provide tax relief. He added he is supportive of the budget, but that we can't be naive to see what can be done to see about lowering taxes. He said that the City needs to work hard to control taxation at the city level next year. He also added that he wants to see the city control utility rates in the coming years as well.

Mayor Bacon, stated the city is growing, and over the years a lot has been done for the city and the community appreciates it but he wants to make sure the city is being good stewards of the taxpayers money. Mr. Bacon also noted that less than 20% is coming from

property tax, and the rest is depended on sales tax. Mr. Bacon also noted we are the second lowest mill in Kansas.

Motion by Vogt, seconded by Felter, to approve Ordinance No. 24-34, adopting the 2025 City of Olathe budget . The motion carried by the following vote:

Yes: Bacon, Vogt, Felter, and Vakas

No: Gilmore, and Essex

Absent: Schoonover

C. Consideration of Resolution No. 24-1048 adopting the 2025-2029 Capital Improvement Plan.

Councilmember Vakas noted the public comments from Cedar Creek residents about potentially moving the road project up a year.

Motion by Vogt, seconded by Felter, to approve Resolution No. 24-1048, adopting the 2025-2029 Capital Improvement Plan. The motion carried by the following vote:

Yes: Bacon, Vogt, Felter, Vakas, and Essex

No: Gilmore

Absent: Schoonover

D. Consideration of Resolution No. 24-1049 establishing a “Comprehensive Listing of Fees and Charges.”

Motion by Vogt, seconded by Felter, to approve Resolution No. 24-1049, establishing a Comprehensive Listing of Fees and Charges. The motion carried by the following vote:

Yes: Bacon, Vogt, Felter, and Vakas

No: Gilmore, and Essex

Absent: Schoonover

10. NEW CITY COUNCIL BUSINESS

Councilmember Vogt stated that Councilmember Schoonover was not present and read a statement from Councilmember Schoonover stating that he is concerned about the fees and wants to see them made more manageable for citizens.

Councilmember Essex thanked staff for their efforts on the budget.

Councilmember Vogt thanked staff for work on the budget. Additionally, she

stated Councilmember Schoonover wanted to remind everyone that September is National Suicide Prevention Month and that you can dial 988 if you need support during a hard time.

Councilmember Felter reminded everyone that September 15th to 21st is Co-Responder and Crisis Responder Week. Dr. Felter also noted that this weekend is Old Settlers Days and the weather is going to be amazing. She also thanked staff for their work on the budget.

Councilmember Vakas noted the collaboration between staff and council during budget season is indicative of the quality and how things are in Olathe.

Mayor Bacon mentioned the Comprehensive Plan workshop that will be at the Olathe Community Center. He also mentioned the passing of Annabeth Surbaugh.

11. END OF LIVE STREAMED SESSION

12. GENERAL ISSUES AND CONCERNS OF CITIZENS

None heard.

13. ADDITIONAL ITEMS

Councilmember Vogt asked City Manager, Michael Wilkes if conversations are taking place with the Olathe Chamber of Commerce about tax abatements. He stated staff is working with the Chamber on them.

Councilmember Gilmore wants to know when the city will have enough tax abatements and incentives and when will the city know it.

Mayor Bacon told everyone to enjoy Old Settlers this weekend and mentioned a kick off event for Old Settlers on Thursday.

14. ADJOURNMENT

The meeting was adjourned at 8:31 PM.

Eric Strimple
Assistant City Clerk