



Economic Development Policy Workshop - City of Governors, 5:30 PM

1. CALL TO ORDER

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

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

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

3. PLEDGE OF ALLEGIANCE

4. SPECIAL BUSINESS

- A.** The National Weather Service will recognize the City of Olathe as a Storm Ready City.
Mayor Bacon introduced Jonathan Kurtz from the National Weather Service, Olathe Fire Emergency Preparedness Coordinator, Rob Cole and Toby Aldridge, Special Operations Division Chief with the Olathe Fire Department. Mr. Kurtz recognized the Olathe Fire Department as a Storm Ready City.

5. PUBLIC HEARING

- A.** Public hearing and consideration of Ordinance No. 24-42 (ANX24-0003) requesting approval of a de-annexation to exclude approximately 186.22 acres located northeast of W. 175th Street and Clare Road from the corporate boundaries of the City of Olathe (ANX24-0003).
Mayor Bacon opened a public hearing regarding the request for a de-annexation.

There were no speakers.

Mayor Bacon asked if the language that allowed for a de-annexation is always in the agreement. City Attorney, Ron Shaver, said that it is not always in the agreement, but that in this case it was.

Councilmember Schoonover asked if the City had failed to meet terms of the agreement and Mr. Shaver said the applicant chose not to move forward.

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

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

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-42. The motion carried by the following vote:

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

6. 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.

Councilmember Felter asked for item O to be removed and considered separately.

Approval of the Consent Agenda

Motion by Vogt, seconded by Gilmore to approve the consent agenda with the exception of item O. The motion carried by the following vote:

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

- A.** Consideration of approval of the City Council meeting minutes of October 1, 2024.
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.
approved.
- C.** Consideration of Resolution No. 24-1053 setting a date and time for a public hearing regarding the creation of a community improvement district and the levy of a community improvement district sales tax pursuant to K.S.A. 12-6a26 et seq. (Indian Creek Crossing Project)
approved.
- D.** Consideration of Resolution No. 24-1054 setting a date and time for a public hearing regarding the adoption of a TIF Redevelopment Project Plan pursuant to K.S.A. 12-1770 et seq. (Indian Creek Crossing Project)

- approved.
- E.** Consideration of Resolution No. 24-1055 setting the date and time of a public hearing regarding a substantial change to an existing redevelopment district plan and the adoption of a redevelopment project plan pursuant to K.S.A. 12-1770 et seq. (Olathe Gateway Project)
approved.
- F.** Consideration of Resolution No. 24-1056 setting the date and time of a public hearing regarding adoption of a STAR Bond Project Plan for Project Area 1 of the Olathe Gateway STAR Bond Project District pursuant to K.S.A. 12-17,161 et seq. (Olathe Gateway Project)
approved.
- G.** Consideration of Resolution No. 24-1057 setting the date and time of a public hearing regarding the establishment of the 119th Street and Renner Community Improvement District pursuant to K.S.A. 12-6a26 et seq. (Olathe Gateway Project)
approved.
- H.** Consideration of Resolution No. 24-1058 amending City Council Policy F-10 (Sale of Surplus Property).
approved.
- I.** Consideration of Resolution No. 24-1059 amending City Council Policy PI-1A (Bidding Requirements Policies for Public Improvement Projects).
approved.
- J.** Consideration of Resolution No. 24-1060 expressing the intent to issue industrial revenue bonds on behalf of Cedar Creek Development VIII, LLC for a 32,931 square foot service center on 8.1 acres at Cedar Creek Corporate Park (Sales Tax Exemption Only).
approved.
- K.** Consideration of Resolution No. 24-1061 adopting the City's Investment and Cash Management Policy.
approved.
- L.** Consideration of Travel Request Authorization for City Manager Michael Wilkes and Mayor John Bacon to travel to Tampa, Florida to attend NLC on November 12 to November 16, 2024.
approved.
- M.** Consideration of business expenses for Michael Wilkes to attend the International City/County Manager's Association meeting in Pittsburgh, Pennsylvania.
approved.
- N.** Consideration of Consent Calendar.

approved.

- O.** Consideration of Engineer's Estimate, acceptance of bids, and award of contract to Viking Painting, LLC for construction of the Black Bob #2 Recoating Project, PN 5-C-025-23.

Councilmember Felter asked for more details about this item.

City Engineer, Nate Baldwin, provided details on why the water tower needs to be painted.

Councilmember Vogt said she wanted to highlight the cost of the necessary upkeep for preserving City assets.

Motion by Vogt, seconded by Gilmore, to approve item O. The motion carried by the following vote:

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

- P.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Infrastructure Solutions, LLC for construction of the 103rd Street Lift Station and Forcemain Improvements Project, PN 1-C-011-17.

approved.

- Q.** Consideration of renewal of contract with Haren & Laughlin Construction Company, Inc. for general carpentry Services.

approved.

- R.** Consideration of renewal of contract to Energy Tech Solutions for HVAC services for the Facilities Division of Infrastructure.

approved.

- S.** Authorization for repair of a vacuum excavation truck for the Stormwater Division of Infrastructure.

approved.

- T.** Authorization for use of Opioid Litigation Settlement Funds.

approved.

7. NEW BUSINESS

- A.** Consideration of Ordinance No. 24-43 amending Olathe Municipal Code Chapter 3.50 (Procurement Policies) with a technical correction.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-43. The motion carried by the following vote:

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

- B.** Consideration of Ordinance No. 24-44 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$350,000,000 for the construction of an approximately 677,349 square foot industrial facility on the southwest corner of 167th Street and Hedge Lane for Heartland Coca-Cola Bottling Company, LLC
Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-44. The motion carried by the following vote:

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

- C.** Consideration of Resolution No. 24-1062 authorizing a survey and description of land or interest to be condemned for the Animal Shelter Project, PN 6-C-007-23.

Motion by Vogt, seconded by Felter, to approve Resolution No. 24-1062. The motion carried by the following vote:

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

No: Gilmore

- D.** Consideration of Ordinance No. 24-45 approving an engineer's survey and authorizing the acquisition of land for the Animal Shelter Project, PN 6-C-007-23.

Motion by Vogt, seconded by Felter, to approve Ordinance No. 24-45. The motion carried by the following vote:

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

No: Gilmore

8. NEW CITY COUNCIL BUSINESS

Councilmember Schoonover congratulated Mayor Bacon for receiving MNU's Copeland award.

Councilmember Gilmore said he will not be running for the at large seat in the next election and wanted to make that known. He also congratulated Mayor Bacon.

Councilmember Vogt congratulated Mayor Bacon and invited everyone to attend the MNU's chapel on Friday. She also thanked staff for their work on Ridgeview Road and said it drives very well now.

Councilmember Felter reminded everyone that Civic Academy applications are available. She also mentioned that the fire department is hosting the 13th annual EMS symposium and congratulated the solid waste team on a recent award.

Councilmember Vakas said he thinks we have the best roads in Olathe. He also acknowledged Councilmember Gilmore for his years of service.

Deputy City Manager, Susan Sherman, congratulated Mayor Bacon on behalf of all City staff.

Mayor Bacon thanked Councilmember Gilmore for his service to the community. He also made note that there will be construction at City Hall but that services will continue to be available and phone numbers will remain the same. He also mentioned there will be two public meetings next week for the Quivira Road project and more information can be found on the City's website. Mayor Bacon also invited everyone to participate in the Trick or Treat Trail at Stagecoach Park and Trick or Treat off the Street at Mahaffee.

9. END OF LIVE STREAMED SESSION

10. GENERAL ISSUES AND CONCERNS OF CITIZENS

Persons wanting to speak regarding a general concern must sign up prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, or emailing CCO@Olatheks.gov by 5:00 PM or in person at City Hall until 30 minutes prior to the start of the meeting. The Council has allocated up to 3 minutes per speaker, and up to 30 minutes total for this portion of the meeting.

Melissa Wagner, an Olathe resident, spoke regarding autism and playground fencing at Arbor Creek Elementary.

11. CONVENE FOR PLANNING SESSION

If report items are present, they have been 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 regarding proposed amendments to Title 10 of the Olathe Municipal Code (the Olathe Traffic Ordinance).
Councilmember Gilmore asked how the terms street and highway are defined.

Assistant City Attorney, Bob Gallimore, said that street and highway is used interchangeably.

Councilmember Gilmore asked if motorized bicycles require a driver's license.

Mr. Gallimore said the City follows state law and we are not changing requirements but it does get a little complicated. He said he will provide a breakdown for the Council.

Mayor Bacon said he noticed that scooters are defined as a bicycle and said he thought we needed to be clear on our conditions.

Mr. Gallimore said there is some complexity and they are trying to provide clarification. He said they will clarify and send additional information to the Council.

Mayor Bacon asked if the City can exempt itself from golf cart requirements and Mr. Gallimore said the State is silent on golf carts so that is why the City could do what it did in the traffic ordinance.

Mayor Bacon asked if the City can define electric bikes/scooters as a golf cart. Mr. Gallimore said we don't define scooters as bicycles but we say they are going to be treated like bicycles for purposes of regulations.

12. EXECUTIVE SESSION

- A.** Recess into an executive session to discuss data relating to financial affairs or trade secrets of corporations pursuant to the exception provided in K.S.A. 75-4319(b)(4).

Motion by Vogt, seconded by Gilmore, to recess into an executive session to discuss data relating to financial affairs or trade secrets of corporations pursuant to the exception provided in K.S.A. 75-4319(b)(4) for 15 minutes. The open meeting will resume here in the City Council chambers at 7:46 PM. The motion carried by the following vote:

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

13. RECONVENE FROM EXECUTIVE SESSION

Motion by Vogt, seconded by Gilmore to authorize the City Attorney to finalize and the Mayor to execute a real estate contract and a development agreement regarding 200 W. Santa Fe Street as directed by the governing body. The motion carried by the following vote:

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

14. ADDITIONAL ITEMS

Mayor Bacon thanked the Mayor's Children's Fund board for their work on the first pickle ball tournament that raised \$5000 for the fund.

15. ADJOURNMENT

The meeting was adjourned at 7:48 P.M.

Brenda D. Swearingian
City Clerk