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Dinner with Teen Council, Downtown Library Flex Box - 5:15 PM

**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.** 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 25 minutes. The motion carried by the following vote:
- Yes:** Bacon, Vogt, Gilmore, Felter, Vakas, and Essex  
**Absent:** Schoonover

**3. RECONVENE FROM EXECUTIVE SESSION**

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

**5. PLEDGE OF ALLEGIANCE**

The pledge was led by Girl Scout Troop 5737.

**6. SPECIAL BUSINESS**

- A.** Recognition of the 2024-25 Olathe Teen Councilmembers.  
Mayor Bacon introduced Liz Ruback, Assistant to the Mayor and Teen Council Coordinator. Ms. Ruback introduced the members of the Teen Council and Mayor Bacon presented each with a certificate.
- B.** Proclamation recognizing November as Native American Heritage Month.  
Mayor Bacon read the proclamation and explained the special guest

who was scheduled to receive it was unable to attend the meeting.

- C. Proclamation recognizing Saturday, November 30 as Small Business Saturday.

Mayor Bacon introduced Susie Carson with the Olathe Chamber of Commerce. Ms. Carson introduced the owners of Brown Suga\*, Asia Lockett and Ebony Paul Harris. Mayor Bacon read and presented the proclamation.

## 7. PUBLIC HEARINGS

Persons wanting to speak regarding a public hearing are asked to 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 no later than 30 minutes prior to the start of the meeting. Each speaker is allowed up to 5 minutes to address the City Council.

- A. Public hearing and consideration of Ordinance No. 24-47 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)

Mayor Bacon opened the public hearing.

Ron Shaver, City Attorney, gave a presentation regarding the Indian Creek Crossing project, explaining both the CID and TIF processes.

Shawn Wood, an Olathe resident, spoke in opposition to approving the CID ordinance.

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 Ordinance No. 24-47. The motion carried by the following vote:

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

**Absent:** Schoonover

- B. Public hearing and consideration of Ordinance No. 24-48 adopting a TIF Redevelopment Project Plan pursuant to K.S.A. 12-1770 et seq. and a Development Agreement for the Indian Creek Crossing Project.

Mayor Bacon opened the public hearing.

Shawn Wood, an Olathe resident, spoke in opposition of approving the TIF project ordinance.

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 Ordinance No. 24-48. The motion carried by the following vote:

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

**Absent:** Schoonover

- C. Public Hearing and consideration of Ordinance No. 24-49 adopting 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. and approving a Development Agreement for the Olathe Gateway Project. Mayor Bacon opened the public hearing.

Ron Shaver, City Attorney, provided a short overview of the Olathe Gateway Project.

No one spoke at the public hearing.

Mayor Bacon asked when the construction would begin. Mr. Shaver provided more specific information regarding the timeline of construction and when the bonds would be issued.

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 Ordinance No. 24-49. The motion carried by the following vote:

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

**Absent:** Schoonover

- D. Public hearing and consideration of Ordinance No. 24-50 regarding the establishment of the 119th Street and Renner Community Improvement District pursuant to K.S.A. 12-6a26 et seq. (Olathe Gateway Project).

Mayor Bacon opened the public hearing.

Shawn Wood, an Olathe resident, said he supported this CID as it was beneficial to the community.

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 Ordinance No. 24-50. The motion carried by the following vote:

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

**Absent:** Schoonover

- E. Public hearing and consideration of Ordinance No. 24-51 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).

Mayor Bacon opened the public hearing and asked the City Attorney if he had covered all the items in his presentation and Mr. Shaver said he had.

No one spoke at the public hearing.

Mayor Bacon also thanked everyone for all their hard work on the project.

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 Ordinance No. 24-51. 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 Vogt, seconded by 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 November 5, 2024.  
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.  
approved.
- C.** Consideration of Travel Authorization for Michael Wilkes to attend an LKM meeting in Mulvane, Kansas on December 13.  
approved.
- D.** Consideration of Consent Calendar.  
approved.
- E.** Consideration of a Professional Services Agreement with George Butler Associates, Inc. for design of the Santa Fe and Buchanan Traffic Signal Replacement Project, PN 3-TS-002-24.  
approved.
- F.** Consideration of Amendment No. 1 with Crossland Heavy Contractors, Inc. for construction of the West Cedar Creek Sewer Interceptor Project, 1-C-011-24.  
approved.
- G.** Consideration of Amendment No. 1 to the Interlocal Agreement between the City of Olathe and Water District No. 1 of Johnson County, for the enlargement of the water service area.  
approved.
- H.** Consideration of Supplemental No. 1 to the Agreement between the City of Olathe, Kansas and the Board of County Commissioners of Johnson County, Kansas, for the funding of the Black Bob Road, 159th to 167th, Improvements Project, PN 3-C-008-22.  
approved.
- I.** Consideration of Engineer's Estimate, acceptance of bids and award of

contract to Infrastructure Solutions, LLC for construction of the 2024 Lift Station Replacements, Valley Road and North Parker Improvements Project, PN 1-L-001-23 & 1-L-001-24.

approved.

- J. Consideration of renewal of contract with Dr. Lindsey Crawford, DVM for veterinarian services at Olathe Animal Shelter.

approved.

## 9. NEW BUSINESS

- A. Consideration of Ordinance No. 24-52 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$71,594,289 for Scannell Properties #717, LLC for the construction of a 729,120 square foot warehouse facility for General Mills Blue Buffalo brand on 57-acres located west of the northwest of 159th Street and Clare Road (Old 56 Highway).

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-52. The motion carried by the following vote:

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

**Absent:** Schoonover

- B. Consideration of Resolution No. 24-1064 authorizing a survey and description of land or interest to be condemned for the I-35 & Santa Fe Interchange Reconstruction/Santa Fe Corridor (Ridgeview to Mur-Len) improvement project [City Project No. 3-C-025-18].

Mayor Bacon asked for additional information regarding the plan of acquiring the property needed.

Ron Shaver, City Attorney, said the plan is to continue to negotiate. Once acquired, the City will be working with tenants to assist with relocation. Mr. Shaver said many will be completed in early 2025 for the total takings that are being worked on now.

Mayor Bacon said he understood there is a need to clear the sites soon due to utility relocations. Mr. Shaver said that was correct.

Motion by Vogt, seconded by Gilmore, to approve Resolution No. 24-1064. The motion carried by the following vote:

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

**Absent:** Schoonover

- C. Consideration of Ordinance No. 24-53 approving an engineer's survey and authorizing the acquisition of land for the I-35 & Santa Fe

Interchange Reconstruction/Santa Fe Corridor (Ridgeview to Mur-Len) improvement project [City Project No. 3-C-025-18].

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-53. The motion carried by the following vote:

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

**Absent:** Schoonover

**D.** Consideration of Ordinance No. 24-54 amending Title 10 of the Olathe Municipal Code (the Olathe Traffic Ordinance).

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 24-54. The motion carried by the following vote:

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

**Absent:** Schoonover

## **10. NEW CITY COUNCIL BUSINESS**

Councilmember Felter said the Council had a great dinner with teen council prior to the meeting.

Councilmember Vogt said she had attended the KDOT meeting for the K-10 Lone Elm interchange and noted she has heard concerns from citizens. She said she knew that staff sent a letter but would like to suggest that the Council submit a letter as well letting KDOT know where the Council stands on this project. Councilmember Felter said she supports that idea and would like to highlight there are several schools in the area. Councilmember Gilmore said he thinks it is a wonderful suggestion and said the City has invested a lot of money in the area and there would be additional cost to improve Lone Elm.

Councilmember Vakas said he thinks the council should expand on the letter that the staff has sent. He said there would be homes impacted and believed he had understood the City would be liable for the cost to build a sound barrier and feels the State should be aware of the City's concerns. Councilmember Essex said she thinks sending a letter is a great idea. Mayor Bacon asked staff for clarification regarding paying for a sound barrier and asked for a draft of the letter by December 3rd for the Council's signatures.

Councilmember Vogt said she had seen some new speed signs in her neighborhood and asked Mike Butaud, Police Chief, for additional information. Chief Butaud said the City has 5 of the signs and they are much more affordable than the big trailer but still provides good data on traffic patterns. He said they install them when they receive a concern from the public. Ms. Vogt

said she would like to see more of them throughout the City.

Councilmember Vogt said with next week being Thanksgiving it was a good time to reflect on blessings and wished everyone a Happy Thanksgiving.

Councilmember Essex reminded everyone about the food drive to replace fines at Municipal Court. She also said she wanted to let Councilmember Schoonover know the Council is thinking of him.

Mayor Bacon reminded everyone of the Dream Big Visioning event on December 10th and it is open to everyone. He also wished everyone a Happy Thanksgiving.

#### **11. END OF LIVE STREAMED SESSION**

#### **12. 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.

Chip Wedge, an Olathe property owner, shared concerns about a stormwater project he believes adversely affected his property.

#### **13. 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 on a request by Business Garage Authority for \$3,200,000 for issuance of industrial revenue bonds for the construction of a 33,000 square foot garage/flex office building at 15571 S Mahaffie St.

Report accepted.

#### **14. EXECUTIVE SESSION**

- 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. Motion by Vogt, seconded by Gilmore, to recess into an executive session to discuss personnel matters of non-elected personnel



regarding the City Auditor Position pursuant to the exception provided in K.S.A.75-4319(b)(1) for 15 minutes. The motion carried by the following vote:

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

**Absent:** Schoonover

#### **15. RECONVENE FROM EXECUTIVE SESSION**

Mayor Bacon noted that there had been an executive session at the beginning of the meeting, but no action was needed.

Motion by Vogt, seconded by Gilmore, to direct staff to proceed with the strategies discussed with and directed by the Governing Body. The motion carried by the following vote:

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

**Absent:** Schoonover

#### **16. ADDITIONAL ITEMS**

The councilmembers wished everyone a Happy Thanksgiving.

Mayor Bacon reminded everyone about the Mayor's Children's Fund event, Eggstraveganza, and also that Thursday evening would be the annual volunteer event.

Mr. Bacon mentioned that there would be a December 17th meeting. City Manager, Michael Wilkes asked if everyone was planning to be in attendance and no one indicated they would be absent.

Mayor Bacon asked about the power outage that happened the day before and staff said they would try to find additional information for him regarding length and area of outage.

#### **17. ADJOURNMENT**

The meeting was adjourned at 8:28 P.M.

Brenda D. Swearingian

City Clerk