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**1. CALL TO ORDER**

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

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 by Beau Boisvert, Johnson County Appraiser, regarding the 2024 Revaluation Report.  
The Johnson County Appraiser, Beau Boisvert, gave a presentation regarding the 2024 revaluation.

Councilmembers asked questions about how Olathe compares to surrounding communities. Mr. Boisvert said Olathe is very comparable to many surrounding communities.

Questions were asked about what causes a decrease in valuation and Mr. Boisvert said it is most often a result of deferred maintenance.

Additional questions were asked about apartments vs. single family home growth, retail space availability, and industrial growth comparison.

Mayor Bacon said he had heard from citizens that the appeal process with the appraiser's office was fair and handled well.

Councilmembers thanked Mr. Boisvert for his presentation and the information he provided.

## 5. CONSENT AGENDA

### Approval of the Consent Agenda

Councilmember Vogt asked for items H and M to be removed from the Consent Agenda and considered separately.

Motion by Vogt, seconded by Gilmore, to approve the Consent Agenda with the exception of items H and M. The motion carried by the following vote:

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

- A.** Consideration of approval of the City Council meeting minutes of March 5, 2024.  
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.  
approved.
- C.** Consideration of Travel Request Authorization for City Manager Michael Wilkes to attend a Transforming Local Government conference April 7 to April 13, 2024.  
approved.
- D.** Consideration of Resolution No. 24-1012, SU24-0001, requesting approval of a special use permit for a conference and retreat center for Imagine This KC located at 620 N. Lindenwood Drive. Planning Commission recommends approval 6-0.  
approved.
- E.** Consideration of Consent Calendar.  
approved.
- F.** Consideration of Resolution No. 24-1013 authorizing the City of Olathe's project requests for inclusion in the 2025-2029 County Assistance Road System (CARS) Program  
approved.
- G.** Consideration of a Water Main Relocation Agreement with Water District No. 1 for the 167th & Ridgeview Geometric Improvements Project, PN 3-C-018-22.  
approved.
- H.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Superior Bowen Asphalt Company, LLC for construction of the Ridgeview Road (N) Arterial Mill and Overlay Project, PN 3-P-001-24.

Councilmember Vogt asked for this item to be pulled so staff could

highlight the project.

Nate Baldwin, City Engineer, provided a short overview and indicated the project would be started sometime in April and continue through the summer.

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

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

- I.** Consideration of Engineer's Estimate, acceptance of bids, and award of contract to Wiedenmann, Inc. for construction of the Arrowhead & Main 11 2023 Sanitary Sewer Rehabilitation and Improvements Project, PN 1-R-101-23.  
approved.
- J.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to McAnany Construction, Inc. for construction of the Olathe Girls Softball Complex Project, PN 4-C-006-23.  
approved.
- K.** Consideration of an Agreement with Johnson County for funding the design of the Briarwood Stormwater Improvements Project, PN 2-C-009-24.  
approved.
- L.** Consideration of a Professional Services Agreement with Stantec Consulting Services Inc. for the 2024 Arterial Street Pavement Condition Assessment, PN 3-P-000-24.  
approved.
- M.** Consideration of Professional Services Agreement with WSP USA Inc. for the City of Olathe Safety Action Plan Project, PN 3-C-088-23.  
Concilmember Vogt asked for this item to be considered separately so staff could provide more information.

City Engineer, Nate Baldwin, gave a short presentation regarding the impact on the community.

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

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

- N.** Consideration of renewal of contract to Ka-Comm, Inc, for police vehicle emergency equipment and installation of emergency equipment.

approved.

- O. Consideration of combination and renewal of contracts with Sir Speedy for business card and quick printing services.

approved.

- P. Consideration of approval of contract renewal with Single Source Printing, LLC to provide printing and mailing services for City of Olathe publications.

approved.

- Q. Consideration of approval of contract renewal with ZOLL Medical Corporation for pre-hospital medical equipment and supplies.

approved.

## 6. NEW BUSINESS

- A. Consideration of Ordinance No. 24-08 (RZ23-0003), requesting approval of a rezoning from the R-1 (Single-Family), R-2 (Two-Family), CTY RUR (County Rural), C-2 (Community Center), C-O (Office) and RP-4 (Planned Medium Density Multifamily) Districts to the R-3 (Low-Density Multifamily) District and a preliminary site development plan for Oddo Olathe Apartments on approximately 27.15 acres, located southwest of College Boulevard and K-7 Highway. Planning Commission recommended approval 6 to 0.

Jessica Schuller, Senior Planner, gave a presentation on the proposed re-zoning.

Councilmember Felter asked if the complex would have their own swimming pool and Ms. Schuller said it would.

Councilmember Vakas asked questions about the traffic study and Charlie Love, Chief Development Engineer, said they are continually doing studies and counts to ensure proper traffic flow.

Councilmember Felter asked about what walking trails the applicant would be responsible for and Ms. Schuller said only the ones on their property.

Councilmember Schoonover asked why the change in zoning was needed and Ms. Schuller said the applicant was not requesting the height and density that the current zoning would allow.

Mayor Bacon asked questions about school capacity and Ms.

Schuler said they have been in contact with the school district and they had no concerns.

Rick Oddo, with Oddo Development, 15200 W 150th Terrace, Lenexa, provided more specifics about the design of the proposed development.

Motion by Vogt, seconded by Gilmore to approve Ordinance No. 24-08. The motion carried with the following vote:

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

- B.** Consideration of Ordinance No. 24-09 (RZ24-0001), requesting approval of a rezoning from the BP (Business Park) District to the C-3 (Regional Center) District and a preliminary site development plan for Midland Care Connection on approximately 3.89 acres; located southeast of College Boulevard and S. Ambassador Street. Planning Commission recommended approval 6 to 0.

Emily Carrillo, Senior Planner, gave a presentation on the proposed rezoning.

Councilmember Vogt asked about the daycare that was currently occupying an adjacent parcel and Ms. Carrillo said it was compatible with the proposed re-zoning.

Councilmember Gilmore asked the applicant to give a short presentation.

Shawn Sullivan, President & CEO of Midland Care Connection, 200 SW Frazier Circle, Topeka, shared about their program.

Motion by Vogt, seconded by Gilmore to approve Ordinance No. 24-09. The motion carried with the following vote:

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

- C.** Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Prairie Ridge Plaza Midland (FP24-0001), containing one (1) lot on approximately 3.89 acres, located southeast of College Boulevard and S. Ambassador Street. Planning Commission approved the plat 6 to 0.

Motion by Vogt, seconded by Gilmore to approve the dedication of public lands. The motion carried with the following vote:

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

- D.** Consideration of Ordinance No. 24-10 (RZ24-0002), requesting approval of a rezoning from the BP (Business Park) District to the C-3 (Regional Center) District and a preliminary site development plan for Evergreen Senior Living on approximately 16.40 acres; located southeast of S. Ridgeview Road and W. 112th Street. Planning Commission recommended approval 6 to 0.  
Taylor Vande Velde, Planner II, gave a presentation on the proposed re-zoning.

Mayor Bacon commented that this is a great facility.

Chris Osborn, Chief Executive Officer with Evergreen Community, talked about the services they will be able to provide with the expansion. He also shared that the building they are currently in is owned by Johnson County.

Councilmember Vakas asked questions about the materials that would be used and Ms. Vande Velde answered his questions.

Motion by Vogt, seconded by Gilmore to approve Ordinance No. 24-10. The motion carried with the following vote:

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

- E.** Request for the acceptance of the dedication of land for public easements for a final plat of Prairie Ridge Plaza Evergreen (FP24-0002), containing one (1) lot and two (2) tracts on approximately 16.4 acres, located southeast of S. Ridgeview Road and W. 112th Street. Planning Commission approved the plat 6 to 0.  
Motion by Vogt, seconded by Gilmore to approve the dedication of public lands. The motion carried with the following vote:

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

- F.** Consideration of Ordinance No. 24-11 (RZ23-0008), requesting approval of a rezoning from the CP-2 (Planned General Business) District to the C-3 (Regional Center) District and a preliminary site development plan for B Street Collision Center on approximately 3.43 acres; located northeast of W. 151st Street and S. Pflumm Road. Jessica Schuller, Senior Planner, gave a presentation regarding this proposed rezoning.

Councilmember Vogt asked about the current zoning and restrictions on the property and Ms. Schuller provided more details.

Councilmember Schoonover ask clarifying questions about the location and the need for Johnson County to weigh in since it is next to the airport property. He also asked about the stipulation for limited operating hours. Ms. Schuller confirmed that the County had been involved in the discussion and she also said the applicant was agreeable to the limited hours of operation.

Mayor Bacon asked about the vote requirement for this rezoning and Ms. Schuller explained that since it had been remanded back to the planning commission at a previous council meeting, it would need a simple majority to pass.

Curt Petersen with the Polsinelli law firm, gave a short presentation regarding the project.

Councilmember Essex asked questions about the number of parking spaces and the amount of space to park vehicles inside. Mr. Petersen said there was space allocated. She also asked about where scraps from vehicles would be stored until disposal and Mr. Petersen showed her where it would be kept until picked up.

Councilmemembr Schoonover asked about the relationship of B Street in other locations and Mr. Petersen shared what information he had about their history.

Councilmember Vogt asked about the number of people to be employed at this location and Mr. Petersen said there would be 50. She also asked about when and how inoperable vehicles would be removed from the property and Mr. Petersen said that would occur two times per week. She then asked about other trash items and Mr. Petersen said it would be collected at least once per day. Ms. Vogt asked about points of access and Mr. Petersen explained.

Councilmember Felter said she thought this was a great project and

had spoken with the nearby meat market and said they were excited at the possibilities.

Councilmember Essex asked why they had chosen this location and Mr. Petersen said they believed there was a demand in this area. She asked what happens if they move to another location in a few years and Mr. Petersen reminded her that the stipulations stayed with the property.

Councilmember Vakas said he thought it was a great project but didn't believe it was the right location for this business.

Mayor Bacon asked if an abatement had been applied for and Mr. Petersen said no.

Mr. Schoonover asked why the planning commission had voted to deny the request and Ms. Schuller said there had been a lot of discussion about the location.

Mayor Bacon pointed out that it was not really in sync with the current use and asked how to address that. Ms. Schuller said the stipulations were the best way to do that. Mr. Bacon asked if there was room for expansion in the future if they wanted to. Ms. Schuller said the detention basin could be changed to accommodate some growth.

Councilmember Gilmore said he was surprised that the applicant had agreed to the stipulations and he was in favor of the project.

Mayor Bacon and Councilmember Vogt both expressed they had struggled with this rezoning.

Motion by Vogt, seconded by Gilmore to approve Ordinance No. 24-11. The motion carried with the following vote:

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

**No:** Vakas

## **7. NEW CITY COUNCIL BUSINESS**

Councilmember Vakas said he had attended a MARC conference and shared a

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few items of interest with the council.

Councilmember Felter called out City staff for their great work. She also shared that she had attended the National League of Cities conference in DC and felt it was a great conference.

Councilmember Vogt shared that the Olathe Animal Shelter is overcrowded and encouraged citizens to adopt a pet if they could.

Councilmember Gilmore passed out a draft of a resolution he would like to talk about regarding the upcoming budget cycle. (Draft document attached; See Exhibit A) He said he would like to see it on the agenda at the next council meeting and planned to make a motion.

Councilmember Vakas said he was supportive of looking at budget options and was looking forward to the budget workshops.

Councilmember Essex said she had visited Sunnyside Elementary 3rd graders and they had shared some ideas of what they would like to see in Olathe.

Councilmember Schoonover said it was a great meeting and acknowledged that not all decisions were easy. He also congratulated Councilmember Felter on successfully defending her doctoral dissertation.

## **8. END OF TELEVISED SESSION**

## **9. 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.

None

## **10. 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. Audit Action Item Status Report as of December 31, 2023.  
Report accepted.

## **11. EXECUTIVE SESSION**

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

- A. To discuss personnel matters of non-elected personnel pursuant to the exception provided in K.S.A.75-4319(b)(1) regarding the evaluation of a Municipal Judge.

Motion by Vogt, seconded by Gilmore to recess into executive session to discuss personnel matters of non-elected personnel regarding the evaluation of a municipal judge pursuant to the exception provided in K.S.A. 75-4319(b)(1), for 30 minutes beginning at 9:55 PM. The open meeting will resume here in the City Council chambers at 10:25 PM. The motion carried with the following vote:

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

At 10:25 PM, Mayor Bacon and Councilmembers Essex, Vogt and Schoonover reconvened the open meeting in the Council Chamber. Mayor Bacon said they needed to recess back into executive session. Councilmember Vogt made a motion to return to Executive Session for an additional 10 minutes, with the open meeting reconvening in the City Council Chamber at 10:35. The motion was seconded by Councilmember Schoonover and passed 4-0.

## **12. RECONVENE FROM EXECUTIVE SESSION**

When the Council reconvened, Mayor Bacon expressed the Council's thanks to Judge Kenney and said they are very happy with her work.

## **13. ADDITIONAL ITEMS**

Councilmember Vogt asked if there was consideration of the animal shelter implementing a fostering program since the shelter is currently at capacity.

## **14. ADJOURNMENT**

The meeting was adjourned at 10:37 PM.

Brenda D. Swearingian  
City Clerk

**DRAFT Motion on Property Tax Revenues for the 2025 Budget**  
**By: Kevin Gilmore, Council Member At-Large**  
**March 19, 2024**

WHEREAS, the City of Olathe (City) generates property tax revenue from mill levy rates applied to the assessed value of real estate.

WHEREAS, said valuations are established annually by the County Appraiser for the City prior to the start of its budget development process.

WHEREAS, the City has four levy funds, as follows:

- General Fund
- Debt Service Fund
- Library Fund
- Fire Fund

WHEREAS, the County Clerk establishes mill levy rates for each of the funds based upon the revenue levels approved by the City Council in the adoption of its annual budget.

WHEREAS, in recent years the City has experienced increases in assessed valuations at extraordinarily high rates due to a variety of factors. Although a small portion of the increases are due to new construction gains and the expiration of temporary abatements from economic development incentives, most are the result of market and economic factors beyond the City's control.

WHEREAS, the City has chosen to retain most of the additional tax revenue from increased valuations.

WHEREAS, the City is currently growing in population at the rate of one and one-half percent (1.5%) per year.

WHEREAS, the City Council desires to amend its 2025 budget development process to limit the overall increase in property tax revenues to a reasonable level.

**NOW THEREFORE, the City Council hereby directs the City Manager to develop the 2025 budget in such a manner as to limit the increase in property tax revenues over 2024 to an amount which shall not exceed four percent (4.0%).**

**City of Olathe, KS**  
**Analysis of Changes in Assessed Valuation and Mill Levy**  
**Year of Valuation from JoCo Appraiser (values used to project following year revenues)**

|                        | 2018                        | 2019                        | 2020                        | 2021                        | 2022                        | 2023                         | 2024 Prelim                 | 2024 Growth % |
|------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|------------------------------|-----------------------------|---------------|
| <b>Beg Total</b>       | \$1,698,814,885 100%        | \$1,840,055,741 100%        | \$1,960,698,654 100%        | \$2,066,814,627 100%        | \$2,167,080,939 100%        | \$2,354,639,126 100%         | \$2,683,713,821 100%        |               |
| <b>New Resid</b>       | 15,943,724 0.9%             | 14,149,726 0.8%             | 13,584,461 0.7%             | 12,671,614 0.6%             | 13,764,270 0.6%             | 22,778,166 1.0%              | 20,629,716 0.8%             | <b>8.1%</b>   |
| <b>New C&amp;I</b>     | 32,468,300 1.9%             | 40,354,107 2.2%             | 5,461,230 0.3%              | 6,219,059 0.3%              | 6,745,581 0.3%              | 10,056,985 0.4%              | 31,364,163 1.2%             | <b>12.3%</b>  |
| <b>New Other</b>       | - 0.0%                      | 829,057 0.0%                | - 0.0%                      | - 0.0%                      | 1,773 0.0%                  | 1,458 0.0%                   | - 0.0%                      | <b>0.0%</b>   |
| <b>New Subtotal</b>    | 48,412,024 2.8%             | 55,332,890 3.0%             | 19,045,691 1.0%             | 18,890,673 0.9%             | 20,511,624 0.9%             | 32,836,609 1.4%              | 51,993,879 1.9%             | <b>20.5%</b>  |
| <b>Value Change</b>    | 92,828,832 5.5%             | 65,310,023 3.5%             | 87,070,282 4.4%             | 81,375,639 3.9%             | 167,046,563 7.7%            | 296,238,086 12.6%            | 202,085,744 7.5%            | <b>79.5%</b>  |
| <b>End Total</b>       | <u>\$1,840,055,741 8.3%</u> | <u>\$1,960,698,654 6.6%</u> | <u>\$2,066,814,627 5.4%</u> | <u>\$2,167,080,939 4.9%</u> | <u>\$2,354,639,126 8.7%</u> | <u>\$2,683,713,821 14.0%</u> | <u>\$2,937,793,444 9.5%</u> |               |
| <b>Total Mill Levy</b> |                             |                             |                             |                             |                             |                              |                             |               |
| <b>Beginning</b>       | 24.406 100%                 | 24.397 100%                 | 24.440 100%                 | 24.458 100%                 | 24.458 100%                 | 24.208 100%                  | 23.208 100%                 |               |
| <b>Change</b>          | -0.009 <b>0.0%</b>          | 0.043 <b>0.2%</b>           | 0.018 <b>0.1%</b>           | 0.000 <b>0.0%</b>           | -0.250 <b>-1.0%</b>         | -1.000 <b>-4.1%</b>          | -1.159 <b>-5.0%</b>         |               |
| <b>Ending</b>          | 24.397 100.0%               | 24.440 100.2%               | 24.458 100.1%               | 24.458 100.0%               | 24.208 99.0%                | 23.208 95.9%                 | <b>22.049</b> 95.0%         |               |

| Assessed Value Change %<br>vs Mill Levy Change % | 8.3%            | 6.7%            | 5.5%            | 4.9%            | 7.6%            | 9.8%            | 4.5%            |
|--------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Assessed Values                                  | \$1,840,055,741 | \$1,960,698,654 | \$2,066,814,627 | \$2,167,080,939 | \$2,354,639,126 | \$2,683,713,821 | \$2,937,793,444 |
| Assessed Values/1,000                            | \$ 1,840,056    | \$ 1,960,699    | \$ 2,066,815    | \$ 2,167,081    | \$ 2,354,639    | \$ 2,683,714    | \$ 2,937,793    |
| Mill Levy Rate                                   | 24.397          | 24.440          | 24.458          | 24.458          | 24.208          | 23.208          | <b>22.049</b>   |
| Tax Revenue                                      | \$ 44,891,840   | \$ 47,919,475   | \$ 50,550,152   | \$ 53,002,466   | \$ 57,001,104   | \$ 62,283,630   | \$ 64,774,976   |
| Tax Revenue Change \$                            |                 | \$ 3,027,635    | \$ 2,630,677    | \$ 2,452,313    | \$ 3,998,638    | \$ 5,282,526    | \$ 2,491,346    |
| Tax Revenue Change %                             |                 | 6.7%            | 5.5%            | 4.9%            | 7.5%            | 9.3%            | <b>4.0%</b>     |