



1. CALL TO ORDER

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

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

2. PLEDGE OF ALLEGIANCE

3. SPECIAL BUSINESS

- A.** Consideration of Resolution No. 25-1071 reappointing members to the Citizens Police Advisory Council.

Mayor Bacon introduced Kyle Kneale, Board Chairman. Mr. Kneale introduced each member of the advisory council being reappointed and Mayor Bacon presented each with a certificate.

Motion by Vogt, seconded by Gilmore, to approve Resolution No. 25-1071. The motion carried by the following vote:

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

- B.** Presentation of the Mayor's Cup

Mayor Bacon presented the Mayor's Cup trophy to Garmin, in recognition of their performance in the Kansas City Corporate Challenge. Payton Sellon, a Garmin Associate, was here to accept the trophy.

4. 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

Councilmember Vakas asked for item L to be removed and considered

separately.

Councilmember Felter asked for items F and G to be removed and considered separately.

Motion by Gilmore, seconded by Vogt, to approve the Consent Agenda with the exception of items F, G, and L. 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 August 5, 2025.
approved.
- B.** Consideration of new license(s) as recommended by the City Clerk.
approved.
- C.** Consideration of Resolution No. 25-1072 for the Assignment and Assumption of Lease Agreements and Bond Documents from AP Multifamily Investors, LLC to MAA KC Exchange, LLC, and Assignment of Phase II Resolution of Intent
approved.
- D.** Consideration of Consent Calendar.
approved.
- E.** Consideration of a Utility Agreement with Evergy Metro, Inc. for the Quivira Road, 143rd to 151st, Improvement Project, PN 3-C-011-24.
approved.
- F.** Consideration of proposals and award of contract to Waste Management Inc. for recycled materials processing for the Solid Waste Division of Infrastructure
Councilmember Felter asked for this item to be considered separately. Darin Gilbert, Solid Waste Manager, provided additional information regarding this service. He indicated there is a significant financial benefit to the City.

Mayor Bacon said he thought it was nice to have some competition.

Mr. Gilbert says it is impossible to predict the future, but usually the City sees a profit with recycling.

Councilmember Felter said the savings caught her attention and it is good for the environment.

Councilmember Vogt asked questions about recycling plastic bottles. Mr. Gilbert said there continues to be a challenge. Ms. Vogt asked how much contamination is being seen in recycling overall. Mr. Gilbert said our residents do a great job and there is about a 10% contamination rate compared to other communities which are closer to 20%.

Councilmember Vakas said he believed Olathe is the best in the metro area and we have much to be proud of. He asked what the annual savings might be and Mr. Gilbert said a conservative estimate would be in the neighborhood of \$300,000.

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

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

- G.** Consideration of proposals and award of contract to Waste Management Inc. for transfer station operation, hauling and disposal services for the Solid Waste Division of Infrastructure

Councilmember Felter had asked for this item to be considered separately but said she didn't have anything further since her questions were answered with the previous item.

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

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

- H.** Consideration of award of contract to Central Salt LLC for the purchase of rock salt for the Street Maintenance Division of Infrastructure.
approved.
- I.** 2025-2026 Agreement with USD 233 providing for a Police Resource Instructor in support of the 21st Century Public Safety program at Olathe West High School.
approved.
- J.** Consideration of 2025-2026 Agreement with USD 233 providing for School Resource Officers
approved.
- K.** Consideration of renewal of contract to Life Scan Wellness Centers to provide annual physicals for the City of Olathe Fire Department.
approved.
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- L. Consideration of Resolution No. 25-1073 allowing the hunting of deer with bow and arrow for the 2025-2026 season as defined by the Olathe Urban Deer Management Program.
Councilmember Vakas asked for this item to be removed and considered separately.

Paul Kruger, Parks Superintendent, provided additional information regarding the history of this program.

Councilmember Vakas asked how many properties were involved and Mr. Kruger said there was one property owner who had applied and identified where it was located. Mr. Vakas asked about the type of bow hunting and Mr. Kruger provided the information.

Councilmember Vakas asked if there was anything additional the City does to control the deer population and Mr. Kruger said no.

Councilmember Vogt said she was going to pull this item as well and asked why the Police Department no longer facilitates this program. Mr. Kruger explained that it is now managed under animal control. She said this property is further out than in the past but she said she is concerned about hunting inside the City of Olathe. She also indicated she continues to be concerned about the deer population.

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

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

No: Vogt

5. NEW BUSINESS

- A. Consideration of Ordinance No. 25-26 (RZ25-0005), requesting approval of a rezoning from the CTY RUR (County Rural) District to M-2 (General Industrial) District with a preliminary development plan for Hedge Industrial Park on approximately 98.09 acres, located southeast of W. 167th Street and Hedge Lane. Planning Commission recommends approval 8 to 0.
Nathan Jurey, Senior Planner, provided a presentation for the council.

Councilmember Schoonover asked if there is anything in the CIP for

Hedge Lane. He wanted to know specifically if there was anything long term planned. Beth Wright said there were improvements completed recently due to the Coca-Cola project.

Mayor Bacon asked about the progress and the closed section of the street. Ms. Wright said that portion will be completed soon.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No.25-26. The motion carried by the following vote:

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

- B.** Consideration of Ordinance No. 25-27 (RZ25-0006), requesting approval of a rezoning from the CP-2 (Planned General Business) District to R-4 (Residential Medium-Density Multifamily) District for the Salvation Army Family Lodge Expansion on approximately 0.21 acres, located northeast of E. Santa Fe Street and N. Woodland Road. Planning Commission recommends approval 8 to 0. Nathan Jurey, Senior Planner, provided a presentation for the council.

Councilmember Vogt said she wanted to highlight what the organization is doing. She said this is housing with dignity and thankful they provide wraparound services. Major Woodard, Salvation Army, said the transitional program is 6 months to a year. He said no two families are alike and the programs are tailored to their needs. He said they work to assist the families to achieve their goals. He said they also provide some small appliances and furnishings that the families take with them when they move out. He said they have also started an after school program which allows the parents to work additional hours and included a variety of free music lessons for the children.

Councilmember Vakas asked if this was funded by County funds and Major Woodard said it is a collaborative partnership. Mr. Vakas asked if they had the money and space would they want to grow and Major Woodard said yes, they would love to do more.

Councilmember Gilmore thanked Major Woodard and the Salvation Army for all they do in the community. He also asked if they were continuing to raise funds and Major Woodard said they are

completely funded for this project.

Councilmember Felter also thanked Major Woodard for their presence in the community. She asked about the recidivisms and Major Woodard said a great percentage are amazingly successful after leaving the program. Dr. Felter said it is more than just providing affordable housing.

Councilmember Essex said she believed she had heard 96% success and Major Woodard said that was correct.

Councilmember Schoonover asked about on-going fundraising and Major Woodard said they always welcome support. He said there are opportunities listed on the website to give of time, talents and finances. He said that 90% of the funds given at the holidays in red kettles stay in the community and the other 10% goes to shared functions across the state.

Mayor Bacon said he always puts whatever he has in the kettle as he goes by.

Major Woodard said he represents people who give their whole lives to the community and it is an honor to share.

Mayor Bacon asked about on-going renovations and Major Woodard said there is routine maintenance and donations are always needed.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-27. The motion carried by the following vote:

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

- C.** Consideration of Resolution No. 25-1074 (SU25-0002), requesting approval of a special use permit for a Homeless Shelter with a preliminary site development plan for the Salvation Army Family Lodge Expansion on approximately 1.01 acres, located northeast of E. Santa Fe Street and N. Woodland Road. Planning Commission recommends approval 8 to 0.

Motion by Vogt, seconded by Gilmore, to approve Resolution No. 25-1074. The motion carried by the following vote:

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

- D.** Consideration of an annexation agreement with, and fire district detachment petition submitted by, 167th Street Properties, LLC, pertaining to the annexation and detachment of approximately 37.56+/- acres at the southwest corner of 167th Street and Lone Elm Road. Councilmember Vakas asked what the fire district detachment entailed. Ron Shaver, City Attorney, said this is a process that Councilmember Essex had helped move through the legislature to improve the process. Mayor Bacon asked if this was due to the taxes assessed and Mr. Shaver explained the difference.

Motion by Vogt, seconded by Gilmore, to approve an annexation agreement with, and fire district detachment petition submitted by, 167th Street Properties, LLC. The motion carried by the following vote:

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

- E.** Consideration of Ordinance No. 25-28 annexing approximately 37.56+/- acres at the southwest corner of 167th Street and Lone Elm Road (ANX25-0003).

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-28. The motion carried by the following vote:

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

- F.** Consideration of Ordinance No. 25-29 amending Title 13 of the Olathe Municipal Code pertaining to water and sewer fees and charges. Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-29. The motion carried by the following vote:

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

6. GENERAL ISSUES AND CONCERNS OF CITIZENS

Heather McCain, an Olathe resident, spoke about increased traffic in her neighborhood during road construction.

7. CONVENE FOR PLANNING SESSION

A. REPORTS

- 1.** Report regarding proposed amendments to Titles 8 and 9 of the Olathe Municipal Code pertaining to animals. Councilmember Vogt thanked staff for making the requested

changes.

B. DISCUSSION ITEMS

1. General Overview of the Proposed 2026 Recreation, Park Sales Tax, Street Maintenance Sales Tax Fund Budgets, 2026-2030 Capital Improvement Plan (CIP), and Fees.
Clara Bernauer, Interim Budget Manager, gave a presentation to the Council.

Councilmember Vogt asked about social service groups. Ms. Bernauer said additional information would be provided to the Council at a later date.

Councilmember Gilmore asked how the Community Center is funded. Ms. Bernauer provided clarification.

Councilmember Vakas asked if the City compares itself to Johnson County Parks and Recreation. Ms. Bernauer said she did not believe so. He also asked about funding for the Olathe Live concerts. Mike Sirna, Director of Quality of Life, provided details on funding and programming.

Councilmember Schoonover asked about fund transfers. Jamie Robichaud, Director of Economy, explained how expenditures were moved to the General Fund in 2024. Mr. Schoonover asked why not move everything to the General Fund, Ms. Robichaud offered further explanation.

Mr. Schoonover also asked about the recent partnership with MNU. Mr. Sirna said they expect a positive impact.

Councilmember Vogt asked about membership loss at the Community Center. Mr. Sirna said campaigns are underway to bring members back, including continuing scholarship programs. He noted a cost-recovery report will be presented to Council soon, and emphasized it is difficult to compare programming with other communities.

Councilmember Felter asked why pools are not open later in

the season. Mr. Sirna explained most pool staff are students who return to school.

Mayor Bacon asked about eliminating the family season pass. Mr. Sirna said it had been replaced with a different pass option.

Mayor Bacon also questioned annual revenue projections. Ms. Bernauer said staff would provide those numbers.

Councilmember Schoonover asked about the difference between regional and community parks. Beth Wright, Deputy Infrastructure Director, explained regional parks are larger (e.g., Lake Olathe), community parks are mid-sized (e.g., Two Trails), and neighborhood parks are much smaller.

Tim McKee, CEO of the Olathe Chamber of Commerce, then provided an update on the Chamber's budget and shared highlights.

Councilmember Vogt asked where the name "Halo Ridge" came from. Mr. McKee said he did not know.

Councilmember Schoonover thanked Mr. McKee for the Chamber's investment in Olathe.

Mayor Bacon said he was glad the Chamber is back downtown.

8. EXECUTIVE SESSION

Meeting went into Recess

Meeting reconvened

Meeting went into Recess

Meeting reconvened

Meeting went into Recess

Meeting reconvened

- A.** Recess into an executive session for preliminary discussion of the acquisition of real property in downtown Olathe pursuant to the exception provided in K.S.A. 75-4319(b)(6).

Motion by Vogt, seconded by Gilmore, to recess into an executive session for preliminary discussion of the acquisition of real property in downtown Olathe pursuant to the exception provided in K.S.A. 75-4319(b)(6) for 10 minutes with the open meeting resuming in the City Council chambers at 9:00 p.m. The motion carried by the following vote:

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

Item A: Motion by Vogt, seconded by Gilmore to authorize the City Attorney to finalize, and the Mayor to execute, a real estate agreement and a lease agreement with Bradley Zimmerman pertaining to the acquisition of 234 North Chestnut Street and 211 E Poplar Street. The motion carried by the following vote:

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

- B.** Recess into an executive session for personnel matters of non-elected personnel regarding the City Manager pursuant to the exception provided in K.S.A.75-4319(b)(1).

Motion by Vogt, seconded by Gilmore, to recess into an executive session to discuss personnel matters of non-elected personnel regarding the City Manager position pursuant to the exception provided in K.S.A.75-4319(b)(1) for 15 minutes with the open meeting resuming here in the City Council chambers at 9:17 P.M. The motion carried by the following vote:

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

The Mayor reconvened the meeting at 9:17 P.M. and said the Council needed an additional 15 minutes. A motion was made and seconded. The motion carried by a vote of 5-0.

9. RECONVENE FROM EXECUTIVE SESSION

Item B: Motion by Vogt, seconded by Gilmore, to authorize staff to proceed with the strategies discussed with and directed by the governing body. The motion carried by the following vote:

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

10. ADDITIONAL ITEMS

Councilmember Vakas shared concerns for traffic regarding the areas around the 119th street construction. He asked staff to make sure the area detours are marked well. He also asked for clarification of the construction timelines.

City Manager, Michael Wilkes, said staff would look at this area again and to make sure issues are addressed. He also said staff would provide additional information to the Council.

Mayor Bacon asked if there was a possibility to close one end of the street.

Beth Wright, Deputy Infrastructure Director, said they try not to close streets if they do not have to, but will take a look at the area.

Councilmember Felter congratulated Chief DeGraffenreid on completing a program with the Center for Homeland Security. She also mentioned that the Olathe Fire Department had received an achievement award from the American Heart Association. Dr. Felter thanked staff and assured them that the Council is working to make good decisions for future leadership.

Councilmember Essex expressed condolences to the Mayor regarding the loss of his son.

Councilmember Schoonover thanked Chief Butaud for the time they had spent together talking about the mental health calls the Police Department handles in the community.

Mayor Bacon said the pools will be closing soon. He also mentioned that the tickets for the cemetery tours are on sale now and he shared that City facilities will be closed for Labor day.

Mayor Bacon expressed concerns about e-bikes and shared that he would like staff to research and determine if there is a need to address this issue.

11. ADJOURNMENT

The meeting was adjourned at 9:42 P.M.

Brenda D. Swearingian

City Clerk