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**1. CALL TO ORDER**

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

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

**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.  
Motion by Vogt, second by Gilmore, to recess into 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 15 minutes, returning to council chambers at 6:45 PM.

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

**Absent:** Schoonover

- B.** Preliminary discussion regarding the acquisition of real property for the Santa Fe Street, Ridgeview Road to Mur Len Road, Improvements Project, PN 3-C-025-18, pursuant to the exception provided in K.S.A. 75-4319(b)(6).

Motion by Vogt, second by Gilmore, to recess into executive session for preliminary discussion regarding the acquisition of real property for the Santa Fe Street, Ridgeview Road to Mur Len Road, Improvements Project, PN 3-C-025-18, pursuant to the exception provided in K.S.A. 75-4319(b)(6), for 10 minutes, returning to council chambers at 6:57 PM. The motion carried by the following vote:

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

**Absent:** Schoonover

**3. RECONVENE FROM EXECUTIVE SESSION**

Motion by Vogt, second by Gilmore, to authorize staff to proceed with the strategies discussed with and directed by the governing body, on item 2.A. The motion carried by the following vote:

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

**Absent:** Schoonover

Motion by Vogt, second by Gilmore, to authorize the acquisition of all real property, permanent road right-of-way, and temporary and permanent easements necessary for construction of the Santa Fe Street, Ridgeview Road to Mur Len Road, Improvements Project, PN 3-C-025-18, as directed by the governing body, on item 2.B. 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. 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, second 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 the July 16, 2024 council meeting.  
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.  
approved.
- C.** Consideration of new license(s) as recommended by the City Clerk.  
approved.
- D.** Consideration of Resolution No. 24-1034 reappointing a member to the Board of Zoning Appeals.  
approved.
- E.** Consideration of Travel Request Authorizations for Michael Wilkes to travel to an LKM meeting on September 13, 2024; and the ICMA

- conference on September 21-25.  
approved.
- F.** Consideration of Resolution No. 24-1035 setting a date and time for a public hearing regarding the establishment of a redevelopment district pursuant to K.S.A. 12-1770 et seq.  
approved.
- G.** Consideration of Resolution No. 24-1036 setting the date and time for a public hearing regarding the establishment of a STAR Bond Project District pursuant to K.S.A. 12-17,161 et seq.  
approved.
- H.** Consideration of Resolution No. 24-1037 setting a date and time for a public hearing regarding the establishment of a community improvement district pursuant to K.S.A. 12-6a26 et seq.  
approved.
- I.** Consideration of interlocal agreement with Unified School District #233 for facility rentals for the Recreation Division.  
approved.
- J.** Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Boulder Creek C-Store (FP24-0018), containing one (1) lot on approximately 1.94 acres, located southwest of W. 167th Street and S. Mur-Len Road. Planning Commission approved the plat 8 to 0.  
approved.
- K.** Consideration of Consent Calendar.  
approved.
- L.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to R&R Concrete KC, Inc., for construction of the 2023 Sidewalk Improvements Project, PN 3-C-072-23, and the 2024 Sidewalk Improvements Project, PN 3-C-072-24.  
approved.
- M.** Consideration of Resolution 24-1038 authorizing the Modernization of Fire Stations project, PN 6-C-031-24, and amending Resolution 24-1016.  
approved.
- N.** Consideration of Amendment No.1 to the agreement with Newkirk-Novak Construction Partners, Inc. for construction services for the Modernization of Fire Stations project, PN 6-C-031-24.  
approved.
- O.** Consideration and acceptance of price agreement with KA-COMM, Inc. for the purchase and installation of emergency equipment for

emergency service vehicles.

approved.

- P.** Consideration of Supplemental No. 1 with the Kansas Department of Transportation (KDOT) for the Black Bob Road, 159th to 167th, Improvements Project, PN 3-C-008-22.  
approved.
- Q.** Consideration of Supplemental Agreement No. 3 with HNTB Corporation for design of the Santa Fe, Ridgeview to Mur-Len, Improvements Project, PN 3-C-025-18.  
approved.
- R.** Consideration of renewal of contract with Five Star Trucking for tandem dump truck rental for the Street Maintenance Division of Infrastructure.  
approved.
- S.** Consideration of authorization and execution of renewal purchase agreement between OpenGov and the City of Olathe to maintain the City's Operations Management System (OMS)© software as a service.  
approved.
- T.** Consideration of award of contract to Andritz Separation, Inc. for the purchase of spare parts for the centrifuge at Harold Street Wastewater Treatment Plant.  
approved.
- U.** Consideration of award of contract to Midland Scientific for the purchase of laboratory products for the Environmental Services Division of Infrastructure.  
approved.
- V.** Consideration of renewal of contract with All City Management Services for crossing guard services for Police Department.  
approved.

## **7. NEW BUSINESS**

- A.** Consideration of Ordinance No. 24-30 levying assessments to collect city expenditures for weed mowing and debris removal.  
Motion by Vogt, second by Gilmore, to approve Ordinance No. 24-30 as presented. The motion carried by the following vote:
- Yes:** Bacon, Vogt, Gilmore, Felter, Vakas, and Essex
- Absent:** Schoonover

## **8. NEW CITY COUNCIL BUSINESS**

Councilmember Essex stated there was a groundbreaking for Midland Care

who will provide care for the elderly.

Councilmember Felter thanked Heather Schoonover with Olathe Schools for her work in helping organize an event providing haircuts and school supplies to students for the start of the school year.

Councilmember Vakas mentioned that Chief DeGraffenreid has been selected to participate in the Center for Homeland Defense and Security Executive Leaders Program. Mr. Vakas also mentioned he had the privilege of speaking at the Olathe Live event last week. Mr. Vakas also mentioned the Trex recycling program for plastic bags.

Mayor Bacon stated the city is in the process of updating the Comprehensive Plan and it is important to receive citizen feedback.

#### **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.

Hannah Jeffrey, Olathe, spoke in favor of supporting the Homeless Services Center.

Kevin Coriden, Olathe, spoke in favor of supporting the Homeless Services Center.

Doug Magden, Olathe, spoke in favor of supporting the Homeless Services Center.

Tim Suttle, Olathe, spoke in favor of supporting the Homeless Services Center.

Neal Heckman, Olathe, spoke in favor of supporting the Homeless Services Center.

#### **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 on a request for annexation of approximately 12.11 acres, located southwest of W. 159th Street and S. Mur-Len Road (ANX24-0004).  
Report Accepted.
2. Report on a request by LECC Building 5, LLC and assigns (Building 5 in Lone Elm Commerce Center) for an issuance request for industrial revenue bonds and tax phase-in of a single series project. The project will entail the construction of a 204,880 square foot industrial facility on 20-acres located in the North West corner of Lone Elm Road and 167th Street.  
Report Accepted.

#### **B. DISCUSSION ITEMS**

1. Presentation regarding Johnson County proposal for homeless shelter.  
Johnson County Chairman, Mike Kelly, along with Stephanie Boyer from ReStart, the organization identified to operate the shelter, gave a brief presentation to the council on the County's Homeless Services Center and asked the city to partner on the project.

Councilmember Vakas asked if there were expansion options. Ms. Boyer stated there were options to increase the programs capacity. Mr. Vakas asked additional questions about the point-of-time count for homeless individuals in the metro. Ms. Boyer provided statistics.

Mayor Bacon asked what success looks like to the County. Chairman Kelly explained his view on what success entails. Mayor Bacon expressed concern about the short stays and the potential for individuals to return to homelessness afterward. He also asked for clarification on what will happen in 2029 if functional zero is not achieved. Chairman Kelly acknowledged that this project alone would not end homelessness in Johnson County but emphasized that it would be a crucial piece of the

puzzle.

Councilmember Gilmore believes the issue should be addressed at the county level rather than the city level. He inquired about the possibility of the county purchasing the building and assigning the property to ReStart. Chairman Kelly explained how this assignment would work.

Councilmember Gilmore also asked for clarification on the difference between indirect and direct funding, which Ms. Boyer explained. Additionally, he inquired about the process after 90 days of case management. Ms. Boyer stated that the 30-90 day range allows time to work with individuals who may have other underlying issues. If the case management doesn't work within this period, they will develop an exit plan.

Councilmember Felter expressed that she has always felt Johnson County has had the perception of being unaware of the homelessness issue, and she is glad to see progress being made. Dr. Felter inquired about what will happen if a city chooses not to support the project. Chairman Kelly explained that in such a case, they would not seek additional funds from cities supporting the project, instead, they would place more responsibility on ReStart to raise the necessary funds privately.

Councilmember Essex inquired about the 66% of individuals noted as sheltered and their locations. Ms. Boyer explained that this percentage includes those from Project 10/20, the Salvation Army, and other similar organizations.

Councilmember Essex also asked if homeless individuals from Johnson County would be given priority. Ms. Boyer responded that all assessments will take place in Johnson County. If an assessor identifies that an individual is from a different community, they will help connect the person with resources in their own area.

Additionally, Councilmember Essex inquired about the security measures at the facility. Ms. Boyer outlined several features, including security cameras, hourly walk-throughs, and secured access to the building.

Councilmember Vogt emphasized the need for the county to lead in addressing homelessness. She suggested having additional conversations, examining financials, and possibly forming a task force. Ms. Vogt also inquired about how ReStart would communicate with the supporting cities, asking if there would be annual reports or more frequent updates. Ms. Boyer confirmed that there would be annual reports and the establishment of an advisory board.

Mayor Bacon asked if the Special Use Permit is similar to the other facilities they operate. Ms. Boyer stated, yes.

2. General overview of the Proposed 2025 Solid Waste, Stormwater, Street Maintenance Sales Tax, Park Sales Tax, and Recreation Fund Budgets, 2025-2029 Capital Improvement Plan (CIP), and fees.

Budget Manager, Jarrod Stewart, presented to the council.

Councilmember Vakas inquired about HAMM's role for the city. Darren Gilbert, Solid Waste Manager, explained that HAMM manages solid waste once it reaches the transfer station and handles it from there. Councilmember Vakas also asked about commercial customers and diversion rates, to which Infrastructure Director, Mary Jaeger, provided further details.

Councilmember Gilmore sought clarification on expanding the customer base and its impact on profitability. Mr. Stewart addressed these questions.

Councilmember Vakas asked if the SMST committee had been dissolved. City Engineer, Nate Baldwin, confirmed that it had not.

Councilmember Gilmore requested clarification on the use of



the \$350,000 annually in the Parks and Recreations Fund. Mr. Stewart stated the fund is used to renovate and modernize existing park facilities and/or historical sites.

Mayor Bacon inquired about neighborhood parks and the city's plans for acquiring land for future parks. Infrastructure Deputy Director, Beth Wright, responded that the city is evaluating current needs, including existing neighborhood amenities.

Councilmember Vogt noted that most park projects involve improvements to existing parks and questioned if this aligns with what was promised to citizens regarding the park sales tax funds. Quality of Life Director, Mike Sirna, explained that there was significant citizen feedback indicating a desire to maintain existing park infrastructure.

Councilmember Vakas asked about the number of parks the city has. Staff confirmed there are 45 parks.

Mayor Bacon requested rates for private clubs, such as Genesis, to compare with the City of Olathe's services. Mr. Sirna said staff would work on collecting data.

Councilmember Vogt asked for clarification on the Recreation Fund reserves. Budget and Management Analyst, Kathryn Messer, explained the reserve funds.

Councilmember Gilmore asked if there was data showing a lack of rebound after COVID-19. Mr. Sirna stated that they are seeing fewer family memberships.

Councilmember Vakas emphasized the importance of avoiding groupthink in determining utility rates and to instead seek the lowest possible increase.

Councilmember Vogt asked if there was a possibility of lowering the mill levy by at least 1/8 Mill. City Manager, Michael Wilkes, stated that staff does not recommend lowering the Mill

Levy. Mr. Wilkes added, if the Mill is decreased, historically staff would look at CIP projects to see which ones may be cut.

## **12. ADDITIONAL ITEMS**

Councilmember Gilmore congratulated Chief DeGraffenreid for being selected to attend the Center for Homeland Defense and Security Executive Leaders Program.

Councilmember Essex stated she was excited that the tank car from BNSF Railway has arrived and is excited to see what it will do for training exercises for the fire department.

Mayor Bacon congratulated Chief DeGraffenreid as well.

## **13. ADJOURNMENT**

The meeting adjourned at 9:47 PM.

Eric Strimple  
Assistant City Clerk