



1. CALL TO ORDER

Present: Bacon, Schoonover, Felter, Vakas, Essex, Creighton, and Deneault

Others in attendance were City Manager, Susan Sherman, City Attorney, Ron Shaver and members of City staff.

2. EXECUTIVE SESSION

- A.** Personnel matters of non-elected personnel pursuant to the exception provided in K.S.A. 75-4319(b)(1) regarding a municipal judge position. Motion by Vakas, seconded by Felter, to recess into an executive session to discuss applicants for municipal court judge pursuant to the non-elected personnel exception provided in K.S.A. 75-4319(b)(1), for 60 minutes. The open meeting will resume in the City Council chambers at 6:45 PM. The motion carried by the following vote:

Yes: Bacon, Schoonover, Felter, Vakas, Essex, Creighton, and Deneault

3. RECONVENE FROM EXECUTIVE SESSION

Motion by Vakas, seconded by Felter, to authorize staff to proceed with the strategies discussed with and directed by the governing body. The motion carried by the following vote:

Yes: Schoonover, Felter, Vakas, Essex, Creighton, Deneault, and Bacon

4. REGULAR MEETING BEGINS - 7:00 P.M.

5. PLEDGE OF ALLEGIANCE

6. SPECIAL BUSINESS

- A.** Presentation of the ETC Leading the Way Award.
Chris Tatham, ETC CEO, spoke about the significance of receiving the recognition for seven years and presented the award to the city.
- B.** Recognition of the Public Service Recognition Week award winners.
City Manager, Susan Sherman, announced the 2026 Public Service

Recognition Week award winners. Mayor Bacon thanked them for their continued service to the community.

7. PUBLIC HEARINGS

- A.** Consideration of a public hearing to identify needs for the 2027 Community Development Block Grant (CDBG) funding.
Mayor Bacon opened the Public Hearing.

No public comments heard.

Mayor Bacon asked how it is determined who will receive funds and how the amount is decided. Susan Sherman, City Manager, said the amount has stayed steady throughout her career at the City. She indicated that the City receives the funds through the County and the money has to be spent on public service and low income areas throughout the City. She said the application process was opened up at the beginning of the year and they go through a review process before being presented to the Council. She also mentioned that the Public Hearing is a federal requirement for this funding.

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

Yes: Felter, Vakas, Essex, Creighton, Deneault, Bacon, and 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 Vakas, seconded by Felter, to approve the Consent Agenda. The motion carried by the following vote:

Yes: Bacon, Schoonover, Felter, Vakas, Essex, Creighton, and Deneault

- A.** Consideration of approval of the City Council minutes of the May 5, 2026 meeting.
approved.
- B.** Consideration of new license(s) as recommended by the City Clerk.

- approved.
- C.** Consideration of renewal license(s) as recommended by the City Clerk.
approved.
- D.** Consideration of an expense report for City Auditor, Caitlin Clark for attendance at an Association of Local Government Auditors conference May 3 to May 6.
approved.
- E.** Consideration of Resolution No. 26-1039 fixing a date and time for a public hearing on July 21, 2026, regarding the structure at 617 N. Water Street.
approved.
- F.** Consideration of Resolution No. 26-1040 fixing a date and time for a public hearing on July 21, 2026, regarding the structure at 414 E. Cedar Street.
approved.
- G.** Consideration of Resolution No. 26-1041 authorizing the execution of a Combined Subdivision Participation and Release regarding In re: National Prescription Opiate Litigation.
approved.
- H.** Request for the acceptance of the dedication of land for public easements for a final plat for Stellar Apartments (FP26-0004), containing one (1) lot and three (3) tracts on approximately 14.63 acres, located southeast of W. 133rd Street and S. Blackfoot Drive. Planning Commission approved the plat 8 to 0.
approved.
- I.** Request for the acceptance of the dedication of land for public easements for a final plat for I-35 Logistics Park Eighth Plat (FP26-0007), containing two (2) lots and two (2) tracts on approximately 53.71 acres, located southwest of 155th Street and S. Clare Road (Old 56 Highway). Planning Commission approved the plat 6 to 0.
approved.
- J.** Consideration of Resolution 26-1042 authorizing additional funds for the Sunset and Ridgeview Intersection Improvements, PN 3-C-013-20.
approved.
- K.** Consideration of an Agreement with McConnell Associates Corp. for basketball court construction as part of the Black Bob Park Improvements Project, PN 4-C-008-23.
approved.
- L.** Consideration of award of contract to Traffic Control Corporation for the purchase of traffic signal supplies.

approved.

- M.** Consideration of award of contract to Traffic Signal Controls, Inc. for the purchase of traffic signal supplies.

approved.

- N.** Consideration of award of contract to Synagro Central, LLC for digester cleanings at Harold Street Wastewater Treatment Plant.

approved.

9. NEW BUSINESS

- A.** Consideration of Ordinance No. 26-21 (RZ26-0004), requesting approval of a rezoning from the CTY RUR (County Rural) District to the R-3 (Residential Low-Density Multifamily) District and a preliminary site development plan for Forest View Townhomes, located southwest of K-7 Highway and W. 119th Street. Planning Commission recommends approval 8 to 0.

Senior Planner, Emily Carrillo, provided a presentation to the Council.

Councilmember Creighton asked questions about the traffic and what traffic studies have been conducted in this area. Charlie Love, Chief Development Engineer, said they continue to review projects on the unfunded list to determine what needs to be prioritized.

Councilmember Schoonover said his concern is overall traffic in the area and only one egress initially. Mr. Love said the fire department reviews all plans and they are supportive of what is being proposed by the applicant for the first phase. He also said they had to be cautious where they were going to allow access onto 119th Street. Mr. Schoonover noted that in the Planning Commission meeting there seemed to be a lot of concern about on-street parking. Mr. Love said on-street parking would be allowed, but there could be limitations because of the closeness of driveways, etc. and no-parking signs could be installed at a later date.

Mayor Bacon said he believed the on-street parking concern is valid in light of making sure emergency vehicles could access the neighborhood. He expressed concern that there doesn't seem to be accommodations for guest parking for the units. He also asked additional questions regarding the single entrance for the

neighborhood. Ms. Carrillo said these would be City streets and would be built to City standards. She did say that there would be limited on-street parking due to the layout of the driveways but it meets current code. He also asked for additional clarification regarding the entrance into the neighborhood and asked if there was a designated left turn lane. Mr. Love said the plan does not provide for a designated left turn lane. Mayor Bacon said he thought a left turn lane might be warranted. Mr. Love said they have reviewed the traffic counts and do not believe it is needed.

Councilmember Vakas asked how many units were in each phase and he asked if there was a requirement to build the additional entrance when phase two was started. Ms. Carrillo said there would be a final site development plan required and there could be a connection in the future. He said he wanted to make sure the surrounding neighborhood's environments are preserved and believes this development is very well designed and fits great into the area.

Mayor Bacon said he noticed there are no covered decks and asked if this is normal. Ms. Carrillo said by code, covered decks are not required.

Councilmember Vakas commented regarding the on-street parking and said that it would be simple for the HOA to impose parking regulations.

Judd Claussen, Phelps Engineering, said the intent of the developer was for this project to fit nicely with the surrounding areas. He commented on the one access point and said the project does meet all codes and fire requirements.

Councilmember Felter said she thinks these are beautiful and unique units. She said she would be supportive if an HOA wanted to restrict parking but was not supportive of action by the council.

Mayor Bacon asked if this project is restricted to 55+ and Mr. Claussen said there are no age restrictions. He also asked if there

were three bedroom units and Mr. Claussen said there is a mix between two and three bedrooms. He also went on to say that there is opportunity for additional parking spaces to be created to allow for guest parking in the area.

Councilmember Deneault asked if there would be an HOA or restrictions for residents. Mr. Claussen said he was unsure about the creation of an HOA but there would likely be some restrictions such as paint color, etc. He did say that he didn't think restricting parking now would be advisable but would suggest waiting to see if it became an issue in the future.

Councilmember Vakas said he believed this project would be a nice addition to West Olathe.

Motion by Vakas, seconded by Felter, to approve Ordinance No. 26-21 as presented. The motion carried by the following vote:

Yes: Essex, Vakas, Felter, Schoonover, Bacon, Deneault, and Creighton

- B.** Consideration of Ordinance No. 26-22 (PAR26-0014), requesting approval to amend Ordinance 14-47 (VAC-14-002), an ordinance vacating a portion of Alcan Street and 120th Street right-of-way.

Motion by Vakas, seconded by Felter, to approve Ordinance No. 26-22. The motion carried by the following vote:

Yes: Schoonover, Felter, Vakas, Essex, Creighton, Deneault, and Bacon

- C.** Consideration of Ordinance No. 26-23 pertaining to proposed amendments to Title 7 of the Olathe Municipal Code allowing expanded hours for the sale of alcoholic beverages during the 2026 FIFA World Cup.

Motion by Vakas, seconded by Felter, to approve Ordinance No. 26-23. The motion carried by the following vote:

Yes: Bacon, Schoonover, Felter, Vakas, Essex, Creighton, and Deneault

- D.** Consideration of Resolution No. 26-1043, authorizing a survey of land necessary to be acquired for the 103rd Street Lift Station Replacement Project, PN 1-C-011-17.

Motion by Vakas, seconded by Felter, to approve Resolution No. 26-1043. The motion carried by the following vote:

- Yes:** Bacon, Schoonover, Felter, Vakas, Essex, Creighton, and Deneault
- E.** Consideration of Ordinance No. 26-24 approving an engineer's survey and authorizing the acquisition of land for the 103rd Street Lift Station, PN 1-C-011-17.
Motion by Vakas, seconded by Felter, to approve Ordinance No. 26-24. The motion carried by the following vote:
Yes: Vakas, Essex, Creighton, Deneault, Schoonover, Bacon, and Felter
- F.** Consideration of Ordinance No. 26-25 authorizing payment by the City Treasurer of an eminent domain award and court-appointed appraiser's fees for constructing and maintaining the Santa Fe, Ridgeview to Mur Len Improvements Project [PN 3-C-025-18], in the matter of City of Olathe, Kansas v. McDonalds USA, LLC, et al (JO-2026-CV-000098).
Motion by Vakas, seconded by Felter, to approve Ordinance No. 26-25. The motion carried by the following vote:
Yes: Deneault, Bacon, Schoonover, Felter, Vakas, Essex, and Creighton
- G.** Consideration of Ordinance No. 26-26 authorizing payment by the City Treasurer of an eminent domain award and court-appointed appraiser's fees for constructing and maintaining the Santa Fe, Ridgeview to Mur Len Improvements Project [PN 3-C-025-18], in the matter of City of Olathe, Kansas v. Brogden Properties, LLC, et al (JO-2025-CV-000103).
Mayor Bacon asked if this was the last of the properties that would be needed for the I-35/Santa Fe project. City Attorney, Ron Shaver, said they are getting close to the end but there are a few agreements still being negotiated.
Motion by Vakas, seconded by Felter, to approve Ordinance No. 26-26. The motion carried by the following vote:
Yes: Felter, Vakas, Essex, Creighton, Deneault, Bacon, and Schoonover

10. GENERAL ISSUES AND CONCERNS OF CITIZENS

Mark Fench, an Olathe resident, spoke about the Olathe Gateway Landing project.

Cameron Smith, an Olathe resident, spoke about the noxious weeds list.

Councilmember Felter asked for clarification on which plants Mr. Smith was

concerned about and asked him to provide the list to staff.

Jo Spear, an Olathe resident, spoke about the Olathe Gateway Landing project.

11. CONVENE FOR PLANNING SESSION

A. REPORTS

1. Report on a request by 167 Olathe 3, LLC and assigns for a request for the issuance of industrial revenue bonds and tax phase-in for a single series issuance for an office building for Faith Technologies. The project will entail the construction of a 76,800 sq ft office building on a 18.98-acre parcel at the northwest corner of 167th Street & Lone Elm Road.
Report accepted.
2. Report on a request by OFI Manager, LLC and assigns for a request for the issuance of industrial revenue bonds and tax phase-in for a single series issuance for two industrial warehouse/office facilities. The project will entail the construction of 260,870 and 80,000 sq ft of industrial space on a 60-acre site east of the intersection of Monticello Dr & Erickson Road.
Councilmember Schoonover said he had concerns about reports 2, 4 and 5 because of the updated 80% IRB policy. He asked if it was possible to provide a report to the Council at the 50% level. Kate Messer, Financial Strategy Manager, said the policy that was adopted last year provided for up to 80% but each could have a cost benefit analysis run at a lower level if the Council wanted. Mr. Schoonover also asked for information regarding climate related issues for each of these projects.

Councilmember Vakas asked for information regarding sustainable designs.

Mayor Bacon said any eco-friendly designs would help even though it isn't a requirement. He said these are slated for 10 year abatements and at 80% that is less than 50% at 20 years. He said they are trying to remain competitive.

3. Report on a request by Mitchell Properties II, LLC and assigns for a request for the issuance of industrial revenue bonds and tax phase-in for a single series issuance for an industrial warehouse/office facility. The project will entail the construction of a 33,000 sq ft of industrial space on a 2.25-acre parcel at 15680

S Keeler Terrace.

Report accepted.

4. Report on a request by Scannell #798, LLC and assigns for an issuance request for industrial revenue bonds and tax phase-in for a single series application under a master resolution. The project will entail the construction of a 646,380 square feet industrial facility on a 32.47-acre lot located on the NWQ of 159th Street & Clare Road.

Report accepted.

5. Report on a request by Scannell Properties #476, LLC, and assigns for an issuance request for a master resolution for industrial revenue bonds and tax phase-in for the construction of a business park. The project will entail approximately two buildings totaling 683,800 sq ft on a total of 43.54 acres located on the northwest quadrant of Clare Road and W 159th Street.

Report accepted.

B. DISCUSSION

1. Discussion regarding the 2026 State Legislative Session Review. Natalie Bright, Bright and Carpenter Consulting, presented a review of the 2026 legislative session to the council.

Councilmember Essex thanked Ms. Bright for her work with the City. She also said there is conversation about changing elections to every two years.

Councilmember Creighton thanked Ms. Bright for her reports. He asked what the timeline is for council to provide feedback looking toward the next session. Ms. Bright said she would be working with City staff to put a process together and do that in a timely manner. Amanda Stanley, Deputy City Attorney, said the Kansas League of Municipalities also issues their State wide agenda which is helpful.

Councilmember Schoonover said he would like the City to be more proactive looking toward next year's session.

Mayor Bacon said he thinks there are some things they would want to stay away from. He also thanked Ms. Bright for all she does for the City.

Mayor Bacon also shared that the Council had a great trip to Washington D.C. to have meetings with the federal legislative delegation. He expressed his gratitude to Senators Marshall and Moran and Representative Davids for making time to meet with the Council.

12. ADDITIONAL ITEMS

Councilmember Creighton thanked staff for all their hard work. He asked for an update on the parking garage. Zach Hardy, Deputy Infrastructure Director, said construction would begin after June 16th. Mr. Creighton also asked when the Council was able to weigh in on the economic development policies. Susan Sherman, City Manager, said those policies usually are looked at in the Fall each year.

Councilmember Schoonover said he had some concerns regarding a construction on Iowa street. Nate Baldwin, City Engineer, said the process they are using is a little different than what they usually do. He said they would be waiting until after school is out and then they will mill out and replace the asphalt. Mr. Schoonover also thanked City staff for all they do.

Councilmember Felter congratulated the staff who received awards. She also mentioned that it is National Public Works Week and said she would post stats on-line. She congratulated Leadership Olathe graduates. She also congratulated Laurie Minard, Garmin International, for her recognition as the Distinguished Leadership Olathe Alumni.

Councilmember Vakas said Monday is Memorial Day and invited everyone to the ceremony at Veterans Park.

Councilmember Essex congratulated staff who received awards. She also said the ETC award is very impressive. She said last week was Police Week and they received an SRO Agency award, one of only 11 communities to receive that award. She also said that this is EMS week and thanked all our first responders for all they do.

Councilmember Deneault said while they were in DC there was an impressive showing of police in honor of Police Week. He also thanked the fire department

and said they are excellent at taking care of their own. He also congratulated the PSRW award winners but also to all staff for all they do.

Mayor Bacon said he learned that the City received recognition from the WTS of Greater Kansas City. He invited everyone to attend Fourth Friday's hosted by the Chamber. He also mentioned that the pools would be open on Monday, Memorial Day.

13. ADJOURNMENT

The meeting adjourned at 8:53 PM.

Brenda D. Swearingian
City Clerk