



A RECEPTION TO HONOR NEW COUNCIL MEMBERS - 6:30 PM Lobby

1. CALL TO ORDER - 7:00 PM

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

2. INVOCATION

Pastor Troy Snyder offered the invocation to begin the meeting.

3. PRESENTATION OF COLORS - Police Honor Guard

4. NATIONAL ANTHEM

MidAmerica Nazarene University student, Lindsey Peterson, performed the National Anthem.

5. PLEDGE OF ALLEGIANCE

6. CONSENT AGENDA

- A.** Consideration of approval of the City Council minutes of the December 12, 2025 and December 16, 2025 meetings.

Motion by Vakas, seconded by Felter, to approve the meeting minutes.
The motion carried by the following vote:

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

Abstain: Creighton, and Deneault

- B.** Consideration of Resolution No. 26-1001 establishing the commencement of terms of office for City Council members elected in the 2025 City elections.

Motion by Vakas, seconded by Felter, to approve Resolution No. 25-1001 . The motion carried by the following vote:

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

Abstain: Creighton, and Deneault

7. INSTALLATION OF CITY COUNCIL MEMBERS: Judge Katie McElhinney

- A.** Installation and seating of council members.

Municipal Court Judge, Katie McElhinney, administered the oath of office for Councilmembers Creighton, Felter, and Deneault. They each introduced their family members in attendance and took their seats on the dais.

B. Election of Mayor Pro-Tem.

Motion by Bacon, seconded by Felter, to elect Dean Vakas as Mayor Pro Tem. The motion carried by the following vote:

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

C. Installation of Mayor Pro-Tem.

Municipal Court Judge, Katie McElhinney, administered the oath of office for Mayor Pro Tem.

Mayor Bacon invited the newly elected and re-elected Councilmembers to make remarks.

Councilmember Felter stated it is an honor to represent Ward 3.

Councilmember Creighton thanked everyone for the support and looks forward to serving.

Councilmember Deneault thanked his family for their support, and he also thanked city staff for their support as he prepared to become a councilmember.

Mayor Bacon congratulated everyone. He also announced that the city is working with the Chiefs on plans to build their new training facility in Olathe. He stated there would be an executive session at the next council meeting to continue discussions on the item.

8. SPECIAL BUSINESS

A. Proclamation recognizing January 19, 2026 as Dr. Martin Luther King Jr. Day.

Mayor Bacon read the proclamation and presented it to Shakil Haider, Olathe Human Relations Commissioner. Mr. Haider thanked the Mayor and Council for the proclamation. He also spoke about the upcoming Dr. Martin Luther King Junior Essay Contest and Celebration.

9. 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.

Councilmember Schoonover asked for items E and I to be pulled and considered separately.

Councilmember Felter requested that item Q be pulled and considered separately.

Approval of the Consent Agenda

Motion by Vakas, seconded by Essex, to approve the Consent Agenda, excluding items E, I and Q. The motion carried by the following vote:

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

- A.** Consideration of Resolution No. 26-1002 establishing a regular schedule of dates and times for City Council meetings until January 2028.
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.
approved.
- C.** Consideration of a Spend Authorization for City Manager Michael Wilkes to travel overnight for an League of Kansas Municipalities meeting on January 28, 2026.
approved.
- D.** Acceptance of a one (1) year contract extension with Lockton Companies LLC for benefits management consulting.
approved.
- E.** Consideration of Resolution No. 26-1003 for the Assignment and Assumption of Lease Agreements and Related Bond Documents from BPG Olathe 1 LLC to GPCC Investors, LLC, and amendment to Resolution No. 21-1067.

Councilmember Schoonover requested that the item be pulled and considered separately. Mr. Schoonover thanked staff for the clarification on existing buildings not being eligible for the 80% ad valorem tax abatement that was voted on. Mr. Schoonover also highlighted in the IRB Policy that bonds are not guaranteed to developers, but would be used for projects that enhance Olathe.

Motion by Vakas, seconded by Felter, to approve Resolution No.

26-1003 as presented. The motion carried by the following vote:

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

- F. Consideration of Resolution No. 26-1004 authorizing City Hall Parking Garage Project, PN 6-C-003-25; and amending Resolution 25-1059. approved.
- G. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat for Oak Run North (FP25-0036), containing 25 lots and two (2) tracts on approximately 9.18 acres, located northwest of 147th Street and Red Bird Street. Planning Commission approved the plat 5 to 0. approved.
- H. Consideration of Resolution No. 26-1005, PLN25-0008, requesting the City's consent to the enlargement of the Consolidated Main Sewer District of Johnson County, Kansas for Olathe Range, located northwest of Interstate 35 and W. 167th Street. approved.
- I. Consideration of Resolution No. 26-1006 (SU25-0005), requesting approval of a special use permit for motor vehicle sales (golf and utility carts) for McCoy Custom Carts on approximately 1.30 acres, located at 19920 W. 161st Street. Planning Commission recommended approval 5 to 0.

Councilmember Schoonover pulled this item to state that the definition of golf carts was discussed previously, and asked when the council would see the proposed definition changes. Ron Shaver, City Attorney, stated that a draft is being worked on internally and that staff hopes to present it this spring.

Motion by Vakas, seconded by Felter, to approve Resolution No. 26-1006 as presented. The motion carried by the following vote:

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

- J. Consideration of Consent Calendar. approved.
- K. Consideration of Change Order No. 5 with Pyramid Contractors, Inc. for construction of the 119th Street, Woodland to Northgate, Improvements Project, PN 3-C-024-21. approved.
- L. Consideration of Change Order No. 6 with Pyramid Contractors, Inc. for construction of the 119th Street, Woodland to Northgate, Improvements

Project, PN 3-C-024-21.
approved.

- M.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Superior Bowen Asphalt Company LLC for construction of the Lakeshore Drive Arterial Mill and Overlay Project, PN 3-P-003-25.
approved.
- N.** Consideration of an Interlocal Agreement with Johnson County Park & Recreation District for a Trail Development Funding grant awarded to the City of Olathe for the Cedar Creek Trail Project, PN 4-C-011-16.
approved.
- O.** Consideration of Professional Services Agreement with Affinis Corp. for design of the Woodside Neighborhood Street Improvements Project, PN 3-R-002-26.
approved.
- P.** Consideration of Supplemental Agreement No. 1 with Burns & McDonnell Engineering Company, Inc. for design of the Cedar Creek Wastewater Treatment Plant Expansion Phase 2, PN 1-C-013-25, and Cedar Creek Wastewater Treatment Plant Solids Handling Rehabilitation Projects, PN 1-C-025-25.
approved.
- Q.** Consideration of an Agreement with Johnson County for funding the construction of the Quivira Road, 143rd to 151st, Improvements Project, PN 3-C-011-24.
Councilmember Felter asked for the item to be pulled to allow City Engineer, Nate Baldwin, to discuss the project. Mr. Baldwin provided an update.
Motion by Vakas, seconded by Felter, to approve item Q as presented.
The motion carried by the following vote:
Yes: Bacon, Felter, Schoonover, Vakas, Essex, Creighton, and Deneault
- R.** Approval of spending authority with Clean Energy Fuels for the routine maintenance, repair and rebuilding services associated with the compressed natural gas fueling station at 1409 S Robinson Dr.
approved.
- S.** Consideration of contract with Allegiant Networks, Inc. for the migration to Persona Connect.
approved.

10. NEW BUSINESS

- A.** Consideration of Ordinance No. 26-01 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 Vakas, seconded by Felter, to approved Ordinance No. 26-01. The motion carried by the following vote:

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

- B.** Consideration of Ordinance No. 26-02 (RZ25-0014), requesting approval of a zoning amendment to Ordinance 03-113 with a preliminary site development plan for 151st and Mur-Len Mixed Use, located southeast of W. 151st Street and S. Mur-Len Road. Planning Commission recommended approval 5 to 0.
Senior Planner Jessica Schuller presented the item to the Council.

Councilmember Creighton expressed concern about potential traffic increases during the morning rush hour. City Engineer, Nate Baldwin, stated that staff continuously monitor signalized intersections and anticipates only a 2-3.4% increase in traffic from the site.

Councilmember Essex asked whether a no vote would affect the apartment complex's ability to proceed. Ms. Schuller responded that it would not.

Councilmember Schoonover shared concerns regarding traffic and asked whether a new traffic signal would be installed to improve traffic flow exiting the site. Mr. Baldwin noted that no new signals are planned as part of the project. Councilmember Schoonover also asked whether widening Mur-Len Road had been considered. Mr. Baldwin stated that Mur-Len is not currently included in the Capital Improvement Program (CIP), and there are no plans to widen it at this location.

Councilmember Felter requested clarification on the projected percentage increase in traffic, and Mr. Baldwin provided additional explanation to the Council.

Mayor Bacon noted that a traffic signal is located approximately one mile east of the site at 151st Street and Alden Street and asked about the reason for its installation. Mr. Baldwin stated that he would

look into the matter and follow up with the Council.

Motion by Vakas, seconded by Essex, to approve Ordinance No. 26-02.
The motion carried by the following vote:

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

No: Felter

- C.** Consideration of RZ25-0009, requesting approval of a rezoning from the NC (Neighborhood Center) District to the R-3 (Residential Low-Density Multifamily) District for Lone Elm Townhomes, located northeast of W. 119th Street and S. Lone Elm Road. Planning Commission recommends denial 5 to 0.

Senior Planner, Nathan Jurey, provided a presentation to the council.

Councilmember Creighton stated that if this is approved, it appears that traffic would need to go through the adjoining neighborhoods and asked if commercial use were built there, whether it would still require traffic to go through the neighborhoods. Mr. Jurey stated that it would. Nate Baldwin, City Engineer, also provided projections on how many cars will travel 119th Street a day.

Councilmember Felter asked what the developer wanted to build on the site that would blend with the neighboring houses. Dr. Felter also inquired about discussions regarding the purchase of HOA amenities. Mr. Jurey stated that the proposed townhome development is slightly denser than the adjacent neighborhood, at nine units per acre versus five units per acre.

Councilmember Schoonover stated he is struggling with the denial on this project because it would help with affordable housing, and asked if there are any affordable housing projects in the city currently. Mr. Jurey provided a few locations within the city where townhomes are being built.

Councilmember Vakas asked when the 119th bridge is scheduled to

open. Mr. Baldwin stated it is slated for October of this year. Mr. Vakas also asked clarifying questions on what type of commercial could go on the site. Mr. Jurey provided a few examples to the council.

Councilmember Deneault stated he wants to see affordable housing, but also said he spoke with citizens and they want to see commercial. Mr. Deneault asked if there were plans to expand 119th Street to 4 lanes. Mr. Baldwin stated there are long-term plans to widen it, but it is not in the next 5-year CIP.

Councilmember Essex asked for clarification on the neighboring commercial property across Lone Elm Street. Mr. Jurey provided clarification.

Curt Holland with Polsinelli Law Firm spoke on behalf of the applicant.

Arthur Rinehart, an Olathe resident, spoke about the proposed rezoning.

Thomas Bart, an Olathe resident, spoke about the proposed rezoning. Mayor Bacon stated the neighborhoods could have signed protest petitions, but did not. Councilmember Felter asked if there is a pool pass for the HOA pool. Mr. Bart noted that a pool pass is issued to HOA residents.

Mayor Bacon inquired about the proposed amenities for the townhome site and if it has been considered for owner-occupied townhomes. Curt Holland stated that the plan is preliminary and that amenities have not been planned. Mr. Holland said that it has not been decided if the site will be owner-occupied or rentals.

Councilmember Schoonover stated he doesn't understand the concern that the site is a rental site versus an owner-occupied site, and that it does not matter for the issue at hand.

Councilmember Essex asked if the price point had been discussed. Aaron Mesmer, of Block Real Estate, stated that the rent for a townhome is approximately \$2,400.00 per month.

Councilmember Vakas inquired whether assisted living is permitted in the C-2 district to the west of the site. Mr. Jurey stated it would be allowed.

Mayor Bacon asked for clarification between R-3 and RP-3 zoning. Mr. Jurey explained the differences.

Councilmember Felter stated the property has been available for 20 years and isn't sure the site is best suited for commercial. She said she supports the proposed townhomes.

Councilmember Deneault inquired about traffic and whether it is comparable to that at Arbor Creek, located at 159th and Mur-Len, in terms of traffic volume. Mr. Mesmer stated that 159th, and Mur-Len is approximately 25K cars a day. Mr. Deneault also indicated that he feels the site is awkward for commercial, but is also awkward for the proposed townhomes and would like to see it remain commercial for a little longer.

Councilmember Vakas stated he feels the same as Councilmember Deneault.

****After the motion was made, the following discussions took place.****

Councilmember Schoonover asked what additional work needed to

be done, as he feels the council is not providing staff with clear directions. Councilmember Vakas said in keeping with Planning staff's recommendations and the Planning Commission's recommendation, he feels we are not ready to lose commercial on this site. Mr. Vakas added by remanding it back he would like to see some form of commercial and better coordination with the neighboring developments and have it return at that point.

Councilmember Schoonover asked Mr. Mesmer if that was enough direction to allow them to move forward. Mr. Mesmer stated they would be happy to join the neighboring HOA if they would allow it. He added if there was a need to reduce the density, that may be a possibility, but cautioned about commercial on the site.

Councilmember Creighton stated he is not comfortable with giving up commercial and asked the developer to look at mixed use.

Motion by Vakas, seconded by Essex, to remand RZ25-0009 back to Planning Staff for more discussions with the applicant, and be presented back to the council at a later date. The motion carried by the following vote:

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

No: Schoonover, and Felter

11. GENERAL ISSUES AND CONCERNS OF CITIZENS

Charlotte O'Hara, Olathe Business owner, spoke about STAR Bonds and tax incentives.

12. CONVENE FOR PLANNING SESSION

A. REPORTS

1. Report on a request for annexation (ANX25-0006) of approximately 4.57 acres located northwest of W. 175th Street and S. Mur-Len Road.
Report accepted
2. Report on the authorization of the 2026 Street Preservation Program, PN 3-P-000-26.
Report accepted.

3. Report on the Olathe Private Street Preservation Program projects completed and scheduled for 2026.
Councilmember Schoonover asked if these areas are outside the city limits of Olathe. Nate Baldwin, City Engineer, stated that they are all within the city.

Report accepted.
4. Report on the authorization of the 2027 Street Reconstruction Program, PN 3-R-000-27.
Report accepted.
5. Report on the authorization of the annual Capital Improvement Plan Projects for 2026.
Report accepted.

13. ADDITIONAL ITEMS

Councilmember Schoonover welcomed Councilmembers Creighton and Deneault to the council.

Councilmember Essex welcomed the new members and congratulated Councilmember Vakas on becoming Mayor Pro Tem.

Councilmember Felter welcomed the new members and extended a Happy New Year to everyone.

Councilmember Vakas congratulated everyone who won in the election. He also thanked everyone for their confidence in his ability to be Mayor Pro Tem.

Councilmember Deneault thanked everyone for the warm welcome.

City Manager Michael Wilkes congratulated the new councilmembers.

Mayor Bacon mentioned that the draft of the Comprehensive Plan, PlanOlathe, will be presented at multiple public meetings. He also noted the retirement reception for City Manager Michael Wilkes and outgoing Councilmember Marge Vogt.

14. ADJOURNMENT

The meeting adjourned at 9:34 PM.

Eric Strimple
Assistant City Clerk