



An open house and tour of the City of Olathe Emergency Operations Center located on the Garden Level of City hall was held from 5:30 p.m. - 6:45 p.m.

1. CALL TO ORDER

Present: Bacon, Brownlee, Campbell, Randall, McCoy, and
Copeland
Absent: Vogt

Others in attendance were City Manager Wilkes, Assistant City Manager Sherman and City Attorney Shaver.

2. BEGIN TELEVISED SESSION – 7:00 P. M.

3. PLEDGE OF ALLEGIANCE

4. SPECIAL BUSINESS

- A.** Recognition of Alyssa Klinzing, Miss Kansas USA 2019.
Mayor Copeland presented a certificate of recognition to Ms. Klinzing.
- B.** Recognition of 2019 Olathe Civic Academy graduates.
Mayor Copeland invited Assistant City Clerk and Civic Academy Coordinator Brenda Long to the podium to introduce the 2019 class. Mr. Copeland presented class graduates Brett Balkenbush, Barbara Carter, Katelyn Clark, Stacy Cope, Clayton Duffin, Jeffery Eppler, Michelle Graham, Joseph Graham, Terry Harrison, Jeffery Hayes, Roger Hobbs, Dana Hobbs, Dee Hudgens, Stephanie James, John McCauley, Ricki McCauley, Nikki McDonald, Dustin Morris, Doug Mounday, Ronnita Paul, Kathy Paul, Claire Reagan, Harvey Reinblatt, Barbara Siefken, Jaskaran Singh, Twila Smith, Tom Smith, Mary Wirtz, Patrick Wirtz and Jane Zaccardi with recognition certificates.

5. PUBLIC HEARINGS

A. Consideration of a public hearing regarding the establishment of a tax increment financing redevelopment district located at the northwest corner of 151st Street and Harrison Street.

Administrative Services Officer Emily Vincent gave a brief presentation of the project.

Mayor Copeland opened the public hearing.

Adam Mickelson, 12381 S. Race Street, Olathe stated he does not oppose development in this area or any form of help from the City, but he does oppose the level of funding with \$100 million of taxpayer dollars.

Paul Hirth, 1852 W. Fredrickson Circle, Olathe stated he has seen a number of government projects run into problems and cited Community America Ballpark, Power and Light District and Zona Rosa. Mr. Hirth asked if there is a safety net should the development not work out as expected as well as who is responsible for the bonds, interest and everything else associated with the package. Mr. Hirth asked if someone could get back to him with an answer to his question.

Hearing no other public comments Mayor Copeland entertained a motion to close the public hearing.

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

Yes: Bacon, Brownlee, Campbell, Randall, McCoy, and Copeland

Absent: Vogt

6. CONSENT AGENDA

Approval of the Consent Agenda

Motion by Council Member Randall, seconded by Council Member Bacon, to approve the Consent Agenda. The motion carried by the following vote:

Yes: Bacon, Brownlee, Campbell, Randall, McCoy, and Copeland

Absent: Vogt

- A.** Consideration of approval of the City Council meeting minutes of March 5, 2019.
Approved.

- B.** Consideration of new cereal malt beverage license applications for calendar year 2019 for Aldi #95, located at 15290 W. 119th Street and Aldi #94, located at 20250 W. 154th Street.
Approved.
- C.** Consideration of business expense statement for City Manager Michael Wilkes for expenses incurred to attend the NLC Conference in DC March 9-12, 2019.
Approved.
- D.** Consideration of ratifying an Addendum to the Interlocal Cooperation Agreement between the Olathe Public Library and the Johnson County Library for automated circulation, patron and bibliographic services.
Approved.
- E.** Consideration of Consent Calendar.
Approved.
- F.** Consideration of an Agreement with Turner Construction for construction management services for the Fire Station #8 Improvements Project, PN 6-C-009-18.
Approved.
- G.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Freeman Concrete Construction, LLC for construction of the Wabash Street Improvements Project, PN 3-R-003-19.
Approved.
- H.** Acceptance of bid and consideration of award of contract to Roberts Chevrolet for the replacement of nine (9) SUV's for 2019 for the Olathe Police & Fire Departments.
Approved.
- I.** Acceptance of bid and consideration of award of contract to Ennis-Flint, Inc. for traffic marking paint for the Traffic Division of Public Works .
Approved.
- J.** Consideration of contract renewal to Hydro-Klean, LLC for Specialty Tank Cleaning and Inspection Services for the Environmental Services Division of Public Works.
Approved.
- K.** Acceptance of renewal of contract to Stericycle Environmental Solutions for household hazardous waste disposal.
Approved.
- L.** Acceptance of renewal of contract to K & W Underground, Inc. for directional drilling services for the Field Operations Division of Public Works.

Approved.

- M.** Acceptance of bids and consideration of award of contracts to Gades Sales Company, Inc., Electronic Technology, Inc., Traffic Control Corporation and Traffic Signal Controls, Inc. for the purchase of traffic signal supplies for the Traffic Operations Division of Public Works.

Approved.

- *N.** Consideration of a new drinking establishment license for RCBC, LLC. at 1062 W. Santa Fe.

Approved.

7. NEW BUSINESS-PUBLIC WORKS

- A.** Consideration of Ordinance No. 19-10 authorizing payment by the City Treasurer of an eminent domain award and court appointed appraisers' fees in the eminent domain case of The City of Olathe, Kansas vs. Wal-Mart Real Estate Business Trust, et al., Case No. 18CV06665 for the Stag's Ridge Project, PN 7-C-047-18.

Motion by Randall, seconded by Bacon, to approve Ordinance No. 19-10. The motion carried by the following vote:

Yes: Bacon, Brownlee, Campbell, Randall, McCoy, and Copeland

Absent: Vogt

8. NEW CITY COUNCIL BUSINESS

Governing Body members recognized Police Chief Menke on his upcoming retirement and thanked him for his many years of service.

Councilmember McCoy stated the open house this evening showcasing our new emergency operations center is very impressive.

9. END OF TELEVISED SESSION

10. GENERAL ISSUES AND CONCERNS OF CITIZENS

Emily Martin, 17630 W. 113 Street, Olathe spoke about the importance of theatre in our community.

Robynn Andracsek, 11526 S. Roundtree Street, Olathe, spoke in support of placing a non-discrimination ordinance on the agenda that addresses LGBTQ issues.

Irene Schmidt, 12230 S. Albervan Street, Olathe spoke about an ongoing nuisance with her neighbors barking dog and the City noise ordinance.

Carolyn Finken-Dove, 610 N. Persimmon Drive, Olathe advocated for a non-discrimination ordinance on the agenda.

Jorge Santana, 15954 S. Mur-Len Road, No. 163, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

11. CONVENE FOR PLANNING SESSION

A. DISCUSSION ITEMS

1. Discussion regarding Proposed Amendments to Chapter 18.40 of the Unified Development Ordinance (UDO18-0002 A).

Chief Planning and Development Officer Aimee Nassif completed a presentation concerning proposed amendments to Chapter 18.40 of the Unified Development Ordinance (UDO 18-0002(A)).

Harold Phelps, Phelps Engineering, Inc., 1270 N. Winchester Street, Olathe asked the following concerns be addressed more specifically concerning the UDO amendments. The first is the preliminary plat expiration after two years, which they typically have not been held too. Mr. Phelps stated developers have never had an issue with this and he felt there is a certain vesting right and an assumption is made that once started they could continue with the project. In many cities it is considered a vested right to continue with subsequent phases. Mr. Phelps stated the other item of concern is making the time frame consistent. Mr. Phelps thought the preliminary plat and preliminary plan should both be five years and the final plans and final plats should be two years.

Councilmember Campbell asked Mr. Phelps to provide them with what he specifically just said and suggestions.

Councilmember Brownlee asked Mr. Phelps if he thought he could make this work.

Mr. Phelps stated he thought it could with modifications. Mr. Phelps stated a two year period is a pretty short window and the main concern.

Travis Schram, President of Grata Development, 11282 S. Belmont Street, Olathe expressed his concerns over tighter time frames, staff request for more time consuming touchpoints and commencement of construction, which as a developer is outside of their control.

Mayor Copeland asked Ms. Nassif to provide a response to the concerns brought up.

2. Discussion on the Park Maintenance Facilities Improvements Project, PN 6-C-001-18.

Senior Building Design Project Manager Chad Foster completed a presentation for the Park Maintenance Facilities improvements project.

Councilmembers asked staff to provide additional building and costs figures for the project.

3. Fire Department Activities & Initiatives.

Fire Analyst Jarrod Stewart completed a presentation on the Fire Department activities and initiatives.

12. EXECUTIVE SESSION - 9:20 p.m.

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 Internal Auditor position. (City Council)
- B.** 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 the City Manager. (City Council)

Motion by Randall, seconded by Bacon, to recess into an executive session to discuss discuss personnel matters of non-elected personnel pursuant to the exception provided in K.S.A.75-4319(b)(1) regarding the Internal Auditor position and 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 the City Manager for 45 minutes. The motion carried by the following vote:

Yes: Bacon, Brownlee, Campbell, Randall, McCoy, and Copeland

Absent: Vogt

At 10:05 p.m. there was a motion by Bacon, seconded by Brownlee, to extend the executive session an additional 15 minutes. The motion carried by the following vote:

Yes: Bacon, Brownlee, Campbell, Randall, McCoy, and
Copeland

Absent: Vogt

At 10:20 p.m. there was a motion by Bacon, seconded by Brownlee, to extend the executive session an additional 15 minutes. The motion carried by the following vote:

Yes: Bacon, Brownlee, Campbell, Randall, McCoy, and
Copeland

Absent: Vogt

13. RECONVENE FROM EXECUTIVE SESSION

The meeting reconvened at 10:35 p.m.

Executive Session Item A - Motion by Randall, seconded by Bacon to proceed with the strategies as discussed in executive session. Motion passed 6-0

Executive Session Item B - Mayor Copeland stated the City Council is extraordinarily pleased with City Manager Wilke's 2018 performance in leading the organization and thanked him for his service.

14. ADDITIONAL ITEMS

Councilmember McCoy praised staff concerning the pothole hotline that citizens may use to report potholes in the City.

Councilmember Campbell thanked Public Works Director Mary Jaeger for her quick responses to his requests for additional information.

15. ADJOURNMENT

The meeting adjourned at 10:44 p.m.

David F. Bryant III, MMC
Deputy City Clerk