



1. CALL TO ORDER

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

Also present were Assistant City Manager Sherman and City Attorney Shaver.

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

3. PLEDGE OF ALLEGIANCE

4. SPECIAL BUSINESS

- A.** Proclamation designating October 2019 as Disability Awareness Month.
Mayor Copeland presented Mark Gash, Chairman of the Persons with Disabilities Advisory Board, with the Disability Awareness Month proclamation.
- B.** Proclamation designating October 6-12, 2019 as Fire Prevention Week.
Mayor Copeland presented Dennis Pine, Community Enhancement Supervisor, with the Fire Prevention Week Proclamation.

5. CONSENT AGENDA

Motion by Randall, seconded by Bacon to approve the consent agenda. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

- A.** Consideration of approval of the City Council meeting minutes of September 17, 2019.
Approved
- B.** Consideration of a drinking establishment renewal application for RCBC LLC, d/b/a Red Crow Brewing Company, located at 1062 W. Santa Fe Street.
Approved
- C.** Request for the acceptance of the dedication of land for public

easements for a final plat for Mahaffie Business Park VI (FP19-0013) containing one (1) industrial lot on 3.32± acres; located at 15571 S. Mahaffie Street. Planning Commission approved this plat 5-0.

Approved

- D.** Request for the acceptance of the dedication of land for public easements and right-of-way for a final plat for Center of Grace Church (FP19-0017) containing one lot on 6.77± acres; located at 520 S Harrison Street. Planning Commission recommends approval 5 to 0.

Approved

- E.** Consideration of Consent Calendar.

Approved

- F.** Consideration of a Construction and Maintenance Agreement with BNSF Railway Company to acquire easements for the Church Street Improvements Project, PN 3-R-001-19.

Approved

- G.** Consideration of Engineer's Estimate and award of contract to Pyramid Contractors, Inc. for construction of the Mahaffie Circle Improvements Project, PN 3-C-107-17.

Approved

- H.** Consideration of renewal of contract for the purchase of In-Car Video Systems / Body Cameras Systems for the Police Department.

Approved

- I.** Consideration of renewal of contract to Stanion Wholesale Electric for the purchase of LED lighting for the Traffic Division of Public Works.

Approved

- J.** Consideration of renewal of contract to GSC Lighting and Supply for the purchase of streetlight poles and bases for Traffic Division of Public Works.

Approved

- K.** Consideration of renewal of contract to Jerry Ingram Fire & Rescue for Bunker Gear for the Fire Department.

Approved

6. NEW BUSINESS-PUBLIC WORKS

- A.** Consideration of Ordinance No. 19-57, RZ19-0012, requesting approval for a rezoning from R-1, RP-1, RP-4, and CTY A Districts to the R-1 (Residential Single Family) District and a preliminary plat for Prairie Canyon on 73.19± acres; located in the vicinity of the southwest corner of College Boulevard and K-7 Highway. Planning Commission recommends approval 6-0.

Zach Moore, Planner II, gave a presentation. Councilmembers asked questions regarding other development in the area, noise coming from K-7 highway, plans for future collector streets and connections to the adjacent neighborhood. Mr. Moore and Chet Belcher, Transportation Manager, answered the councilmember's questions. The applicant, Frank Dean, gave a short overview of the plans for this development and likened it to other similar developments in the City.

Motion by Randall, seconded by Bacon to approve Ordinance No.19-57. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

- B.** Consideration of Ordinance No. 19-58, RZ19-0014, requesting approval for a rezoning from R-1, RP-4, and CTY A Districts to the R-2 (Residential Two-Family) District and preliminary site development plan for Prairie Canyon on 18.20± acres; located in the vicinity of the southwest corner of College Boulevard and K-7 Highway. Planning Commission recommends approval 6-0.

Motion by Randall, seconded by Bacon to approve Ordinance 19-58. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

7. NEW BUSINESS-ADMINISTRATION

- A.** Consideration of designation of voting delegates at the League of Kansas, Municipalities Annual Business and Policy Session in Overland Park, Kansas on Monday, October 14, 2019.

Motion by Randall, seconded by Bacon to approve the designation of Karin Brownlee as the voting delegate at the League of Kansas Municipalities Annual business session. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

- B.** Consideration of Ordinance 19-59 amending Title 8 of the Olathe Municipal Code pertaining to Animals.

Motion by Randall, seconded by Bacon to approve Ordinance No.19-59. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

- C.** Consideration of Ordinance 19-60 amending Title 9 of the Olathe Municipal Code (the Olathe Public Offense Code).

Motion by Randall, seconded by Bacon to approve Ordinance No. 19-60. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

- D.** Consideration of Ordinance 19-61 amending Title 10 of the Olathe Municipal Code pertaining to Vehicles and Traffic.

Motion by Randall, seconded by Bacon to approve Ordinance No. 19-61. The motion carried by the following vote:

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

Absent: Campbell, and Vogt

8. NEW CITY COUNCIL BUSINESS

Councilmember McCoy highlighted some exciting things happening throughout the City. He recognized and thanked City departments for their collaboration efforts to make these projects a success.

Councilmember Randall shared his appreciation and gratitude for the Fire and Police Departments. He pointed out the Olathe Fire Department has a Class 1 ISO rating and Olathe is classified as the safest city in Kansas of cities over 60,000, when it comes to crime rates and police activity.

Councilmember Brownlee mentioned a comment she had heard that she did not believe to be factual regarding suicide and shared data she had found on the subject.

9. END OF TELEVISED SESSION

10. GENERAL ISSUES AND CONCERNS OF CITIZENS

Mayor Copeland announced that due to the increased number of citizens interested in speaking at council meeting and the 30 minute time limit, a maximum of 30 speakers would be allowed.

Mike Bickley, 13700 W. 151st Street, spoke in opposition to the non-discrimination ordinance.

Misty Welter, 764 N. Diane Drive, spoke in support of the non-discrimination ordinance.

Carissa Stanton, 2111 E. Kansas Road, spoke in support of the non-discrimination ordinance.

Todd Fraise, 15419 S. Summertree Lane, spoke in support of the non-discrimination ordinance.

Kate Guimbellot, 11236 S. Race Street, spoke in support of the non-discrimination ordinance.

Jane Hosey Stern, 233 S. Cherry, spoke in support of the non-discrimination ordinance.

Robynn Andracsek, 11526 S. Roundtree Street, spoke in support of the non-discrimination ordinance.

Nikki McDonald, 14506 S. Darnell Street, spoke in support of the non-discrimination ordinance.

Deborah Winchel, 2384 W. Elizabeth Street, spoke in support of the non-discrimination ordinance.

Kelli Oliver George, 14617 S. Kaw Drive, spoke in support of the non-discrimination ordinance.

John McDonald, 14506 S. Darnell Street, spoke in support of the non-discrimination ordinance.

Victoria Campbell-Osborne, 14081 College Blvd., spoke in support of the non-discrimination ordinance.

Shabina Kavimandan, 14810 W. 140th Terrace, spoke in support of the non-discrimination ordinance.

Allison Hougland, 885 N. Somerset Terrace, spoke in support of the

non-discrimination ordinance.

Cate Eighmey, 2311 W. Trail Drive, spoke in support of the non-discrimination ordinance.

Amy Voelker, 16411 W. 165th Terrace, spoke in support of the non-discrimination ordinance.

Jessica Twin, 16012 W. 136th Street, spoke in support of the non-discrimination ordinance.

Claire Reagan, 17673 W. 156th Street, spoke in support of the non-discrimination ordinance and encouraged civic involvement outside this issue.

Margeaux Seymour, 23600 College Blvd., spoke in support of the non-discrimination ordinance.

Kristin Brumm, 1909 W. Oak Street, spoke in support of the non-discrimination ordinance.

Julie Brundies, 11236 S. Race Street, spoke in support of the non-discrimination ordinance.

Jamie Kessler, 14301 S. Blackfoot Drive, spoke in support of the non-discrimination ordinance.

Elisa Bienz, 845 N. Somerset Terrace #106, spoke in support of the non-discrimination ordinance.

Susan Melsa, 11688 S. Marion Street, spoke in support of the non-discrimination ordinance.

Jen Roser, 2298 W. Cothrell Street, spoke in support of the non-discrimination ordinance.

Amy Diediker, 12528 S. Gleason Road, spoke in support of the non-discrimination ordinance.

Jamie Austin, 24608 W. 126th Street, spoke in support of the non-discrimination ordinance.

Jeri Graham, 12825 S. Gallery Street, spoke in support of the non-discrimination ordinance.

11. CONVENE FOR PLANNING SESSION

Reports are 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 proposed amendments to O.M.C. Chapter 2.34 concerning the Olathe Community Foundation.
The report was accepted.
2. Report on proposed amendments to Chapter 5.36 of the Olathe Municipal Code concerning massage therapy.
The report was accepted.
3. Report on Ordinance 19-XX changing S Mahaffie Circle, lying adjacent to Lots 2, 3B, 3C, 4, 5 and 6, within Gateway Business Park and S Church Street, lying adjacent to lots 3, 6, and 6A, within Cedar Pointe, to S Mahaffie Street.
The report was accepted.

B. DISCUSSION ITEMS

1. Discussion regarding proposed amendments to Chapter 18.15 of the Unified Development Ordinance (UDO19-0001) pertaining to Building Design and Site Design Standards. Planning Commission recommends approval 7-0.
Zach Moore, Planner II, began the presentation with a short overview of what the proposed changes would entail and Christopher Shires, with Confluence, continued the presentation, outlining the changes in more detail.

Councilmember McCoy asked about various types of glass that was mentioned in the presentation. He also asked how

these changes would compare to surrounding cities.

Mr. Moore said these updates are in line with neighboring cities.

Councilmember Brownlee asked why there was a change in classifications and Mr. Moore explained this was a way to give more weight to the higher designs.

2. Discussion regarding proposed amendments to Chapters 18.20, 18.30, 18.50, and 18.60 of the Unified Development Ordinance (UDO19-0002). Planning Commission recommends approval 7-0.

12. ADDITIONAL ITEMS

Councilmember McCoy talked about the upcoming Indian Creek Library celebration and ribbon cutting. He said he has heard from many who are looking forward to the opening.

Mayor Copeland thanked Mr. McCoy for his prior service on the Library Board and his continued love and support of the Library.

Councilmember Bacon asked for clarification on the recent modifications to the the General Issues and Concerns portion of a council meeting. He asked if we were complying with policy.

City Attorney, Ron Shaver, said the modifications were within policy and it gives the Mayor the discretion to adjust as needed. He also said he was open to researching other ideas and would provide feedback.

Councilmember Bacon asked how people who might have a different topic other than the current issue being discussed is being handled. Mr. Shaver said that the policy does not specifically address different issues, however since the policy provides the Mayor with some discretion, there have been ways to flag those speakers.

13. ADJOURNMENT

The meeting adjourned at 9:06 p.m.

Brenda D. Long
Assistant City Clerk