



**COUNCIL AUDIT COMMITTEE MET WITH EXTERNAL AUDITORS -5:30
P.M. - 6:00 P.M.**

1. CALL TO ORDER

Present: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt,
and Copeland

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

2. EXECUTIVE SESSION

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 evaluation of the Municipal Judge.

Motion by Campbell, seconded by Vogt, to recess into an 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 evaluation of the Municipal Judge for 55 minutes. The motion carried with the following vote:

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt,
and Copeland

3. RECONVENE FROM EXECUTIVE SESSION

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

5. PLEDGE OF ALLEGIANCE

6. SPECIAL BUSINESS

- A.** Coronavirus update by Fire Captain Marvin Butler.
Olathe City Council COVID-19 Update 6/2/2020

Presentation was given by Marvin Butler, Captain, Emergency Management and Homeland Security, Fire Department.

I will be conducting today's COVID-19 update. Since Chief DeGraffenreid last provided you with an update, the state of Kansas moved into Governor Kelly's "modified Phase 2" of her Ad Astra Recovery Plan on May 22nd. She moved out of the plan on May 26th. Over the next few minutes, I will provide a recap of the events leading to the end of Governor Kelly's Ad Astra Recovery Plan and shifting powers to the counties.

On **May 20th**, Governor Kelly announced as a part of her commitment to rebuilding Kansas and the economy, "The Strengthening People and Revitalizing Kansas" (SPARK) task force to lead the state's economic recovery. The task force is charged with leading Kansas forward in recovery from the effects of COVID-19.

On **May 22**, the Kansas House approved a motion that the session continue past the midnight deadline. The resulting action cut Kansas' Governor Laura Kelly's executive powers dealing with emergencies. This is part of one of twelve bills that the Senate GOP leadership put forward for the end of the legislative session. While the proposed bill would extend the governor's current emergency declaration beyond its current May 26 declaration date, the proposed language that was presented Thursday said that no new declarations could be issued without a review and approval from legislators.

All businesses/activities allowed in Phase 1 and 1.5 may continue to operate with outlined social distancing, mass gathering, and public health restrictions outlined in Executive Order 20-34.

On Tuesday **May 26th** Governor Kelly vetoed House Bill 2054 and announced a series of actions her administration has taken to respond to the emergency situation COVID-19 currently presents to the economy and to public safety.

Governor Kelly signed a new state disaster declaration to ensure that Kansas can effectively respond to the current emergency, this includes an unprecedented economic emergency accountability and the imminent threat of new outbreaks of COVID-19. This will also ensure the state can continue its coordinated response with federal and state partners.

Governor Kelly announced that she will be issuing a 3rd proclamation. Under the new proclamation, the Ad Astra Plan is now merely guidance. All restrictions and mitigation efforts for COVID-19 will rest with the counties. The County had until midnight to issue orders. If the County chose to do nothing, as of midnight, there are no rules governing mass gatherings, business, etc.

The new state disaster declaration addressing the current emergency enables Kansas to provide services through the Kansas Division of Emergency Management, the Kansas Department of Health and Environment, the Kansas National Guard, and the federal government. Under the new disaster declaration, the operative provisions of several Executive Orders will be reissued.

On the evening of **May 26th** Johnson County Govt. issued a press release stating it will not impose additional limits, based on current conditions. Johnson County Local Health Officer Dr. Joseph LeMaster and Johnson County Department of Health and Environment director Dr. Sanmi Areola both **strongly recommend** that Johnson County residents and businesses continue to adhere to the phases and guidance in the state's Ad Astra plan.

On **Thursday May 28th** the Johnson County Board of Commissioners took action to renew the County's local disaster plan which is required to continue to receive State and Federal assistance.

The Johnson County Board of County Commissioner approved the creation of a Johnson County guidance plan effective May 29th and lasting through June 11th which is reflective of the guidance in phase 3 of the state's Ad Astra Recovery Plan. Board of County Commissioners also voted to support a message from Johnson County Local Health Director Dr. Joseph LeMaster and Johnson County Department of Health and Environment Director Dr. Sanmi Areola **strongly recommending** that Johnson County residents and businesses continue to adhere to the Ad Astra plan.

On **Friday May 29th** Olathe Public Works Streets, Police Department and Fire Department supported the First Open COVID Testing Venue in Johnson County by the Johnson County Department of Health.

At this time, I will provide you with the most recent Johnson County COVID-19 statistics as of June 2nd.

Positives - 857 Negatives - 19,425 Test Rate (Per 1000) - 33.7
Individuals Tested - 20,282 Positive % - 4.2% Presumed
Recovered - 513 Deaths - 66

Locally we have three long term health care facilities with COVID 19 Clusters

Facility 1 - 45 cases with one death
Facility 2 - 15 cases with 0 deaths
Facility 3 - 5 cases with 0 deaths

This is the end of my COVID 19 update.

- B.** Consideration of Resolution No. 20-1038 appointing and reappointing members to the Persons with Disabilities Advisory Board.
Mayor Copeland thanked Katie Cecil, Jennifer Kucinski and Chris Osborn for their willingness to serve the community. Mark Gash,

Persons with Disabilities Advisory Board Chair, shared about the activities of the board and upcoming events. Mr. Gash and the appointees participated in the council meeting virtually.

Motion by Bacon, seconded by Vogt, to approve Resolution No. 20-1038. The motion carried by the following vote:

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt, and Copeland

7. CONSENT AGENDA

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

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt, and Copeland

- A.** Consideration of approval of the City Council meeting minutes of May 19, 2020.
Approved
- B.** Consideration of a cereal malt beverage license application for APNA Food & Fuel, located at 13705 College Blvd., for calendar year 2020.
Approved
- C.** Consideration of Consent Calendar.
Approved
- D.** Consideration of Change Order No. 3 to the contract with Beemer Construction Co., Inc. for construction of the Old 56 Highway Watermain Improvements Project, PN 5-C-016-18.
Approved
- E.** Consideration of Architect's Estimate, acceptance of bids, and award of contract to Harmon Construction, Inc. for construction of the Municipal Court Security Enhancements Project, PN 7-C-001-19.
Approved
- F.** Consideration of Resolution No. 20-1039 authorizing the public sale of General Obligation Temporary Notes, Series 2020-A; and General Obligation Improvement and Refunding Bonds, Series 233.
Approved
- G.** Consideration of renewal of contract to Phoenix Concrete & Underground, LLC for Concrete Services.
Approved
- H.** Consideration of renewal of contract to Ingram Content Group for library materials for the Olathe libraries.
Approved

- I. Consideration of Emergency Order for personal protection equipment from Fully Promoted dba EmbroidMe.

Approved

8. NEW BUSINESS-PUBLIC WORKS

- A. Consideration of Resolution No. 20-1040 authorizing a survey and description of land or interest to be condemned for the I-35 & 119th Street Interchange Improvements Project, PN 3-C-026-16.

Motion by Bacon, seconded by Vogt, to approve Resolution No. 20-1040. The motion carried with the following vote:

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt, and Copeland

- B. Consideration of Ordinance No. 20-19 approving an engineer's survey and authorizing the acquisition of land for the I-35 & 119th Street Interchange Improvements Project, PN 3-C-026-16.

Motion by Bacon, seconded by Vogt, to approve Ordinance No. 20-19. The motion carried with the following vote:

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt, and Copeland

9. NEW BUSINESS-ADMINISTRATION

- A. Consideration of Ordinance No. 20-20 amending Section Four of Ordinance No. 19-83 pertaining to the legal description of land required to construct the Brougham Drive Regional Detention Basin Project, PN 2-C-002-16.

Chet Belcher, Transportation Manager, gave a short presentation.

Councilmember McCoy asked what this area would be used for in the future and Mr. Belcher said it would be used for a trail.

Motion by Bacon, seconded by Vogt, to approve Ordinance No. 20-20. The motion carried with the following vote:

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt, and Copeland

- B. Consideration of Ordinance No. 20-21 levying special assessments to pay costs of improvements to Lone Elm Commerce Sanitary Sewer PN 1-B-014-18.

Motion by Bacon, seconded by Vogt, to approve Ordinance No. 20-21. The motion carried by the following vote:

Yes: Brownlee, Campbell, Mickelson, McCoy, Bacon, Vogt, and Copeland

10. NEW CITY COUNCIL BUSINESS

Councilmember McCoy said he was grateful that Olathe has a great relationship with the surrounding communities and mentioned that city staff had worked with other agencies to provide support in the past few days.

11. END OF TELEVISED SESSION**12. 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. A report on the annual mowing of weeds and removal of debris for levy assessments.
Report accepted.
2. Report from the Street Maintenance Sales Tax (SMST) Finance Oversight Committee on the 2019 activities.
Report accepted.

B. DISCUSSION ITEMS

1. Presentation and discussion on the 2021-2025 Capital Improvements Plan.
Dianna Wright, Resource Management Director, presented an overview of the 2021-2025 Capitol Improvements Plan.

Councilmembers and Staff engaged in discussions regarding several projects including the Transfer Station, 119th Street and Woodland, Raising the Rails, and the Quiet Zone.

13. ADDITIONAL ITEMS

Mayor Copeland said the Executive Session with Judge McElheiny went well and the Council is very pleased with her work and glad she is on the team.

Councilmember Campbell said he had attended the first SPARK meeting in Topeka and indicated motions were made that could provide funding to cities.

Councilmember Vogt said she would like staff to check on the number of banners and signs that had popped up in recent days. City Manager, Michael

Wilkes, said he would have staff look into it. Ms. Vogt indicated she wanted business to be able to make the public aware they were open, but not with as many signs.

Councilmember Bacon expressed concern regarding the construction on Santa Fe and the traffic issues it was causing. Deputy Public Works Director, Beth Wright, said they were aware of the concerns and were evaluating various options to address the issues.

Mr. Bacon said he had noticed an odor coming from the composting facility. Public Works Director, Mary Jaeger, said that it is not unusual this time of year.

Mr. Bacon asked about the railroad crossing at Santa Fe and said it needed maintenance again. Ms. Jaeger said they would again ask BNSF if they would allow grinding at that crossing, however, they had not allowed it in the past.

Mr. Bacon said he would like to see a reduced or free day at Lake Olathe Beach. Parks and Recreation Director, Michael Meadors, said staff had discussed the possibility of a 2 for 1 on non-peak days.

Councilmember McCoy said he also had heard some concerns expressed regarding the work being done on Santa Fe and how it is causing difficulties for businesses that were trying to get re-opened after being shut down for COVID. Ms. Wright explained the scope of the project and said she would be happy to have citizen calls forwarded to her to help find solutions.

Councilmember Brownlee commented regarding the COVID funding the County had received and would like to see the City continue to push for distribution of funding.

Councilmember Bacon said most of the traffic on Santa Fe is a result of people trying to get to the businesses. He suggested allowing some limited left turns. He also asked that manholes be flush with the pavement if they were in a drive lane. Ms. Wright said they would look into both of those concerns.

14. ADJOURNMENT

The meeting was adjourned at 9:09 p.m.

Brenda D. Long
City Clerk