



1. CALL TO ORDER

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

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 under the Kansas Open Meetings Law to discuss the following items:

- A.** 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 Internal Auditor position. (City Council)
Motion by Bacon, seconded by Campbell, 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 Internal Auditor position. The motion carried by the following vote:
Yes: Bacon, Campbell, McCoy, and Copeland
Absent: Brownlee, Randall, and Vogt
- B.** Recess into an executive session for consultation with the City's attorneys which would be deemed privileged in the attorney-client relationship pursuant to the exception provided in K.S.A. 75-4319(2) pertaining to a funding agreement, and for preliminary discussions related to acquisition of property pursuant to the exception provided in K.S.A. 75-4319(b)(6) for a discussion of the acquisition of real property in south Olathe.
Motion by Bacon, seconded by Campbell, to recess into an executive session for consultation with the City's attorneys which would be deemed privileged in the attorney-client relationship pursuant to the exception provided in K.S.A. 75-4319(2) pertaining to a development agreement and a funding agreement, and for preliminary discussions related to acquisition of property pursuant to the exception provided in K.S.A. 75-4319(b)(6) for a discussion of the acquisition of real property in south Olathe. The motion carried by the following vote:

Yes: Bacon, Campbell, McCoy, and Copeland

Absent: Brownlee, Randall, and Vogt

The meeting will resume at 7:00 p.m.

Councilmember Brownlee and Vogt arrived at 6:33 p.m.

3. RECONVENE FROM EXECUTIVE SESSION

The meeting reconvened at 7:00 p.m.

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

Executive Session Item B - Motion by Bacon, seconded by Vogt to approve an arena design agreement with Mentum Olathe, LLC. Motion passed 5-1 with Councilmember Brownlee voting nay.

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

5. PLEDGE OF ALLEGIANCE

6. SPECIAL BUSINESS

A. Proclamation declaring February as Heart Month

Mayor Copeland read the proclamation and presented it to Olathe resident and heart attack survivor Rob Shipley.

Mayor Copeland invited Fire Chief Jeff DeGraffenreid to the podium to speak about the free mobile phone application known as PulsePoint. Chief DeGraffenreid stated the application notifies users of situations in which they might render assistance if CPR trained.

7. CONSENT AGENDA

Councilmember McCoy requested Item H be removed for separate consideration and vote.

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

- Yes:** Bacon, Brownlee, Campbell, McCoy, Vogt, and Copeland
- Absent:** Randall
- A.** Consideration of approval of the City Council meeting minutes of February 5, 2019.
Approved.
- B.** Consideration of a pawnbroker/precious metal dealer license application for Olathe Trading Post & Pawn, located at 2049 E. Santa Fe.
Approved.
- C.** Consideration of renewal of contracts to United Office Products and Office Depot for office supplies.
Approved.
- D.** Consideration of authorization for Mayor Copeland to attend the 87th Annual Meeting of the U.S. Conference of Mayors June 28 - July 1, 2019.
Approved.
- E.** Consideration of an agreement between the City of Olathe and Johnson County Park and Recreation District accepting funds for the assistance to Cedar Creek Trail.
Approved.
- F.** Consideration of Resolution No. 19-1019, SU18-0008, request approval for a special use permit to allow for more than four (4) animals on a residential lot less than three (3) acres; located at 813 E. Wabash Street. Planning Commission recommends approval 5-1.
Approved.
- G.** Consideration of Consent Calendar.
Approved.
- H.** Consideration of a Professional Services Agreement with Black & Veatch Corporation for design of the replacement standby generators for the Harold Street Wastewater Treatment Plant and the Renner Pump Station. Continued from the February 5, 2019 Council Meeting. Councilmember McCoy asked in the future if staff would consider looking at using solar panels as a back-up power source.

Public Works Deputy Director, Alan Shorthouse stated while not a preferred method for this use staff can look into solar power and costs related as a supplemental source.

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

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

Absent: Randall

- I. Consideration of Engineer's Estimate, acceptance of bids and award of contract to Phoenix Concrete & Underground, LLC for construction of the Downtown Bollards Project, PN 7-C-009-18.
Approved.
- J. Acceptance of bids and consideration of award of contracts to BA Designs, Built Interior Construction, Commercial Concepts and Furnishings, Concepts for Business LLC, Encompas Corporation, Freedom Interior Solutions LLC, Interior Landscapes, John Marshall Company, Modern Business Interiors, Payless Office Products, Scott Rice Office Works, Spaces Inc, Staples Advantage, Team office, and United Office Products Inc for the purchase of office furniture city wide.
Approved.
- K. Consideration of renewal of contract with Burtin & Associates, Inc. for Janitorial Services.
Approved.
- L. Acceptance of bid and consideration of award of contract to MTS Contracting, Inc. for the purchase of Masonry & Concrete Pavement Maintenance for Facilities Maintenance.
Approved.
- M. Acceptance of bid and consideration of award of contract to Murphy Tractor and Equipment Company for the replacement of an existing 1999 Case 580SL with a John Deere 60G Excavator and trailer, for the Field Operations Division of Public Works.
Approved.
- N. Acceptance of renewal of contract to Johnson County Landfill (Waste Management) for the disposal of bio-solids from the City's wastewater treatment facilities.
Approved.

8. NEW BUSINESS-PUBLIC WORKS

- A. Consideration of Ordinance No. 19-06 approving an engineer's survey and authorizing the acquisition of land for the Woodland Road, K-10 to College Boulevard Improvements Project, PN 3-C-041-18 .
Action needed: Consider a motion to approve or deny.
Mayor Copeland stated he would be abstaining from voting on this

item as the project abuts his neighborhood.

Motion by Bacon, seconded by Vogt, to approve ordinance no. 19-06.
The motion carried by the following vote:

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

Absent: Randall

Abstain: Copeland

9. NEW CITY COUNCIL BUSINESS

Councilmember McCoy stated the City has great public servants that go beyond the call of duty and wanted to thank them along with our first responders.

Councilmember Vogt agreed with Mr. McCoy concerning our employees and was appreciative of our snow removal crews who are working this evening to clear our streets and keep us safe.

Councilmember Campbell stated that he would be leaving the meeting early as he needs to get back to Topeka before the blizzard sets in.

Councilmember Brownlee thanked our snow crews for the work they do and is very appreciative of them.

10. END OF TELEVISED SESSION

11. GENERAL ISSUES AND CONCERNS OF CITIZENS

Sherada Collins, 14950 W. 123rd Circle, Olathe, spoke against a non-discrimination ordinance.

Wendy Budetti, 17446 W. 161st Street, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Brett Hoedl, 17446 W. 161st Street, Olathe, spoke in support of the LGBTQ comprehensive non-discrimination ordinance.

Robynn Andracsek, 11526 S. Roundtree Street, Olathe, spoke in support of Project 1020 concerning a homeless shelter and LGBTQ non-discrimination ordinance.

Cassandra Peters, 1105 N. Walker Lane, Olathe, spoke in support of the

LGBTQ non-discrimination ordinance.

Jacob Swisher, 1308 E. 152nd Street, Olathe, spoke against a non-discrimination ordinance.

Joann Barber, 129 S. Emma Street, Olathe, spoke against a non-discrimination ordinance.

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

Councilmember Campbell left the meeting at 7:53 p.m.

Paul Gorelick, 8040 Pawnee Street, Prairie Village, spoke in support of the LGBTQ non-discrimination ordinance.

Joe Suber, 1936 E. Jamestown Drive, Olathe, spoke against a non-discrimination ordinance.

Beth French, 1129 E. Prairie Street, Olathe, spoke against a non-discrimination ordinance.

Steve French, 1129 E. Prairie Street, Olathe, spoke against a non-discrimination ordinance.

Chris Haulmark, 600 S. Harrison Street, Apartment 11, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Scott Harvey, 1107 E. Elizabeth Street, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Mary Wirtz, 2114 E. Mohawk Court, Olathe, spoke against a non-discrimination ordinance.

Grant Owens, 13083 S. Summit Street, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

William Readman, 572 E. Park Street, Olathe, spoke against a

non-discrimination ordinance.

Mike Bickley, 13805 Parkhill Street, Overland Park, spoke against a non-discrimination ordinance.

Angie Powers, 1721 W. Spruce Street, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Shelby Lewis, 13421 Woodson Street, Overland Park, spoke in support of the LGBTQ non-discrimination ordinance.

David Barber, 129 S. Emma Street, Olathe, spoke against a non-discrimination ordinance.

Angelica Wilcox, 12145 S. Black Bob Road, Apartment 102, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Evan Lovelace, 12475 S. Ortega Drive, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Matthew Calcara, 14362 W. 118th Street, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Jorge Santana, 14429 W. 139th Terrace, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Carolyn Dove, 610 N. Persimmon Drive, Olathe, spoke in support of the LGBTQ non-discrimination ordinance.

Mayor Copeland asked City Attorney Shaver for an update on this item.

City Attorney Shaver stated the Olathe Human Relations Commission came to Council earlier this year. Mr. Shaver stated staff has been researching this diligently and actively engaged. Mr. Shaver further stated staff is taking this seriously and has been diligent and mindful. Mr. Shaver stated they plan to discuss this with the Governing Body in the future.

12. CONVENE FOR PLANNING SESSION

A. REPORTS

1. Report on Ordinance No. 19-XX concerning amendments to Olathe Liquor Ordinances, O.M.C. Title 7.
The report was accepted and no presentation was given.

B. DISCUSSION ITEMS

1. Presentation by ETC Institute on the results of the 2018 DirectionFinder Survey.
Performance Analyst, Ed Foley, introduced this item and played a video presentation from Chris Tatham, CEO of ETC Institute.

Councilmembers asked questions regarding street maintenance, transportation, traffic and street projects which Public Works Director, Mary Jaeger addressed.

2. Discussion of the 2019 Downtown Outdoor Sculpture Exhibit.
Parks and Recreation Program Analyst, Renee Rush, completed a presentation.
3. Discussion of Federal Legislative Agenda.
Communications and Customer Service Director, Tim Danneberg, completed a presentation.
4. Communications and Customer Service Activities and Initiatives.
Communications and Customer Service Director, Tim Danneberg, completed a presentation.

13. ADDITIONAL ITEMS

None

14. ADJOURNMENT

The meeting adjourned at 10:11 p.m.

David F. Bryant III, MMC
Deputy City Clerk