



---

In an effort to follow social distancing guidelines during the COVID-19 pandemic, this meeting of the City of Olathe City Council was conducted as a virtual meeting. Members of the public were encouraged to watch the meeting live online at [OlatheKS.org/OGN](http://OlatheKS.org/OGN), or at their own convenience once the meeting video was archived.

A Zoom link was provided to allow citizen participation in the Public Hearings.

**1. CALL TO ORDER**

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

**A. Roll Call**

The City Clerk called roll and all members of the City Council were present via a virtual meeting.

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

**B. Meeting Remarks**

Mayor Copeland said in an effort to follow social distancing guidelines during the COVID-19 pandemic, the City of Olathe City Council is conducting this meeting remotely. The public is free to submit written comments via email to [CCO@OlatheKS.org](mailto:CCO@OlatheKS.org) regarding any item on this or future agendas. Those comments will be shared with the City Council.

The City Council strongly believes the public's presence at City Council meetings is critical to good government. We look forward to resuming our normal in-person meeting format as soon as possible.

**2. PLEDGE OF ALLEGIANCE**

**3. SPECIAL BUSINESS**

- A. Update on Coronavirus by Fire Chief DeGraffenreid.  
Remarks by Fire Chief, Jeff DeGraffenreid:

Mayor and Councilmembers,

The COVID-19 pandemic has presented obstacles to everyone around the world, and those of us who daily serve this community in the fire department are no exception. The Olathe Fire Department faces an evolving array of challenges unlike any we have seen before. I want you to know that firefighters and police officers are standing shoulder to shoulder on behalf of the community we serve, and we will get through this challenge as we have every other.

I want to express my deep appreciation for the firefighters and command staff of the Olathe Fire Department who bravely place themselves in harms way every day - and who now face even greater risks to their health and their families health and safety because of COVID-19. I also want to extend my sincere condolences, on behalf of the entire fire department, for the loss of life in so many fire departments across the nation and even right here in Kansas City. Tomorrow we will honor Kansas City Fire Department member Billy Birmingham who died in the line of duty from COVID-19. When we lose a member of our fire department family, its not just our loss. Communities lose a protector. Young people lose a role model and mentor. And families lose someone who meant the world to them. We know we'll lose others in the months to come, and we'll brace ourselves for that as best we can.

Like you, I am worried about our workforce. In the fire department alone we are responding daily to an average of 6 emergency calls where the caller meets the COVID-19 criteria when talking to 911 dispatchers. We are doing our

best as a command staff to find and distribute the masks, gowns, gloves and other resources to protect our workforce and help limit the spread of the virus within our community. We're finding new and creative ways to keep charging forward, staying focused on our most critical functions to protect people, property and businesses in Olathe and ensure we have continuity of operations. As with any crisis, the people we serve count on us to answer the call at a moment's notice.

Today, it was reported by the Kansas Department of Health and Environment that there are 2,025 cases with 107 deaths from COVID-19 in Kansas. In Johnson County there are 382 positive cases, 24 probable cases and 35 deaths. Of the 382 cases in Johnson County, over 120 live in our community. Overall, there are 54 hospitalized COVID-19 positive patients and 55 who are hospitalized under investigation and likely positive in the County. Nearly 12% of patients in Johnson County are requiring hospitalization with ICU care. Hospitals are reporting 87% of hospital beds are currently occupied leaving 13% available. The ICU bed utilization is currently at 49%. On a more positive note - one of the most common COVID-19 projection models shows Kansas 2 days past projected peak in daily deaths. While difficult - limiting large gatherings, staying home and social distancing appears to be positively impacting the situation.

None of us knows yet what the lasting effects of this pandemic will be. We are learning a lot about ourselves and even more about others during this time. We are crafting our legacy, earning our reputation, and honoring public trust every day. As always - the police department, public works department, parks and recreation staff, other city employees and certainly the fire department will continue to play a vital role in keeping Olatheans safe from harm.

#### 4. PUBLIC HEARINGS

- A.** Consideration of a public hearing to identify needs for the 2021 Community Development Block Grant (CDBG) funding.  
Mayor Copeland opened the public hearing and invited comments.

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

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

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

- B.** Consideration of a Public Hearing on a request by Lineage Logistics, LLC for issuance of industrial revenue bonds and tax phase in for the development of a 400,000 sq. ft. warehouse facility to be located at Lone Elm Commerce Center northwest of W. 167th St. and Lone Elm Rd.  
Mayor Copeland opened the public hearing and invited comments.

Mayor Copeland invited Tim McKee, CEO of the Olathe Chamber of Commerce, to share a brief overview of the project.

Councilmember McCoy asked about the size of the facility and Councilmember Mickelson asked for clarification on the new jobs this facility would bring to Olathe.

Mr. McKee answered their questions.

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

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

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

- C.** Consideration of Resolution No. 20-1029 on a request by Lineage Logistics, LLC for issuance of industrial revenue bonds and tax phase in for the development of a 400,000 sq. ft. warehouse facility to be located at Lone Elm Commerce Center northwest of W. 167th St. and Lone Elm Rd.

Motion by Bacon, seconded by Vogt, to approve Resolution No. 20-1029. The motion carried by the following vote:

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

## **5. CONSENT AGENDA**

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

- A.** Consideration of approval of the City Council meeting minutes of April 7, 2020.  
Approved
- B.** Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat for Stonebridge Pointe (FP19-0024) containing 36 residential lots and four (4) common tracts on 13.16± acres; located along the east side of Lindenwood Drive at W. 165th Street. Planning Commission approved this plat 7-0.  
Approved
- C.** Consideration of Consent Calendar.  
Approved
- E.** Consideration of an Agreement with Johnson County for construction of the Lone Elm Road, Old 56 Hwy to 151st, Improvements Project, PN 3-C-084-17.  
Approved
- D.** Consideration of an Agreement with Johnson County for construction of the 127th Street Arterial Mill and Overlay Project, PN 3-P-002-20.  
Approved
- F.** Consideration of an Inter-Local Agreement with the City of Overland Park for Mill & Overlay Improvements on College Boulevard at Quivira Road, PN 3-P-000-20.  
Approved
- G.** Consideration of an Inter-Local Agreement with the City of Overland Park, Kansas for funding the 135th Street and Pflumm Road Geometric Improvements Project, PN 3-C-110-20.  
Approved
- H.** Consideration of renewal of contracts with Johnson County Aggregates and APAC-Kansas for rock products for the Public Works and Parks and Recreation Departments.  
Approved
- I.** Acceptance of proposal and consideration of award of contract with Health Partnership Clinic in support of Mobile Integrated Health

Program for the Olathe Fire Department.

Approved

- J.** Consideration of renewal of contract with Dell Marketing L.P. for computer equipment.

Approved

- K.** Consideration of renewal of contract with Marathon Health, Inc. for the management of the Olathe Wellbeing Center.

Approved

## **6. CONVENE FOR PLANNING SESSION**

### **A. REPORTS**

- 1.** Quarterly Procurement Report  
Report accepted.
- 2.** Report of 2019 outcomes including the Budget Strategy Alternatives Impact of Investments, Annual Performance Report, 4th Quarter General Fund Fiscal Report and the Economic Development Incentives Activity Report.  
Report accepted.
- 3.** Report on Ordinance No. 20-XX granting a contract franchise to Kansas Fiber Network, LLC to construct, operate, and maintain a fiber communications network in the City of Olathe and a Master License Agreement for Attachments to City Facilities.  
Councilmember McCoy asked what this company will provide that others do not.

City Attorney, Ron Shaver, said they provide a fiber backbone for other providers.

Councilmember Brownlee wanted to take the opportunity to share she believes that small cell technology is safe and a tremendous advantage to moving information very quickly and it would be a benefit to our community.

### **B. DISCUSSION ITEMS**

- 1.** Discussion on the construction phasing of the I-35 & 119th Street Interchange Reconfiguration Project, PN 3-C-026-16. (20 minutes)  
Public Works Deputy Director, Beth Wright, and HNTB Project Manager, Ben Will, gave a presentation about the project.

Councilmember McCoy asked if the survey had been conducted before or after the stay at home order. Ms. Wright said it was completed after the stay at home order had been implemented and they spoke with six of the largest tenants in the area.

Councilmember Campbell asked how the traffic that regularly used this bridge would affect other streets during the time it is shut down. Ms. Wright said that many of those cars would be going to different locations so there would be several other streets that would carry the traffic. She said the fastest and safest way to accomplish this project is alternative A.

Councilmember Campbell said he still had concerns with the increased traffic on other streets.

Mayor Copeland asked if there had been a survey conducted for the businesses that might be affected on Santa Fe due to the increased traffic. Ms. Wright said that was something they could do.

Councilmember Bacon said he had some of the same concerns and wondered if a temporary signal at KC Road would help. He also said he liked the idea of a shorter construction period but wanted to make sure people were made aware of being able to utilize college and 127th street during this time. Ms. Wright said the A plus B bidding would allow up to three months for construction but expected it to be less. Mr. Bacon asked if that meant 3 months of no access to the bridge and Ms. Wright said yes.

Councilmember Vogt said she was supportive of the shorter time frame and said there were multiple routes for traffic to get across town to help with congestion. She said she was ok with three months of pain and that it would be important to educate the public.

Councilmember Mickelson asked if it was a three month maximum and Ms. Wright said there would be a cap on it based on the timeline of other similar projects that have recently been completed.

Councilmember Campbell said that as he had listened to all the comments, he believed all his concerns had been addressed and he supported the project.

Mayor Copeland said he was interested in the "B" part of the A plus B bidding and asked how that is quantified.

HNTB Project Manager, Ben Will, said it is a scoring mechanism and it would be made available going into the bid process.

Mayor Copeland asked if A plus B bidding has been used in the area and Ms. Wright said they work well for bridge projects. Mr. Copeland asked if we had confidence in the process and Mr. Will said they have numbers of examples from across the country.

Councilmember Brownlee asked if this was the alternative bidding process that was approved in the most recent legislative session.

Public Works Director, Mary Jaeger, said that the KDOT legislation that was just passed with their transportation bill allows for alternative bidding if the local agency administers the contract.

2. Discussion of the Downtown Active Transportation Master Plan and Complete Streets Policy. (15 minutes)  
Transportation Manager, Chet Belcher, gave a brief presentation.

Councilmember McCoy said he appreciated the presentation and liked what he had seen.



Councilmember Vogt asked why there would be another report on the May 5th agenda and said she was comfortable moving forward with the report they had received. She said she believed there are more people walking and cycling and said this would be a benefit to many. She asked Mr. Belcher if anyone had talked to Old Settlers about how these changes might affect them.

Mr. Belcher said the new design would benefit Old Settlers because it would have more open, continuous pavement. He also told Ms. Vogt they would be ready to move forward with a vote on May 5th if that was the direction the Council wanted to go.

Councilmember Brownlee asked what they would be asked to approve.

Mr. Belcher said it would be the adoption of the plan and the complete streets guidelines.

Councilmember Bacon said he was fine with approving guidelines but was concerned with potential costs. He also asked if there had been conversations with the County about how the space where the old courthouse sits would impact future plans. Mr. Belcher said they had been working with the County.

Councilmember Bacon had questions regarding the elimination of turn lanes and Mr. Belcher said they would look into it and provide further information to the Council.

Councilmember Vogt said that just because a plan was approved didn't automatically mean all the projects would be completed.

Mr. Belcher said most would be tied to other projects such as streets, stormwater, etc.

Councilmember Mickelson said he was supportive and would go with either the 5th or the 19th.

## **7. ADDITIONAL ITEMS**

Mayor Copeland asked City Manager, Michael Wilkes, to provide a brief presentation about the City's finances related to COVID-19. Mr. Wilkes identified the expected revenue loss due to the pandemic and outlined the plans to compensate for the expected shortfall. (Entire presentation attached)

Councilmember Bacon asked for clarification on some of the numbers that had been presented and Mr. Wilkes provided that information.

Councilmember Campbell asked about federal funding for the County through the CARES Act and Mr. Wilkes said they have been and will continue to monitor the situation.

Councilmember Mickelson asked if a specific date for the stay at home order to be lifted had been used in developing the plan. Mr. Wilkes said that they were using the end of May with the expectation that everything would come back very slowly through the end of the year. Mr. Mickelson asked if any consideration had been given to eliminating one large project instead of furloughs and Mr. Wilkes said that was included as part of the transfers.

Councilmember Vogt asked again about the duration of disruption and Mr. Wilkes said that they expect disruption through the end of the year.

Councilmember Brownlee asked about furloughing building inspectors and how that could delay development and potential revenue. Mr. Wilkes said staff is working on a plan for development as a whole and will brief the Council when a plan is finalized.

Mayor Copeland said the Council would need to receive frequent information from the staff to stay updated and be able to pivot more quickly if needed.

Councilmember Bacon asked when face to face meetings would resume in the council chamber.

Mayor Copeland said that could be a possibility for the next meeting if the stay at home order was lifted.

City Manager, Michael Wilkes, said the Council could make that decision when they are ready, and staff is making changes on the dais to provide protection. They will also be removing some chairs to allow for adequate spacing for staff and citizens in attendance.

Councilmember Bacon asked about accommodating a council member who is unable to attend a meeting with an on-line option. Mr. Wilkes said that it has been done in the past and will continue to be an option as needed.

Councilmember Vogt thanked Mr. Wilkes and the staff for all their hard work. She asked for more information regarding what sectors of businesses are being most affected.

Mr. Wilkes said the top 10 sales tax generators are being tracked and will provide an update on a monthly basis.

Councilmember Campbell expressed his thanks for the professional staff.

Councilmember McCoy also shared his thanks and highlighted citizens who are coming together in our community to provide volunteer support behind the scenes. He specifically mentioned a group who has made hundreds of masks.

Councilmember Brownlee asked for historical information from staff regarding the funding for streets in the Cedar Creek development and asked about the options going forward. She thanked Chief DeGraffenreid for his report on the Coronavirus. She said she is concerned about how the numbers have been presented for comparison. She said Olathe has 79 cases, and that it is a small percentage of the whole population. She said she knows everyone is looking forward to moving toward a normal life and hopes Olathe can lead.

Councilmember Mickelson thanked staff for all their hard work making difficult decisions.

Councilmembers continued a short discussion regarding the end to the stay at home order, potential plans for opening up the economy and the impact it has

on the community.

**8. ADJOURNMENT**

Meeting Adjourned at 9:32 p.m.

Brenda D. Long

City Clerk