



1. CALL TO ORDER

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

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

3. PLEDGE OF ALLEGIANCE

4. SPECIAL BUSINESS

- A.** Proclamation recognizing January 18, 2021 as Dr. Martin Luther King Jr. Day.
Mayor Bacon presented the proclamation to Dr. Victoria Haynes, with MidAmerica Nazarene University. Dr. Haynes thanked the Mayor and the City for their support. Dr. Haynes also invited everyone to participate in the virtual Dr. Martin Luther King, Jr. Day celebration on Sunday, January 17th.

5. CONSENT AGENDA

Motion by Campbell, seconded by Vogt, to approve the Consent Agenda. The motion carried by the following vote:

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

- A.** Consideration of approval of the City Council meeting minutes of December 15, 2020.
Approved
- B.** Consideration of cereal malt beverage license applications for calendar year 2021.
Approved
- C.** Request for the acceptance of the dedication of land for public easements for a final plat for Brentwood Villas (FP20-0021) containing one (1) lot on approximately 4.25 acres; located in the vicinity of W. 155th Street and S. Brentwood Street. Planning Commission approved this plat 8 to 0.
Approved
- D.** Consideration of approval of agreement for the coordinated delivery of

emergency medical services medical direction within the boundaries of Johnson County, KS.

Approved

- E.** Consideration of Resolution No. 21-1001 authorizing various improvements to the Water and Sewer System of the City and setting forth the intent to issue Water and Sewer Revenue Bonds.

Approved

- F.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Pyramid Contractors, Inc. for the construction of the Cedar Creek Trail - Trail 2 (Phase I) Project, PN 4-C-011-16.

Approved

- G.** Consideration of Consent Calendar.

Approved

- H.** Consideration of Resolution No. 21-1002 authorizing the 2021 Street Preservation Program, PN 3-P-000-21.

Approved

- I.** Consideration of Supplemental Agreement No. 3 with Burns & McDonnell Engineering Company, Inc. for construction phase services for the Vertical Well Field Improvements Project, PN 5-C-031-18.

Approved

- J.** Acceptance of proposals and consideration of award to Cleaning Up, LLC for Janitorial Services for the City.

Approved

- K.** Consideration of renewal of contract with Haren & Laughlin Construction for general carpentry services.

Approved

- L.** Acceptance of proposal and consideration of award of contract to Clarence M. Kelley & Associates to provide screening personnel for the security checkpoint at the Municipal Court.

Approved

- M.** Acceptance of bid and consideration of award of contract to Conrad Fire Equipment, Inc., for the replacement purchase of one (1) Pierce Velocity Pumper for the Fire Department.

Approved

- N.** Consideration of award of contract to Forensic Psychology Associates, Inc. for Psychological Services for the Fire Department.

Approved

- O.** Consideration of renewal of contract for Purchasing Card Services for all City departments.

Approved

- P. Consideration of renewal of purchase agreement between Esri and the City of Olathe for Geographic Information System (GIS) licensing.

Approved

6. NEW BUSINESS

- A. Consideration of Ordinance No. 21-01, RZ20-0008, Request approval for rezoning from CTY RUR (County Rural) District to M-2 (General Industrial) District for Lone Elm Commerce Center Parcel on approximately 2.85 acres; located at 22310 W. 167th Street. Planning Commission recommends approval 8 to 0.

Senior Planner, Emily Carrillo, gave a presentation regarding the proposed re-zoning.

Councilmember Mickelson asked a question regarding direction on the map.

Motion by Campbell, seconded by Vogt, to approve Ordinance No. 20-01. The motion carried by the following vote:

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

- B. Consideration of Ordinance No. 21-02, RZ20-0009, requesting approval for a rezoning from the CP-2 (Planned General Business), R-4 (Residential Medium-Density Multifamily), AG (Agricultural), and CTY RUR (County Rural) Districts to the C-2 (Community Center) District and revised preliminary site development plan for the Sunnybrook Commercial Center on approximately 19.23 acres; located in the vicinity of W. 119th Street and Lone Elm Road. Planning Commission recommends approval 7 to 0.

Senior Planner, Kim Hollingsworth, gave a presentation regarding the proposed re-zoning.

Councilmember Mickelson ask about a traffic study and Ms. Hollingsworth said there had been an analysis done and they believed the zoning change would not impact traffic.

Councilmember Mickelson asked if there had been any neighboring residents express concerns or opposition and Ms. Hollingsworth said there had been two people ask about land use. Mr. Mickelson also asked if drive-through's were allowed in this zoning designation and Ms. Hollingsworth said they were.

Councilmember Brownlee asked if it was known what types of businesses were being considered and Ms. Hollingsworth said she believed retail and restaurants but more information would be coming with preliminary plans.

Councilmember Vogt asked if the preliminary plan would come to Council or just to the Planning Commission and Ms. Hollingsworth said only to Planning Commission. Ms. Vogt asked about the possibility of having it come back to the Council since there were a lot of unknowns.

Councilmember Vogt asked about drive through services and Ms. Hollingsworth said there were some distance restrictions but they were allowed.

The applicant, Todd Allenbrand with Payne & Brockway, was available for questions.

Councilmember Mickelson asked what types of businesses they wanted to attract. Mr. Allenbrand said restaurants like Panera and Chipotle, perhaps a dry cleaner. They indicated it could be five years or more before the commercial would be coming.

Councilmember Mickelson asked if it was appropriate to ask for the preliminary plan to come back to the Council for review. City Attorney, Ron Shaver, said they could make a stipulation with the motion to that effect if the Council wanted to.

Chief Planning Officer, Aimee Nassif, said that the plan must meet or exceed all UDO requirements and said their department can share the plans with the Council in lieu of making a stipulation.

Councilmember Vogt said she hadn't been thinking of a stipulation but wanted to point out there is a process if needed.

Councilmember Mickelson asked if they would be tied to the current UDO and Ms. Nassif said yes.

Motion by Campbell, seconded by Vogt, to approve Ordinance No. 21-02. The motion carried by the following vote:

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

- C.** Consideration of Ordinance No. 21-03, RZ20-0010, requesting approval for a rezoning from the CP-2 (Planned General Business) District to the R-4 (Residential Medium-Density Multifamily) District and a preliminary site development plan for the Olathe Senior Living Community on approximately 9.91 acres; located in the vicinity of S. Sunnybrook Boulevard and W. 119th Street. Planning Commission recommends approval 7 to 0.

Senior Planner, Kim Hollingsworth, gave a presentation regarding the proposed re-zoning.

Councilmember Mickelson asked about the height of the buildings in comparison to the adjacent middle school. Ms. Hollingsworth said she wasn't sure of the height of the school. Mr. Mickelson also asked about the distance to the neighborhood and Ms. Hollingsworth provided the information.

Councilmember McCoy asked about the number of units and Ms. Hollingsworth said there would be 155 units.

The representative for the applicant, Scott Auman with SWD Architech, was available for questions.

Councilmember Brownlee asked about the timeline and Mr. Auman said he was hoping they could start construction in April or May.

Councilmember Mickelson asked why they want to re-zone to R-4. Mr. Auman said it was because of the density and height restrictions.

Motion by Campbell, seconded by Vogt, to approve Ordinance No. 21-03. The motion carried by the following vote:

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

No: Mickelson

- D.** Consideration of Ordinance No. 21-04, RZ20-0011, requesting approval for rezoning from MP-2 (Planned General Industrial), BP (Business Park), and CP-2 (Planned Community Center) Districts to M-2 (General Industrial) and BP (Business Park) Districts and revised preliminary site

development plan for 175th Commerce Center on approximately 223.03 acres; located north of W. 175th Street and west of S. Hedge Lane. Planning Commission recommends approval 8 to 0.

Senior Planner, Jessica Schuller, gave a presentation regarding the proposed re-zoning.

Councilmember McCoy asked about the time line on this project and the applicant stated they wanted to start immediately.

Motion by Campbell, seconded by Vogt, to approve Ordinance No. 21-04. The motion carried by the following vote:

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

7. NEW CITY COUNCIL BUSINESS

Councilmember Vogt wished everyone a Happy New Year. She thanked staff for their efforts in the snow removal on New Years Day and reminded residents to move their cars off the street to assist with snow removal.

Councilmember McCoy also thanked staff for the snow removal. He also thanked the Fire Department for all they do and recounted a news article he had seen about an Olathe fire and rescue team helping push a stalled car.

Councilmember Mickelson wished everyone a Happy New Year. He thanked the street crews for removing the snow so well. He said he had been traveling and where he was the streets were not treated as well or as quickly as here in Olathe.

City Manager, Michael Wilkes, said he was glad to be back.

Mayor Bacon said there would be a ribbon cutting for the new portion of Mahaffie Street on January 20th.

8. END OF TELEVISED SESSION

9. GENERAL ISSUES AND CONCERNS OF CITIZENS

10. 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 the authorization of the annual Capital Improvement Plan Projects.
Report Accepted.
2. Report on the establishment of special assessments for the Lindenwood 163rd to 167th Benefit District for Street and Storm Sewer improvements.
Report Accepted.

11. ADDITIONAL ITEMS

Councilmember McCoy said he was pleased that the MLK celebration was moving forward even if it was virtual. He also said he was excited to have Mahaffie Street open.

City Manager, Michael Wilkes, said he was doing well and glad to be back and thanked everyone for their support during his surgery.

Mayor Bacon asked about the Council Retreat and confirmed it was scheduled for February 6th. Mr. Wilkes said he would be sending a draft agenda soon. He said it would be held at Lake Olathe's Eagles Landing from 8:30 to 3:00.

Councilmember Vogt asked about submitting items for the agenda and Mr. Wilkes suggested they should have those submitted by the end of the week.

12. ADJOURNMENT

The meeting was adjourned at 7:53 PM.

Brenda D. Long
City Clerk