City of Olathe City Council
100 E. Santa Fe | Council Chamber
Tuesday | March 2, 2021 | 7:00 PM

1. CALL TO ORDER

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

Others in attendance were City Manager, Michael Wilkes, Deputy City Manager, Susan Sherman, and City Attorney, Ron Shaver.

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

3. PLEDGE OF ALLEGIANCE

4. 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 February 16, 2021.

Approved

B. Consideration of a new drinking establishment application for Torchy's Tacos.

Approved

C. Consideration of Resolution No. 21-1017, SU20-0006: Request approval for a special use permit for Motor Vehicle Sales on approximately 2.12 acres; located at 15695 S. US-169 Highway. Planning Commission recommends approval 8 to 0 for a two-year period.

Approved

D. Consideration of Consent Calendar.

Approved

E. Consideration of Resolution No. 21-1018 authorizing the Brougham Drive Regional Detention Basin Project, PN 2-C-002-16; and repealing Resolution No. 18-1068.

Approved

F. Consideration of an Agreement with Johnson County for construction of the Brougham Drive Regional Detention Basin Project, PN 2-C-002-16.

Approved

G. Consideration of an Agreement with Johnson County for design of the Stagecoach and Sleepy Hollow Stormwater Improvements Project, PN 2-C-011-20.

Approved

H. Acceptance of proposal and award of contract to CXT, Inc. for a prefabricated - modular restroom building for Parks and Recreation.

Approved

Mayor Bacon announced they would be adding an executive session to the agenda at the end of the meeting.

5. NEW BUSINESS

A. Consideration of Ordinance No. 21-08 (ANX21-0001) annexing approximately 17.17 acres, located south of 167th Street and east of Hedge Lane, into the corporate boundaries of the City of Olathe.

Motion by Campbell, seconded by Vogt, to approve Ordinance No. 21-08. The motion carried by the following vote:

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

6. NEW CITY COUNCIL BUSINESS

Councilmember McCoy recognized Olathe as one of the first communities in the Metro who has addressed the mental health concerns of the citizens during COVID and isolation.

Mayor Bacon announced the City would be hosting Olathe Civic Academy and invited residents to apply to participate.

7. END OF TELEVISED SESSION

8. GENERAL ISSUES AND CONCERNS OF CITIZENS

Jay Ketterling, 14067 W. 139th Terrace, CFO of Goodwill of Western Missouri and Eastern Kansas, spoke and asked the Council to consider modifications to the ordinance that would allow Goodwill to open in a new location.

9. 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 regarding a Real Estate Contract and Development Agreement with Integris BioServices, LLC.

Councilmember Brownlee asked for a presentation to provide more information.

City Attorney, Ron Shaver, presented a short overview and background regarding this proposed contract.

Councilmember Campbell asked if this organization had been brought to the City by the Chamber of Commerce and Mr. Shaver said they had.

Councilmember Brownlee asked for some clarification from the past agreements.

Mr. Shaver said the City acquired this property in 2007 and had offered the land at no cost for the expansion of KBA and K-State. The KBA agreement was to offer at no cost to other bio-science companies.

Ms. Brownlee asked about the remaining special assessments on this property and Mr. Shaver said that Integris would not pay for the land but they would be responsible for paying for the specials.

Councilmember Mickelson said he still needed some clarification and would speak with City Manager, Michael Wilkes at a later date about them.

Councilmember Gilmore asked if the City had been paying the specials and Mr. Shaver said they had been paid out of the general fund.

Councilmember Vogt asked if this agreement met what was

intended from the mission in 2007 and Mr. Shaver said it did.

Mr. Wilkes said they had been talking with this company for approximately 3 years.

Councilmember Vogt asked what the average salary would be for the 288 proposed new jobs and Mr. Shaver said approximately $67,000.

Councilmember Campbell asked about the timeline and Mr. Shaver explained what was expected.

Councilmember McCoy said he believed this was the kind of business the City was looking for and he believed one business would attract others.

2. Report on a request by Integris BioServices LLC for a single phase project under the City's Tax Abatement policy for the construction of a 70,000 sq. ft. laboratory services in the Kansas Bioscience Park.
Report accepted.

B. DISCUSSION ITEMS

1. Presentation on the County Square Project. (20 min)

Johnson County representatives, Brad Reinhardt and Dan Wehmuller gave a short presentation about the proposed County Square, to be located where the old courthouse currently is.

Mayor Bacon introduced County Commissioner, Shirley Allenbrand, who was in attendance.

Councilmemebr McCoy asked if the gazebo was going to be removed and how long it had been there. He also asked about the Old Settler's marker. Mr. Reinhardt said the markers would be relocated.

Councilmember Brownlee asked if there was any way to keep the gazebo and Mr. Wehmuller said the team had looked at

ways to keep it, but it was in the way of the walking path that was proposed. Ms. Brownlee asked what the City Council's role was in the decisions and Mr. Wehmuller said at this time they were just provided information.

Ms. Brownlee asked about the mature trees and Mr. Wehmuller said the trees that were not viable due to removing the building had been marked. He also said they would be replanting twice as many as they were having to remove.

Councilmember Mickelson said that he thought the gazebo was worth reconsidering and asked about relocating it. Mr. Wehmuller said he wasn't sure it would withstand a move.

Councilmember Gilmore said he thought the plan was great. He then asked why the children's area was adjacent to a busy street. Mr. Wehmuller said there had been considerable discussion and there could be screening added.

Councilmember Vogt said she was excited for the project and disappointed there was no funding. She also asked for clarification on the location for the water feature and wondered if there could be a splash pad added. Mr. Wehmuller said he didn't know if that had been discussed or not.

Mayor Bacon thanked Mr. Wehmuller and Mr. Reinhardt and asked if there was a timeline when construction could be expected. Mr. Wehmuller said demolition of the old building would begin this month and phase one would be completed by October.

Mayor Bacon asked about the other elements and Mr. Reinhardt said they were roughly 1.5 million short to complete the project and would look for other fundraising partners.

2. Discussion of the Downtown Library Project, PN 6-C-020-20. (30 min)

Michael Berenbom with Lane 4, Sean Zaudke with Gould Evans and Josh Doss with DLR gave a presentation regarding the exterior design of the downtown library.

Councilmember Gilmore said he liked the changes that had been made. He asked about the location of the lighted panels and Mr. Doss pointed out the locations.

Mayor Bacon also wanted to know more about the light panels and asked if they were actually lighted. Mr. Doss said they would just be transmitting light from inside. Mayor Bacon also said he liked the progress that had been made so far. He asked when the Council could expect the next design update.

Jennifer Gerlach with Lane 4 said it would be in May and again in July.

Councilmember Vogt asked if they would be providing information regarding the neighborhood meeting and Ms. Gerlach said they would.

Councilmember Mickelson asked if they could have information sooner. Ms. Gerlach said they would provide updates as they moved forward.

Mayor Bacon asked if the panels that might not be able to be included on the South due to funding, could be added later. Mr. Doss said they could be added later.

10. EXECUTIVE SESSION

Consideration of motion to recess into an executive session to discuss the following items:

Motion by Campbell, seconded by Vogt, 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(b)(2) pertaining to an agreement relating to future annexation for 15 minutes and would reconvene in the City Council Chambers at 8:40 PM. The motion carried by the following vote:

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

11. RECONVENE FROM EXECUTIVE SESSION

Motion by Campbell, seconded by Vogt, to proceed with the strategy as discussed in Executive Session. The Motion carried by the following vote:

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

12. ADDITIONAL ITEMS

Councilmember Brownlee shared that her sister, who serves as Mayor of Nampa, Idaho, had been in attendance.

13. ADJOURNMENT