



The Olathe City Council and Teen Council had a joint dinner in the City of Governors at 5:45 PM.

1. CALL TO ORDER

Present: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex
Absent: Mickelson

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. SPECIAL BUSINESS

- A.** Recognition of the 2022-2022 Olathe Teen Councilmembers.
Liz Ruback, Assistant to the Mayor and Teen Council Coordinator, introduced each Teen Council member and Mayor Bacon presented each with a certificate.

5. PUBLIC HEARINGS

Persons wanting to speak regarding a public hearing must sign up no later than 30 minutes prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, emailing CCO@Olatheks.org or in person at City Hall. Each speaker is allowed up to 5 minutes to address the City Council.

- A.** Public hearing authorizing the City's completion of an application to KDHE for funds to replace lead and galvanized water service lines.
Megan Spence, Distribution Compliance Manager, gave a short presentation.

Councilmember Felter asked about the process for this audit. Ms. Spence said the citizen surveys had been very helpful and there are field crews checking multiple lines each day. Ms. Felter also asked about the loan funding and how the amount not eligible for loan

forgiveness would be paid. Ms. Spence said it would be paid from the water and sewer fund.

Councilmember McCoy asked questions on how this program would be communicated to citizens. Ms. Spence indicated there would be some collaboration with Housing.

Councilmember Gilmore asked about the process for the 49% forgiveness and Ms. Spence said it would be applied after invoices were submitted.

Mayor Bacon asked questions about how it was determined where to send the surveys. Ms. Spence said surveys were sent to homes built prior to 1988.

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

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

- B.** Consideration of Resolution No. 22-1075 authorizing the City's completion of an application to KDHE for funds to replace lead and galvanized water service lines.

Mayor Bacon asked if these funds were available for the City to use and Ms. Spence said they are.

Motion by Gilmore, Seconded by Vogt, to approve Resolution No. 22-1075. The motion carried with the following vote:

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

6. CONSENT AGENDA

Approval of the Consent Agenda

Motion by Gilmore, seconded by Vogt, to approve the Consent Agenda with the exception of item N. The motion carried with the following vote:

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

- A.** Consideration of approval of the City Council meeting minutes of October 4, 2022.

- approved.
- B.** Consideration of cereal malt beverage applications for calendar year 2023.
approved.
- C.** Consideration of a precious metal dealer license application for Warren Hannon Company, Inc. located at 128 E. Park.
approved.
- D.** Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Enclave at Boulder Hills Villas 4th Plat (FP22-0022), containing seventeen (17) lots and (2) tracts on approximately 4.21 acres; located west of Lackman Road and north of 175th Street. Planning Commission approved plat 7 to 0.
approved.
- E.** Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Cedar Creek Pool #3 (FP22-0034), containing one (1) tract on approximately 3.47 acres; located on the southwest corner of Cedar Creek Parkway and College Boulevard. Planning Commission approved plat 7 to 0.
approved.
- F.** Request for the acceptance of the dedication of land for public easements for a final plat of Springstone Second Plat (FP22-0036), containing one (1) lot and one (1) tract on approximately 9.60 acres; located southeast of W. 133rd Street and S. Arapaho Drive. Planning Commission approved the plat 7 to 0.
approved.
- G.** Consideration of Agreement No. 180-22 with the Kansas Department of Transportation (KDOT) for funding the construction of the Sunset and Ridgeview Traffic Signal Improvements Project, PN 3-C-013-20.
approved.
- H.** Consideration of Agreement No. 207-22 with the Kansas Department of Transportation (KDOT) for funding the construction of the Cedar Creek Streamway Trail Phase II Project, PN 4-C-011-16.
approved.
- I.** Consideration of an Agreement with Johnson County for construction of the Stagecoach and Sleepy Hollow Stormwater Improvements Project, PN 2-C-011-20.
approved.
- J.** Consideration of a Supplemental Agreement with ATMOS Energy Corporation for the Stagecoach and Sleepy Hollow Stormwater Improvements Project, PN 2-C-011-20.
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approved.

- K.** Consideration of a Professional Services Agreement with Renaissance Infrastructure Consulting, Inc. for design of the Hedge Lane, 167th to 171st, Benefit District Project, PN 3-B-085-22.

approved.

- L.** Acceptance of proposal and consideration of award of contract to Andritz Separation, Inc for the repair of the Centrifuge at the Cedar Creek Wastewater Facility.

approved.

- M.** Acceptance of proposal and consideration of award of contract to Nutri-Ject Systems, Inc. for emergency land application of liquid biosolids.

approved.

- N.** Acceptance of bid and consideration of award of contract to Conrad Fire Equipment Inc., for the fleet replacement of four (4) and new addition purchase of one (1) Fire Apparatus for the Fire Department.

Councilmember McCoy asked for this item to be pulled and considered separately. He said he wanted to have some additional information.

Fire Chief, Jeff DeGraffenreid, said they were looking into the future to maintain the fleet and making sure the equipment arrived at the right time since it is anticipated to be approximately a 30 month delay. Mr. McCoy asked if the price quoted would be held for that length and Chief DeGraffenreid said that Conrad guaranteed their quote.

Chief DeGraffenreid said they would be getting the latest technology available.

Councilmember Felter asked about available parts to maintain current equipment. Chief DeGraffenreid said they rely on a great Infrastructure team to help maintain their equipment.

Mayor Bacon asked about pricing and Chief DeGraffenreid said they were utilizing a purchase order for this equipment.

Motion by Gilmore, seconded by Vogt, to approve item N. The motion carried with the following vote:

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

- O. Acceptance of bid and consideration of award of contract to Conrad Fire Equipment Inc., for the purchase of one (1) Mobile Integrated Health (MIH) Ambulance for the Fire Department.
approved.

7. NEW BUSINESS

- A. Consideration of Ordinance No. 22-52 amending Title 17 of the Olathe Municipal Code pertaining to Stormwater Management.
Motion by Gilmore, seconded by Vogt, to approve Ordinance No. 22-52.
The motion carried with the following vote:

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

- B. Consideration of Ordinance No. 22-53 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$11,899,766 to LECC Building 3, LLC, Series 2022, for the construction of approximately 134,643 sq. ft. of industrial space on 167th Street and Lone Elm Road.
Motion by Gilmore, seconded by Vogt, to approve Ordinance No. 22-53.
The motion carried with the following vote:

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

- C. Consideration of Ordinance No. 22-54 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$13,083,996 to LECC Building 4, LLC, Series 2022, for the construction of approximately 147,955 sq. ft. of industrial space on 167th Street and Lone Elm Road.
Motion by Gilmore, seconded by Vogt, to approve Ordinance No. 22-54.
The motion carried with the following vote:

Yes: McCoy, Bacon, Vogt, Gilmore, Felter, and Essex

Absent: Mickelson

8. NEW CITY COUNCIL BUSINESS

Councilmember Essex said she was pleased to hear from the Teen Council. She also shared she had been on a ride along with a police officer and it was great to see the teamwork.

Councilmember McCoy reminded everyone about the Parks and Rec activities being planned for Halloween.

Councilmember Felter shared about the upcoming Olathe Community Prayer Breakfast. She also said she was pleased with feedback being received for the Parks and Rec master plan. She mentioned that Prairie Trail and Frontier Trail participated in a fundraiser for breast cancer awareness month.

Mayor Bacon also mentioned the Halloween events being planned at Stagecoach Park and Mahaffie.

9. END OF TELEVISED SESSION

10. GENERAL ISSUES AND CONCERNS OF CITIZENS

Persons wanting to speak regarding a general concern must sign up no later than 30 minutes prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, emailing CCO@Olatheks.org or in person at City Hall. The Council has allocated up to 3 minutes per speaker, and up to 30 minutes total for this portion of the meeting.

None

11. 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. Investment and Cash Management Policy Report.
Councilmember Gilmore asked questions about the arbitrage process.

Adam Pope with Columbia Capitol provided the information he was seeking.
2. Policy F-5 Property Tax Abatement Policy Review.
Councilmember Gilmore questioned language in the policy he thought was incorrect and John Page, Financial Strategy Manager, acknowledged there was an error that would be changed.

Mayor Bacon asked about the wording regarding active

litigation. City Attorney, Ron Shaver indicated the language would be changed to what the Council believed was best.

Councilmembers discussed options and asked Mr. Shaver for examples of possible scenarios. Councilmembers expressed their desire to have flexibility. Mr. Shaver said they could make edits and then would present the policy to the Chamber for input and then bring it back to the Council in December.

Councilmember Vogt also asked about including salary requirements in the policy and Mr. Page said that is not currently included but could discuss it with staff.

Councilmember Felter asked for more information to be provided to Council regarding the benefit to other organizations, such as the school district.

3. Report regarding an office lease agreement with the Olathe Chamber of Commerce.
Mayor Bacon asked for clarification on the number of times the Chamber was allowed to use common areas of the Library. City Attorney, Ron Shaver, said staff was open to any suggestions but believed the numbers listed were at least a good place to start. Mr. Shaver said the fees could be negotiated after the initial uses.

Councilmember Vogt said the agreement could be modified if need be and also cautioned that there would be continued maintenance and upkeep by the City. Deputy City Manager, Susan Sherman, agreed that there would be continual set up and tear down that someone would need to pay for. Ms. Vogt said they could always waive fees if it was appropriate.

Councilmember Gilmore asked for clarification on the tenant finish costs. Mr. Shaver said the Chamber would pay the actual costs and Mr. Gilmore said he thought there should be some limit attached to the amount. Mr. Shaver said a more defined amount would be available soon.

4. Report regarding the Olathe Water Conservation Plan and

Proposed Ordinance Amending Chapter 13.34 of the Olathe Municipal Code Pertaining to Water Conservation.

Report accepted.

B. DISCUSSION ITEMS

1. Economy Focus Area Update.

Jamie Robichaud, Director of Economy, gave a department update.

Councilmember Gilmore thanked Ms. Robichaud for the presentation.

Mayor Bacon asked about holiday lights for downtown buildings and Ms. Robichaud said she would be happy to look into it and provide the Council with information. Mr. Bacon also asked about the timing for an RFP for the comprehensive Plan and Ms. Robichaud said she thought that would be sometime in early 2023 and said she would follow up with him regarding this issue as well.

12. ADDITIONAL ITEMS

Councilmember McCoy said he had enjoyed excellent speakers at the League of Kansas Municipalities conference he attended.

Councilmember Vogt asked staff to find how neighboring cities handle construction on weekends, especially adjacent to residential neighborhoods.

Mayor Bacon asked if the information regarding the hiring of a second judge had been posted yet. City Attorney, Ron Shaver said he would look into the status and report back to the Council.

Mayor Bacon asked for additional information regarding Olathe Med and KU. City Manager, Michael Wilkes, said he understands there is a letter of agreement, and there is a lot of excitement in the community. He said that most questions should be routed to OMC.

13. ADJOURNMENT

The meeting was adjourned at 8:40 PM.

Brenda D. Swearingian

City Clerk