

AGENDA
OLATHE CITY COUNCIL
REGULAR SESSION
COUNCIL CHAMBER
100 EAST SANTA FE
Tuesday, April 19, 2016
6:30 p.m.

1. CALL TO ORDER

2. EXECUTIVE SESSION – 6:30 P. M.

Consideration of motion to recess into an executive session under the real property acquisition and attorney/client privilege exceptions to the Kansas Open Meetings Law to discuss the following items.

- A. Discussion of acquisition of property in east Olathe. (Ron Shaver/Michael Wilkes)
- B. Discussion of acquisition of property in north Olathe and potential litigation involving a development agreement. (Ron Shaver/Michael Wilkes)
- C. Discussion of acquisition of property for the 143rd Street from Pflumm Road to Quivira Road Project, PN 3-C-037-13. (Ron Shaver/Celia Duran)

3. RECONVENE FROM EXECUTIVE SESSION

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

5. PLEDGE OF ALLEGIANCE

6. SPECIAL BUSINESS

- A. Proclamation designating April 25 -29, 2016, as “Arbor Week.” (Karen Hooven)
- B. Proclamation designating May as “Asian-Pacific American Heritage Month.” (Karen Hooven)
- C. Proclamation designating the first Wednesday of April each year as “Start by Believing Day” as part of Sexual Assault Awareness Month and in support of MOCSA’s mission to educate and prevent sexual assault. (Karen Hooven)

- D. Presentation of Kansas City Corporate Challenge Mayor's Cup to Garmin. (Karen Hooven)
- E. Recognition of Olathe East High School state champions and academic achievers. (Karen Hooven)
- F. Recognition of MNU Pioneers Women's Basketball Team, NAIA Division I National Champions. (Karen Hooven)

7. PUBLIC HEARINGS

- A. Consideration of a Public Hearing regarding a request by Builder's Stone & Masonry, Inc. for issuance of industrial revenue bonds and tax abatement for the construction of a new headquarters facility with office, light manufacturing and fabrication components behind their existing facility located at 616 N. Rogers Road. (Dianna Wright)

Action needed: Consider motion to close hearing.

- B. Consideration of Resolution No. 16-1035 regarding a request by Builder's Stone & Masonry, Inc. for issuance of industrial revenue bonds and tax abatement for the construction of a new headquarters facility with office, light manufacturing and fabrication components behind their existing facility located at 616 N. Rogers Road. (Dianna Wright)

Action needed: Consider motion to approve or deny.

- C. Consideration of a Public Hearing to identify needs for the 2017 Community Development Block Grant (CDBG) funding. (Michael Meadors/Kathy Rankin)

Action needed: Consider motion to close hearing.

8. CONSENT AGENDA

The items listed below are considered to be routine by the City Council and may be approved in one motion. There will be no separate discussion unless a Councilmember requests that an item be removed from the consent agenda and considered separately.

- A. Consideration of Council meeting minutes of April 5, 2016. (Dianna Wright/Tracy Howell)
- B. Consideration of drinking establishment license applications for Asian Pearl, Baby'O and Hy-Vee Market Grille (119th Street). (Dianna Wright/Tracy Howell)
- C. Consideration of authorization for Mayor Copeland to attend the 84th Annual Meeting of the U.S. Conference of Mayors in Indianapolis, IN, June 24 – 27, 2016. (Brenda Long)
- D. Consideration of business expense statements for Mayor Copeland, for expenses incurred to attend the National League of Cities Congressional Cities Conference in Washington, D.C. March 6 – 9, 2016. (Brenda Long)

- E. Consideration of motion appointing members and alternates to represent Olathe on the MARC Total Transportation Policy Committee (TTPC). (Karen Hooven)
- F. Consideration of Resolution No. 16-1042 approving an inter-local regional grant application agreement - for the Self-Contained Breathing Apparatus (SCBA) Replacement Project - as required by the Department of Homeland Security (DHS) – Federal Emergency Management Agency’s (FEMA) Assistance to Firefighters Grant(AFG). (Jeff DeGraffenreid)
- G. Consideration of a final plat (P-16-003) for Forest Hills Estates, Tenth Plat containing 29 lots and 4 tracts on 8.7± acres; located in the vicinity of 175th Street and Brougham Drive. (Mary Jaeger /Sean Pendley)
- H. Consideration of a final plat (P-16-005) for Lone Elm 515 containing 1 lot and 2 tracts on 43.35± acres; located at the northeast corner of 167th Street and Lone Elm Road. (Mary Jaeger /Sean Pendley)
- I. Consideration of Resolution No. 16-1036 amending City Council Policy F-10 pertaining to Surplus Real Property. (Mary Jaeger/Ron Shaver)
- J. Consideration of Engineer’s Estimate, acceptance of bids and consideration of award of contract to O’Donnell & Sons Construction Co., Inc. for construction of the 2016 Ultrathin Asphalt Surface Project, PN 3-P-006-16. (Mary Jaeger/Celia Duran)
- K. Consideration of Engineer’s Estimate, acceptance of bids and consideration of award of contract to Mega Industries Corp. for the construction of the Lift Station Replacement Project (Prairie Highlands and Sunset and Dennis), PN 1-C-020-15. (Mary Jaeger/Celia Duran)
- L. Consideration of Resolution No. 16-1037 authorizing funding for the 2016 Sidewalk Construction Project, PN 3-C-072-16. (Mary Jaeger/Celia Duran)
- M. Consideration of Supplemental Agreement No. 1 with Atmos Energy for the 159th Street, I-35 to Old 56 Highway, Improvements Project, PN 3-C-002-13. (Mary Jaeger/Celia Duran)
- N. Consideration of Resolution No. 16-1038 authorizing the City of Olathe’s project requests for inclusion in the 2017-2021 County Assistance Road System (CARS) Program. (Mary Jaeger/Celia Duran)
- O. Consideration of Resolution No. 16-1039 in support of the Transportation Investment Generating Economic Recovery (TIGER) grant program application and candidate project. (Mary Jaeger/Celia Duran)
- P. Acceptance of bids and consideration of award of contract to Construction Management Services, Inc. for the replacement of the Parkview Manor roof. (Michael Meadors/Kathy Rankin)

- Q. Consideration of Resolution No. 16-1040 establishing the date and time of a public hearing regarding the Santa Fe Shopping Center Community Improvement District (Southeast corner of Santa Fe and Mur-len). (Dianna Wright)
- R. Consideration of Resolution No. 16-1041 expressing the intent to issue the City's industrial revenue bonds on behalf of VanTrust Real Estate, LLC for the construction of Building #2, a 515,000 square foot warehouse and distribution facility on approximately 30 acres of a 91 acre parcel located at the northeast corner of 167th Street and Lone Elm Road (Sales Tax only). (Dianna Wright)
- S. Consideration of proposals and award of contract to Burton & Associates for a combined Enterprise Fund rate study model for the Public Works department. (Mary Jaeger/Stephanie Creed)
- T. Consideration of renewal of contract to Donald J Smith, Timothy J. Arehart, and Lenin Guerra for Public Defender Services for the Municipal Court. (Kristi Orbin/Stephanie Creed)
- U. Consideration of award of contract for the purchase of Energov Permitting Software and Professional Services for the City of Olathe to Tyler Technology for permitting software replacement. (Jeff DeGraffenreid/Shawn Whitcomb/Stephanie Creed)

9. NEW BUSINESS – PLANNING

- A. Consideration of Ordinance No. 16-22 for an annexation (ANX-16-001) as requested by Day 3 LLC, for a 1.5± acre property located at the northeast corner of 175th Street and Ridgeview Road, addressed as 17475 Ridgeview Road. (Mary Jaeger /Amy Kynard)

Action needed: Consider motion to approve or deny.

10. NEW BUSINESS – ADMINISTRATION

- A. Consideration of Ordinance No. 16-23 authorizing the issuance of taxable industrial revenue bonds, Series 2016, not to exceed \$35,320,000 to provide funds to construct a 716,000 square foot distribution warehouse facility for Lone Elm 716, LLC located at 16575 S. Theden Street. (Dianna Wright)

Action needed: Consider motion to approve or deny.

11. NEW CITY COUNCIL BUSINESS

12. END OF TELEVISED SESSION

13. GENERAL ISSUES AND CONCERNS OF CITIZENS

14. 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 amendments to Olathe Municipal Code Chapter 5.43, Payday Loan and Title Loan Businesses. (Ron Shaver)
2. Report on repeal of Olathe Municipal Code Chapter 5.52 regarding Scrap Metal Dealer Registration. (Ron Shaver/Chris Grunewald)
3. Report on amendments to Olathe Municipal Code Section 9.20.025 regarding Municipal Court diversion. (Ron Shaver/Chris Grunewald)
4. Report on amendments to Olathe Municipal Code Sections 9.12.020 and 9.12.040 regarding ordinance violations involving use and carrying of weapons. (Ron Shaver/Chris Grunewald)
5. Report on amendments to Olathe Municipal Code Chapter 5.40 Registration of Private Police. (Steve Menke/Shawn Reynolds/Ron Shaver)
6. Report on a request by VanTrust Real Estate, LLC for issuance of industrial revenue bonds and tax abatement for the construction of a 515,000 square foot warehouse and distribution facility on approximately 30 acres of a 91 acre parcel located at the northeast corner of 167th Street and Lone Elm Road (Building #2). (Dianna Wright)
7. Report on a request by 159th Street Investors, LLC to amend Resolution No's. 03-1050 and 09-1057 determining the intent of the City of Olathe, Kansas to issue its industrial revenue bonds for the benefit of 159th Street Investors, LLC (Mahaffie Business Park). (Dianna Wright)
8. Report on a request by The Contractors Garage V, LLC. for issuance of industrial revenue bonds and tax abatement for the construction of two new industrial incubator facilities to house small or start-up light industrial businesses located at 15845 S. Mahaffie Street. (Dianna Wright)

B. DISCUSSION ITEMS

1. Discussion of the City of Olathe Sidewalk Maintenance Program and potential program enhancements. (Mary Jaeger/Zach Hardy) **(15 mins)**
2. Presentation of Information Technology Department Activities and Initiatives. (Shawn Whitcomb) **(15 mins)**

15. ADDITIONAL ITEMS

16. ADJOURNMENT