

AGENDA

OLATHE CITY COUNCIL

REGULAR SESSION

COUNCIL CHAMBER

100 EAST SANTA FE

Tuesday, December 5, 2017

7:00 p.m.

- 1. CALL TO ORDER**
- 2. BEGIN TELEVISED SESSION – 7:00 P. M.**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SPECIAL BUSINESS**
 - A. Presentation of the K-State Olathe and Kansas Bioscience Park 2017 Annual Report (Dr. Ralph Richardson, Dean & CEO, K-State Olathe, and Interim Secretary Nick Jordan, Kansas Department of Commerce). **(30 mins)** (Dianna Wright/Ron Shaver)
 - B. Recognition of Boy Scouts for Eagle Scout service projects completed for the City. (Karen Hooven)
- 5. PUBLIC HEARINGS**
 - A. Consideration of a Public Hearing regarding a request for William R. Miller, LLC Project for the issuance of taxable industrial revenue bonds and tax abatement for acquiring, purchasing, constructing, installing, and equipping a commercial project, consisting of a 11,150 sq. ft. commercial warehouse to be located at 15520 S. Mahaffie St. (Ron Shaver/Dianna Wright/Emily Vincent)

Action needed: Consider motion to close hearing.

6. 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 November 21, 2017. (Dianna Wright/David Bryant)
- B. Consideration of cereal malt beverage license applications for calendar year 2018. (Dianna Wright/David Bryant)
- C. Consideration of drinking establishment license application for Buffalo Wild Wings, Chapala, Granite City Food & Brew and Chili's Bar & Grill. (Dianna Wright/David Bryant)
- D. Consideration of the commercial property and casualty insurance program for 2018. (Dianna Wright/Kim Marshall)
- E. Consideration of the health and prescription stop loss coverage for 2018. (Dianna Wright/Kim Marshall)
- F. Consideration of authorization for Mayor Copeland to attend the 86th Winter Meeting of the U.S. Conference of Mayors in Washington, DC, January 24 – 27, 2018. (Brenda Long)
- G. Consideration of business expense statements for Mayor Copeland, Council Members, Marge Vogt, Jim Randall, John Bacon, Wes McCoy, and City Manager, Michael Wilkes to attend the National League of Cities 2017 City Summit November 15-19, 2017 in Charlotte, NC. (Brenda Long)
- H. Consideration of Resolution No. 17-1081 approving an assignment, assumption and amendment of Development Agreement (Frank Ancona Honda) from Ancona Holdings, LLC to CAR BAX CS ROG, LLC. (Ron Shaver/Dianna Wright)
- I. Consideration of Resolution No. 17-1082 assigning the lease agreement and related bond documents by Lone Elm 716, LLC in connection with \$35,320,000 in industrial revenue bonds to Exeter 16575 Theden, LLC. (Dianna Wright/Emily Vincent)
- J. Consideration of Resolution No. 17-1083 accepting a sub recipient grant from Mid-America Regional Council through the Johnson County Park and Recreation District, grant recipient, for the purchase of Smart Bikes and authorizing a twenty percent (20%) park sales tax match for the Olathe Bike Share program. (Michael Meadors/Michael Latka)
- K. Consideration of acceptance of the dedication of land for public easement and right of way for a final plat (P-17-050) for Boulder Creek Third Plat consisting of 71 lots and 5 tracts on 33.13± acres; located approximately ¼ mile south of W. 167th Street and ¼ mile west of S. Mur-Len Road. Owner/Applicant: Daniel M. Knight-Day3, LLC. Engineer: Mark Breuer,

P.E. Schlagel & Associates, P.A. *Planning Commission recommends approval 6-0.* (Aimee Nassif/Zach Moore)

- L. Consideration of the Consent Calendar. (Mary Jaeger/Celia Duran)
- M. Consideration of a Professional Services Agreement with Integrity Locating Services, LLC for the Underground Utility Locating Services Project, PN 8-C-001-18. (Mary Jaeger/Celia Duran)
- N. Consideration of Architect's Estimate, acceptance of bids and award of contract to B. Dean Construction, LLC for construction of the Olathe Police Operations Center Expansion Project, PN 6-C-003-17. (Mary Jaeger/Celia Duran)
- O. Consideration of a Professional Services Agreement with Burns & McDonnell Engineering Company, Inc. for design of the 103rd Street Lift Station and Forcemain Improvements Project, PN 1-C-011-17. (Mary Jaeger/Celia Duran)
- P. Consideration of a Professional Services Agreement with HNTB Corporation for design of the Mahaffie Circle Improvements Project, PN 3-C-107-17. (Mary Jaeger/Celia Duran)
- Q. Consideration of Resolution No. 17-1084 authorizing the Demolition of City Buildings Project, PN 6-C-023-16. (Mary Jaeger/Ron Shaver)
- R. Consideration of renewal of contract with Commercial Aquatic Services, Inc. for swimming pool supplies and repairs for the Recreation Division of the Parks and Recreation Department. (Michael Meadors/Stephanie Creed)
- S. Consideration of award of contract to O'Donnell & Sons Construction Company, Inc. for Asphalt Paving at the Harold Street wastewater treatment plant. (Mary Jaeger/Stephanie Creed)

7. **NEW BUSINESS – PUBLIC WORKS**

- A. Consideration of Ordinance 17-65, RZ-17-005, requesting approval of a rezoning from County RUR to R-1 district and preliminary development plan for Woodland Hills on 34.57± acres; located in the vicinity of 115th Terrace and Woodland Road. Owner: Richard Hoelting – Hoelting Holdings, LLC. Applicant: Greg Prieb – Prieb Homes. Engineer: Timothy Tucker – Phelps Engineering, Inc. *Planning Commission recommends approval 5-1* (Aimee Nassif/Dan Fernandez)

Action needed: Consider motion to concur and approve (4 positive votes), deny (5 positive votes required) or return to Planning Commission.

- B. Consideration of Ordinance 17-66, RZ-17-011, requesting a rezoning from CP-1 to C-2 district and preliminary development plan for Anderson Pointe, on 0.87± acres; located in the vicinity of 127th Street and Black Bob Road. Owner: Aaron Mesmer – 127 Land Investors, LLC. Applicant: Curtis Holland – Polsinelli. Engineer: Greg Watson, SKW. Engineer:

Audrey Knight - NSPJ. *Planning Commission recommends approval 6-0.*
(Aimee Nassif/Dan Fernandez)

Action needed: Consider motion to concur and approve (4 positive votes), deny (5 positive votes required) or return to Planning Commission.

- C. Consideration of Ordinance 17-67, RZ-17-013, requesting a rezoning from RP-3 to R-2 district and preliminary plat for Boulder Creek Villas containing 42 two-family lots with a total of 84 dwelling units on 25.08± acres; located in the vicinity of W. 169th Place and S. Mur-Len Road. Owner/Applicant: Daniel M. Knight – Day3, LLC. Engineer: Mark Breuer, P.E. – Schlagel & Associates, P.A. *Planning Commission recommends approval 6-0.* (Aimee Nassif/Zach Moore)

Action needed: Consider motion to concur and approve (4 positive votes), deny (5 positive votes required) or return to Planning Commission.

- D. Consideration of Ordinance 17-68, RZ-17-017, requesting a rezoning from County AG to R-1 district and a preliminary plat for Timberstone Ridge, including 36 single family lots and 4 common tracts on 47.2± acres; located on the north side of 119th Street and one-quarter mile west of K7 Highway. Owner: West Olathe, LLC by Clay C. Blair, III; Applicant: Dennis Patterson; Engineer: Mark Breuer, P.E. – Schlagel & Associates, P.A. *Planning Commission recommends approval 6-0* (Aimee Nassif/Sean Pendley)

Action needed: Consider motion to concur and approve (4 positive votes), deny (5 positive votes required) or return to Planning Commission.

- E. Consideration of Ordinance 17-69, RZ-17-018, requesting a rezoning from County RUR to R-1 for Harvest Bible Chapel – Olathe Campus on 10± acres; located at the northeast corner of W. 159th Street and S. Ridgeview Road. Owner/Applicant: Doug Besch – Harvest Bible Chapel of KC. Engineer: Judd Claussen P.E. – Phelps Engineering. *Planning Commission recommends approval 6-0.* (Aimee Nassif/Zach Moore)

Action needed: Consider motion to concur and approve (4 positive votes), deny (5 positive votes required) or return to Planning Commission.

- F. Consideration of acceptance of the dedication of land for public easement and right of way for a final plat (P-17-058) for Harvest Bible Chapel – Olathe Campus consisting of 1 lot on 10± acres; located at the northeast corner of 159th Street and S. Ridgeview Road. Owner/Applicant: Doug Besch – Harvest Bible Chapel of KC. Engineer: Judd Claussen P.E. – Phelps Engineering. *Planning Commission recommends approval 6-0.* (Aimee Nassif/Zach Moore)

Action needed: Consider motion to approve or deny.

8. NEW BUSINESS – ADMINISTRATION

- A. Consideration of Ordinance No. 17-70 authorizing the issuance of health facilities revenue bonds (Olathe Medical Center Project), in one or more series, the aggregate principal amount of all series not to exceed \$16,500,000, to provide funds to refund all or any portion of series 2010A bonds issued by the City of Olathe for the benefit of Olathe Medical Center, Inc.; and authorizing and approving certain documents and actions in connection with the issuance of said bonds. (Dianna Wright/Emily Vincent)

Action needed: Consider motion to approve or deny.

9. NEW CITY COUNCIL BUSINESS

10. END OF TELEVISED SESSION

11. GENERAL ISSUES AND CONCERNS OF CITIZENS

12. 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 the public art ordinance, O.M.C. Chapter 2.82.130, concerning public art fund rules, regulations, and procedures, and the duties of the director of Parks and Recreation. (Ron Shaver/Michael Meadors)
- 2. Report regarding proposed amendments to the City's Automatic Fire Alarm Systems Ordinance and Automatic Alarm Systems Ordinance. (Dianna Wright/Emily Vincent)
- 3. Report on a request by KH Jensen (on behalf of Sun Life Assurance Company of Canada) for issuance of industrial revenue bonds and tax abatement for the construction of a 550,000 square foot light industrial facility on a 53± acre parcel located west of Old 56 Highway at 155th Street in the I-35 Logistics Park. (Dianna Wright/Emily Vincent)
- 4. Report regarding revisions to the City's Industrial Revenue Bond and Tax Abatement Policy, Tax Increment Financing (TIF) Policy, Community Improvement District (CID) Policy, and Transportation Development District (TDD) Policy. (Ron Shaver/Diana Wright/Emily Vincent)
- 5. Report regarding a pre-development agreement with Sutherland Lumber Company of Kansas, LLC, for redevelopment of a portion of the Heritage Square shopping center at the southeast corner of 151st and Mur-Len Road. (Ron Shaver/Dianna Wright)

6. Report on the City's consent to the enlargement of Consolidated Main Sewer District (Cedar Ridge Reserve). (Mary Jaeger/ Aimee Nassif/Celia Duran/Dan Fernandez)
7. Report on adopting an annexation policy. (Aimee Nassif/Dan Fernandez)

13. EXECUTIVE SESSION

Consideration of motion to recess into an executive session under the non-elected personnel exception to the Kansas Open Meetings Law to discuss the following item.

- A. Evaluation of the City Manager. (City Council)

14. RECONVENE FROM EXECUTIVE SESSION

15. ADDITIONAL ITEMS

16. ADJOURNMENT