

# **AGENDA**

## **OLATHE CITY COUNCIL**

### **REGULAR SESSION**

### **COUNCIL CHAMBER**

### **100 EAST SANTA FE**

**Tuesday, February 6, 2018**

**6:30 p.m.**

The Olathe City Council will tour the new Olathe School District facility, Mill Creek Center, located at 311 E. Park Street beginning at 5:15 p.m. prior to the regular session meeting.

- 1. CALL TO ORDER**
- 2. EXECUTIVE SESSION – 6:30 P. M.**

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

- A. Under the exception provided under the Kansas Open Meetings Act to discuss data relating to financial affairs or trade secrets of corporations, pertaining to a development agreement. (Ron Shaver)
- B. Under the exception provided under the Kansas Open Meetings Act for consultation with attorneys for the City for matters deemed privileged in the attorney-client relationship pertaining to Kriesel, et al. v. City of Olathe and the pending special use permit application SU-16-002. (Ron Shaver/Chris Grunewald/Aimee Nassif)
- C. Under the exception provided under the Kansas Open Meetings Act for consultation with attorneys for the City for matters deemed privileged in the attorney-client relationship pertaining to a contract. (Ron Shaver/Chris Grunewald)

**3. RECONVENE FROM EXECUTIVE SESSION**

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

**5. PLEDGE OF ALLEGIANCE**

**6. SPECIAL BUSINESS**

- A. Presentation on Johnson County by County Commissioners Mike Brown and Michael Ashcraft. (Karen Hooven)
- B. Presentation of service award to Vivian Avery, former Human Relations Commission member. (Karen Hooven)
- C. Proclamation designating February 2018, as “National African American History Month”. (Karen Hooven)
- D. Consideration of Resolution No. 18-1012 appointing members to the Human Relations Commission. (Karen Hooven)
- E. Consideration of Resolution No. 18-1013 reappointing members to the Mahaffie Stagecoach Stop & Farm Foundation Board. (Karen Hooven)

**7. CONSENT AGENDA**

The items listed below are considered to be routine by the City Council and may be approved in one motion. These may include items that have been reviewed by the City Council in a prior planning session. 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 January 23, 2018. (Dianna Wright/David Bryant)
- B. Consideration of drinking establishment license application for Mayor’s Cabaret, located at 1318-1320 E Park. (Dianna Wright/David Bryant)
- C. Consideration of new cereal malt beverage license application for QuikTrip #182R located at 1234 E Santa Fe. (Dianna Wright/David Bryant)
- D. Consideration of Resolution No. 18-1014 consenting to the delivery of an assignment and assumption of lease agreement and related bond documents and a subjection of fee to mortgage instrument in connection with \$1,210,428 aggregate maximum principal amount of industrial revenue bonds (RKDBD, LLC Project), Series 2010, of the City of Olathe, Kansas. (Ron Shaver/Dianna Wright/Emily Vincent)
- E. Consideration of business expense statement for Mayor Michael Copeland for expenses incurred to attend the Conference of Mayors in Washington DC, January 24-27, 2018. (Brenda Long)
- F. Consideration of Resolution No. 18-1015, PLN 18-001, requesting the city’s consent to the enlargement of Consolidated Main Sewer District (Johnson County Executive Airport). (Aimee Nassif/Dan Fernandez)

- G. Consideration of the Consent Calendar. (Mary Jaeger/Celia Duran)
- H. Consideration of Resolution No. 18-1016 authorizing the 2018 Sidewalk Construction Project, PN 3-C-072-18. (Mary Jaeger/Celia Duran)
- I. Consideration of Engineer's Estimate, acceptance of bids and award of contract to PCiRoads, LLC for construction of the Black Bob Road Bridge Maintenance Project, PN 3-G-002-16. (Mary Jaeger/Celia Duran)
- J. Acceptance of bid and consideration of award of contract to Pure Technologies U.S. Inc. (d/b/a Wachs Water Services) for water valve and hydrant exercise, inspections and the fire flow testing. (Mary Jaeger/Amy Tharnish)
- K. Consideration of the purchase of Kennedy Fire Hydrants from Olathe Winwater Works for the Hydrant Replacement Project, PN 5-C-030-18. (Mary Jaeger/Amy Tharnish)

**8. NEW BUSINESS – PUBLIC WORKS**

- A. Consideration of Ordinance 18-06 requesting a rezoning (RZ 17-011) from CP-1 to C-2 district and preliminary development plan for Anderson Pointe on 0.87± acres; located in the vicinity of 127<sup>th</sup> 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 6-1.* (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 Resolution No. 18-1017 for approval of a special use renewal (SU-17-008) for motor vehicle sales (Qually's Auto Sales); located at 900 E. Santa Fe Street. Owner: Shawn M. Hutchinson Family Partnership. Applicant: Don Qually-Qually's Auto Sales. *Planning Commission recommends approval 7-0.* (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.

**9. NEW BUSINESS – ADMINISTRATION**

- A. Consideration of Ordinance 18-07 concerning amendments to the Olathe Municipal Code related to Private Clubs. (Ron Shaver/Rrachelle Breckenridge)

Action needed: Consider motion to approve or deny.

- B. Consideration of Ordinance No. 18-08 creating the Olathe Community Foundation. (Ron Shaver/Daniel Yoza)

Action needed: Consider motion to approve or deny.

- C. Consideration of Ordinance No. 18-02 for amendment to the Olathe Municipal Code regarding the City's Automatic Alarm Systems Ordinance. (Dianna Wright/Emily Vincent) **(Continued from the January 9, 2018, City Council meeting).**

Action needed: Consider motion to approve or deny.

- D. Consideration of Resolution No. 18-1018 authorizing the public sale of Water and Sewer System Revenue Bonds, Series 2018. (Dianna Wright/Amy Tharnish/Mary Jaeger)

Action needed: Consider motion to approve or deny.

**10. NEW CITY COUNCIL BUSINESS**

**11. END OF TELEVISED SESSION**

**12. GENERAL ISSUES AND CONCERNS OF CITIZENS**

**13. 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 a request by Ace Properties, LLC for issuance of industrial revenue bonds and tax abatement for the construction of new light industrial (warehouse/flex space) located on property on Lindenwood Dr, near west of E. Prairie Circle. (Dianna Wright/Emily Vincent)

**14. EXECUTIVE SESSION**

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

- D. Consideration of a motion to recess into an executive session under the exception provided under the Kansas Open Meetings act to discuss personnel matters of non-elected personnel pertaining to the City Auditor position.

**15. RECONVENE FROM EXECUTIVE SESSION**

**16. ADDITIONAL ITEMS**

**17. ADJOURNMENT**