



City of Olathe City Council
100 E. Santa Fe | Council Chamber
Tuesday | October 21, 2025 | 7:00 PM

Olathe Teen Council Dinner - City of Governors, 6:00 PM

1. CALL TO ORDER

Present: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

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

2. PLEDGE OF ALLEGIANCE

3. SPECIAL BUSINESS

A. Recognition of the 2025-2026 Olathe Teen Councilmembers.

Mayor Bacon introduced Liz Ruback, Assistant to the Mayor and Teen Council Coordinator. Ms. Ruback acknowledged each of the teens and the Mayor presented each with a certificate of participation.

B. Report from the Street Maintenance Sales Tax (SMST) Finance Oversight Committee on the 2024 Activities.

Mike Mangino, SMST Chairman, provided a presentation for the Council.

Councilmember Gilmore asked if there were additional committee members in attendance and asked them to stand and be recognized.

Mayor Bacon indicated Discussion Item 1, regarding Healthy Neighborhoods, was being removed and would be heard at a later date.

4. 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 council member requests that an item be removed from the consent agenda and considered separately.

Councilmember Vogt asked for items H, I and J to be removed and considered separately.

Councilmember Felter asked for items I, J, K and L to be removed and considered separately.

Councilmember Schoonover also asked for item I to be removed and considered separately.

Approval of the Consent Agenda

Motion by Vogt, seconded by Gilmore, to approve the Consent Agenda with the exception of items H, I, J, K and L. The motion carried by the following vote:

- Yes:** Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex
- A.** Consideration of approval of the City Council meeting minutes of the October 7, 2025 meeting.
approved.
 - B.** Consideration of renewal license(s) as recommended by the City Clerk.
approved.
 - C.** Consideration of renewal of contract with Firstup, Inc., for the City's Digital Workforce Experience Solution used to elevate internal communication and employee engagement.
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 Parkside Reserve, Sixth Plat (FP25-0027), containing 37 lots and four (4) tracts on approximately 19.10 acres, located southwest of S. Black Bob Road and W. 167th Street. Planning Commission approved the plat 6 to 0.
approved.
 - E.** Request for the acceptance of the dedication of the land for public easements and public street right of way for a final plat for Hilltop Farms, Second Plat (FP25-0028), containing 37 lots and one (1) tract on approximately 13.38 acres, located northwest of W. 175th Street and S. Mur-Len Road. Ridgeview Road. Planning Commission approved the plat 6 to 0.
approved.

- F. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat for Stonebridge Manor Fourth Plat (FP25-0029), containing 14 lots and one (1) tract on approximately 3.75 acres, located southeast of W. 167th Street and S. Mur-Len Road. Planning Commission approved the plat 6 to 0. approved.
- G. Consideration of Consent Calendar. approved.
- H. Consideration of vendor's proposal, acceptance of a cooperative purchasing agreement and award of contract to Great Southern Recreation LLC. for construction of a Playground Replacement Project at Woodbrook Park, PN 4-C-021-25. Councilmember Vogt asked for item H to be removed and considered separately. She wanted to make sure citizens were aware of the upcoming renovations happening at the park. She said it was fitting that the teen council talked about accessibility in parks since this new park would have accessibility elements. She asked Nate Baldwin, City Engineer, to provide an overview of the planned improvements, Ms. Vogt also asked questions about the source of funding and Mr. Baldwin said it is coming from the park excise tax. She asked about the timeline and Mr. Baldwin said it would be completed in 2026.

Motion by Vogt, seconded by Gilmore to approve Consent Agenda item H. The motion carried by the following vote:

Yes: Schoonover, Felter, Vakas, Essex, Bacon, Vogt, and Gilmore

- I. Consideration of Professional Services Agreement with GFT Infrastructure, Inc., for engineering and planning of the BNSF West Track Separation Preliminary Engineering Project, PN 3-C-029-24. Councilmembers Felter, Schoonover, and Vogt asked for Item I to be removed. Councilmember Schoonover asked for clarification on the timeline and Nate Baldwin, City Engineer, said that he thought there was an error in that date and would follow up with clarification, but he said the study should be completed in January 2028. Mr. Baldwin provided a short overview of the project and explained more of the details and goals of this study. Councilmember Vogt

said Mr. Baldwin answered her questions with his presentation. Councilmember Vakas asked additional questions about the process and Mr. Baldwin provided information and clarification. Mr. Vakas asked if there was any chance to move the timeline up for some of the crossings. Mr. Baldwin said they have to be careful with making sure they are following the steps required by the FRA. Councilmember Vogt suggested it can be done but will take planning.

Mayor Bacon asked for some details regarding the consultant that is being looked at to complete this study.

Councilmember Gilmore asked that the corrected date be included in the motion.

Motion by Vogt, seconded by Gilmore to approve Consent Agenda item I with a corrected date of January 2028. The motion carried by the following vote:

Yes: Felter, Vakas, Essex, Bacon, Vogt, Gilmore, and Schoonover

- J. Consideration of Resolution No. 25-1090 authorizing the Fire Station No. 4 Replacement Project, PN 6-C-022-25.

Councilmember Vogt asked for item J to be removed and considered separately to highlight the project. She asked for Fire Chief, Jeff DeGraffenreid, to provide a presentation. Chief DeGraffenreid said there is a need to upgrade this station due to its age. He said it has had significant renovations over the years, and it is one of the busiest stations in the City. He said that the station will not be staffed during renovations, but they are making plans for that time frame to provide necessary coverage. Councilmember Vogt asked additional questions about making sure the public is notified. Chief DeGraffenreid said it would be shared in a variety of ways. Councilmember Felter said she wanted to highlight this project as well. She asked if this would satisfy all the needs of the community and Chief DeGraffenreid said they are continuing to look at where growth is and making sure they are providing coverage where there is a need as well as updating older facilities.

Councilmember Vakas asked if this station would be similar to station 9 and Chief said the vendor they are using understands the needs of the department and there would be some similarities. Chief DeGraffenreid also said the design team can move quicker since they have already worked with the department for other stations. Councilmember Vakas asked about using an internal project manager and Zach Hardy, Deputy Infrastructure Director, introduced the new project manager who will be working on these projects. Councilmember Schoonover asked about the overlapping of opening station 9 and closing station 4. Chief said there shouldn't be overlap and the area coverage would be adequate.

Motion by Vogt, seconded by Gilmore to approve Resolution No. 25-1090. The motion carried by the following vote:

Yes: Essex, Vakas, Felter, Schoonover, Gilmore, Vogt, and Bacon

- K.** Consideration of an Agreement with Finkle + Williams Architect, Inc. for design services for the Fire Station No. 4 Replacement Project, PN 6-C-022-25.

Motion by Vogt, seconded by Gilmore to approve Consent Agenda item K. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

- L.** Consideration of an Agreement with Centric Projects, LLC for construction management services for the Fire Station No. 4 Replacement Project, PN 6-C-022-25.

Motion by Vogt, seconded by Gilmore to approve Consent Agenda item L. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

- M.** Consideration of award of contract to Ingram Library Services LLC for library materials for the Olathe libraries.
approved.

5. NEW BUSINESS

- A.** Consideration of Ordinance No. 25-39 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$3,200,000

for Business Garage Authority for the construction of a 33,000 square foot garage/flex office building at 15571 S Mahaffie St.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-39. The motion carried by the following vote:

- Yes:** Gilmore, Schoonover, Felter, Vakas, Essex, Bacon, and Vogt
- B.** Consideration of Ordinance No. 25-40 (RZ25-0011), requesting approval of a rezoning from the CTY IP-2 (County Planned Industrial) District to the M-2 (General Industrial) District with a preliminary site development plan and a final plat (FP25-0026) for Earth Contact Products, located at 15680 S. Keeler Terrace. Planning Commission recommended approval of the rezoning 7 to 0 and approved the final plat 7 to 0.
- Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-40. The motion carried by the following vote:
- Yes:** Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex
- C.** Consideration of Ordinance No. 25-41 (RZ25-0010), requesting approval of a rezoning from the R-1 (Single-Family Residential) District to the O (Office) District with a preliminary site development plan for Advent Health on approximately 4 acres, located at 14345 W. 119th Street. Planning Commission recommended approval 6 to 0, with 1 recusal.

Andrea Morgan, Planner II, provided a presentation to the Council.

Councilmember Essex asked about a historical building that will need to be demolished. Ms. Morgan said the building has been altered and she indicated that City staff will follow required protocol for historical buildings.

Councilmember Vakas asked if this would be a 24 hour facility and Ms. Morgan said that was the case but she also indicated there would not be overnight stays.

Councilmember Vogt asked about ambulance service and Ms. Morgan said there would not be ambulance service to this facility. Councilmember Schoonover asked if there were concerns about several other projects in the general area coming at the same time and if that would cause traffic issues. Ms. Morgan said the developers are working together to address concerns.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-41. The motion carried by the following vote:

Yes: Vakas, Essex, Bacon, Vogt, Gilmore, Schoonover, and Felter

- D.** Consideration of Ordinance No. 25-42 (UDO25-0001), amending Unified Development Ordinance Section 18.50 pertaining to signs and consideration of Ordinance No. 25-43 amending Olathe Municipal Code 12.10.050 pertaining to signs in the public right-of-way. Planning Commission recommends approval 7 to 0.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-42 and Ordinance No. 25-43. The motion carried by the following vote:

Yes: Gilmore, Schoonover, Felter, Vakas, Essex, Bacon, and Vogt

- E.** Consideration of Ordinance No. 25-44 approving a Loan Agreement with the Kansas Department of Health and Environment (KDHE) acting on behalf of the State of Kansas, for the funding of the Super Critical Water Oxidation Pilot, PN 1-C-019-25.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-44. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

- F.** Consideration of an authorization to transfer from Water & Sewer - CIF Cash to the Super Critical Water Oxidation Pilot Project, PN 1-C-019-25.

Motion by Vogt, seconded by Gilmore, that this agenda item be approved. The motion carried by the following vote:

Yes: Felter, Vakas, Essex, Bacon, Vogt, Gilmore, and Schoonover

- G.** Consideration of Amendment No. 1 with Garney Companies, Inc. for equipment procurement for the Super Critical Water Oxidation Pilot Project, PN 1-C-019-25.

Councilmember Essex said she is excited for this project and believes it is a win for Olathe.

Motion by Vogt, seconded by Gilmore, that this agenda item be approved. The motion carried by the following vote:

Yes: Schoonover, Felter, Vakas, Essex, Bacon, Vogt, and Gilmore

6. GENERAL ISSUES AND CONCERNS OF CITIZENS

None heard.

7. CONVENE FOR PLANNING SESSION

If report items are present, they have been 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. Proposed 2025-2026 Audit Plan

Mayor Bacon asked for clarification on the date and Councilmember Gilmore said it should be 2025 and not 2026.

B. DISCUSSION ITEMS

1. Discussion on the Annual Report on Olathe Healthy Neighborhoods Initiative; Planning staff will report on the State of the Neighborhoods including the healthy neighborhoods condition index, program updates and accomplishments associated with the Olathe Healthy Neighborhoods Initiative.

Mayor Bacon announced that this discussion item was being removed from the agenda and will be presented at a later meeting.

2. Economic Incentive Policies Review

Financial Strategy Manager, Kathryn Messer, gave a presentation regarding the City's economic incentive policies.

Councilmember Vakas asked for clarification on the area the changes would affect and Ms. Messer provided specifics.

Councilmember Gilmore asked for additional details to be provided by Chamber of Commerce CEO, Tim McKee. Mr. McKee said the changes are a reaction to other communities who are more aggressive. He said the City needed to be able to compete.

Councilmember Felter asked additional questions about the policy change and Mr. McKee provided additional explanations. Dr. Felter also mentioned the truck parking issues the southern development area is experiencing.

Councilmember Schoonover said he is disappointed that Olathe is in this place at this time. He said he would suggest there should be some changes to how the policy is worded.

Jamie Robichaud, Economy Director, said that the annual report will include information for the Council so they will know the developers are meeting their performance agreements.

Councilmember Vogt thanked staff for the performance reports and said they are very helpful.

Mayor Bacon asked if the title of the policy should be changed to be more in alignment with surrounding communities. Ms. Robichaud said it would be an easy change if the Council would like to move that direction. Ms. Robichaud said there is flexibility in the policy.

City Manager, Michael Wilkes, said this item would be on the agenda for approval in December.

3. Municipal Court update.

Judge Katie McElhinney and Judge Jill Kenney provided an update regarding the activities of the Municipal Court.

Councilmember Vakas asked additional questions about the wellness court that was discussed. Judge Kenny said they will likely designate two days of the week to address these concerns. Mr. Vakas also asked about veterans court and Judge Kenny said they would be included in with the Wellness Court.

Mayor Bacon and Councilmembers Essex, Vogt and Felter all thanked the judges and acknowledge the influence they have in the Olathe community through their roles in the Municipal Court.

8. EXECUTIVE SESSION

Meeting went into Recess

Meeting reconvened

Meeting went into Recess

Meeting reconvened

Meeting went into Recess

Meeting reconvened

- A. Recess into an executive session for preliminary discussion of the acquisition of real property in southern Olathe pursuant to the exception provided in K.S.A. 75-4319(b)(6).

Motion by Vogt, seconded by Gilmore, to recess into an executive session for preliminary discussion of the acquisition of real property in southern Olathe pursuant to the exception provided in K.S.A. 75-4319(b)(6) for 10 minutes with the open meeting resuming in the City Council chambers at 9:17 P.M. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

Motion by Vogt, seconded by Gilmore, to authorize the City Attorney to finalize, and the Mayor to execute, a real estate agreement with Southpark TIC Capital, LLC & C Note Capital, LLC, pertaining to the acquisition of certain real property in the vicinity of S. Frontier Lane & S. Harrison Street, and to further authorize the City Manager or City Attorney to execute all closing documents for the same. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

- B. Recess into an executive session to discuss data relating to financial affairs or trade secrets of a corporation pursuant to the exception provided in K.S.A. 75-4319(b)(4).

Motion by Vogt, seconded by Gilmore, to recess into an executive session to discuss data relating to financial affairs or trade secrets of a corporation pursuant to the exception provided in K.S.A. 75-4319(b)(4) for 15 minutes with the open meeting resuming in the City Council chambers at 9:35 P.M. The motion carried by the following vote:

Yes: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

The open meeting resumed at 9:35 P.M. and Mayor Bacon indicated they needed additional time. A motion was made by Vogt and seconded by Gilmore to recess back into executive session for an additional 15 minutes. The motion passed 4-0.

9. RECONVENE FROM EXECUTIVE SESSION

Motion by Vogt, seconded by Gilmore, to authorize staff to proceed with the strategies discussed with and directed by the governing body. The motion carried by the following vote:

Yes: Vogt, Gilmore, Schoonover, Felter, Vakas, Essex, and Bacon

10. ADDITIONAL ITEMS

Councilmember Essex said she thought it would be great to have additional tax breaks for the seniors in the community.

Councilmember Felter acknowledged her dad for hiking Mount Everest base camp. She also acknowledged the opening of an intersection at 167th and Ridgeview. She thanked the SMST committee for their work and efficiency.

Councilmember Vakas said he was looking forward to the Olathe Fire Academy graduation.

Mayor Bacon invited the community to participate in the activities offered by Parks and Rec, Mahaffie and both Libraries for the Halloween season.

Councilmember Gilmore invited everyone to attend the Olathe Community Prayer Breakfast on November 7th.

11. ADJOURNMENT

The meeting adjourned at 9:56 P.M.

Brenda D. Swearingian

City Clerk