



City of Olathe City Council
100 E. Santa Fe | Council Chamber
Tuesday | July 15, 2025 | 7:00 PM

Police Focus Area Update - 6:00 PM, City of Governors - City Hall

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. SPECIAL BUSINESS

- A.** Proclamation recognizing Aug. 5, 2025 as National Night Out
Mayor Bacon read the proclamation and presented it to Police Sergeant, John Moncayo. Sergeant Moncayo shared additional information about the National Night Out and how the City of Olathe promotes this event.

4. PUBLIC HEARINGS

- A.** Public hearing and consideration of Ordinance No. 25-20 regarding the creation of a community improvement district and the levy of a community improvement district sales tax pursuant to K.S.A. 12-6a26 et seq. (the 200 W. Santa Fe Street CID).
Mayor Bacon opened the public hearing and hearing no comments, called for a motion to close the public hearing.
Motion by Vogt, seconded by Gilmore, to close the public hearing. The motion carried by the following vote:

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

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-20. The motion carried by the following vote:

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

5. 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.

Approval of the Consent Agenda

Motion by Vogt, seconded by Gilmore, to approve the Consent Agenda with the exception of items C, D and G. 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 July 1, 2025 and July 8, 2025.
approved.
- B. Consideration of renewal license(s) as recommended by the City Clerk.
approved.
- C. Consideration of a First Amendment to the Olathe Gateway Development Agreement between the City of Olathe, Kansas and Loretto Commercial Development, LLC.
Councilmember Felter asked for an explanation of the amendment.

Ron Shaver, City Attorney, explained it had to do with extending the timeline due to delays that have been encountered with title issues.

Councilmember Felter asked for additional information regarding the issues that were been referenced. Mr. Shaver said the first step in addressing the issues is the amendment that is before the council tonight.

Todd LaSala with Stinson, LLC, said the title on this property has a lot of ambiguity. He said they are negotiating what the restrictions should be and the dialogue has been very constructive. He said he believes there is a tentative agreement with neighboring property owners.

Councilmember Felter said she believes the Council is sensitive to the issues they are encountering and want to be supportive. Mr. LaSala said he is appreciative of the Council's support. Dr. Felter said the disability community is anxious to see this development

move forward. Mr. LaSala said that Mr. Arkell has never stopped working towards a resolution and continues to believe in this project.

Mayor Bacon said he agrees with Councilmember Felter and is looking forward to having this agreement in place, as it is the easiest way to resolve the issues.

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

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

- D.** Consideration of a First Amendment to the Real Estate Contract between the City of Olathe, Kansas and CB Olathe Holdings, LLC. Councilmember Vakas asked for clarification on the extended timeline.

Ron Shaver, City Attorney, said the timeline has to do with financing due to specific wording and they are hoping to close by August 1st.

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

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

- E.** Consideration of Travel Request Authorization for Municipal Judge Kenney to travel to Hays, KS to attend the Kansas Mental Health Summit, August 26-27, 2025.
approved.
- F.** Consideration of a Business Expense Statement for Municipal Judge Kenney to attend the All Rise Conference in Kissimmee, Florida, May 28 to May 31, 2025.
approved.

- G.** Consideration of Resolution No. 25-1063 of the City of Olathe, Kansas regarding the Governing Body's intent to levy a property tax exceeding the revenue neutral rate.
Councilmember Vakas asked for an explanation on this item for the citizens of Olathe.

Clara Bernauer, Interim Budget Manager, provided a short presentation explaining the mill levy and the intent to levy a property tax to exceed the revenue neutral rate. She explained that there will

be a public hearing at a later date.

Mr. Vakas asked for confirmation that there is no intent to raise the mill levy and Ms. Bernauer said that is correct.

Mayor Bacon reminded everyone that the County will send notices to all residents.

Councilmember Vogt also reminded people that there might be an increase in property taxes but that is because property values are increased not because the mill levy is being raised.

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

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

- H.** Request for the acceptance of the dedication of the land for public easements for a final plat for West Santa Fe Plaza Shopping Center, 2nd Plat (FP25-0017), containing two (2) lots on approximately 6.23 acres, located northeast of W. Santa Fe Street and Parker Street. Planning Commission approved the plat 8 to 0.
approved.
- I.** Consideration of Consent Calendar.
approved.
- J.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Wiedenmann, Inc. for construction of the 151st and Black Bob Waterline Replacement Project, PN 5-C-029-24.
approved.
- K.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Wiedenmann, Inc. for construction of the Sheridan Bridge V Waterline Improvements Project, PN 5-R-002-24.
approved.
- L.** Consideration of Resolution 25-1064 authorizing additional funds for the Sunset and Ridgeview Intersection Improvements, PN 3-C-013-20.
approved.
- M.** Consideration of Agreement No. 484-25 with the Kansas Department of Transportation (KDOT) for funding the 2025 Streetlight LED Conversion Project, PN 3-C-009-25.
approved.

- N. Consideration of Amendment No. 4 with Crossland Heavy Contractors, Inc. for construction of the West Cedar Creek Sewer Interceptor Project, PN 1-C-011-24.
approved.
- O. Authorization to add additional funds to the Cleaning Up, LLC, contract for janitorial services for City buildings.
approved.
- P. Consideration of renewal of contract with Rand Construction Company for City plumbing maintenance and repairs.
approved.

6. NEW BUSINESS

- A. Consideration of Ordinance No. 25-21 amending Title 9 of the Olathe Municipal Code (the Olathe Public Offense Code).
Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-21.
The motion carried by the following vote:
Yes: Bacon, Vogt, Schoonover, Felter, Vakas, Essex, and Gilmore
- B. Consideration of Ordinance No. 25-22 amending Title 10 of the Olathe Municipal Code (the Olathe Traffic Ordinance).
Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-22.
The motion carried by the following vote:
Yes: Vakas, Bacon, Vogt, Gilmore, Schoonover, Felter, and Essex

7. GENERAL ISSUES AND CONCERNS OF CITIZENS

Heather McCain, an Olathe resident, spoke about traffic in her neighborhood during road construction on 119th Street.

Gregory Betzen, an Olathe resident, spoke about live streaming council meetings.

8. 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. Quarterly Procurement Report
Report accepted.

2. Report on 2026 Community Development Block Grant (CDBG) funding recommendations.
Report accepted.

9. EXECUTIVE SESSION

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

- A. Personnel matters of non-elected personnel pursuant to the exception provided in K.S.A. 75-4319(b)(1) regarding the City Manager.
Motion by Vogt, seconded by Gilmore, that the Olathe City Council recess into an executive session to discuss personnel matters of non-elected personnel regarding the City Manager pursuant to the exception provided in K.S.A. 75-4319(b)(1) for 30 minutes with the open meeting resuming in the Council Chambers at 8:03 P.M. The motion carried by the following vote:

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

Mayor Bacon reconvened the meeting at 8:03 P.M. and said there was a need to recess back into executive session for an additional 15 minutes. The motion carried 4-0.

Mayor Bacon reconvened the meeting at 8:18 P.M. and said the Council needed an additional 10 minutes in executive session. The motion carried 4-0.

10. 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: Bacon, Vogt, Gilmore, Schoonover, Felter, Vakas, and Essex

11. ADDITIONAL ITEMS

Councilmember Gilmore expressed concerns regarding the price of the proposed art for the 119th street project. He said he would like staff to provide some additional information and context to the Council.

Mayor Bacon asked what precedents had been set with past projects and Mary Jaeger, Infrastructure Director, said she would get info to the Council.

Councilmember Vogt asked if there was donation funds allocated for art that

might be utilized.

Councilmember Felter said the police department had provided a great presentation to the Council and expressed her appreciation for them. She shared her condolences for the heartbreak events in Texas and shared about the team from Kansas that had been deployed to assist. She also mentioned her concern for the businesses, specifically the car dealerships, that will be disrupted during the I-35/Santa Fe project and encouraged the infrastructure team to be mindful and help mitigate the impact.

Ms. Jaeger said they had already been in contact with the dealerships and will continue to work with them as the project proceeds.

Councilmember Vakas thanked Mayor for his thoughtfulness during the meeting.

Mayor Bacon expressed the importance of budget process and said the next budget workshop will be during the next council meeting on August 5th.

City Manager, Michael Wilkes, said the Council should have received a survey regarding their monthly report and asked the Council to be sure to return those.

12. ADJOURNMENT

The meeting was adjourned at 8:41 P.M.

Brenda D. Swearingian

City Clerk