



City of Olathe City Council  
100 E. Santa Fe | Council Chamber  
Tuesday | February 4, 2025 | 6:45 PM

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## City Council Technology Training - Council Conference Room - 6:15 P.M.

### 1. CALL TO ORDER

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

### 2. 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 Auditor position.  
Motion by Vogt, seconded by Gilmore, to recess into an executive session to discuss personnel matters of non-elected personnel pursuant to the exception provided in K.S.A. 75-4319(b)(1) regarding the City Auditor Position for 10 minutes. The open meeting will resume in City Council Chambers at 6:56 PM. The motion carried by the following vote:

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

### 3. RECONVENE FROM EXECUTIVE SESSION

Mayor Bacon stated the City Council is still in the process of searching for a new City Auditor.

### 4. BEGIN LIVE STREAMED SESSION – 7:00 P. M.

### 5. PLEDGE OF ALLEGIANCE

### 6. SPECIAL BUSINESS

- A. Consideration of Resolution No. 25-1017 reappointing a member to the Planning Commission.  
Mayor Bacon introduced Planning Commission Chair Wayne Janner to introduce Planning Commissioner Jeff Creighton. Mayor Bacon presented Mr. Creighton with his certificate of reappointment.

Mr. Creighton thanked the mayor and council for allowing him to continue to serve.

Motion by Vogt, seconded by Gilmore, to approve Resolution No. 25-1017. The motion carried by the following vote:

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

**Absent:** Schoonover

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

Councilmember Vogt requested items E and I to be pulled and considered separately.

Councilmember Gilmore requested item N to be pulled and considered separately.

### Approval of the Consent Agenda

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

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

**Absent:** Schoonover

- A.** Consideration of approval of the City Council meeting minutes of the January 21, 2025 council meeting.  
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.  
approved.
- C.** Consideration of Travel Request Authorization for City Councilmembers and City Manager, Michael Wilkes to travel to attend the NLC conference.  
approved.
- D.** Consideration of a Real Estate Agreement with Enterprise Bank & Trust.  
approved.
- E.** Consideration of approval of Resolution No. 25-1018, and adopting the updated 2024 Region L Multi-Jurisdictional Hazard Mitigation Plan for Olathe, Kansas.

Councilmember Vogt stated she feels this is an important document and asked for Fire Chief DeGrafenreid to provide an update on the

item.

Chief DeGraffenreid stated it is required for all political cities to have a plan to be eligible to receive funding from the government. He stated Region L consists of Wyandotte, Leavenworth and Johnson Counties which all had input on the new updates. FEMA then reviews them and approves them, which then allows the counties and cities to apply for grant funding for them. Some of the projects include making sure the dam at Lake Olathe is safe and adding power generation to water lift stations.

Ms. Vogt stated there are four items listed with a proposed completion time of one year, that total approximately 4 million dollars and asked what would happen if the Federal Grants are not approved. Chief DeGraffenreid stated staff would begin looking for other grants first before looking at the budget process for potential funding.

Mayor Bacon asked clarifying questions about traffic signals moving to battery backup. Nate Baldwin, City Engineer, stated there are only about eight signals that do not have battery backup at this time and the batteries last about 12 hours.

Motion by Vogt, seconded by Gilmore, to approved Resolution No. 25-1018 adopting the updated 2024 Region L Multi-Jurisdictional Hazard Mitigation Plan for Olathe, Kansas. The motion carried by the following vote:

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

**Absent:** Schoonover

**F.** Consideration of Consent Calendar.

approved.

**G.** Consideration of Resolution No. 25-1019 authorizing the City of Olathe's completion of an application to Kansas Department of Health and Environment for a loan for the Super Critical Water Oxidation Project, PN 1-C-019-25.

approved.

**H.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to McAnany Construction, Inc. for construction of the 2025 Local and Collector Street Mill and Overlay Project - Group A, PN

3-P-006-25.

approved.

- I. Consideration of Engineer's Estimate, acceptance of bids and award of contract to Sands Construction, LLC for construction of the Prairie Center Park Improvements Phase 1 Project, PN 4-C-016-22. Councilmember Vogt asked for a brief presentation outlining the changes being made since this project is being funded by the Park Sales Tax.

Nate Baldwin, City Engineer, presented the changes, including the addition of a parking lot and new pickleball courts.

Motion by Vogt, seconded by Gilmore, to approve Project, PN 4-C-016-22 as presented. The motion carried by the following vote:

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

**Absent:** Schoonover

- J. Consideration of an Agreement with Johnson County for funding the construction of the CMP Replacement: 143rd Street and Lakeshore Drive Arterial Mill and Overlay Projects, PN 2-R-001-25.  
approved.
- K. Consideration of an Agreement with Johnson County for funding the construction of the CMP Replacement: Anne Shirely Drive Pipe Lining Project, PN 2-R-002-25.  
approved.
- L. Consideration of an Agreement with Johnson County for funding the construction of the CMP Replacement: Public Safety Drive Reconstruction Project, PN 2-R-003-25.  
approved.
- M. Consideration of a Professional Services Agreement with HNTB Corporation for contract project management services for various infrastructure projects within the City of Olathe.  
approved.
- N. Consideration of award of contract to Trojan Technologies to upgrade UV modules at Harold Street Wastewater Treatment Plant.  
Councilmember Gilmore asked for clarification on why a single source vs. going out to bid on the item was used.

Michelle Probasco, Environmental Services Manager, stated that a single source bid was used because the upstream control systems

at the Wastewater Treatment Plant already use Trojan Technologies, and if the city used another company's equipment, it would void the warranty of the remaining Trojan equipment.

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

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

**Absent:** Schoonover

## **8. NEW BUSINESS**

- A.** Consideration of Ordinance No. 25-05 amending Section 3.60.140 of the Olathe Municipal Code pertaining to General Policy on Tort Liability Claims.

Motion by Vogt, seconded by Gilmore, to approve Ordinance No. 25-05 amending Section 3.60.140. The motion carried by the following vote:

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

**Absent:** Schoonover

- B.** Consideration of Ordinance No. 25-06 authorizing payment by the City Treasurer of an eminent domain award and court-appointed appraisers' fees in the eminent domain case of The City of Olathe, Kansas vs. Sutherland Lumber Company of Kansas City, LLC, et al., Case No. 24-CV-05563 for the Animal Shelter Project, PN 6-C-007-23.

Councilmember Gilmore stated he was against this item and felt the need to take private property was not warranted when a shelter could be built elsewhere.

Motion by Vogt, seconded by Felter, to approved ordinance 25-06. The motion carried by the following vote:

**Yes:** Bacon, Vogt, Felter, Vakas, and Essex

**No:** Gilmore

**Absent:** Schoonover

## **9. NEW CITY COUNCIL BUSINESS**

Councilmember Vogt applauded the councilmembers and staff that participated in the Chill Chasers walk. Ms. Vogt thanked Nate Baldwin for meeting her at Avignon Apartments to visit with their safety committee.

Councilmember Felter praised the Police and Fire Departments for their social media material. Dr. Felter also mentioned Heather Geary, first year social

worker class at KU. Dr. Felter mentioned she had a great discussion with Ms. Geary and other students regarding what to expect after graduation and the individuals they may get to work with.

Mayor Bacon noted that February is Black History Month and announced that the city will issue a proclamation during the council meeting on February 18th. He also shared that the City of Olathe is collaborating with the City of Overland Park to host the second annual Neighborhood Leadership Summit.

**10. END OF LIVE STREAMED SESSION**

**11. GENERAL ISSUES AND CONCERNs OF CITIZENS**

No comments heard.

**12. 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

**13. ADDITIONAL ITEMS**

**14. ADJOURNMENT**

The meeting adjourned at 7:26 PM.

Eric Strimple  
Assistant City Clerk