



1. CALL TO ORDER

Present: Vogt, Gilmore, Schoonover, Felter, and Vakas
Absent: Bacon, 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.** Consideration of Resolution No. 25-1065 reappointing members to the Olathe Public Art Committee.

Mayor Pro Tem Vogt invited board chair, Chelsy Walker, to the podium to introduce the reappointed members.

Ms. Vogt presented each member with a certificate of reappointment.

Motion by Gilmore, seconded by Felter, to approve Resolution No. 20-1065 as presented. The motion carried by the following vote:

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

Absent: Bacon, and Essex

- B.** Proclamation recognizing Olathe as a Purple Heart City.

Mayor Pro Tem Vogt read and presented the proclamation to Kent Bonham.

Mr. Bonham thanked the council for the recognition and stated the proclamation was for all the men and women who earned a purple heart through their sacrifices.

4. PUBLIC HEARINGS

- A.** Public Hearing and Consideration of Resolution of Intent No. 25-1066 on behalf of CB Olathe Holdings LLC (Char Bar) and assigns for an issuance request for industrial revenue bonds and tax phase-in resolution for a single series project. The project will entail the

redevelopment and expansion of a existing 4,062 square foot facility. The redeveloped facility will house Char Bar in 26,271 total square feet, after a 22,209 square foot expansion. The facility will house a full-service barbecue restaurant, pickleball courts and outdoor area for dining and yard games at 200 W Santa Fe St Olathe, KS 66061.

Mayor Pro Tem Vogt opened the public hearing and invited comments.

No comments were heard.

Motion by Gilmore, seconded by Felter, to close the public hearing. The motion carried by the following vote:

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

Absent: Bacon, and Essex

Motion by Gilmore, seconded by Felter, to approve resolution no 25-1066. The motion carried by the following vote:

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

Absent: Bacon, 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

Councilmembers Schoonover and Vakas asked for items N and O to be pulled and considered separately.

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

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

Absent: Bacon, and Essex

- A.** Consideration of approval of the City Council meeting minutes of the July 15, 2025 council meeting.
approved.
- B.** Consideration of renewal license(s) as recommended by the City Clerk.
approved.
- C.** Consideration of Resolution No. 25-1067 calling and providing for the

- giving of notice of a public hearing on September 2, 2025 on the advisability of creating a community improvement district (the Olathe Station North CID).
approved.
- D. Consideration of Resolution No. 25-1068 calling and providing for the giving of notice of a public hearing on September 2, 2025, on the advisability of creating a community improvement district (the Lone Elm & 175th Street CID).
approved.
- E. Consideration and Approval of the 2026 Community Development Block Grant (CDBG) funding recommendations.
approved.
- F. Request for the acceptance of the dedication of land for public easements for a final plat of Premier Business Park (FP25-0021), containing one (1) lot on approximately 1.38 acres, located southwest of S. Kansas Avenue and E. Southgate Street. Planning Commission approved the plat 8 to 0.
approved.
- G. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Stonebridge South Addition, First Plat (FP25-0022), containing 2 lots on approximately 0.66 acres, located southeast of the intersection of S. Ridgeview Road and W. 168th Terrace. Planning Commission approved the plat 8 to 0.
approved.
- H. Consideration of approving Resolution No. 25-1069 Use of Video Security Cameras and Recording Equipment in Public Areas.
approved.
- I. Consideration of renewal of contract with All City Management Services for crossing guard services for Police Department.
approved.
- J. Consideration of the 2025-2027 Agreement with The Kansas School for The Deaf providing for a School Resource Officer.
approved.
- K. Consideration of Consent Calendar.
approved.
- L. Consideration of Change Order No. 1 to the contract with Superior Bowen Asphalt Company, LLC for construction of the Valley Parkway Arterial Mill and Overlay Project, PN 3-P-005-24, and Clare Road Arterial Mill and Overlay Project, PN 3-P-005-25.

- approved.
- M. Consideration of Change Order No. 2 with Kaw Roofing and Sheet Metal, Inc. for interior roof drain plumbing and metal deck replacement for the City Hall Environmental Systems Renovation and Roof project PN 6-C-016-19.
approved.
- N. Consideration of Resolution No. 25-1070 authorizing the BNSF West Track Separation Preliminary Engineering Project, PN 3-C-029-24; and amending Resolution 24-1008.
Councilmembers Schoonover and Vakas asked to receive a presentation on this item.

Nate Baldwin, City Engineer, provided a presentation to the council.

Councilmember Vakas asked for clarification on the sources of funding and what the study will examine. Mr. Baldwin explained the three sources of funding that will be used and stated that the study will review eight at-grade crossings and one below-grade crossing.

Councilmember Schoonover inquired whether staff believed the study would justify the total investment of \$1.8 million, which includes the city's contribution of \$500,000. Mr. Baldwin stated he feels that the added deliverables, including the environmental study, will be worth the cost.

Motion by Gilmore, seconded by Felter, to approve resolution no 25-1070. The motion carried by the following vote:

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

Absent: Bacon, and Essex

- O. Consideration of an Agreement with the Federal Railroad Administration for obligation of Railroad Crossing Elimination grant funds for the BNSF West Track Separation Preliminary Engineering Project, PN 3-C-029-24.

Councilmember Schoonover and Vakas pulled item O because it pertained to Item N.

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

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

Absent: Bacon, and Essex

- P. Consideration of Supplemental Agreement No. 1 with George Butler Associates, Inc. for design of the South Hyer Street, South Emery Street and North Water Street Improvements Project, PN 3-R-002-23; the East Lakeview, East Wabash Avenues and South Chester Street Improvements Project, PN 3-R-003-23; the 107th Street Improvements Project, PN 3-R-001-26; and the Cedar Lake Drive Improvements Project, PN 3-P-009-26.
- approved.

6. NEW BUSINESS

- A. Consideration of Ordinance No. 25-23 (RZ25-0004), requesting approval of a zoning amendment to Ordinance 05-25 and Ordinance 01-62 regarding monument signs for the Shops at Sunnybrook and vicinity on approximately 74.30 acres, located southwest of College Boulevard and S. Lone Elm. Planning Commission recommended approval 9 to 0.

Motion by Gilmore, seconded by Felter, to approve ordinance no 25-23.
The motion carried by the following vote:

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

Absent: Bacon, and Essex

- B. Consideration of Ordinance No. 25-24 authorizing payment by the City Treasurer of an eminent domain award and court-appointed appraiser's fees for constructing and maintaining the Santa Fe, Ridgeview to Mur Len Improvements Project [PN 3-C-025-18], in the matter of City of Olathe, Kansas vs. Celebrate Holdings Olathe, LLC, et al. (JO-2025-CV-000959).

Motion by Gilmore, seconded by Felter, to approve ordinance no 25-24.
The motion carried by the following vote:

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

Absent: Bacon, and Essex

- C. Consideration of Ordinance No. 25-25 authorizing payment by the City Treasurer of an eminent domain award and court-appointed appraiser's fees for constructing and maintaining the Santa Fe, Ridgeview to Mur Len Improvements Project [PN 3-C-025-18], in the matter of City of Olathe, Kansas v. Karen G. Brokenicky Revocable Trust, et al. (JO-2025-CV-000960).

Motion by Gilmore, seconded by Felter, to approve ordinance no 25-25.
The motion carried by the following vote:

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

Absent: Bacon, and Essex

- D. Consideration of approving Police Drones as First Responder (DFR) Program with BRINC.

Police Chief, Mike Butaud, provided a brief presentation to the council.

Councilmember Schoonover asked for clarification on when the drones would be dispatched. Chief Butaud stated they would be sent to calls, including robberies, accidents, and structure fires. Chief Butaud also stated that police staff will be in control of the drones at all times. Mr. Schoonover asked if the drones would be armed. Chief Butaud stated, they would not be.

Councilmember Vogt asked about the training required and the officers that will be operating the drones. Chief Butaud stated the city has 10 drone pilots at this time and he noted the captains will be responsible for maintaining control of the drones.

Councilmember Vakas asked about the drones placement in the city. Chief Butaud stated that they will be on top of three city-owned properties.

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

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

Absent: Bacon, and Essex

7. GENERAL ISSUES AND CONCERNNS OF CITIZENS

No comments heard.

8. CONVENE FOR PLANNING SESSION

A. REPORTS

1. Report regarding an annexation agreement with, and fire district detachment petition submitted by, 167th Street Properties, LLC, pertaining to the annexation and detachment of approximately 37.56 acres at the southwest corner of 167th Street and Lone Elm Road.
report accepted

2. Report regarding proposed amendments to Title 13 of the Olathe Municipal Code pertaining to water and sewer fees and charges.

report accepted

3. Report regarding proposed amendments to Titles 8 and 9 of the Olathe Municipal Code pertaining to animals.

Councilmember Vogt asked clarifying questions regarding animals at large and the intake process for the animal shelter, specifically expressing concern about the language related to the potential for euthanasia, as Olathe operates as a no-kill shelter. Assistant City Attorney, Bob Gallimore, noted that the language reflects existing code but would allow shelter staff to provide further explanation.

Animal Control Supervisor, James Brackett, stated that all shelters have verbiage regarding euthanasia. He also noted that the city does not kill due to a lack of space and added that the main reason for euthanasia is because of public safety concerns if the animal were to be released or extreme medical issues that are reviewed by veterinary staff.

Councilmember Vogt stated she would like to see the operation language reworked to be more in line with the true operations practices of the shelter.

Councilmember Vakas asked if the wording will reflect the current practice of Olathe when the item comes back. Mr. Gallimore stated that the staff would work on narrowing the wording regarding euthanasia.

report accepted

B. DISCUSSION ITEMS

1. Discussion of the City of Olathe's Safety Action Plan.

City Engineer, Nate Baldwin, introduced Andrew Robertson, Assistant City Engineer/Transportation Manager, to the council. Mr. Robertson provided a brief presentation on the Safety Action Plan.

Councilmember Vakas asked if the temporary safety island shown in the presentation would be replaced with a permanent

concrete one. Mr. Robertson stated it would be replaced, but no time frame has been set.

Councilmember Felter emphasized the importance of ensuring safety improvements do not create travel inconveniences for residents.

Councilmember Gilmore noted the study could help prioritize projects in the CIP by identifying which roads are more dangerous.

Councilmember Schoonover requested clarification on the study's proposed projects, and Mr. Robertson explained the list's development, adding it is not final.

Councilmember Vogt requested an addendum to the study showing how current projects will enhance safety and asked additional questions about proposed projects, which Mr. Baldwin addressed.

2. General Overview of the Proposed 2026 Water & Sewer, Stormwater, and Solid Waste Budgets, 2026-2030 Capital Improvement Plan (CIP), and fees.

Clara Bernauer, Interim Budget Manager, provided a presentation to the council.

Councilmember Vakas asked to see historical rate increases over the years and to see what having a lower increase would look like. Ms. Bernauer stated they could look at what a lower rate increase would look like, but cautioned that it would require significant changes to the operational needs and projects proposed. Mr. Vakas also commented on the differences between residential and business utility rate classes.

Councilmember Schoonover shared concerns about the rate increases and how they could affect citizens. Mr. Schoonover also asked clarifying questions about what goes into deciding how long the city bonds a project. Ms. Bernauer stated that

staff look at the life of the asset along with its total cost of the project when looking at how long to bond them.

Councilmember Gilmore stated he disagrees with lowering the percentage on the proposed fee increases because Olathe is a growing city and this type of infrastructure is funded by all customers, not just new development. Mr. Gilmore also commented that the current planned waterline replacement schedule is simply kicking the issue down the road, rather than addressing it directly. Mary Jaeger, Infrastructure Director, stated this is cumulative end of life, not failure and noted that the waterline rehab fund has been increased by 4 million dollars to help make an impact on the replacement of waterlines.

Councilmember Felter asked for clarification on the utility discount program. Ms. Bernauer explained how the discount is applied. Dr. Felter asked if the outside city water rate was new for 2026 and asked how many households the fee impacts. Sabrina Parker, Water and Sewer Manager, stated there are approximately five outside sewer customers and eighty water customers.

Councilmember Schoonover asked if the cost of pipe replacement is going down. Ms. Jaeger stated that some expenses have decreased since last year.

Councilmember Felter cautioned charging businesses a higher percentage for services because businesses already pay higher taxes.

Councilmember Vogt stated that lowering the percentage of increase now could cause issues in future years, where the fee increase could be significant.

9. ADDITIONAL ITEMS

Councilmembers Schoonover, Felter, and Vakas each expressed their condolences to Mayor Bacon's family and the Olathe Police Department.

Dr. Felter also shared appreciation for Olathe becoming a Purple Heart City, and Mr. Vakas thanked the city for recognizing Purple Heart recipients.

10. ADJOURNMENT

The meeting adjourned at 9:10 PM.

Eric Strimple
Assistant City Clerk