



1. CALL TO ORDER

2. EXECUTIVE SESSION

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

- A.** For preliminary discussions related to acquisition of property pursuant to the exception provided in K.S.A.75-4319(b)(6) regarding the Pflumm Road, 143rd Street to 151st Street, Improvements Project, PN 3-C-114-20.

Staff Contact: Ron Shaver

- B.** For discussions with the City's attorneys which would be deemed privileged in the attorney-client relationship pursuant to the exception provided in K.S.A. 75-4319(b)(2) pertaining to an application for a neighborhood revitalization tax rebate.

Staff Contact: Ron Shaver

3. RECONVENE FROM EXECUTIVE SESSION

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

5. PLEDGE OF ALLEGIANCE

6. SPECIAL BUSINESS

- A.** Consideration of Resolution No. 21-1048 appointing and reappointing members to the Citizens Police Advisory Council.

Staff Contact: Liz Ruback

Attachments: [7-6-21 CPAC appointments resolution](#)

Action needed: Consider a motion to approve or deny.

- B.** Presentation of the Service Award to Keith Brown.

Staff Contact: Liz Ruback

7. PUBLIC HEARINGS

- A. Consideration of a Public Hearing on a request by BCB Olathe Holdings LLC for issuance of industrial revenue bonds and tax phase in for the development and construction of 385,000 sq. ft. of dry storage speculative warehouse facilities located near the northwest corner of Fountain Drive and Frontier Lane.

Staff Contact: Dianna Wright

Attachments: [Attachment A: Application and Firm Data Sheet](#)
[Attachment B: Executive Summary](#)
[Attachment C: Cost Benefit Report](#)
[Attachment D: Site Plan](#)

Action needed: Consider a motion to close public hearing.

- B. Consideration of Resolution No. 21-1049 expressing intent to issue industrial revenue bonds and tax phase in on behalf of BCB Olathe Holdings LLC for construction of 385,000 sq. ft. of dry storage speculative warehouse facilities located near the northwest corner of Fountain Drive and Frontier Lane.

Staff Contact: Dianna Wright

Attachments: [Attachment A: Resolution No. 21-1049](#)

Action needed: Consider a motion to approve or deny.

8. 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 approval of the City Council meeting minutes of June 15, 2021.

Staff Contact: Eric Strimple

Attachments: [A. 06-15-2021 Council minutes](#)

- B. Consideration of drinking establishment renewal application for Chipotle Mexican Grill #49; new drinking establishment application for The Kansas City BBQ Store, LLC, d/b/a The Kansas City BBQ Store.

Staff Contact: Eric Strimple

- C. Consideration of private club renewal application for Lumpy's Pub & Grub.

Staff Contact: Eric Strimple

- D. Consideration of Resolution No. 21-1050 a Resolution of the City of Olathe, Kansas regarding the Governing Body's intent to levy a property tax exceeding the revenue neutral rate.

Staff Contact: Dianna Wright

Attachments: [Attachment A: Resolution 21-1050](#)

- E. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Bonham Estates First Plat (FP21-0020), containing two (2) lots on approximately 3.95 acres; located north of W. Dennis Avenue and west of S. Stonecrest Road. Planning Commission approved plat 8 to 0.

Staff Contact: Aimee Nassif and Brenna Kiu

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)

- F. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat for Island Creek Farm (FP21-0021) containing one (1) residential lot on 4.65± acres; located at 15000 S. Quivira Road. Planning Commission approved this plat 8-0.

Staff Contact: Aimee Nassif and Zachary Moore

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)

- G. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat for Woodland Hills, Fourth Plat (FP21-0022) containing 31 residential lots on 14.06± acres; located northeast of 115th Terrace and S. Woodland Road. Planning Commission approved this plat 7-0.

Staff Contact: Aimee Nassif and Zachary Moore

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)

- H. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat for Woodland Hills, Fifth Plat (FP21-0023) containing 47 residential lots on 21.21± acres; located northeast of 115th Terrace and S. Woodland Road. Planning Commission approved this plat 7-0.
Staff Contact: Aimee Nassif and Zachary Moore

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
- I. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of Nottingham Creek Eighth Plat (FP21-0024), containing twenty-four (24) lots and two (2) tracts on approximately 8.97 acres; located in the vicinity of W. 177th Terrace and S. Lone Elm Road. Planning Commission approved plat 7 to 0.
Staff Contact: Aimee Nassif and Emily Carrillo

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
- J. Request for the acceptance of the dedication of land for public easements and public street right-of-way for a final plat of 175th Street Commerce Centre (FP21-0025), containing one (1) lot on approximately 57.62 acres; located at the northwest corner of 175th Street and Hedge Lane. Planning Commission approved the plat 7 to 0.
Staff Contact: Aimee Nassif and Jessica Schuller

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
- K. Consideration and approval of the 2021 Byrne Justice Assistance Grant (JAG) Program.
Staff Contact: Mike Butaud

Attachments: [A. 2021 Kansas Local JAG Allocations](#)
[B. Johnson County, 2021 JAG MOU](#)
- L. Consideration of Consent Calendar.
Staff Contact: Mary Jaeger and Nate Baldwin

Attachments: [A. Consent Calendar](#)
[B. Change Orders](#)

- M.** Consideration of Resolution No. 21-1051 authorizing the Interstate 35 and 119th Street Interchange Reconfiguration Project, PN 3-C-026-16; and repealing Resolution No. 20-1070.
Staff Contact: Mary Jaeger and Nate Baldwin
- Attachments:** [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Resolution](#)
- N.** Consideration of Change Order No. 4 with Miles Excavating, Inc for construction of the Interstate 35 and 119th Street Interchange Reconfiguration Project, PN 3-C-026-16.
Staff Contact: Mary Jaeger and Nate Baldwin
- Attachments:** [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Change Order No. 4](#)
- O.** Consideration of Change Order No. 1 to the contract with Phoenix Concrete, LLC for construction of the 2021 Local and Collector Street Mill and Overlay Project - Group A, PN 3-P-004-21.
Staff Contact: Mary Jaeger and Nate Baldwin
- Attachments:** [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Change Order No. 1](#)
- P.** Consideration of Change Order No. 2 to the contract with Superior Bowen Asphalt Company, LLC for construction of the Old 56 Arterial Mill and Overlay Project, PN 3-P-001-20.
Staff Contact: Mary Jaeger and Nate Baldwin
- Attachments:** [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Change Order No. 2](#)

- Q.** Consideration of Engineer's Estimate, acceptance of bids and award of contract to Denton Excavating Inc. DBA Midland Wrecking Corporation for demolition of the structures associated with the 119th Street and Renner Road Property Acquisition and Demolition Project, PN 7-C-007-20.

Staff Contact: Mary Jaeger and Nate Baldwin

Attachments: [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Affidavit and Engineer's Estimate](#)
[D. Contract Documents](#)

- R.** Consideration of an Agreement with Johnson County for construction of the Mill Creek, Prairie to Cedar, Phase 1 Stormwater Improvements Project, PN 2-C-030-18.

Staff Contact: Mary Jaeger and Nate Baldwin

Attachments: [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Agreement](#)

- S.** Consideration of award of contract to WestPro Construction Service for roof repairs at Fire Station #6.

Staff Contact: Mary Jaeger and Beth Wright

Attachments: [A. Westpro Proposal.pdf](#)

- T.** Consideration of renewal of contract to Heritage Environmental Services for the disposal of household hazardous waste.

Staff Contact: Mary Jaeger and Alan Shorthouse

- U.** Acceptance of proposal and consideration of award of contract to Lyngsoe Systems for Intelligent Locker Systems for the Olathe Community Center and Fire Stations 6 and 8.

Staff Contact: Mike Sirna and Bob Miller

Attachments: [A. Quote](#)

9. NEW BUSINESS

- A.** Consideration of Ordinance No. 21-27, RZ21-0008, requesting approval of a rezoning from the County RUR (Rural) District to the M-2 (General Industrial) and BP (Business Park) Districts and a preliminary site development plan for the 175th Street Commerce Centre East on approximately 163.27 acres; located north of W. 175th Street and east of S. Hedge Lane. Planning Commission recommends approval 8-1.

Staff Contact: Aimee Nassif and Jessica Schuller

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
[C. Ordinance No. 21-27](#)
[D. Additional Public Correspondence](#)

Action needed: Consider a motion to approve (4 positive votes), deny (5 positive votes required), or return to the Planning Commission.

- B.** Consideration of Ordinance No. 21-28, VAC21-0001, requesting approval of a vacation of a sanitary sewer easement for Foley Industries; located at 19968 W. 157th Street. Planning Commission recommends approval 9 to 0.

Staff Contact: Aimee Nassif and Brenna Kiu

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
[C. Ordinance No. 21-28](#)

Action needed: Consider a motion to approve or deny.

- C.** Consideration of Amendment No. 1 to the agreement with McCown Gordon Construction, LLC authorizing construction of the Downtown Library Project, PN 6-C-020-20.

Staff Contact: Mary Jaeger and Nate Baldwin

Attachments: [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Amendment No. 1](#)

Action needed: Consider a motion to approve or deny.

- D. Consideration of Ordinance No. 21-29 amending Chapter 7.20 of the Olathe Municipal Code pertaining to the Sunday sale and holiday sale of alcoholic liquor and cereal malt beverages.

Staff Contact: Ron Shaver and Daniel Yoza

Attachments: [A – Ordinance No. 21-29](#)
[B - Relevant provisions from Kansas 2021 HB 2137](#)

Action needed: Consider a motion to approve or deny.

- E. Consideration of Ordinance No. 21-30 amending Chapter 7.14 of the Olathe Municipal Code pertaining to cereal malt beverages.

Staff Contact: Ron Shaver and Daniel Yoza

Attachments: [A – Ordinance No. 21-30](#)
[B – Relevant provisions from Kansas 2021 HB 2137](#)

Action needed: Consider a 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 2022 Community Development Block Grant (CDBG) funding recommendations.

Staff Contact: Mike Sirna

2. Street Maintenance Sales Tax (SMST) Finance Oversight Committee 2020 Annual Report.

Staff Contact: Dianna Wright

Attachments: [Exhibit A – 2020 SMST Annual Report by the SMST Finance Oversight Committee](#)

3. Report on proposed amendments to Title 10 of the Olathe Municipal Code (the Olathe Traffic Ordinance).

Staff Contact: Ron Shaver and Daniel Yoza

Attachments: [A - Ordinance No. 21-XX](#)
[B - Kansas 2021 SB 95](#)
[C - Kansas 2021 SB 67](#)

4. Report on proposed amendments to Title 9 of the Olathe Municipal Code (the Olathe Public Offense Code).

Staff Contact: Ron Shaver and Daniel Yoza

Attachments: [A - Ordinance No. 21-XX](#)
[B - Kansas 2021 SB 172](#)
[C - Kansas 2021 HB 2026](#)

14. ADDITIONAL ITEMS

15. ADJOURNMENT

The City of Olathe offers public meeting accommodations. Olathe City Hall is wheelchair accessible. Assistive listening devices as well as iPads with closed captioning are available at each meeting. To request an ASL interpreter, or other accommodations, please contact the City Clerk's office at 913-971-8521. Two (2) business days notice is required to ensure availability.