



1. CALL TO ORDER

2. EXECUTIVE SESSION

- A. Consideration of motion to recess into an executive session for consultation 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), and 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), regarding certain applications for special use permits (SU19-0008 and SU19-0009).

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. 22-1084 appointing and reappointing members to the Parks and Recreation Leadership Board and Board of Trustees of the Olathe Parks and Recreation Foundation.

Staff Contact: Liz Ruback

- B. Consideration of Resolution No. 22-1085 appointing and reappointing members to the Olathe Historic Preservation Board.

Staff Contact: Liz Ruback

7. PUBLIC HEARINGS

Persons wanting to speak regarding a public hearing must sign up no later than 30 minutes prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, emailing CCO@Olatheks.org or in person at City Hall. Each speaker is allowed up to 5 minutes to address the City Council.

- A.** Public Hearing and consideration of Resolution No. 22-1086 for an IRB amount increase request by BCB Holdings LLC expressing intent to issue industrial revenue bonds and tax phase-in for the development and construction of buildings totaling 385,000 square feet for industrial uses in the Southpark Olathe Industrial Phase II area development.
Staff Contact: Jamie Robichaud and Josh Rueschhoff

Action needed: Consider a motion to close the public hearing.

Action needed: Consider a motion to approve or deny Resolution 22-1086.

- B.** Consideration of Ordinance No. 22-59 authorizing issuance of the City's taxable industrial revenue bonds in an amount not to exceed \$30,000,000 to BCB Holdings, LLC, Series 2022, for the construction of three industrial buildings totaling 385,000 sq. ft. located at the northwest corner of Fountain Drive and Frontier Lane in the Southpark Olathe Industrial Phase II area development.
Staff Contact: Jamie Robichaud and Josh Rueschhoff

Action needed: Consider a motion to approve or deny.

- C.** Public Hearing and consideration of Resolution No. 22-1087 for a request by ABF Freight System, Inc. expressing intent to issue industrial revenue bonds and tax phase-in for construction of a 28,330 square foot warehouse and distribution facility on 7 acres at the Olathe Commerce Park on Pine and Dennis.
Staff Contact: Jamie Robichaud and Josh Rueschhoff

Action needed: Consider a motion to close the public hearing.

Action needed: Consider a motion to approve or deny Resolution 22-1087.

- D.** Public Hearing and consideration of Resolution No. 22-1088 for a request by BPG Olathe 1, LLC expressing intent to issue industrial revenue bonds and tax phase-in for the construction of a 140,490 square foot industrial facility under a master resolution at the northeast corner of 159th Street and Lone Elm Road.
Staff Contact: Jamie Robichaud and Josh Rueschhoff

Action needed: Consider a motion to close the public hearing.

Action needed: Consider a motion to approve or deny Resolution 22-1088.

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 for the November 15, 2022 meeting and November 29, 2022 Joint Planning Commission and City Council meeting.
Staff Contact: Brenda Swearingian
- B. Consideration of cereal malt beverage applications for calendar year 2023.
Staff Contact: Eric Strimple
- C. Consideration of renewal drinking establishment applications.
Staff Contact: Eric Strimple
- D. Consideration of Resolution No. 22-1092 determining the advisability of making certain internal improvements within the City pursuant to K.S.A. 12-6a01 et seq., including the construction of Monticello Road from 167th Street to Erickson Street, and related public improvements.
Staff Contact: Ron Shaver
- E. Consideration of the property and casualty insurance programs for 2023.
Staff Contact: Ron Shaver and Chris Grunewald
- F. Consideration of policy renewal with Midwest Employers to provide excess workers compensation insurance for the self-funded City workers compensation program.
Staff Contact: Erin Vader and Kim Marshall
- G. Consideration of Resolution No. 22-1089 approving an assignment and assumption of Redevelopment Agreement (Heritage Crossing Retail Center) from KC Road Partners, LP to Diamond Jubilee Investments, LLC.
Staff Contact: Ron Shaver
- H. Consideration of Amendment No. 1 to the Maintenance, Management and Use Agreement for the Johnson County Square and Adjoining Outdoor Recreational Space for Public Special Events between the City of Olathe and Johnson County.
Staff Contact: Ron Shaver and Chris Grunewald

- I. Consideration and approval to withdraw money from the Olathe Community Fund for public art.
Staff Contact: Susan Sherman
- J. Consideration of Resolution No. 22-1090, SU19-0008, requesting approval of a renewal of a special use permit for a quarry operation on approximately 244 acres; located at 23775 W. 159th Street. Planning Commission recommends approval 8-1.
Staff Contact: Aimee Nassif and Nathan Jurey
- K. Consideration of Resolution No. 22-1091, SU19-0009, requesting approval of a renewal of a special use permit for a quarry operation on approximately 193 acres; located at 1600 W. 151st Street. Planning Commission recommends approval 9-0.
Staff Contact: Aimee Nassif and Nathan Jurey
- L. Consideration of Consent Calendar.
Staff Contact: Mary Jaeger and Nate Baldwin
- M. Consideration of Engineer's Estimate, acceptance of bids and award of contract to Phoenix Concrete, LLC, for construction of the 2022 Sidewalk Construction Project, PN 3-C-072-22.
Staff Contact: Mary Jaeger and Nate Baldwin
- N. Consideration of a Professional Services Agreement with Hydromax USA, LLC for inspection and cleaning services for the CCTV and Clean of Trunk Sewer Mains Project, PN 1-C-005-22.
Staff Contact: Mary Jaeger and Nate Baldwin
- O. Consideration of Agreement No. 262-22 with the Kansas Department of Transportation (KDOT) for funding the construction of the of the 167th and Ridgeview Geometric Improvements Project, PN 3-C-018-22.
Staff Contact: Mary Jaeger and Nate Baldwin
- P. Consideration of Supplemental Agreement No. 1 with George Butler Associates, Inc. for design of the Santa Fe Street Arterial Mill and Overlay Project, PN 3-P-006-23, and the 119th Street Improvements Project, PN 3-P-007-23.
Staff Contact: Mary Jaeger and Nate Baldwin
- Q. Consideration of an Agreement with Midtown Signs LLC for the construction of a monument sign in Civic Center Park.
Staff Contact: Mary Jaeger and Nate Baldwin

- R. Consideration of an Agreement with GLMV Architecture, Inc. for site evaluation services for the Future Fire Stations Land Procurement project, PN 7-C-041-22.
Staff Contact: Jeff DeGraffenreid, Mary Jaeger and Jeff Blakeman
- S. Consideration of renewal of contract to Custom Lighting Services, LLC. dba Black and McDonald and Mark One Electric for electrical lighting maintenance for Infrastructure.
Staff Contact: Mary Jaeger and Nate Baldwin
- T. Consideration of an Agreement with Leopold Gallery, LLC for design, creation, and installation of commissioned art pieces for the Downtown Library project, PN 6-C-020-20.
Staff Contact: Mary Jaeger, Mike Sirna and Jeff Blakeman
- U. Consideration of the purchase of Glock Handgun Weapon System to replace current handgun weapon system for the Police Department.
Staff Contact: Mike Butaud
- V. Consideration of awarding a 5-year agreement to AXON™ Enterprise, Inc. for replacement of in-car video, body camera video, and the Taser electronic compliance device for the Police Department.
Staff Contact: Mike Butaud
- W. Consideration of award of contract to Jerry Ingram Fire & Rescue for the purchase of Structural Firefighting Personal Protective Equipment (PPE) for the Fire Department.
Staff Contact: Jeff DeGraffenreid and Joshua Parrish
- X. Consideration of an Agreement with EPR Systems USA, Inc. for implementation of records management system for the Fire Department.
Staff Contact: Jeff DeGraffenreid
- Y. Consideration of approval for an updated Interlocal Cooperation Agreement between the Olathe Public Library and the Johnson County Library for automated circulation, customer, and bibliographic services.
Staff Contact: Mike Sirna and Bob Miller
- Z. Consideration of the 2023 Alcohol Tax Fund Allocations.
Staff Contact: Mike Sirna and Emily Diehl
- AA. Consideration of the 2023 Human Service Fund Allocations.
Staff Contact: Mike Sirna and Emily Diehl

9. NEW BUSINESS

- A.** Consideration of Ordinance No. 22-60, RZ22-0010, requesting approval for a rezoning from the CP-O (Planned Office Building) District to the R-1 (Residential Single-Family) District and a preliminary plat for OSOS Manor, containing two (2) lots on approximately 1.07 acres; located at the northeast corner of W. Santa Fe and N. Olathe View Road. Planning Commission recommends approval 9 to 0.

Staff Contact: Aimee Nassif and Brenna Kiu

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. 22-61, RZ22-0012, requesting approval of a rezoning from the CP-2 (Planned General Business) District to the M-2 (General Industrial) District and a preliminary site development plan for Contractor's Garage VIII on approximately 2.28 acres; located at 2107 E. Kansas City Road. Planning Commission recommends approval 8-1.

Staff Contact: Aimee Nassif and Zachary Moore

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

- C.** Consideration of Ordinance No. 22-62 calling for an April 25, 2023 election in the City for the purpose of voting on a proposition to authorize the City to renew a three-eighths of one percent special purpose citywide retailers' sales tax to be used to repair, rebuild, and rehabilitate the streets in Olathe.

Staff Contact: Ron Shaver and Chris Grunewald

Action needed: Consider a motion to approve or deny.

- D.** Consideration of Ordinance No. 22-63 calling for an April 25, 2023 election in the City for the purpose of voting on a proposition to authorize the City to levy a one-eighth of one percent special purpose citywide retailers' sales tax to be used to repair, restore, improve, and acquire public parks, trails, and recreation areas in the City and to enhance library services.

Staff Contact: Ron Shaver and Chris Grunewald

Action needed: Consider a motion to approve or deny.

- E.** Consideration of Ordinance No. 22-64 amending Chapter 15.04 of the Olathe Municipal Code pertaining to the Residential Code for One- and Two-Family Dwellings to require under-stairway protection.

Staff Contact: Ron Shaver, Chris Grunewald, Jeff DeGraffenreid and Mark Wassom

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**

Persons wanting to speak regarding a general concern must sign up no later than 30 minutes prior to the beginning of the City Council meeting. A person may sign up by notifying the City Clerk by calling 913-971-8521, emailing CCO@Olatheks.org or in person at City Hall. The Council has allocated up to 3 minutes per speaker, and up to 30 minutes total for this portion of the meeting.

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. DISCUSSION ITEMS

1. Fire Department Update.

Staff Contact: Jeff DeGraffenreid

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.