



NOTICE - Per Executive Order No. 20-52 masks are required to enter City Hall. In an effort to follow social distancing guidelines during the COVID-19 pandemic, there is a limited amount of space and chairs available in the Council Chambers to accommodate the public. Members of the public are encouraged to watch the meeting live online at OlatheKS.org/OGN or at their convenience, once the meeting video is archived within hours of its conclusion.

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 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) regarding Cedar Creek Development Company, Inc. and 30th Plat of Cedar Creek LLC v. City of Olathe, et al., Johnson County District Court Case No. 20CV03213.
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. Proclamation designating October 6, 2020 as National Night Out.
Staff Contact: Liz Ruback

Attachments: [9-15-20 National Night Out proclamation](#)

- B. Consideration of Resolution No. 20-1059 reappointing members to the Board of Code Review.

Staff Contact: Liz Ruback

Attachments: [9-15-20 Board of Code Review reappointments resolution](#)

Action needed: Consider a motion to approve or deny.

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 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 September 1, 2020.

Staff Contact: Brenda Long

Attachments: [A. 09-01-2020 Council Minutes](#)

- B. Consideration of a new drinking establishment application for Pan Kansas, LLC, d/b/a Panera Bread, located at 15108 W. 119th Street.

Staff Contact: Brenda Long

Attachments: [A. Panera Bread Staff Recommendations](#)

- C. Consideration of a cereal malt beverage license application for Petro Sher, LLC d/b/a Flash Petro, located at 16620 W. 135th Street, for calendar year 2020.

Staff Contact: Brenda Long

- D. Consideration of a pawnbroker/precious metal dealer license application for Warren Hannon Company, Inc. located at 128 E. Park.

Staff Contact: Brenda Long

Attachments: [A. Warren Hannon Company, Inc. - Staff Recommendations](#)

- E. Consideration of Resolution No. 20-1060 adopting the City's Investment and Cash Management Policy.
Staff Contact: Dianna Wright and Amy Tharnish
Attachments: [Resolution No. 20-1060](#)
- F. Consideration of Consent Calendar.
Staff Contact: Mary Jaeger and Beth Wright
Attachments: [A. Consent Calendar](#)
- G. Consideration of Engineer's Estimate, acceptance of bids and award of contract to Gunter Construction Company for construction of the 175th and Lone Elm Traffic Signal Project, PN 3-TS-003-19.
Staff Contact: Mary Jaeger and Beth Wright
Attachments: [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Construction Agreement](#)
[D. Engineer's Estimate and Affidavit of Estimate](#)
- H. Acceptance of proposal and consideration of award of contract to WesTech Engineering for the replacement of rotary distributor equipment at the Harold Street Wastewater Facility.
Staff Contact: Mary Jaeger and Amy Tharnish
Attachments: [Fact Sheet](#)
- I. Acceptance of bid and consideration of award of contract to TT Technologies, Inc. for the rental of Static Pipe Bursting equipment for the Field Operations Division of Public Works.
Staff Contact: Mary Jaeger and Amy Tharnish
Attachments: [A. Bid Tabulation](#)
- J. Acceptance of bids and consideration of award of contracts to American Discount Office Supply, Inc., Pay-LESS Office Products, and Sumnerone for office supplies.
Staff Contact: Dianna Wright and Amy Tharnish
Attachments: [A. Bid Tabulation](#)

8. NEW BUSINESS-PUBLIC WORKS

- A.** Consideration of Ordinance No. 20-30, RZ20-0006, requesting approval for a rezoning from the M-1 (Light Industrial) District to the R-3 (Residential Low-Density Multifamily) District for KidsTLC, Inc., on approximately 5.16 acres; located at 400 S. Rogers Road. Planning Commission recommends approval 7-0.

Staff Contact: Aimee Nassif and Kim Hollingsworth

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
[C. Ordinance No. 20-30](#)

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

- B.** Consideration of Resolution No. 20-1061, SU20-0005, requesting approval of a special use permit for a Community Living Facility for KidsTLC, on approximately 11.4 acres; located in the vicinity of S. Rogers Road and E. College Way. Planning Commission recommends approval 7-0.

Staff Contact: Aimee Nassif and Kim Hollingsworth

Attachments: [A. Planning Commission Packet](#)
[B. Planning Commission Minutes](#)
[C. Resolution No. 20-1061](#)

Action needed: Consider a motion to approve or deny.

9. NEW BUSINESS-ADMINISTRATION

- A.** Consideration of Resolution No. 20-1062 authorizing the Downtown Library Project, PN 6-C-020-20.

Staff Contact: Mary Jaeger and Beth Wright

Attachments: [A. Project Location Map](#)
[B. Project Fact Sheet](#)
[C. Resolution No. 20-1062](#)

Action needed: Consider a motion to approve or deny.

- B.** Consideration of a Real Estate Contract and Development Agreement with ODL, LLC pertaining to the acquisition of certain real property for the Downtown Library Improvement Project.

Staff Contact: Ron Shaver and Chris Grunewald

Attachments: [A. Downtown Library Real Estate Contract and Development Agreement 9.15.2020.docx](#)

Action needed: Consider a motion to approve or deny.

- C.** Consideration of a Project Management & Owner's Representative Agreement with Lane4 Property Group, Inc. for the Downtown Library Improvement Project.

Staff Contact: Ron Shaver and Chris Grunewald

Attachments: [A. Downtown Library Project Management & Owner's Representative Agreement 9.15.2020.docx](#)

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

A. DISCUSSION ITEMS

- 1.** Discussion regarding Chapter 5.43 of the Olathe Municipal Code (Distance-Restricted Businesses). (15 min)

Staff Contact: Ron Shaver and Chris Grunewald

Attachments: [Attachment 1 - Olathe Municipal Code Chapter 5.43.pdf](#)
[Attachment 2 - Maps showing DRB locations and buffers.pdf](#)

- 2.** Discussion Regarding Section 10.01.114.4 of the Olathe Municipal Code (Unlawful Operation of Golf Cart). (15 min)

Staff Contact: Chris Grunewald and Mike Butaud

Attachments: [Attachment 1 - Olathe Municipal Code Section 10.01.114.4.pdf](#)

3. Discussion regarding proposed revisions to the Debt Management and Fiscal Policy. (15 min)

Staff Contact: Dianna Wright

Attachments: [A. Presentation on the Proposed Debt Management and Fiscal Policy](#)
[B. Proposed revised version of Debt Management and Fiscal Policy](#)
[C. Red-line version of proposed policy](#)

4. Discussion on Economic Development Policies. (30 min)

Staff Contact: Dianna Wright and Daniel Yoza

Attachments: [Attachment 1 - 2019 Economic Development Incentives Activity Report](#)

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.