

The Olathe City Council met in regular session at 6:32 p.m. with Mayor Copeland presiding. Councilmembers Wittenborn, Huttman, Vogt, and Montgomery were present. Also present was City Manager Wilkes and City Attorney Glinstra.

**1. CALL TO ORDER**

**2. EXECUTIVE SESSION – 6:32 P.M.**

Motion by Montgomery, seconded by Vogt, to recess into an executive session under the real property acquisition and attorney-client exceptions to the Kansas Open Meetings Law for 20 minutes to consider the following items. Passed 5-0.

**PROJECTS**

- A. Discussion of acquisition of property for the Downtown Parking Garage Expansion Project.

**AGREEMENTS**

- B. Discussion of matters which would be deemed privileged in an attorney-client relationship pertaining to an amendment to a development agreement.

The meeting recessed at 6:33 p.m.

Councilmember Bacon arrived at 6:34 p.m.

Councilmember Randall arrived at 6:40 p.m.

**3. RECONVENE FROM EXECUTIVE SESSION**

The meeting reconvened at 6:56 p.m. The executive session was continued until the end of the meeting.

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

**5. PLEDGE OF ALLEGIANCE**

Tiger Scouts from Olathe Cub Scout Pack 3316 from Sunnyside Elementary led the audience in the pledge of allegiance.

Mayor Copeland welcomed Lt. Governor Mark Parkinson. Mr. Parkinson announced he was not representing the state this evening, but was attending for the recognition of Olathe High School champions, adding his son Alex was one of the honorees.

Mr. Parkinson stated he and his family are pleased with the progress of Olathe over the past 25 years.

**6. SPECIAL BUSINESS**

**PROCLAMATIONS**

- A. Proclamation designating March, 2007 as "Women's History Month."

Olathe Junior Service League founding members Justine Johnson and Betty Houglund accepted the proclamation.

**RECOGNITION**

- B. Recognition of Olathe high school state champions and academic achievers.

Olathe High School Champions were recognized for team and individual achievements. Those recipients were:

2006 Olathe East Girls' Cross Country Team as Kansas 6A State Champions;  
Alex Parkinson and Jesi Egan, state title in Debate; and  
Ed Fensholt, perfect score of 36 on ACT college entrance exam.

**7. CONSENT AGENDA**

Councilmember Wittenborn requested item J be considered separately.

Motion by Randall, seconded by Bacon, to approve the consent agenda with the noted exception. Passed 7-0.

**MINUTES**

- A. Council meeting minutes of February 20 and 27, 2007, were considered and approved.

**PROJECTS**

- B. Consent Calendar
1. Change Orders
    - a. None
  2. Project Completion Certificates
    - a. Austin Meadows 2<sup>nd</sup> Plat, Waterlines, Project No. 51406D, was considered and approved.
    - b. 119<sup>th</sup> Street Widening@ Greenwood, Street, Project No. 32505D, was considered and approved.
    - c. Reserve at Shadow Lake 1<sup>st</sup>, Street, Project No. 32702D, was considered and approved.
    - d. Prairie Trails West, Sanitary Sewer, Project No. 15706D, was considered and approved.

3. Final Payment to Contractors

a. None

4. Final Payment to Consultants

a. Valley Parkway Shadow West, Project No. 34402B, was considered and approved.

Final Payment -	\$	3,815.56
Original Contract Amount -	\$	107,228.91
Paid-To-Date -	\$	103,413.35
Amendments -	\$	0.00
Final Contract Amount -	\$	107,228.91
Consultant - Schlager & Associates		

b. Valley Parkway Shadow West, Project No. 34402B, was considered and approved.

Final Payment -	\$	24,793.34
Original Contract Amount -	\$	173,362.64
Paid-To-Date -	\$	148,569.00
Amendments -	\$	0.00
Final Contract Amount -	\$	173,362.64
Consultant - Payne & Brockway		

c. 127<sup>th</sup> Street Overpass, Project No. 30298C, was considered and approved.

Final Payment -	\$	730.00
Original Contract Amount -	\$	629,260.00
Paid-To-Date -	\$	1,145,269.56
Amendments -	\$	516,739.56
Final Contract Amount -	\$	1,145,999.56
Consultant - Olsson Associates		

**PLATS**

- C. Final plat, P-07-002, requesting approval for one (1) tract, 1.22± acres, of Woodland Acres, 2<sup>nd</sup> Plat (replat part of Tracts 7 & 8, Woodland Acres); located at 122<sup>nd</sup> Street and Nelson Road was considered and approved. Owner/Applicant: In-Land Construction Services, LLC, Bruce Hunt. Planning Commission recommends approval, 7-0.

**SEWER ENLARGEMENT**

- D. Resolution No. 07-1019 requesting the city's consent to the enlargement of Consolidated Sewer District (USD 233 Elementary School No. 33) of Johnson County was considered and approved.

**LICENSES**

- E. A massage therapy establishment application was considered and approved.

### **PROJECTS**

- F. Resolution No. 07-1020 authorizing the 2007 Street Rehabilitation Program, PN 30107, was considered and approved.
- G. Resolution No. 07-1021 authorizing the city of Olathe's project requesting inclusion in the 2008-2012 County Assistance Road System (CARS) program, PN 80208, was considered and approved.
- H. Resolution No. 07-1022 authorizing full funding for the Downtown Parking Garage Expansion, PN 40799, was considered and approved.
- I. An agreement with Olsson Associates for professional services for the Advanced Transportation Management System (ATMS), Phase III design, PN 33298C was considered and approved.

### **AGREEMENTS**

- J. An agreement with Springsted, Inc. to provide professional downtown economic development services for the city of Olathe **was pulled for separate consideration.**

### **CONTRACTS**

- K. Proposals and award of contract to R. W. Beck, Inc. to provide consulting services for a comprehensive rate study for the Solid Waste Division was considered and approved.

### **ITEMS FOR SEPARATE CONSIDERATION:**

#### **AGREEMENTS**

- J. An agreement with Springsted, Inc. to provide professional downtown economic development services for the city of Olathe was considered.

Councilmember Wittenborn requested an update on the purpose of this item to inform the public.

The Neighborhood and Human Services Director stated this is the next step toward implementation of the downtown plan. She noted there will be several phases before completion.

Motion by Wittenborn, seconded by Bacon, to approve. Passed 7-0.

## **8. NEW BUSINESS - PLANNING**

#### **VACATIONS**

- A. Ordinance No. 07-13, VAC-07-001, requesting approval to vacate sanitary sewer, temporary construction and water line easements; located on the northwest corner of Santa Fe and K-7 Highway was considered.

Motion by Randall, seconded by Bacon, to approve. Passed 7-0.

**ANNEXATIONS**

- B. Ordinance No. 07-14, ANX-07-002, requesting approval of a voluntary annexation of approximately 3.79± acres located at 11545 S. Clare Rd., was considered. Applicant: E. May Enright.

Councilmember Wittenborn stated the CAI indicated this annexation is within the Spring Hill School District. Staff noted that was incorrect, it is within the Olathe School District.

Motion by Randall, seconded by Bacon, to approve. Passed 7-0.

**9. NEW BUSINESS - ADMINISTRATION**

**BONDS**

- A. Ordinance No. 07-15 authorizing issuance of industrial revenue bonds and tax abatement for the Corporate Ridge II, LLC, Project in the Corporate Ridge Office Park was considered.

Motion by Randall, seconded by Bacon, to approve. Passed 7-0.

- B. Ordinance No. 07-16 authorizing issuance of industrial revenue bonds and tax abatement for the K Ridge, LLC, Project in the Corporate Ridge Office Park was considered.

Motion by Randall, seconded by Bacon, to approve. Passed 7-0.

**10. NEW CITY COUNCIL BUSINESS**

- A. Update on Mid-America Regional Council (MARC) monthly meeting.

Councilmember Vogt overviewed the purpose of the Mid-America Regional Council for the benefit of the viewers and audience. She noted at the last meeting the Board of Directors approved several items and highlighted four in particular – those being:

1. Request for proposal for an intermodal transportation study;
2. Agreement with school districts to equip diesel buses with devices to address diesel fumes;
3. Agreement concerning space on communication towers – involves homeland security and grant funding; and
4. Application to seek federal funding transportation funding to help communities focus on growth and development and focusing on transportation investments.

Councilmember Vogt invited the community to a public information session concerning the expansion of 127<sup>th</sup> Street, Mur-Len Road to Pflumm Road, on Thursday, March 8, 2007 at Indian Creek Library.

Councilmember Huttman recited four things to think about to save the environment:

1. Inflate tires to proper levels, saves fuel;
2. Ease off the accelerator;
3. Heavy vehicles use more fuel; and
4. Turn off vehicle if the idling time is more than five minutes.

**11. EXECUTIVE SESSION – 6:32 P.M.**

Motion by Randall, seconded by Montgomery, to recess back into an executive session under the attorney-client exception to the Kansas Open Meetings Law for 15 minutes to consider the development agreement identified previously. Passed 7-0.

The meeting recessed at 7:45 p.m.

The meeting reconvened at 8:01 p.m. with Mayor Copeland and Councilmembers Wittenborn, Randall, and Vogt present.

Motion by Randall, seconded by Vogt, to recess back into executive session for 20 minutes. Passed 4-0.

The meeting recessed at 8:02 p.m.

The meeting reconvened at 8:26 p.m.

**PROJECTS**

- A. Acquisition of property for the Downtown Parking Garage Expansion Project was considered.

Motion by Randall, seconded by Bacon, to direct staff to proceed to obtain an appraisal and open discussions with the property owner. Passed 7-0.

**AGREEMENTS**

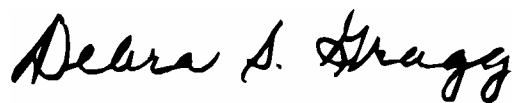
- B. Matters which would be deemed privileged in an attorney-client relationship pertaining to an amendment to a development agreement were considered.

Motion by Randall, seconded by Bacon, to accept the report and have staff bring back further information. Passed 7-0.

**12. ADJOURNMENT OF REGULAR SESSION**

Motion by Randall, seconded by Bacon, to adjourn. Passed 7-0.

Meeting adjourned at 8:27 p.m.



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City Clerk