

The Special Session was called to order at 7:05 p.m. by Mayor Copeland. Present were Councilmembers Montgomery, Bacon, Campbell, Randall, Vogt, and Huttman. Also present were City Manager Wilkes and City Attorney Glinstra.

1. CALL SPECIAL SESSION TO ORDER

Mayor Copeland announced the City of Olathe remembers the events of September 11, 2001. He noted the City pauses and commemorates the heroism of public safety and rescue workers, volunteers, local officials, and those responding to the tragic event. A few moments of silence were observed in honor of the victims and heroes.

2. OLD BUSINESS

- A. Ordinance No. 07-86, UDO-07-001, requesting approval to amend Chapter 18.64 of the Olathe Municipal Code pertaining to regulation of billboards was considered. Applicant: City of Olathe. Planning Commission recommends denial, 8-0.

The Senior Planner recapped the actions of September 4, 2007 leading to tonight's consideration. In addition, he overviewed the three options.

Councilmember Vogt questioned the benchmarks used for sizes of boards and distance between sites. The Senior Planner stated this varies across the country. Ms. Vogt asked about the setback of the billboards. The Senior Planner noted probably about 50 feet back from the right-of-way in the zoned locations. Ms. Vogt stated she believed the existing signs would remain – she questioned if staff would address maintenance annually. The Senior Planner stated annual inspection is a possibility dependent upon staffing.

Councilmember Randall asked if there are any remaining eligible locations for new signs. Staff stated an area within the Dillard's parcel would be eligible. Mr. Randall asked about condemnation or any other type of payment which would be required if the city removed the signs. The Assistant City Attorney stated it would be the determined value of the property or sign; not loss of revenue.

Mike Dahir, 12804 Maple Street, Overland Park, overviewed the current billboards and spoke about his applications. He stated the three locations in his applications are south of the current billboards, adding there were no protest petitions filed. He stated he started the process in June prior to the proposed ordinance. He requested his applications be considered under the current law.

Councilmember Campbell stated he is not supportive of amortization and stated desire to look at the individual pieces of the matter.

Mayor Copeland stated he believed the Council has considered this before and the decision was no new billboards.

The City Manager stated nothing is currently on the books to limit billboards meeting the criteria.

Mr. Copeland stated that was the answer last week and not a good answer.

Mr. Copeland asked for the consensus of the three pieces of the matter.

Four members stated favor with no new billboards; three in favor with the pending applications going forward; and four supporting amortization.

The Council was reminded there is no process for special use permits for new billboards; approval is administrative, adding applicants can appeal decisions through the Board of Zoning Appeals.

Motion by Bacon, seconded by Vogt, to return back to the Planning Commission to address comments and return recommendation for Council consideration on September 25, 2007. Passed 7-0.

- B. Ordinance No. 07-93 amending Ordinance No. 07-55 pertaining to an administrative delay in the issuance of sign permits for billboards pending passage of an ordinance amending the sign ordinance was not considered.

3. ADJOURN FROM SPECIAL SESSION

The meeting adjourned at 7:56 p.m.

City Clerk