

The Olathe City Council met in regular session at 7:02 p.m. with Mayor Copeland presiding. Councilmembers Bacon, Randall, Ryckman and Vogt were present. Councilmembers Montgomery and Campbell were absent. Also present were City Manager Wilkes and City Attorney Glinstra.

1. CALL TO ORDER

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

3. PLEDGE OF ALLEGIANCE

Members of the American Legion, Earl Collier Post 153, led the Pledge of Allegiance.

Fire Battalion Chief Ken Keiter spoke on the importance of checking home smoke alarms and changing batteries.

4. SPECIAL BUSINESS

PROCLAMATIONS

- A. Proclamation designating November 11, 2009, as “Veterans Day.”

Communications Director, Tim Danneberg, introduced the Post Commanders of the Veterans of Foreign Wars and American Legion. Mayor Copeland presented the proclamation that was jointly accepted by members of the Veterans of Foreign Wars and American Legion.

APPOINTMENTS

- B. Resolution No. 09-1095 appointing members to the Citizens Police Advisory Council was considered.

Motion by Randall, seconded by Bacon, to approve. Passed 5-0.

Scot Goddard and Jenny Steele were appointed and Sandra Danforth and Rick Holland were reappointed.

- C. Resolution No. 09-1096 appointing members to the Persons With Disabilities Advisory Board.

Motion by Randall, seconded by Bacon, to approve. Passed 5-0.

Nick Darrah was appointed and Michelle Brown, Mark Cameron and Robert Cantin were reappointed.

5. CONSENT AGENDA

Motion by Randall, seconded by Bacon, to approve the Consent Agenda. Passed 5-0.

MINUTES

- A. Council meeting minutes of October 20, 2009 were considered and approved.

PROJECTS

B. Consent Calendar

1. Change Orders

a. None

2. Project Completion Certificates

a. 700 W Park Street, Storm Sewers, Project No. 20205C, was considered and approved.

b. 2009 Cedar Creek St. Impr., Contract #2), Streets, Project No. 30109C, was considered and approved.

3. Final Payment to Contractors

a. 700 W Park Street (Contract #11), Project No. 20205C, was considered and approved.

Final Payment -	\$	39,054.20
Original Contract Amount -	\$	58,504.50
Paid-To-Date -	\$	14,226.30
Change Orders -	\$	(5,224.00)
Final Contract Amount -	\$	53,228.50
Contractor -		Meadows Construction

b. 2009 Cedar Creek St Improvements (Contract #2), Project No. 30109C, was considered and approved.

Final Payment -	\$	79,520.60
Original Contract Amount -	\$	588,458.00
Paid-To-Date -	\$	637,205.40
Change Orders -	\$	128,268.00
Final Contract Amount -	\$	716,726.00
Contractor -		Mega Industries Corp.

4. Final Payment to Consultants

a. None

PLATS

C. Final plat, P-09-017, for fifty-eight (58) lots and five (5) tracts for Prairie Pointe on 26.13± acres; located in the vicinity of Lone Elm Road and College Boulevard was considered and approved. Owners/Applicants: Clay Blair III, Managing Member/Prairie Pointe Homes, LLC. Planning Commission recommends approval, 8-0.

WEEDS

D. Resolution No. 09-1097 calling for a public hearing to levy assessments to collect unpaid city expenditures for mowing of weeds and removal of debris was considered and approved.

ECONOMIC DEVELOPMENT

- E. Consideration of Resolution No. 09-1098 expressing the intent to issue industrial revenue bonds for the Kansas Bioscience Authority first building in the Kansas Bioscience Park was considered and approved.

HOUSING REHAB.

- F. A mortgage subordination request from an owner-occupied housing rehabilitation participant at 504 S. Alta Lane was considered and approved.

PROJECTS

- G. Award of construction contract to Meadows Construction for the 2009 Bootleg Sewer Replacement – Cedar & Elm, Project Number 1-C-073-09 was considered and approved.
- H. Award of construction contract to Mill Valley Excavating for the 2009 Bootleg Sewer Replacement – Lee Avenue, Project Number 1-C-073-09 was considered and approved.

6. NEW BUSINESS - PLANNING

REZONING

- A. Ordinance No. 09-54, RZ-09-008, for rezoning from R-1 to R-2; Gas Light Acres, on 5.27± acres; located north of Kansas City Road and Jan-Mar Drive was considered. Owner: Zigmund Brach/Olathe Duplexes, LLC. Applicant: Char MacCallum/Char MacCallum Real Estates Group Inc. Planning Commission recommends approval, 8-0.

Motion by Randall, seconded by Bacon, to approve. Passed 5-0.

VACATIONS

- B. Ordinance No. 09-55, VAC-09-003, for vacation of a utility easement for Forest Hills Estates, Second Plat on 0.62± acres; located in the vicinity of Mur-Len Road and 175th Street was considered. Owner/Applicant: Ken Rogler/Rogler Investments, Inc. Planning Commission recommends approval, 8-0.

Motion by Randall, seconded by Bacon, to approve. Passed 5-0.

7. NEW BUSINESS - ADMINISTRATION

MUNICIPAL CODES

- A. Ordinance 09-56 amending Olathe Municipal Code Section 7.06.020 pertaining to license applications and repealing the existing section was considered.

Motion by Randall, seconded by Bacon, to approve. Passed 5-0.

LICENSES

- B. Drinking establishment license applications for 54TH Street Grill and Bar, Applebee's Neighborhood Grill and Bar (135TH St. and Harrison locations), Johnny's Tavern Ridgeview, Red Lobster and Freddy T's Bar and Grill were considered.

Motion by Randall, seconded by Bacon, to approve. Passed 5-0.

8. NEW CITY COUNCIL BUSINESS

Councilmember Ryckman provided an update on H1N1 prevention efforts and encouraged completion of Direction Finders surveys.

Councilmember Bacon thanked the participants of the K9 Costume Parade in the downtown area over the weekend.

Councilmember Vogt spoke of H1N1 efforts by the Boy Scouts and asked everyone to remember veterans in their prayers.

9. ADJOURNMENT OF REGULAR SESSION

The meeting adjourned at 7:34 p.m.

Donald P. Howell

City Clerk