

The Regular Session was called to order at 7:00 p.m. by Mayor Copeland. Present were Councilmembers Montgomery, Bacon, Campbell, and Vogt. Absent were Councilmembers Randall and Huttman. Also present were City Manager Wilkes and City Attorney Glinstra.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

Scouts from Troop 315 of Aldersgate United Methodist Church led the audience in the pledge of allegiance.

Councilmember Vogt informed the viewers she recently attended the First Christian Church Vacation Bible School to join the participants in talking about servanthood. She reminded them of her challenge and displayed a t-shirt from the event.

3. SPECIAL BUSINESS

AWARDS

- A. The Kansas Employer Support of the Guard and Reserve (ESGR) Above and Beyond Award was presented to the City of Olathe.

Human Resources Director Cathy Loudon accepted the award.

PRESENTATIONS

- B. Don and Faith Bell were recognized for their donation of the "America the Beautiful" prints to the city of Olathe.

Mike Haskin, Olathe Public Art and Culture Commission, commented on the Bell's donation to the city.

Olathe Municipal Judge Jon Willard thanked Mr. and Mrs. Bell for the donated art work which will be displayed in the Municipal Court facility.

PROCLAMATIONS

- C. June 25, 2007, was proclaimed as "Grace Bilger Day."

Mike Haskin, Public Arts and Culture Committee, accepted the award and read a note from the family.

4. PUBLIC HEARINGS

ANNEXATION

- A. An Annexation Agreement with the Frank Mackey Trust for approximately 39.99± acres located one-half mile west of Lone Elm Road on the south side of 167th Street, was considered. Applicant: Frank Mackey Trust.

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

ANNEXATION

- B. Ordinance No. 07-45, ANX-07-004, requesting approval of the voluntary annexation of approximately 39.99± acres located one-half mile west of Lone Elm Road on the south side of 167th Street, was considered. Owner/Applicant: Frank L. Mackey Trust. Applicant: Frank Mackey Trust.

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

BONDS

- C. A public hearing regarding a request by KH Jensen, LLC for issuance of industrial revenue bonds and tax abatement for its warehouse project was opened.

No-one appeared.

Motion by Bacon, seconded by Montgomery, to close the hearing. Passed 5-0.

- D. Resolution No. 07-1062 expressing the intent to issue industrial revenue bonds for the KH Jensen, LLC warehouse project, was considered.

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

BUDGET

- E. A public hearing regarding the proposed 2008 budget and Capital Improvements Program was opened.

The budget manager overviewed the process and spoke of the citizen participation to date. She announced the city is not eliminating any part of the taxi work program funding.

Jennifer Doyle, 13870 S. Seminole Drive, stated she is a member of the Parks and Recreation Foundation Board. She indicated she would share thoughts of the board. She stated concerns with the 2008 budget due to shrinking funds and staffing for the increased inventory. She also noted concern with procurement of additional lands and maintenance responsibilities. She informed the Council the citizens may not see the quality of upkeep as seen in the past.

Ken Caywood informed the Council he moved here to use the taxi coupon service to aid him in employment and asked the Council to support the taxi coupon subsidy.

Mayor Copeland announced the Council would meet in budget session on Saturday, June 23, 2007.

Joe Woelfel, 1835 E. 153rd Street, stated he is a member of the Persons with Disabilities Board. He stated support of the taxi coupon program and its need. He stated there is a great need for transportation within Olathe for the elderly and disabled.

Motion by Bacon, seconded by Montgomery, to close the hearing. Passed 5-0.

5. CONSENT AGENDA

Mayor Copeland requested that Item H be considered separately.

Motion by Bacon, seconded by Campbell, to approve the consent agenda with the noted exception. Passed 5-0.

MINUTES

- A. Council meeting minutes of June 5, 2007, were considered and approved.

CONSENT CALENDAR

- B. Consent Calendar

PROJECTS

1. CHANGE ORDERS

- a. None

2. PROJECT COMPLETION CERTIFICATES

- a. Warwick Street Benefit District, Street, Storm Sewers, Street Lights, Final Completion, Project No. 30806B, was considered and approved.
- b. Huntford, Sanitary Sewer (Gravity), Final Completion, Project No. 11604D, was considered and approved.
- c. MNU Residence Hall No. 3, Waterlines, Final Completion, Project No. 51005D, was considered and approved.
- d. Stratton Oaks, Grading, Final Completion, Project No. 32904D, was considered and approved.
- e. Stratton Oaks West Townhomes, Sanitary Sewers, Final Completion, Project No. 12505D, was considered and approved.

3. FINAL PAYMENT TO CONTRACTORS

- a. Warwick, 167th Street to 1,400' North, Project No. 30806B, was considered and approved.

Final Payment -	\$	13,711.28
Original Contract Amount -	\$	550,213.67
Paid-To-Date -	\$	544,452.93
Change Orders -	\$	7,950.53
Final Contract Amount -	\$	558,164.21
Consultant -	McAnany Construction	

PROJECTS

4. FINAL PAYMENT TO CONSULTANTS

- a. None

PLATS

- C. Final plat, P-07-036, requesting approval of The Courts of Fairfield Village, First Plat, on 9.56± acres, located in the vicinity of 169th Place and Mur-Len Road, was considered and approved. Owner/applicant: Gary Jones, Fairfield Courts, LLC.
- D. Final plat, P-07-037, requesting approval of Oak Run, Eighth Plat, on 15.33± acres, located in the vicinity of 151st Street and Lakeshore Drive, was considered and approved. Owner/applicant: Dave Martens, Tri-Star Development Co.
- E. Final plat, P-07-041, for Iowa Meadows, Third Plat, on 1.97± acres, located in the vicinity of Harold Street and Iowa Street, was considered and approved. Owner/applicant: Dale Stockfelth, WD Properties LLC.

LICENSES

- F. A cereal malt beverage license application, was considered and approved.

AGREEMENTS

- G. Continuation of an Interlocal Agreement with Unified School District No. 233 providing for school resource officers, was considered and approved.

PROJECTS

- H. An Amendment establishing a Guaranteed Maximum Price (GMP) with Turner Construction Company for the design-build of the Downtown Garage Expansion, PN 40799, **was pulled for separate consideration.**
- I. Resolution No. 07-1063 authorizing the adoption of the Regional Public Works Mutual Aid Agreement, was considered and approved.
- J. Engineer's estimate, acceptance of bids and consideration of award of contract to Miller Paving and Construction, LLC for the construction of 131st and 141st Street Improvements, P.N. 30107C, Contract 7, was considered and approved.
- K. An Agreement with Payne and Brockway, P.A. for the design services of Aurora Street, North of Harold, P.N. 30207b, was considered and approved.

CONTRACTS

- L. Award of contract to Hogan's, Inc. for the painting of the Renner Standpipe, was considered and approved.
- M. Award of contract to Pump and Power Equipment, Inc. for the purchase of two (2) effluent pumps for the Wastewater Treatment Division of Municipal Services Department, was considered and approved.

CONTRACTS

- N. Award of a contract to CDW Government, Inc. for Novell License and Maintenance, was considered and approved.
- O. Award of contract to XP Soft for sewer modeling software, was considered and approved.
- P. Award of contracts to Don's Tire & Supply, Inc., Cross-Midwest Tire, Inc., Becker Tire, and Wingfoot Commercial Tire Systems for estimated annual supply of tires and tubes for the city's fleet, was considered and approved.
- Q. Award of contract to Hampel Oil, Inc., Champion Brands, and Heathwood Oil Company, for lubricants for the Vehicle Maintenance Division of Municipal Services, was considered and approved.

PUBLIC ART

- R. Acceptance of donation "America the Beautiful" prints, was considered and approved.

AGREEMENTS

- S. Acceptance of the 2007 Cedar Creek Landscape Agreement, was considered and approved.

TRAVEL

- T. Authorization for Mayor Michael Copeland to attend the Greater Kansas City Chamber of Commerce Leadership Exchange to Seattle, Washington, September 16-18, 2007, was considered and approved.

EXPENSES

- U. Business expense statement for Councilmember Kathleen Huttman, for expenses incurred to attend The National Council for Public-Private Partnerships Transportation Seminar in Kansas City, MO on May 15, 2007, was considered and approved.

ITEMS FOR SEPARATE CONSIDERATION

PROJECTS

- H. An Amendment establishing a Guaranteed Maximum Price (GMP) with Turner Construction Company for the design-build of the Downtown Garage Expansion, PN 40799, was considered.

The project engineer briefly overviewed the guaranteed maximum price (GMP) contract for the parking garage.

Mayor Copeland stated his concern that the building was designed without security elements. He stated his desire for this to be considered.

Councilmember Montgomery stated this is great process and one of the first steps of the downtown renovation.

Councilmember Bacon asked if the county has approved and paid its share of the project.

The project engineer stated the county has not yet contributed. He stated they are aware of safety needs, adding staff is looking at pricing information to address.

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

6. NEW BUSINESS - ADMINISTRATION

- A. An amended petition and Ordinance No. 07-46 amending the cost sections of Resolution No. 06-1170 and Ordinance No. 06-128 pertaining to the construction of a sanitary sewer to serve the southwest quarter of section 32, township 13 south, range 23 east, Project No. 16205, was considered.

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

PROJECTS

- B. Award of contract to McAninch Corporation for construction of Phase 2 of the northeast quadrant of 143rd and Cedar Niles Sanitary Sewer, PN 16205b, was considered.

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

- C. Resolution No. 07-1064 authorizing funds from the park sales tax for the Oregon Trail Park Renovation, P.N. 4-C-001-07, was considered.

Councilmember Bacon stated his concern with using so much of the parks sales tax dollars to address this park when Black Bob pool is in poor condition. He noted he observed the fields at Oregon Trail are playable and he also saw a vacant field at Prairie Center park.

The Parks and Recreation Director responded noting the renewal of the parks sales tax identified Oregon Trail as a beneficiary for some of the dollars. He stated the park is 25 years old with very little upgrades over that period. He indicated the upgrade would include new fields and a water feature, with additional funding coming from the county.

He informed the Council staff will be investigating Black Bob pool to determine the source of the leaking water.

Motion by Vogt, seconded by Montgomery, to approve. YEA: Vogt, Copeland, Montgomery, Campbell. NAY: Bacon. Passed 4-1.

- D. An Agreement with Shafer, Kline and Warren, Inc., for the design of Oregon Trail Park Renovation, P.N. 4-C-001-07, was considered.

Motion by Vogt, seconded by Montgomery, to approve. YEA: Vogt, Copeland, Montgomery, Campbell. NAY: Bacon. Passed 4-1.

7. NEW CITY COUNCIL BUSINESS

Councilmember Vogt introduced guests in the audience from the city of Ottawa. Ms. Vogt stated she met them at the National League of Cities conference and invited them to attend a meeting of the Governing Body.

Ms. Vogt announced that on June 30, 2007 Mahaffie Stagecoach Stop and Farm would be hosting a 19th Century Independence Day Celebration. She noted the next concert of the series at Frontier Trail Park would be on Friday, June 22, 2007.

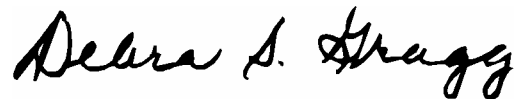
Councilmember Montgomery questioned change of Councilmember duties on boards. It was noted this would be addressed within the next couple meetings.

Councilmember Campbell announced the development forum is scheduled for Wednesday, June 20, 2007 at City Hall.

Mayor Copeland asked about the status of the 119th/Renner Tax Increment Financing application that was due as of today's date. The Neighborhood and Humans Services Director indicated it was not received. Mr. Copeland indicated he favored changing the hearing date if not received in sufficient time.

8. ADJOURNMENT OF REGULAR SESSION

The meeting adjourned at 7:57 p.m.



City Clerk