

**COUNCIL MEETING MINUTES  
CITY OF LAKE QUIVIRA KANSAS  
September 14, 2020  
6:30 p.m.**

**Present**

Mayor Brady Lilja  
Council President John Christy  
Councilmember Gayle Best  
Councilmember Dave McCullagh  
Councilmember Annie Noland  
Councilmember Greg Prieb, II

City Attorney Michelle Daise  
City Administrator / City Treasurer Erin Leckey  
City Clerk / Court Administrator Kathy Bounds  
Chief of Police / Building Official Fred Grenier

**Visitors**

Bill Cole – 143 LDS (SMAC Rep)  
Lisa Coffman – 444 LSW  
Dean Lytton, CCO/General Manager for Q-Inc.  
Christi Metivier – 505 HCE  
Mark Metivier – 505 HCE (joined by Zoom)  
Mike Olson – 139 TTW  
Steve & Lynn Sestak – 489 LSE  
Leslie Treas – 106 TTS  
Dave White – 561 LSE

**The following information was made available for anyone wishing to join the meeting via**

**Zoom:** <https://zoom.us/j/93895585837?pwd=QTFtYUtzajhBb3JlTHRLQ2VaZ05pdz09>

**Meeting ID: 938 9558 5837 / Passcode: 459847**

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**Call to Order**

Mayor Lilja called the meeting to order at 6:30 p.m.

**Pledge of Allegiance**

Council President Christy led the Pledge of Allegiance. All were welcomed to participate.

**Visitor's Comments:**

Lynn Sestak, 489 Lakeshore East, voiced concerns related to wearing masks during indoor tennis play. She noted Lake Quivira has the only indoor tennis facility in Wyandotte County, at the LQ Community Center, and the mask restriction is affecting registration and participation for an upcoming tennis tournament due to the difficulty masks poses while playing. Mrs. Sestak, on behalf of the Tennis Tencap League, asked Mayor Lilja, as a City representative, if he would reach out to Mr. Alvey, Mayor of Kansas City, Kansas, and Dr. Griner, the Wyandotte County Health Official, to inquire if the mask restriction could be lifted for the tournament. She indicated all other social distancing and safety guidelines would be followed during that time, still making it a safe event. Mayor Lilja advised he would reach out with her request.

Dave White, 561 Lakeshore East, reported the road near the silt pond, going toward the horse stables, appears to be caving in. Mayor Lilja advised Councilmember Prieb has obtained a bid to repair that section of roadway and it is on the agenda for discussion tonight.

Mr. White shared his concern with the City taking over management of the fuel station, noting Terry Presta has done a great job managing it and his expertise in the industry would be hard to replace. Councilmember McCullagh explained the reasons why the City is looking into in-house management, noting it is not a decision being made lightly. Mr. White thanked the Mayor and Council for all their work for the City.

Leslie Treas, 106 Terrace Trail South, thanked the City for the Holliday Drive asphalt repair work and for placement of the UPS drop box in front of City Hall.

Mike Olson, 139 Terrace Trail West, thanked the Council and Mayor for an excellent job managing the City's assets and thanked City Treasurer Leckey for her diligence with the budget.

Mr. Olson expressed his appreciation for the City and Q Inc working together to draft a Tree Ordinance.

Mr. Olson noted the odor from the landfill continues to be a problem as well as missed trash pick-up on Terrace Trail. Councilmember McCullagh and Councilmember Best addressed both concerns noting they are working with Waste Management on a resolution.

Mr. Olson inquired if the City would consider drafting a Noise Ordinance, or amending the current Noise Ordinance, to restrict loud music after a certain hour, and/or other noises not covered under the current Noise Ordinance. Councilmember McCullagh and City Attorney Daise will research this.

Discussion ensued regarding underage driving of golf carts. A question was raised whether or not the Police Department can enforce a Q Inc. rule violation. Chief Grenier explained our police officers enforce traffic laws that are adopted by Ordinance, and there are a select few in

our Ordinance, at the request of Q Inc, that are enforceable on private roadways. Underage golf cart driving is not one of them. He explained stopping someone for a Q Inc. rule violation only, with no other enforceable law violation associated to the stop, would violate a person's fourth amendment right. As such, he further explained, underage driving of golf carts could be enforced by authorized Q Inc personnel as a rule violation.

**Approval of Minutes from the Regular Council Meeting held on August 3, 2020. Motion:** Councilmember Best made a motion to approve the minutes from the, August 3, 2020 Council Meeting. **Second:** Councilmember Noland seconded the motion. **Vote: 5-0. Motion carried.**

**Approval of Minutes from the Special Council Meeting held on August 25, 2020. Motion:** Councilmember McCullagh made a motion to approve the minutes from the August 25, 2020 Special Council Meeting. **Second:** Councilmember Noland seconded the motion. **Vote: 5-0. Motion carried.**

**Treasurer's Report:**

A written report was submitted by City Treasurer Leckey for review and consideration. Mayor Lilja entertained a motion to approve the Treasurer's report as submitted. **Motion:** Councilmember McCullagh made a motion to approve the Treasurer's Report as submitted. **Second:** Councilmember Prieb seconded the motion. **Vote: 5-0 - Motion carried.** *\*A copy of the Treasurer's Report can be obtained, by request, at City Hall.*

Following City Leckey's treasurer's report, she shared information she received from Johnson County regarding Cares Act Funding which is a reimbursement program for cities for COVID related expenses. This excludes payroll. The City has been allotted funds to spend on items that fall within the Cares Act Funding guidelines by December 30<sup>th</sup>.

**SMAC Report:**

Bill Cole, SMAC representative for the City, provided the following update:

- The Opti project is commissioning and operating correctly, noting the way the system works is in three stages: 1) Storm preparation – create space for incoming stormwater runoff; 2) During storm – prevent overflow by releasing through valve, retain as much water as possible; 3) Post-storm recovery – water is drained slowly to return to dry-weather level.
- The Dam had a minor “almost” seepage event. Tom Haag, a Hydro expert did an on-site visit, researched the seepage and provided a report on the event. The report was reviewed by our Dam inspection engineer, who agreed to the finding as not being a required reporting event to the State. Monitoring the leak regularly is needed and will be done.

- Obtaining a copy of the original Dam's plans and for any work done previously to the Dam is necessary. That will required requesting the information from the Black & Veatch library.
- The Downstream Infrastructure Conceptual Plan report will be available as a draft before the next month's City Council meeting.
- Requested approval for payment of services listed above including project management of the Opti project – an ongoing infrastructure support services from Foresight Solutions, LLC.
- Discussed Lake Quivira as a possible Green City as well as a Tree City. This will require studying the renewable energy and energy storage opportunities that exist for the City, Q-Inc and other citizen participants. No action required, only a first consideration.

**Police Chief's Report:**

Chief Grenier submitted a written report and asked if there were any questions related to the report. There were no questions.

**City Attorney's Report**

No report.

**Council Reports:**

**Councilmember Best:**

Councilmember Best reported she will be meeting with Way and Sons on Tuesday, September 15<sup>th</sup>, to discuss the front entry beautification plan. She noted the Foundation has expressed interest in helping with this project as well.

With COVID restrictions in place, it was decided the annual large item pick-up event held in the fall will be cancelled this year. Another date will be considered in the spring if things are back to where Waste Management can resume curbside pick-up for the event. The City Clerk will check with Shred-it about hosting a shred day in the fall.

Councilmember Best inquired about plans for the Mayor's Christmas Tree Lighting and if it would be held the same time as last year. Council President Christy indicated the plan was to make the Saturday following Thanksgiving a traditional date for the event. Councilmember Best will check the event calendar and get the date secured with the Clubhouse. Ideas were discussed for the festivities.

**Council President Christy:**

Council President Christy thanked Bill Cole for providing an update on the dam project.

Council President Christy reported he is working with Evergy and other resources to obtain information about burying powerlines along Holliday Drive, which is a project that has been discussed in prior Council Meetings. Following a personal home project that involved burying a power line, he thought he'd take the experience as an opportunity to begin research on behalf of the City. Once he obtains cost and other logistical information, he will present it to the Governing Body, noting there is no cost to the City for Evergy to come out and perform an assessment.

**Councilmember McCullagh:**

Councilmember McCullagh deferred his report for discussion of items listed under Old Business on the agenda. He noted the measuring stick for the measuring fuel at the fuel station is on order and we are waiting for delivery of that item to move forward with the next steps of in-house management of the fuel station.

**Councilmember Noland:**

Councilmember Noland provided an update to the security camera project she and Councilmember McCullagh have been working on, noting the project is ongoing as they obtain information related to camera placement, trenching, running conduit, technology considerations, and bids for those services. She noted LQ member Ray Ansari has been a great resource on the technology end of this project.

Councilmember Noland reported following discussion of trees during a Lake and Residential meeting, a committee was established, consisting of six members, to begin drafting a Tree Ordinance. She noted some of the leg work has already been done on this project, but there is still a lot to be considered before bringing it before the Council. She noted the committee's focus and goal is to provide the City with enough authority to take action if needed, but not to make it so restrictive that it would be hard to monitor and follow.

**Councilmember Prieb:**

Councilmember Prieb reported the asphalt project on Holliday Drive is complete. He reported he has been in communication with the Unified Government regarding replacement of the guardrail along that same section of Holliday Drive. He was advised they are exploring options for replacing it. He will reach back out for an update.

Councilmember Prieb provided a bid from Way and Sons for repairing the pavement on Lakeshore East, south of the horse stables. City Attorney Daise suggested asking Way & Son's to provide terms and conditions and a more detailed scope of work with the bid. Councilmember Prieb will request those items mentioned.

**Motion:** Councilmember Prieb made a motion to enter into an agreement with Way and Sons for repair work on Lakeshore East, south of the horse stables, not to exceed \$14k. **Second:** Councilmember McCullagh seconded. **Vote: 5-0. Motion carried.**

## **Mayor's Report:**

Mayor Lilja reported he has received some emails about revisiting the Non-Discriminatory Ordinance since we are back to having in-person Council Meetings. He indicated he is open to that and encouraged Council President Christy and City Attorney Daise to move forward with the drafting of that.

Mayor Lilja reported member Kathy Simpson asked if he would provide a Mayor's Report for an edition of the LQ Breeze, which he was happy to do, and through donated resources she published and distributed an August/September edition. He reported future editions will be dependent upon whether or not she can get funding and volunteers to help publish it going forward. Mayor Lilja noted the paper was very well done and it received very positive feedback on social media.

Mayor Lilja reported both of the Ellis' dogs are now off lake, noting they have been enrolled in a service dog training program. Should they become certified service dogs, they will be allowed back in the community. Mayor Lilja reported a certified service animal supersedes the breed restriction in the Ordinance.

## **Old Business:**

- I. Discussion regarding draft Ordinance related to Harboring Chickens within the City Limits of Lake Quivira, Kansas.

City Attorney Daise provided a draft Ordinance to the Council and requested their feedback on a number of items including how many chickens to allow per applicant, verbiage allowing chickens but no other farm animals, zoning regulations related to set-backs for accessory structures (coups and runs) as well as the size and height of accessory structures, and what kind of application, permit, fees process should be implemented. She explained there will need to be modifications to our current zoning code to allow for some of this. City Attorney Daise indicated she would redraft the Ordinance based off discussions this evening and she will also continue working with Fred and the Planning Commission on amendments to the zoning code.

- II. Municipal Bond Overview.

Councilmember McCullagh reported he and Erin met with Dustin of Piper Sandler regarding Municipal Bonds. A handout was provided to the Council illustrating an example of what borrowing and repayment of Municipal Bonds looks like and Councilmember McCullagh and Erin explained the process. No action was taken this evening; however, Mayor Lilja thanked them for gathering and providing the information should the Council decide to consider Municipal Bonds down the road.

- III. Consider bid from All Systems for security cameras. Discussion held under Councilmember Noland's report.
- IV. Consider bid from Way and Sons for asphalt repair work south of the horse stables. Motion made under Councilmember Prieb's report.

V. Consider approving and authorizing the Mayor to sign the Second Amendment to Residential Solid Waste Management and Recycling Service Agreement.

**Motion:** Councilmember Best made a motion to authorize the Mayor to sign the Second Amendment to Residential Solid Waste Management and Recycling Service Agreement.

**Second:** Councilmember Prieb seconded. **Vote: 5-0. Motion Carried.**

**New Business:**

I. Consider bid to replace City Hall Refrigerator. **Motion:** Council President Christy made a motion for city staff to purchase a new refrigerator for City Hall in an amount not to exceed \$800. **Second:** Councilmember Prieb seconded. **Vote: 5-0. Motion carried.**

**Executive Session:**

None.

**Adjournment:**

**Motion:** Council President Christy made a motion to adjourn the meeting at 9:51 p.m. **Second:** Councilmember Prieb seconded. **Vote: 5-0. Motion Carried.**

The meeting adjourned at 9:51 p.m.

Respectfully submitted by:  
Kathy Bounds  
City Clerk

**NEXT SCHEDULED MEETING**

**November 2, 2020**

**6:30 P.M.**



**AREAS OF RESPONSIBILITY**

- **Brady Lilja** - Quivira Inc., Q2 Board, Lake Quivira Foundation and Police.
- **Gayle Best** - Tree City, Railroad, Aesthetics, Landfill, City Hall and Holliday Drive.
- **John Christy** - Dam/Spillway, Litigation, 4th of July/Fireworks, and Holliday Drive.
- **Dave McCullagh** - Budget/Finance, Ordinances, Gas Station, Landfill Odor, Deer Harvest and Research.

- **Annie Noland** - Employee Performance Reviews and Issues, Insurance, Web Presence and vacant fire station space.
- **Greg Prieb** - Roads, Lake Preservation, Zoning and Development, Building Requirements and City Hall.