

CITY COUNCIL MEETING MINUTES
CITY OF LAKE QUIVIRA KANSAS
November 1, 2021
6:30 p.m.

Present

Mayor Brady Lilja
Councilmember Dave McCullagh
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

Absent

Councilmember Gayle Best

Visitors

Gina Riekhof, Gilmore & Bell, P.C.
Win Zoellner – 440 Navajo

ZOOM LOG-IN INFORMATION:

<https://us06web.zoom.us/j/84963103994?pwd=MnEyOVJ2V3dTUWxNTW5nNXUvcnBKUT09>

Meeting ID: 849 6310 3994

Passcode: 6213286

Dial in: 1 312 626 6799

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:

Mayor Lilja recognized visitors. Present were Gina Riekhof of Gilmore & Bell P.C. Gina was available to answer questions related to possible land acquisition discussion. Win Zoellner of 440 Navajo. Win was present to hear/comment on the possible land acquisition discussion and the dam & spillway project.

DAM & SPILLWAY COMMITTEE REPORT: Chairperson Annie Noland reported committee members including herself, Win Zoellner and Pat McAnany along with Bill Cole, SIP Rep. and Brent Johnson of Olsson met last week to go over the RFP. They discussed what the RFP will

cover and items they would like added to the RFP. It is anticipated the report from Olsson will be available after the first of next year.

Approval of Minutes from the Regular Council Meeting held on October 4, 2021. Following a correction to Councilmember McCullagh's report regarding gallons of fuel sold for the month of September, a motion was made to approve the amended minutes from the Regular Council Meeting held on October 4, 2021. **Motion:** Council President Christy made a motion to approve the amended minutes from the Regular Council Meeting held on October 4, 2021. **Second:** Councilmember Noland seconded. **Vote: 4-0. Motion carried.**

Approval of Minutes from the Special Council Meeting held on October 21, 2021. Motion: Councilmember Prieb made a motion to approve the minutes from the Special Council Meeting held on October 21, 2021. **Second:** Councilmember McCullagh seconded. **Vote: 3-0. Motion carried. Council President Christy abstained from the vote.**

Treasurer's Report:

The October monthly treasurer's report was submitted by City Treasurer Leckey for review and consideration. **Motion:** Councilmember McCullagh made a motion to approve the October 2021 Treasurer's Report as submitted. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

SIP Report – Bill Cole: Mr. Cole was absent from the meeting but provided the following summary via email:

- Submittal of (required) KDHE annual report for 2020 **(Completed)**.
- Status of KDHE required reply to the 2017 planned spillway improvement plan. **(Submitted to Matt Eblen with McClure to review the response)**.
- Current spillway review project and Olsson engagement status **(Annie to provide update)**.

Police Chief's Report:

Chief Grenier provided his monthly report. In addition to the monthly report, he reported the Police Department handed out candy to kids on Halloween in front of the Clubhouse and the turnout was good.

Councilmember Noland inquired if Chief Grenier has had a chance to go over the new law books (STO/UPOC), adopted last month by the city with the Safety and Security committee. Chief Grenier reported he had not but would be happy to do so. He also noted he has tried to get their involvement in years past with no luck. Councilmember Noland expressed her impression after the last Council meeting was Safety and Security would be included in the discussion, especially since there is no security company in place right now, to see if they wanted to increase what the police department could enforce inside the gates. Mayor Lilja will

reach out to Dean Lytton to discuss how best to coordinate this with Safety and Security. A suggestion was made to reach out to Tim Arnold on the Safety and Security Committee as well.

City Attorney's Report

No report.

Council Reports:

Councilmember Best:

Absent.

Council President Christy:

Mayor's Christmas Tree Lighting. Indoor Clubhouse festivities are still in the planning stages. Tentatively Q Inc will provide some sort of a buffet, hot chocolate and a festive holiday blend adult beverage. The city has hired the Dicken's Caroler's to perform at the event and ordered festive coffee mugs to serve beverages in. The preschoolers will perform before the ceremonial lighting of the tree.

Councilmember McCullagh:

Recycling Educational Video. Councilmember McCullagh reached out to his neighbor, Andy Tylicki, who is President at St. James Academy, about the availability of an AV student who might be interested in doing a public service project to help us create our recycling education video. He hopes to connect with Andy again this week to finalize the details. Councilmember McCullagh plans to frame the video similar to the safety video the city put together a couple years ago, by utilizing kids in the video to relay the recycling rules and guidelines. The safety video seemed to be well received by the community, so hopefully this approach will yield the same enthusiasm and results as the safety video did.

Councilmember Noland:

Councilmember Noland shared the city's 50th party receivables and expenditures have been reconciled. There is a small amount of money left over that will be used toward purchasing a tree as well as planters for the Clubhouse commemorating the 50th year.

Councilmember Prieb:

Survey work. Boundary markings have started on Renner and Holiday Drive. Councilmember Prieb reported he is having a hard time locating deeds. A suggestion was made to contact the county deeds office. Mayor Lilja noted old city records might be stored in the basement of the administrative offices at Q Inc. and suggested reaching out to Debbie. Councilmember Prieb indicated he will see what the survey company comes up with, and if still no luck, try the avenues that were suggested.

Mayor's Report:

- Election Day reminder – Tuesday, November 2, 2021.

- City hosted Large Item Pickup & Shred-it Event reminder – Saturday, November 6, 2021.
- Council of Mayor’s Holiday Dinner – December 1, 2021 (R.S.V.P.’s needed by November 12th).
- Dean Lytton notified Mayor Lilja that Waterone is doing a big project on Seneca Trail West and Terrace Trail in case questions arise.
- Dam & Spillway Committee purchases. This discussion was related to a request for reimbursement by the city to a committee member for an expenditure made. Because committee purchases were not budgeted for, it was suggested setting a spending limit as well as a spending authority and spending approval, for the committee. It was also noted the city is sales tax exempt and cannot reimburse sales tax. Discussion led to authorization of a \$200 spending limit for committee expenditures.

Motion: Councilmember Prieb made a motion to approve expenditures up to \$200.00. Councilmember Prieb amended the motion to include for the Dam & Spillway Committee. **Second:** Councilmember McCullagh seconded. **Vote: 4-0.**
Motion carried.

Old Business:

A. Discussion relating to possible of acquisition of real property.

Councilmember McCullagh began to make a motion to recess into executive session, but before the motion was seconded, Councilmember Noland asked if the Council could be updated on what, if anything, City Attorney Daise may have found out since the last Council Meeting about the land acquisition. City Attorney Daise responded by stating what she could share in the open meeting was limited. She reported she did receive a copy of the appraisal last week as well as an appraisal review by a secondary company. Attorney Daise also reported the seller has provided a dollar amount. City Attorney Daise advised any further discussion should be deferred to an executive session. She also advised the executive session is for discussion only and no action can be taken in an executive session.

Win Zoellner asked if he could share his comments before the Council moved into executive session. Mayor Lilja allowed.

Summary:

- City appears to be interested in moving forward with the acquisition.
- This is a big deal and a big decision for the city and a lot of money for the city to spend.
- City should engage with a real estate attorney since they are spending public money.
- Suggests city get a survey done and a Phase I.
- Do research related to acquiring a large tract of land and determine if environmental issues exist.
- Make details of the financing public.

Mayor Lilja thanked Mr. Zoellner for sharing his comments.

Motion: Councilmember McCullagh made a motion that the Governing Body recess into executive session for **10** minutes for the purpose of preliminary discussions relating to the acquisition of real property pursuant to K.S.A. 75-4319(b)(6). And that the Governing Body return from executive session no sooner than **7:19 p.m.** Present will be the Mayor, Governing Body, City Administrator, City Attorney and Special Legal Counsel Gina Riekhof. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

Mayor Lilja called the Regular Council Meeting back to order at 7:19 p.m.

Motion: Councilmember McCullagh made a motion that the Governing Body recess back into executive session for **30** minutes for the purpose of consultation with, and legal advice from, legal counsel on matters deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2)). And that the Governing Body return from executive session no sooner than **7:52 p.m.** Present will be Mayor Lilja, the Governing Body, City Administrator, City Attorney and Special Legal Counsel Gina Riekhof. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

Mayor Lilja called the Regular Council Meeting back to order at 7:52 p.m.

Motion: Councilmember McCullagh made a motion that the Governing Body recess back into executive session for **20** minutes for the purpose of consultation with, and legal advice from, legal counsel on matters deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2)). And that the Governing Body return from executive session no sooner than **8:13 p.m.** Present will be the Mayor, Governing Body, City Administrator, City Attorney and Special Legal Counsel Gina Riekhof. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

Mayor Lilja called the Regular Council Meeting back to order at 8:15 p.m.

City to explore survey prices and how long that would take, and Phase I environmental reports. City Attorney Daise to reach out to seller's attorney tomorrow to discuss a timeline. She will then report back to Mayor Lilja to determine if a Special Meeting needs to be called. City Attorney Daise noted no definitive action is being taken this evening, so no authorization as outlined in New Business below is needed tonight.

New Business:

- A. Consideration of an ordinance authorizing the issuance of General Obligation Bonds of the City to provide funds to finance the acquisition of the land. **TABLED.**
- B. Consideration of a resolution authorizing the offering for sale of General Obligation Temporary Notes, Series 2021, of the City of Lake Quivira, Kansas. **TABLED.**

Executive Session:

As noted above.

Adjournment: Motion: Council President Christy made a motion to adjourn the regular Council Meeting at 8:20 p.m. **Second:** Councilmember McCullagh seconded. **Vote: 4-0. Motion carried.**

The meeting adjourned at 8:20 p.m.

Respectfully submitted by:

Kathy Bounds

City Clerk



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.