

**COUNCIL MEETING MINUTES
CITY OF LAKE QUIVIRA KANSAS
May 4, 2020
6:30 p.m.**

To reduce the spread of COVID-19, the Lake Quivira Governing Body utilized Zoom, an online meeting tool, to conduct its regularly scheduled meeting on Monday, May 4, 2020.

The public was invited to watch the live broadcast of the meeting using the following Zoom information: <https://zoom.us/j/95252011422> / Meeting ID#: 952 5201 1422 / Password: 088678 or by calling: +13126266799 and entering: 088678#

The public was invited to submit information or comments related to any item on the agenda that they would like to have presented to the Governing Body, and to do so in writing, no later than noon (CST) on Monday May 4, 2020, to clerk@lakequivira.ks.gov. **NO COMMENTS WERE SUBMITTED.**

During this time of health emergency, the Governing Body will be prudent with its business agenda, and will not be accepting public comments during the meeting.

Present at City Hall

Mayor Brady Lilja
Kathy Bounds, City Clerk/Court Administrator
Fred Grenier, Chief of Police/Building Official

Present via Zoom:

John Christy, Council President
Gayle Best, Councilmember
Dave McCullagh, Councilmember
Annie Noland, Councilmember
Greg Prieb II, Councilmember
Erin Leckey, City Administrator/City Treasurer
Michelle Daise, City Attorney
John Nelson, Q-Inc. Representative
Bill Cole, SMAC Representative
John Blessing, Waste Management

Call to Order

Mayor Lilja called the meeting to order at 6:37 p.m.
Mayor Lilja read the opening announcement listed above and noted no public comments had been received.

Pledge of Allegiance

Mayor Lilja led the Pledge of Allegiance. All were welcomed to participate.

Recognition of Visitors via Zoom

John Blessing with Waste Management provided a Power Point presentation outlining procedures and protocols Waste Management has put in place in response to COVID-19 for their residential and commercial customers as well as their employees.

Following his presentation, Mr. Blessing discussed the bulk item event, noting due to the current stay at home orders, along with short staffing, he couldn't give a definitive date on when they could provide this service. He suggested alternative methods for hosting the event, such as providing large roll off containers versus curbside pickup service.

City Administrator Leckey reported the City has been receiving complaints about missed trash pick-ups, and inquired who Clerk Bounds should contact to address these complaints. Mr. Blessing advised she can contact the call center or email him directly. He also advised residents can contact the call center for assistance too.

Mayor Lilja thanked Mr. Blessing for the presentation and for everything he does for the community, including recent help with getting the yard waste dumpsters emptied. Mayor Lilja indicated if stay at home restrictions are lifted, he is hopeful to have the bulk item event sometime in June. He also noted the coinciding Fred Braun day has been moved to the fall with the date to still be determined.

Approval of Minutes from the Regular Council Meeting held on April 6, 2020

Mayor Lilja entertained a motion to approve the minutes from the April 6, 2020 Council Meeting. Council President Christy reported a typographical error under his report which included the wording of "Non-Disclosure Agreement", which should have read "Non Discriminatory Ordinance". He also noted wording in the last paragraph "discussion at a previous meeting" which should have read "discussion at a previous Council Meeting". Upon correction of the items noted, a motion was made to approve the amended minutes from the April 6, 2020 Council Meeting. **Motion:** Council President Christy made a motion to approve the amended minutes from the April 6, 2020 Council Meeting. **Second:** Councilmember McCullagh seconded the motion. **Vote: 5-0 - Motion carried.**

Treasurer's Report:

Written report 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 Noland seconded the motion. **Vote: 5-0 - Motion carried.** **A copy of the approved Treasurer's Report can be obtained, by request, at City Hall.*

Before the City Council Meeting adjourned, City Treasurer Leckey indicated she would like to go over the budget process with the Mayor and Council. She provided a sample budget worksheet and information on how mill levees are calculated. She discussed the documents as well as the budget process in detail and offered to answer questions.

SMAC Report:

Bill Cole, SMAC Representative, provided an update on the following:

- Dam and Spillway.
 - Date for all repairs and re-inspection is April 2021.
 - Spillway operating well with current rains.
 - Leak self-fixed. Currently there is no leak at the gate.
 - Study needed in 2020 to consider innovative changes to current Spillway plan.
 - Suggested incorporating a fix on the old rock walls at the intersection by the Spillway into the Spillway study, noting this will be expensive, but needs to be done.
 - Small horizontal leaks in the Spillway's east wall are minor and can wait until spring 2021 for repair.

Mr. Cole thanked John Nelson for getting the lower foot of the Dam mowed, noting they did a great job and the new grass area is being nicely maintained.

- Other Infrastructure issues:
 - OPTI installation at the stables retention pond is nearing completion. He is still waiting on a backordered part, but anticipates the electrical work will be completed in the next ten days.
 - Awaiting a response related to the bridge inspection from the State.
 - Emergency notification system still not functioning. Once OPTI is finalized Mr. Cole will work with the Overland Park System Manager on a solution for this.

Discussion ensued about costs related to the OPTI project and various ways it could be funded if needed.

Police Chief's Report:

Written report submitted by Chief Grenier.

Chief Grenier also reported he has started outfitting the new police car and it is about 60% complete. He is waiting on a few back ordered parts, along with a partition, to complete the project.

Chief Grenier reported the bathroom remodel is nearing completion and everything looks really good.

Mayor Lilja thanked Chief Grenier and Councilmember Best for all of their hard work on the bathroom remodel project. Mayor Lilja also noted Chief Grenier provided the labor to outfit the new police car as well as a majority of the bathroom remodel, which has saved the City a significant amount of money and he was very appreciative of that.

Fire Chief's Report:

Mayor Lilja reported the fire truck and the hover craft were sold. The fire truck sold for \$12,000 and the hover craft sold for \$3,000. Mayor Lilja reported he is hopeful that over the next couple of months, as we continue to consolidate equipment and clear the bay space out, we can start brain storming on ideas of how best to utilize the space. Councilmember Prieb inquired if the revenue from the sale of the fire truck would be used to offset the cost of the new police car. City Treasurer Leckey reported it had not been budgeted for in that way. She reported we had \$30k in the new police car reserve fund which was used to pay for the new car, along with money in the new equipment fund, which covered the overage.

City Clerk's Report:

No report.

City Attorney's Report

No report.

Mayor's Report:

- 4th of July festivities (detailed further under Council President Christy's report). Mayor Lilja asked the Council to consider what kind of promotional items they would like to distribute on the 4th of July, and bring ideas back for discussion at the June Council Meeting.
- Re-Starting Lake Quivira. Mayor Lilja met with Eric Vossman, Lake Quivira resident and representative for Q-Inc. and Dr. Allen Greiner, Lake Quivira resident and Chief Medical Officer for Wyandotte County, to discuss how things might look as we start to re-open the community. Mayor Lilja reported Eric Vossman and John Nelson also met to go over reopening phases of all the buildings and thanked them for including City Hall in the re-opening plan, recognizing most of it relates to Q-Inc. Mayor Lilja advised the Council that Kathy will email everyone a draft copy of the proposed re-opening phases, and if there is anything they feel needs to be included or adjusted, to please offer those suggestions, and return by Wednesday May 13th so the re-opening plan can be officially distributed.
- Holliday Drive project. Mayor Lilja reported he made contact with the Wyandotte County Public Works Department, including some of their higher ups, to discuss the road repair on Holliday Drive. He noted Margaret Bowker helped facilitate this through her connections at JE Dunn and their work with Wyandotte County, and he was very appreciative for her help. Mayor Lilja reported he is scheduled to meet with Wyandotte County officials on Wednesday, of this week, at the project site. He reported the Wyandotte County officials he spoke with are in agreement that patch and mill work, as provided in the past, will not fix the problem; however, they (Wyandotte County) thought we already had a written detailed bid from Olsson for the repair work, which we do not. We have a study and approximate costs. Mayor Lilja relayed to the Wyandotte County officials that the City is willing to help with costs related to the repair

work, but most importantly we need to get moving and get it done as it poses a traffic and safety hazard.

- Lake Security. Mayor Lilja reported meeting with Councilmember Noland, John Nelson, representing Q-Inc. Safety and Security, and Chief Grenier to discuss security around Lake Quivira, specifically over the summer. He noted we likely will not see a security car patrolling like we have in years past. Discussion ensued about whether or not the Police Department could take over the security detail. City Attorney Daise advised the Police Department cannot enforce Q-Inc. (private property) rules, unless something specific is adopted by Ordinance; however, City Attorney Daise reported she would confer with Mr. Haven, Legal Counsel for Q- Inc., about other possible options.

Mayor Lilja reported on a letter that was addressed to Council President Christy from a Lake Quivira resident, in which Mayor Lilja and a number of other individuals were copied, including the Attorney General's Office and District Attorney's Office, whereas the resident believed the City was engaging in an NDA, or Non-Disclosure Agreement. Mayor Lilja, reported the resident based this information off of a typographical error in an (unapproved) City Council narrative from the April 6th Council Meeting. Mayor Lilja noted he believed this information had been leaked to the resident as it had not been published anywhere yet. Mayor Lilja noted Council President Christy is preparing a written response to the resident, and those copied on the letter, to address this matter. City Attorney Daise reported she will also follow-up with a written response, from a legal perspective, to clarify this was an error in terminology, in unapproved narrative form, not in approved minutes, to assure the City is not engaging in illegal activities and is following the Kansas Open Meetings Act.

Council Reports:

Councilmember Best:

Councilmember Best reported signage has now been placed on the yard waste and recycling dumpsters and is hopeful they will help detour people from overfilling the dumpsters or putting items outside of them. Mayor Lilja inquired about placing security cameras at the dumpster site, if need be, and City Attorney Daise advised she would look into it.

Councilmember Best reported the landscape beautification project along Holliday Drive is temporarily on hold until we know more of what the long term drainage solution is going to be along there; however, new landscaping, including new plants and flowers, was put in in front of the gas station island. Councilmember Best noted how nice it looks now as you come into the community, and she thanked Lori Keller and her crew for their hard work in getting it all installed.

Councilmember Best reported the bathroom remodel is going great. She thanked Fred for all his work with the remodel. She reported the project is nearing completion, minus some final touches including mirrors and pictures for the walls.

Council President Christy:

Council President Christy reported that he, Mayor Lilja, Chief Grenier, John Nelson, representing Q-Inc., and Katie Vossman, representing the Mother's Club, met to discuss the 4th of July festivities. He noted from their discussion, even if stay at home restrictions are still in place, we will still be able to have a parade, possibly with a modified parade route, and there will be a fireworks display (confirmed with the fireworks vendor). He also noted there will be a Fun Run, Chaired by Leslie Emanuels. Mayor Lilja inquired about the beach games after the fireworks display for the kids. Council President Christy indicated as guidelines and restrictions continue to evolve and more clarity is given, other festivities will be considered and implemented as allowed, noting it is a wait and see situation for now.

Council President Christy thanked Bill Cole for all of his work and reporting related to the Dam, noting the Dam falls under his area of responsibility, and Bill makes his job substantially easier by providing his expertise in that area.

Following up to Mayor Lilja's report, Council President Christy addressed the four page letter that was distributed by a member, and copied to a number of other people, that had to do with a typographical error made under his report at the April 6th Council Meeting. He noted this letter was based on an unapproved narrative, not approved minutes, of the April 6th Council Meeting. Council President Christy noted he is working on a written response to the member, and those that were copied, to address this matter. He reported City Attorney Daise will review his response before he sends it out. City Attorney Daise reported she will also respond from a legal perspective as well.

Councilmember McCullagh inquired whether the handling of the information itself falls under any kind of privileged information, as far as if it is allowed to be privately exchanged before it is made publically available. City Attorney Daise reported until it is voted on during a public meeting, it is merely a draft, and not official minutes. She went on to say she agrees with the importance that the City get information out to the public and provide complete transparency; however, the difficulty is if the information gets out before it is voted on and approved as the official minutes, as in this instance with the typographical error, it can become an issue. City Attorney Daise reported the information is not confidential, and reiterated the unfortunate aspect of this is the narrative is not finalized minutes, which is the hesitancy of putting information out prior to it being officially voted on and approved by the Council. City Attorney Daise noted if the information had not gone out before tonight, there would never have been anything to question, because the error would have been caught and addressed before the minutes were approved. Mayor Lilja indicated he is disappointed in the way this happened and is of the opinion it was done intentionally to get ahead of the meeting. Mayor Lilja reported they city will no longer provide a narrative to the Quiviran. The approved minutes will be posted to our city website, and they will be available at City Hall, upon request, after they are approved.

Council President Christy wanted to include, for the record, that he is still interested in revisiting the Non-Discriminatory Ordinance at a future Council Meeting; however, at the advice of City Attorney Daise, he recommends waiting to discuss it further until the public can attend Council Meetings in person so those discussions can be better facilitated at a regular in-person Council Meeting. Mayor Lilja agreed.

Councilmember McCullagh:

Councilmember McCullagh provided an update on the fuel station noting Double Check came out and provided training on the software (computer in the back room) to help give an idea of what managing that aspect of the fuel station would look like. Terry Presta was also in attendance during that training. One of the requirements to move forward is for the City to obtain certification with the State. Councilmember McCullagh indicated he is interested in attending the certification training and suggested Kathy and/or Fred might want to attend as well. Mayor Lilja also expressed an interest in attending the training. Mayor Lilja noted we still need to have the City Attorney look at the legal aspects of the city managing the fuel station, but he is optimistic about it. Councilmember McCullagh noted Kathy will be obtaining daily fuel usage reports so we can start monitoring that aspect as well. Mayor Lilja thanked Councilmember McCullagh for all of the time and effort he has put into this.

Councilmember McCullagh thanked Kathy for her help regarding a street light issue where the light was shining very brightly into a resident's home. Councilmember McCullagh reached out to Kathy and asked if she would reach out to Evergy, which she did. Evergy came out and resolved the issue very quickly for the resident.

Councilmember Noland:

Councilmember Noland reported performance reviews have now been completed. She noted by going through the level of detail with each of the reviews, it brought a better understanding of what each role involves. She reported certain responsibilities may be shifted to better accommodate workloads, but noted we should be in really good shape moving forward. She expressed her appreciation of Erin, Kathy and Fred and their work for the City.

Councilmember Noland reported she and Mayor Lilja attended a Foundation Board meeting since the last Council meeting, noting the Foundation meetings are always a great opportunity to partner with other groups to discuss projects, especially where joint efforts can be combined between the City and Q-Inc.

Councilmember Noland reported the Quivira Cares initiative really came together nicely, and that almost \$50K was raised to help pay salaries of Q-Inc. employees whose jobs were affected by the COVID-19 crisis. Mayor Lilja thanked Councilmember Noland for everything she does and for being a great liaison, along with John Nelson, for the City and Q-Inc.

Councilmember Prieb:

Councilmember Prieb reported he would be happy to meet with Mayor Lilja and the Wyandotte County people on Wednesday regarding the Holliday Drive project. He reported erosion

control complaints are down, which is great news. Councilmember Prieb also reported he and Councilmember McCullagh are on the Architectural Review Committee which allows them to see new projects coming online, and will also help them anticipate possible erosion control issues ahead of time. Mayor Lilja asked Councilmember Prieb if he would reach out to Chad Johnson, with Olsson Engineering, to get an update on where we are with the drainage portion of the Holliday Drive project now that we have Wyandotte County onboard with the road repair work. Councilmember Prieb indicated he would reach out to Mr. Johnson.

Old Business:

None.

New Business:

- i. Waste Management. Presentation recorded under Recognition of Visitor's in the minutes.

Executive Session:

None.

Adjournment:

Mayor Lilja entertained a motion to adjourn the meeting. **Motion:** Councilmember McCullagh made a motion to adjourn the meeting at 8:42 p.m. **Second:** Councilmember Best seconded. **Vote: 5-0. Motion Carried.**

The meeting adjourned at 8:42 p.m.

Respectfully submitted by:

Kathy Bounds

City Clerk

NEXT SCHEDULED MEETING

July 6, 2020

6:30 P.M.



- **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.