

**CITY COUNCIL MEETING MINUTES  
CITY OF LAKE QUIVIRA KANSAS  
May 3, 2021  
6:30 p.m.**

**Present**

Mayor Brady Lilja  
Council President John Christy  
Councilmember Gayle Best  
Councilmember Dave McCullagh

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 Annie Noland  
Councilmember Greg Prieb, II

**Visitors**

Bill Cole – 143 Lakeshore Drive South

**ZOOM LOG-IN INFORMATION:**

<https://zoom.us/j/94405152498?pwd=azAvWjZCNnhTU1dMK2t0Q3UxQ21Vdz09>

**Meeting ID: 944 0515 2498**

**Passcode: 382008**

**Call in by Phone:**

**+1 312 626 6799**

**Call to Order**

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

**Pledge of Allegiance**

All were welcomed to participate.

**Visitor's Comments:**

None.

**Approval of Minutes from the Regular Council Meeting held on March 1, 2021. Motion:**

Councilmember McCullagh made a motion to approve the minutes from the March 1, 2021,

Regular Council Meeting. **Second:** Councilmember Best seconded. **Vote: 3-0. Motion carried.**  
**Approval of Minutes from the Special Council Meeting held on March 11, 2021. Motion:**  
Councilmember McCullagh made a motion to approve the minutes from the March 1, 2021,  
Special Council Meeting. **Second:** Council President Christy seconded. **Vote: 3-0. Motion  
carried.**

#### **Treasurer's Report:**

The monthly treasurer's report for March and April were submitted by City Treasurer Leckey for review and consideration. **Motion:** Councilmember McCullagh made a motion to approve the **March 2021** Treasurer's Report as submitted. **Second:** Councilmember Best seconded. **Vote: 3-0 - Motion carried.** **Motion:** Councilmember McCullagh made a motion to approve the **April 2021** Treasurer's Report as submitted. **Second:** Council President Christy seconded. **Vote: 3-0 - Motion carried.**

Next month, the Treasurer's Report will include a new line item for gas station.

Treasurer Leckey provided an update on a new round of Cares Funding being provided as part of the American Rescue Plan to all cities in Kansas. Funds will be disbursed half this year and half next year. Same as the last round of Cares Funding, the money can only be spent on approved items/projects as set forth by the US Treasury Department and must be fully documented. Cities will have until December 2024 to spend the allotted funds. There was an error during distribution and Lake Quivira's funds were due to be sent to the Unified Government, as were Edwardsville and Bonner Springs, for distribution. Treasurer Leckey has contacted State and National Officials about this error and is working on getting our funds distributed directly. Because of the distribution error, she doesn't know yet how much the city will be receiving. She will update the Council as soon as that information is known.

#### **SIP Report – Bill Cole:**

**SMAC Update:** Garden Club reached out to Mr. Cole requesting funding/grant through SMAC. No funding for 2021; however, Mr. Cole will apply for funding in 2022 on behalf of the City, and if awarded funding, the City can appropriate/reimburse funds for qualified projects (Garden Club, Orchard, Golf Course).

**EAP:** (Emergency Action Plan). The EAP has been submitted to the State. No comments back from the State or counties from the original submission at this time. Anticipates it will move forward without issue. Next steps include the Dam inspection which requires physical measurement of the lake levels outside of the OPTI system, contracts for night lighting, sand, excavator's etc.

**Spillway:** Contract with McClure is in place following legal review/approval. Had the first kick off meeting today and have a walk down scheduled for next Tuesday at 10 a.m. with Tom Haag and his team and McClure. Following this they will have 43 days to complete the work. This step follows the conceptual plan, for them to look it over, put numbers to it, and either give it

the green light as submitted or make recommendations. Tasks not included in current contract are what to do with west spillway, what costs will be to cover it up, traffic control, adding aesthetic features, funding, contractors. These are all items for next contract. Fall of 2022 is the anticipated timeline for implementation.

**Hydro Study:** No cost study for the city to evaluate current fuel costs and alternative methods of providing energy in tandem with the spillway project.

**Police Chief's Report:**

Chief Grenier provided a written report. There were no questions related to the Report.

**City Attorney's Report**

No report.

**Council Reports:**

**Councilmember Best:**

- **Status of City Hall Parking Lot Reconfiguration & Concrete Terrace Enhancement Project.** *Item moved from Old Business for discussion under Councilmember Best's report.*

Status update: Councilmember Best discussed a proposal she prepared, and Mayor Lilja presented, to the Foundation on April 17<sup>th</sup> requesting a grant in the amount of \$67,500.00 to cover construction costs for the City Hall Parking Lot Reconfiguration Project and Concrete Terrace Plaza in front of City Hall. Councilmember Best noted this project is part of the Gateway Enhancement and First Impressions Project that was organized in 2017 by the City, Qinc and the Foundation to create a more welcoming and appealing first impression as you enter into the community. In 2020, the City Council passed a motion to hire Olsson Associates to provide the city with plans for the City Hall Parking Lot Reconfiguration Project and a Conceptual Design for the Concrete Terrace Plaza in front of City Hall. The proposal to the Foundation included a line-item account of projected construction costs and scaled renderings of the parking lot and concrete terrace conceptual design.

It was noted, the grant request did not include costs for a structural study which is needed for the Terrace Plaza. Through discussion during the grant presentation, it was determined the structural study should be done prior to the start of any construction as both the parking lot reconfiguration and concrete terrace plaza tie directly into the new (compliant) ADA ramps leading to the two City Hall entrances. Findings from the structural study, related to pillars and an overhanging roof for the Terrace Plaza, in conjunction with the City Hall building, will determine if we can move forward with the plans/design as currently submitted, or if modifications will be required.

Councilmember Best obtained a bid for a structural study from the Hive Architect Firm in the amount of \$8,500. Discussion ensued about what the \$8,500 covers. Following that discussion,

Councilmember Best made a motion to hire the Hive Architect Firm to provide a structural and feasibility study, in an amount not to exceed \$8,500, for the Terrace Plaza in front of City Hall. Council President Christy seconded the motion; however, before the motion was put to a vote, discussion continued about the details of the bid and whether the city should pay for it or if the city should request a grant from the Foundation to pay for the study. It was determined the city should pay for the study since the whole project hinges on the findings of the study. It was also determined additional bids for the structural study should be sought for comparison purposes before any further decisions are made. Councilmember Best withdrew her motion and will obtain additional bids for a structural study to present at the next Council Meeting. Once the structural study is complete, and more information is known as to the final plans/design for the project, a new grant proposal will be submitted to the Foundation for consideration. Mayor Lilja indicated the Foundation is very impressed with the project and are very enthusiastic about it and he is optimistic they will provide financial assistance once final plans are in place.

Fred Braun Day. Councilmember Best reported a few snags with the event. Waste Management assigned new drivers who didn't know the layout of the roads in LQ, and they also arrived prior to City Union Mission, which they weren't supposed to do, and picked up items that should have gone to the Mission. Mayor Lilja suggested maybe next year, City Union Mission come a day ahead of the event or we assign a later time in the day for Waste Management to arrive. Councilmember McCullagh made a suggestion of giving the City Union Mission their own separate day to lessen the donation confusion. It was also noted the list of acceptable and not acceptable items from Waste Management distributed to residents was a list from 2019 (Covid restrictions cancelled the curbside event in 2020) and changes had been made, unbeknown to the City, by Waste Management to the 2021 list which also caused confusion. Mayor Lilja noted we will learn from this experience and have a better event next year.

Street Sign Project update. City Administrator Leckey reported she and Councilmember Best met with the Director of Traffic Engineering and City Manager with the City of Shawnee at our City Hall to see if they could provide assistance with this project. She reminded this meeting was arranged following an extremely high bid, provided by another company, for the project. City Administrator Leckey reported she received an email from the Shawnee City Manager just prior to the Council Meeting this evening in which he stated they would inventory all the signs, make recommendations on which signs we need to keep, remove or replace utilizing the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD would also provide exact locations of where the signs should be placed, and then using their software, they would provide us with a sign location map. All of this could be done for \$1000.00. A report with all of this information would be provided within 30 days. This would be the first step. If we decided to move forward with them to replace and remove the recommended signs, they could do that for \$200 per sign. They will provide a total dollar amount for signs to be installed and included in that bid will be the cost for removing and disposing of the existing signs and posts, purchasing and installing new signs and break away posts. They have a manufacturing place where they can make the signs, and/or if they cannot make a particular sign, have a place

where they can purchase them. The work would be done by a crew from the Shawnee Engineering Traffic Department and would involve signs on Quivira Lane, Holliday Drive, Renner Road, and Crescent Blvd.

**Motion:** Councilmember Best made a motion to move forward with the City of Shawnee, for \$1000.00, to inventory and map the City of Lake Quivira street signs. **Second:** Council President Christy seconded. **Vote: 3-0. Motion carried.**

**Council President Christy:**

No report.

**Councilmember McCullagh:**

Fuel Station. Councilmember McCullagh reported the gas station is back in working order following some significant down time. The Veeder Root system has been installed and is dispensing reports. He noted things are shaping up nicely for the management transition which should occur soon. The EMV upgrade is pending installation by Double Check.

Waste Management. Councilmember McCullagh continues to communicate with WM as events pick up in Lake Quivira to try and ensure odors are minimized during those times. He indicated increased communication and sharing the event calendar with Waste Management seems to really be helping.

Concerning Waste Management, City Administrator Leckey reported the last couple of yard waste pick up's we have had, we have been charged for contaminated loads which has also resulted in an additional \$300 charge on our bill each time, but there are no details as to what the contamination was. She indicated she reached out to John Blessing to inquire what the contamination was so we can communicate this to our resident's, so they know not to put those types of items in the bin. John advised he would look into it, but she still hasn't heard back from him. City Administrator Leckey also noted we recently switched over to a weekly yard waste pick-up on the community bins for the busy season, and before we had been on a call as needed basis, when we switched over to the weekly schedule is when we started getting charged for contaminated loads. She reported not ever encountering this situation when we were on the call as needed schedule. Mayor Lilja noted he would be speaking with John Blessing tomorrow and will follow-up on this.

**Councilmember Noland:**

Absent. No report.

**Councilmember Prieb:**

Absent. Mayor Lilja presented the asphalt bids during his report.

**Mayor's Report:**

Fred Braun Day. The weather was not the most favorable, but we still a good turnout. There was a lot of trash collected on Holliday Drive and Quivira Lane. The Braun family was very

happy with the event. Mayor Lilja expressed the importance of the day and would like it to continue being an annual event.

Arbor Day/May Day event. Mayor Lilja reported he was out of town for the event, but he talked to several people that were there and they indicated it went really well. It was a family event with approximately 50 people in attendance. Everyone who attended were happy to be there and said they had a good time. Mike Cooper was surprised with a special recognition. Mayor Lilja hopes this is an event that will also continue.

Foundation. Randy Treas was brought on to help with marketing. They are really trying to push this again as the community continues to grow with new members. They are trying to come up with creative ways for people to donate to the Foundation such as possibly through Lake Quivira chit accounts. More news will be coming out soon.

Fourth of July. Mayor Lilja and Council President Christy plan to meet with Dean Lytton, the Mother's Club, Chief Grenier and other volunteers on or around June 3rd to discuss the event. Council President Christy will facilitate arranging the meeting. Mayor Lilja indicated it is unlikely things will go like they did last year with the social distance parade etc. but that will be dependent on restrictions if they aren't lifted by the county by then.

City Administrator Leckey asked for clarity on how many trees were ordered for the Arbor Day event in which the city was responsible for paying for. She indicated she thought we would be billed for two trees, but she received an invoice for a much higher amount which seemed to add up to five trees. Discussion ensued and the consensus was that the city was only responsible for two of the trees. City Administrator Leckey will reach out to Councilmember Noland to discuss further as she is the one who provided the invoice, she just wanted clarity before she did.

#### **Old Business:**

- I. Consider asphalt bids for Quivira Lane from Way & Sons and McAnany Construction, Councilmember Prieb.**

Mayor Lilja provided the bid information in Councilmember Prieb's absence. Mayor Lilja reported a bid was submitted by Way & Sons for \$89,000.00. McAnany submitted two bids: one for \$63,723.00 and one for \$90,000.00. The higher bid by McAnany included an extra 1000 feet going further up Quivira Lane; however, because part of the extra 1000 feet belongs to KCKS and to Shawnee, the city cannot pay for or enter into an agreement to do work on another city's roads. Mayor Lilja reported Councilmember Prieb reached out to both cities and as of this Council Meeting, the latest report was he had heard back from Shawnee and they were going to look into it, but he had not heard back from KCKS. Councilmember Prieb indicated he would stay on top of it to try and get that extra 1000 feet covered by KCKS and Shawnee down the road. Mayor Lilja referred to a map, provided by Councilmember Prieb, of Quivira Lane outlining the areas on Quivira Lane needing the asphalt work. Mayor Lilja reported Councilmember Prieb's recommendation was to accept

the McAnany bid for \$63,723.00. Questions were raised about the difference in the bid amounts. Discussion ensued about the scope of work and services provided, comparatively, in the lower bid from McAnany and the bid from Way & Sons. Mayor Lilja being unable to make a motion to accept a bid, opened it up to the Council.

**Motion:** Council President Christy made a motion that we accept the McAnany bid for mill and overlay work on Quivira Lane northwest from S. 78<sup>th</sup> Street to the triangular intersection at Holliday Drive not to exceed \$63,723.00 subject to approval of the contractual agreement to include traffic control services. **Second:** Councilmember McCullagh seconded. **Vote: 3-0. Motion carried.**

II. **Status of City Hall Parking Lot / City Hall Terrace Enhancement, Councilmember Best.** Discussion held during Councilmember Best's report.

#### **New Business:**

I. **Consider Agreement with the City of Shawnee for contracted services including Building Permit Review/Inspections and Emergency Services. – Michelle Daise.**

City Attorney Daise explained the agreement simply combines two previous agreements for building permit review/inspections and emergency services into one document. Services and rates remain the same. This change was at the request of the City of Shawnee.

**Motion:** Councilmember McCullagh made a motion to approve an agreement with the City of Shawnee for plan review for building applications and inspections, and fire and emergency medical response services in the City of Lake Quivira and authorize the mayor to sign such agreement. **Second:** Councilmember Best seconded. **Vote: 3-0. Motion carried.**

Mayor Lilja signed the agreement. City Attorney Daise will submit the signed agreement to the City of Shawnee.

II. **Budget Discussion – Erin Leckey. This was moved to the end of the agenda.**

City Treasurer Leckey went over the upcoming budget preparation process, noting there are going to be changes this year, from previous years, in how cities are required to calculate their mill levy. This change is due to a Senate Bill 13 that was recently passed. She explained SB 13 in full detail.

#### **In summary:**

- The tax lid was repealed.
- New notice and public hearing requirements were established if the proposed budget will exceed the property tax levy's revenue neutral rate.

Revenue Neutral Rate (RNR): This is the tax rate in mills that would generate the same property tax revenue in dollars as levied the previous year using the current tax year's total assessed valuation.

**Steps:**

- Receive Revenue Neutral Rate from the County Clerk by June 15<sup>th</sup>.
- Determine the budget needs for City's upcoming budget year and determine the amount of property tax that will be required to fund the budget.
- Determine if the amount needed will require a tax levy exceeding the Revenue Neutral Rate.

**If yes,**

- Notify the County Clerk by July 20<sup>th</sup> with the City's intent to exceed the RNR.
- Beginning in 2021 (for 2022 budget year), publish a notice on the city website and in a county wide newspaper 10 days prior to the hearing. The notice must provide details for both a tax rate hearing and a budget hearing.
- No earlier than August 20<sup>th</sup> and no later than September 20<sup>th</sup>, conduct a tax rate and budget hearing, giving taxpayers an opportunity to comment on the budget.
- Adopt a resolution or ordinance to exceed the RNR.
- Adopt the proposed budget or any lesser amount. A budget cannot exceed the amount proposed.
- On or before October 1, certify to the County Clerk the amount to be levied.

**If no,**

- On or before August 5, publish the proposed budget and hearing notice (must include the RNR).
- On or before August 15, hold a public hearing on the budget.
- On or before August 25, certify the city budget and tax levies to the County Clerk.

In conclusion, City Administrator Leckey noted most cities, it seems, are going to have to exceed the RNR. She doesn't think it will be as rare as it was to go above the tax lid in previous years. Unless we find ways to spend less money than we have in years past, she noted we will need to exceed the RNR. She pointed out we don't have to, but she wanted everyone to know it might be something we need to look into.

**III. Mask Mandate updates for Wyandotte County/Johnson County – Erin Leckey**

City Administrator Leckey reported there haven't been any new updates since Johnson County changed their recommendations on May 1<sup>st</sup>. Wyandotte County is continuing their Health Order through May 28<sup>th</sup> and will revisit it then. Until then, we are still masked at City Hall and any other buildings in the city that are located in Wyandotte County. The agreement the city entered into with Johnson County earlier in the year is no longer applicable following their recent update.

**IV. Dam Inspection Agreement - Michelle Daise.** This item was tabled for discussion later in the meeting.

**V. Emergency Exit Road – Mayor Lilja.**



Mayor Lilja reported the emergency exit road was used about a month ago during a time of a really heavy rainfall. When the road was initially put in, the city had to get Qinc's permission, as it is their property, and there were homeowners on both sides that were opposed to it at the time. The city wanted to put in asphalt all the way, but the homeowners didn't want it to look like a road coming in from Renner Road all the way into their cul-de-sac, so other options were explored. As a compromise, the end result was part of the road was graveled, and part has a steel waffled type grid which is verified to carry heavy emergency type vehicles. Unfortunately, when we get heavy rains or snows, emergency equipment can get stuck, and recently during that heavy rainfall, an ambulance got stuck which caused big ruts, mud in the street and some unhappy homeowners. Mayor Lilja is now exploring options to see what it would take to pave the road. He noted one neighbor is for it, but he has not heard back yet from the other neighbor. He will be seeking bids from Way & Sons and McAnany and also see about planting some trees alongside the roadway and go from there. Mayor Lilja will keep the Council updated as the project moves forward.

**Executive Session:**

**Motion:** Councilmember McCullagh made a motion for the Lake Quivira City Council to recess into executive session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship (K.S.A. 75-4319(b)(2)) relating to legal advice and contract negotiations. Present will be the Mayor and Council, City Attorney and City Administrator. The Governing Body will return from executive session no sooner than 9:10 p.m.

**Second:** Council President Christy seconded. **Vote: 3-0. Motion carried.**

The meeting adjourned from Executive Session and was called back to Regular Session at 9:10 p.m.

Following executive session, new business agenda item IV was brought back before the Governing Body.

**Motion:** Councilmember McCullagh made a motion to approve an agreement with McClure Engineering Services for dam inspection services in a lump sum amount of \$3,900.00, subject to legal review and approval by the city attorney and authorize the mayor to sign such agreement.

**Second:** Council President Christy seconded. **Vote: 3-0. Motion carried.**

**Adjournment:**

**Motion:** Council President Christy made a motion to adjourn the meeting at 9:12p.m. **Second:** Councilmember Best seconded. **Vote: 3-0. Motion Carried.**

The meeting adjourned at 9:12 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.