

**CITY COUNCIL MEETING MINUTES  
CITY OF LAKE QUIVIRA KANSAS  
February 7, 2022  
6:30 p.m.**

**Present**

Mayor Brady Lilja  
Council President Dave McCullagh  
Councilmember Gayle Best  
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 Annie Noland

**Visitors**

Bill Cole – 143 Lakeshore South - attended via Zoom  
Angela Gupta – 171 Terrace Trail West  
Dean Lytton – General Manager for Q, Inc  
Pat McAnany – 222 Arapahoe East  
Win Zoellner – 440 Navajo Lane West  
Chip Zimmer – 430 Navajo West

**Zoom:**

<https://us06web.zoom.us/j/81493567978?pwd=amtHcnVIY296VUZ1amZBRFB4N2UzUT09>

**Meeting ID: 814 9356 7978**

**Passcode: 333606**

**Dial: 1 312 626 6799**

**Call to Order**

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

**Pledge of Allegiance**

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

**Appointment and Oath of Office of new Council Member**

Mayor Lilja welcomed Angela Gupta to the meeting. Following a brief introduction of Ms. Gupta, Mayor Lilja, with Council approval, recommended she be appointed to the vacant council seat. **Motion:** Council President McCullagh made a motion to appoint Angela Gupta to fill the vacant council seat. **Second:** Councilmember Best seconded. **Vote: 3-0. Motion carried.**

City Clerk Bounds recited the Oath of Office to which Ms. Gupta raised her right hand and recited back. Ms. Gupta signed the oath, took her seat on the bench, and was welcomed as the newly appointed Councilmember.

**Visitor's Comments:**

None.

**Approval of Minutes from:**

January 3, 2022, Regular Council Meeting. **Motion:** Councilmember Best made a motion to approve the minutes from the Regular Council Meeting held on January 3, 2022. **Second:** Council President McCullagh seconded. **Vote: 4-0. Motion carried.**

**Treasurer's Report:**

The January 2022 monthly treasurer's report was submitted by City Treasurer Leckey for review and consideration. An inquiry was made about how gas station revenue and expenses are listed on the report. City Treasurer Leckey provided an overview of how the information reads. She also noted following our audit this year, the auditor recommended moving the gas station from the general fund and assigning it to its own fund/line item. If the State of Kansas will allow it, to avoid having to amend the current budget, City Treasurer Leckey is requesting we make that change at the beginning of 2023. She is still awaiting their decision. **Motion:** Council President McCullagh made a motion to approve the January 2022 treasurer's report as submitted. **Second:** Councilmember Best seconded. **Vote: 4-0. Motion carried.**

**Dam & Spillway Committee Report:**

In the absence of Chairperson Noland, Committee member Pat McAnany provided an update to the most recent work performed on the dam and spillway. He reported drilling was done on the lake side and street side of the spillway south of the dam. All three cores on the lakeside were solid. The three cores on the street side were in bad condition and fell apart, which he noted was not surprising given their age. The final report is still pending from Olsson.

**SMAC Report:**

**KDHE:** The KDHE annual stormwater report is due by the end of February. It is important to submit this on time.

**SMAC Rep:** Mr. Cole reported, following a conversation with Mayor Lilja, he has expressed his intent to step down as the SMAC representative for the city. Mr. Cole noted most cities have full time personnel who can work on this, and while Lake Quivira does not have a department to fulfill that role, it is a role that is vital to our lake community and reiterated the importance of having city representation for SMAC.

**Watershed No. 6:** The first master plan for our watershed has been released in draft form. Lake Quivira is an appendage of the 6<sup>th</sup> watershed which includes some of Bonner Springs, as well as areas of Lenexa, Olathe, and Shawnee. Mr. Cole mentioned potential

projects that would be of benefit to Lake Quivira in which we should apply for funding assistance through the county. He explained funding scenarios noting if it is a project that is of county-wide benefit (and therefore very limited in number of approved projects), the city would pay 0% of the project costs and the county would pay 100%. An example might be putting a retention pond on the 40 acres we just purchased. And with that, Mr. Cole noted we would ask Shawnee to co-sponsor the project.

Mr. Cole stated it is important to have someone attend the watershed meetings, noting our vote counts as much as any other city when it comes to projects the county is considering. Mr. Cole noted the criteria and priority for funding assistance has changed since 2019. In 2019 it was about protecting personal property from flooding. Now the number one priority is protecting roads and emergency response time; an example is fixing the road by #12 (golf course) because it floods during heavy rains which hinders our emergency response time to that area. If that project was considered, it would be a 75% City expense and a 25% county match.

Mr. Cole will be working with the mayor to help the new SMAC position holder.

**SIP Report:**

No report.

**Police Chief's Report:**

Chief Grenier submitted his monthly report for January. An inquiry was made about the vicious dog incident listed on the report. Chief Grenier explained it was a dog vs. dog bite and the owner of the injured dog declined prosecution.

**Statement from Bill Cole:**

For the record and for transparency, Mr. Cole stated his relationship to Erin Leckey as her father, noting she signs his checks for services he renders for the city. Mr. Cole stated he will withdraw at any time if it becomes a conflict of interest.

**City Attorney's Report:**

City Attorney Daise discussed dates and times with the Council for holding a Council training session. She explained the importance of holding training sessions every couple of years and briefly went over topics that would be covered. The Council provided feedback on dates and times and City Attorney Daise will schedule the training accordingly. She also noted she will be providing a similar training session with the Planning Commission in the weeks to come.

**Council Reports:**

**Councilmember Best:**

**Fred Braun Day:** Councilmember Best discussed dates in April for Fred Braun day and suggested having the large-item pick-up day on the same day as has been done in past years.

Councilmember Best also discussed including City Union Mission (City Thrift) for curbside

donations ahead of Waste Management arriving. She suggested having them out a day ahead of Fred Braun and the large-item event. A communication piece will go out to the community once the events and dates are finalized.

A suggestion was made to host a “green week” in April to include Fred Braun Day, Earth Day, Arbor Day and Tree City events.

**Bid package for City Hall parking lot/terrace project.** At Councilmember Best’s request, City Administrator Leckey reached out to other area city managers to request examples of their bid packets for when we are ready to go out to bid for the parking lot/terrace project. City Administrator Leckey reported she has already received several responses. Councilmember Best noted the next step, once we receive bids, will be preparing a proposal to take before the Foundation to request funding assistance.

**Council President McCullagh:**

**Waste Management Odor Complaints update:** Council President McCullagh reported after receiving an odor complaint from a resident, he called the Waste Management reporting line (listed on the city website), and within 20 minutes a representative from Waste Management was at his door. The WM rep inquired if the odor was still lingering and checked the area with his odor detecting device. The WM rep advised shifting winds may be causing odors to drift in our direction at this time of the year; however, there is no work currently being done at the landfill that would cause odor emissions. Council President McCullagh indicated he was very pleased with their responsiveness to the complaint.

**Gas Station:** Council President McCullagh presented two bids received from Hoidale to upgrade our current Veeder Root system, noting funds have been budgeted for the equipment upgrade. The bids included equipment and installation of a TLS4B system at \$6,976 and a TLS450 Plus system \$13,861.75. The TLS450 Plus is more suited for a gas station with multiple pumps and continuous activity. The TLS4B provides all the monitoring needs our station requires. Council President McCullagh noted there may be some additional electrical work involved to install a fuel overfill emergency shut off valve at the pump island which correlates with the TLS4B. Costs for the electrical work, if needed, is anticipated to be around \$1,000. Discussion ensued related to the equipment and bids. Questions were answered and a motion was entertained. **Motion:** Council President McCullagh made a motion to hire Hoidale to install a Veeder Root TLS4B console and provide electrical work to accommodate that in an amount not to exceed \$8,000.00. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

**Councilmember Prieb:**

No report.

Before moving on to the next Councilmember’s report, Mayor Lilja noted the fireworks contract has been signed and payment rendered for the 2022 Fourth of July fireworks display.

**Councilmember Gupta:**

No report.

**Councilmember Noland:**

Absent.

**Mayor's Report:**

Land Development Committee. Mayor Lilja discussed persons he is considering appointing to the committee to include Greg Prieb, II, and Angela Gupta. Suggestions were made about others within the community to serve on the committee. Mayor Lilja took the suggestions under advisement and will make a decision soon regarding committee members.

*AMENDED TO REMOVE COUNCIL PRESIDENT MCCULLAGH AS A SUGGESTED LAND DEVELOPMENT COMMITTEE MEMBER*

**Old Business:**

None.

**New Business:**

Items for discussion under new business were moved around from how they appear on the agenda as follows:

- iv. **Consider a date for Fred Braun Day.** Discussion was held under Councilmember Best's report.
- v. **Consider appointment of Angela Gupta to fill vacancy in office of Councilmember.** Ms. Gupta's appointment and swearing in took place at the beginning of the Council meeting.
- ii. **Consider approval of Amendment No. 1 to the Professional Services Agreement with Olsson for engineering services related to the Lake Quivira Dam & Spillway rehabilitation project.** City Attorney Daise discussed the details of the amendment noting nothing changed with costs and that it mostly had to do with the coring work. City Attorney Daise also noted there will likely be another amendment to consider in March or April. **Motion:** Council President McCullagh made a motion to approve Amendment No. 1 to the Professional Services Agreement with Olsson for engineering services related to the Lake Quivira Dam & Spillway rehabilitation project. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**
- iii. **Consider renewal of AIMS (Automated Information Mapping System) Data Access License Agreement for 2022.** Chief Grenier noted AIMS is primarily used in the Building Official position, but the Police Department has also used it a few times as well and it is quite beneficial to have. Some of the information on AIMS is free to the public, but the paid access provides more detailed and in-depth information. The city has subscribed since 2009, and Chief Grenier encouraged renewing the agreement with AIMS. **Motion:** Councilmember Best made a motion to renew the AIMS License Agreement for 2022. **Second:** Councilmember Prieb seconded. **Vote 4-0. Motion carried.**

vi. **Consider appointment of Jake Heller for the part time Building Official position.**

An inquiry was made whether Mr. Heller's employment with the city would be a conflict of interest since Mr. Heller also does construction projects in the community. Mayor Lilja noted he and Mr. Heller had that conversation, and Mr. Heller agreed the only construction work he would/could do, while employed by the city, is dock work. Mayor Lilja explained the reason for the exception with docks is because docks do not require a building permit or to be inspected by the city. Dock construction is handled completely through Q, Inc. Discussion continued around the conflict-of-interest topic. Mayor Lilja advised to continue with the discussion, the Council would need to request an executive session.

**Motion:** Councilmember Prieb made a motion to enter into executive session for the purpose of discussing personnel matters of non-elected personnel to protect privacy rights of the potential employee (K.S.A. 75-4319(b)(1) for ten minutes, returning no sooner than 8:20 p.m. and will include the Mayor, Council, City Attorney and Erin Leckey. **Second:** Councilmember Gupta seconded. **Vote: 4-0. Motion carried.**

The regular Council Meeting was called back to order at 8:20 p.m.

The mayor brought back for discussion the appointment of Jake Heller for the part time Building Official position. Council President McCullagh began to make a motion, when it was determined a motion was not needed since there is a contingency offer to be made. The contingency will include no dock building while employed with the city of Lake Quivira. Along with the contingency offer, the mayor and Erin will have the authority to negotiate salary with Heller. A Special Meeting may be called to approve the final salary amount.

- i. **Consider approval of the 2022 City of Lake Quivira Pay Ordinance.** An executive session was called for discussion of the pay ordinance. **Motion:** Council President McCullagh made a motion to enter into executive session for the purpose of discussing personnel matters of non-elected personnel to protect privacy rights of the employee (K.S.A. 75-4319(b)(1) for twenty minutes, returning no sooner than 8:46 p.m. and will include the Mayor, Council, City Attorney and Erin Leckey. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

The Regular Council Meeting was called back to order at 8:46 p.m.

**Motion:** Councilmember Prieb made a motion to enter back into executive session for the purpose of discussing personnel matters of non-elected personnel to protect privacy rights of the employee (K.S.A. 75-4319(b)(1) for ten minutes, returning no sooner than 8:58 p.m. and will include the Mayor, Council, City Attorney and Erin Leckey. **Second:** Council President McCullagh seconded. **Vote: 4-0. Motion carried.**

The Regular Council Meeting was called back to order at 8:58 p.m.

City Administrator Leckey read out loud the 2022 proposed pay rates for city employees.

**Motion:** Councilmember Best made a motion to approve the 2022 hourly/salary rates as communicated by City Administrator Leckey, and to direct staff to draft an Ordinance incorporating pay rates, as stated, effective the first day of the 2022 payroll, and authorize the mayor to sign the Ordinance. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

**Executive Session:**

Executive sessions were called and held during New Business as listed above.

**Adjournment:**

**Motion:** Councilmember Gupta made a motion to adjourn at 9:06 p.m. **Second:** Councilmember Best seconded. **Vote: 4-0. Motion carried.**

The meeting adjourned at 9:06 p.m.

Respectfully submitted by:

Kathy Bounds  
City Clerk



**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.

**Vacancy** - 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.