

**CITY COUNCIL MEETING MINUTES
CITY OF LAKE QUIVIRA KANSAS
May 1, 2023
6:30 p.m.**

Present

Mayor Brady Lilja
Council President Dave McCullagh
Councilmember Gayle Best
Councilmember Annie Noland
Councilmember Greg Prieb, II
City Attorney Michelle Daise
City Clerk / Court Administrator Kathy Bounds
Chief of Police Fred Grenier

Absent:

Councilmember Angela Gupta

Visitor's:

Daniel Heryer – Compost Collective KC, LLC.
Bill Cole – 143 Lakeshore Drive South
Wally Meyer – 543 Lakeshore Drive West
Chip Zimmer – 430 Navajo West
Paul Welcome – 530 Lakeshore Drive West
Dean Lytton – Q, Inc. GM
Dan McCauley – 525 Lakeshore Drive East

Call to Order

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

Pledge of Allegiance

Mayor Lilja led the Pledge of Allegiance.

Visitor's:

Dan Heyer, owner of Compost Collective K.C. LLC, provided a presentation regarding his food composting business.

SMAC Report – Bill Cole.

Mr. Cole shared information about a pilot program through SMAC related to planting native trees. The city can submit a planting plan and apply for reimbursement for costs at a 50/50 match. Mr. Cole explained this program is a little bit different than the rain barrel program as this is not limited to residents and is open to public entities to participate. He encouraged the city to take advantage of the program and apply.

Public Comments:

Chip Zimmer made a request for an additional reduced speed ahead sign to be placed on Holliday drive near the LQ monument to give drivers more warning to slow down, and do so safely, upon entering the 25-mph zone. Chief Grenier will contact Shawnee Public Works, who handles our signs, to inquire if KDOT regulations will allow a sign at the suggested location.

Paul Welcome shared with the Council an incident he and his wife witnessed in the early morning hours a couple of weeks ago. Mr. Welcome reported what he believed to be suspicious activity at their boat dock, as well as neighboring boat docks, at approximately 3:00 a.m. He is concerned the individuals at the docks were in the community uninvited. Different scenarios were discussed as possibilities for the activity, such as early morning fishing. Cell phone video of the incident was provided to the LQ Police Department. The video is under review. Residents are encouraged to call the Lake Quivira Police Department or 911 to report suspicious activity.

New Business:

- i. **Consider an Ordinance amending Section 5; Title IV. of the Code of the City of Lake Quivira, Kansas, relating to membership of the Planning Commission.** Mayor Lilja and City Attorney Daise led the discussion. Two terms on the BZA/Planning Commission are expiring soon which opened the discussion of reducing the board from nine members to seven members. Ms. Daise reported the requirement of nine members was adopted by Ordinance in 1975 and has not been revisited since. She also reported there has been a vacancy on the board for quite some time, noting historically it has been difficult to fill all nine seats. Statute requires at least five members on the planning commission and seven members on the BZA board. Since the BZA/Planning Commission boards are comprised of one board in Lake Quivira, seven seems most appropriate for staggering terms and for bringing new people on board. Terms are for three years. Term limits were discussed. The city can impose term limits if they wish but there is no requirement by statute. A suggestion was made to require one year off once the term has expired.

Motion: Council President McCullagh made a motion to update the planning zoning and subdivision regulations; Section IV. to change the number of members of the planning commission from nine to seven members. **Second:** Councilmember Prieb seconded.

Vote: 4-0. Motion carried.

Approval of Minutes from:

Special Council Meeting held on April 3, 2023: Motion: Council President McCullagh made a motion to approve the minutes from the special council meeting held on April 3, 2023. **Second:** Councilmember Noland seconded. **Vote: 4-0. Motion carried.**

Regular Council Meeting held on April 3, 2023: Motion: Councilmember Best made a motion to approve the minutes from the regular council meeting held on April 3, 2023. **Second:** Councilmember Noland seconded. Councilmember Prieb abstained. **Vote: 3-0. Motion carried.**

Financial Report:

The Council reviewed the April Financial Report as provided in their agenda packet.

Councilmember Noland presented the report.

Discussion points:

- Gas Station. Monthly summary to show actuals for the month through April 28th.
- Sales & Use Tax revenue for April is expected to post May 2nd.
- Over budget in admin wages due to retroactive pay.
- Over budget in legal expenses due to BZA prep work.
- The city contributed \$1,700 toward purchasing trees for the Arbor Day celebration. This was a budgeted item.
- Waste Management. Yard waste dumpsters are on a “call as needed basis” for disposal services. This will cause invoice fluctuations.
- Olsson Engineering Dam & Spillway project detail explained. Project is on budget.
- Sewer expense. This was not received prior to cutoff for the financial report. Expecting approx. \$17k to post early May.
- The new police car is paid for in full. \$49+k. This was budgeted.
- Shawnee Fire Department annual invoice. \$67k. This was for an unpaid 2022 invoice. We are now current and will be on track for 2023 and going forward.

Motion: Councilmember Best made a motion to approve the April financial report as presented. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

Committee Reports:

Dam & Spillway Committee:

Councilmember Noland reported the committee met on April 21st with members of the Olsson Engineering team. Preliminary design plans were presented and discussed. Olsson requested approval to get a proposal from KC Coring to perform some additional core sampling in the base of the spillway to gain a better understanding of the rock/shale layers under the existing spillway. Cost anticipated to be approximately \$4,350.00. This is covered in the RFP.

Discussion also included channel design, fencing, landscaping, and the bid process once we receive the state’s response.

Anticipated Final Steps Timeline:

- Final design completion – 05-31-23
- State design review – 08-31-23
- Engineering response to state – 09-30-23
- Work could begin after the lake level has been lowered. Will take approx. 90 days to complete: weather dependent.

Land Development Committee:

Committee members along with members of the Olsson Engineering team walked the Renner property to gain a better idea of where the erosion is coming from. Olsson will provide a report outlining their findings.

Police Chief's Report:

Chief Grenier provided his monthly report. There were no questions related to the report. Chief Grenier reported the new police car is here and he is working on getting it outfitted. The white police car has been decommissioned.

City Attorney's Report:

City Attorney Daise provided an update regarding the city's holiday schedule per discussion at the last council meeting. The city's policy book has a provision in it that states the original mandate was adopted by the governing body; however, it is administered by the mayor and/or his or her designee representative; which means the mayor has the authority to modify the manual in writing or verbally. With that policy statement in place, a resolution or ordinance is not necessary as originally believed. After conferring with staff, it was decided to keep Christmas Eve as a paid city holiday and forego the discretionary holiday. Having Christmas Eve as a paid holiday provides an incentive for police officer's working the holiday.

Council Reports:**Councilmember Best:**

Councilmember Best provided an update on the forestry grant the city applied for in January in anticipation of receiving funding ranging from \$150k to \$300k. This grant is part of the Inflation Reduction Act. Cities submitted their individual applications to the Kansas Forestry which submitted an overall application for the state. Forestry was anticipating a \$65 million dollar award. They were awarded 2.6 million; however, with a stipulation is it can only be used in impoverished communities so unfortunately, we will not receive any of that funding.

The plan with the forestry grant funding was to use it toward tree care along our main roads. Councilmember Best expressed this is a project that needs to be ongoing to stay ahead of the overgrowth. Councilmember Best reported funds were set aside in the reserve account from previous councils for this type of work. Councilmember Best discussed prioritized areas as it relates to safety concerns with current overgrowth and contracting with a tree company that specializes in this type of work. Discussion ensued regarding authorizing funds to pay for the work from the reserve account.

Motion: Councilmember Best made a motion to allocate up to \$40k from the reserve account for trimming and tree cutting services this season. **Second:** Councilmember Prieb seconded.

Vote: 4-0. Motion carried.

Councilmember Best provided an update to the ADA grant she has been trying to obtain as part of the City Hall Front Terrace Project. She started working with an associate of Matt Hanson at Witt O'Brien's and is gathering requested information as it relates to City Hall and use of the ramp. Until she has more information about the grant, she noted the project is at a halt as the ramp is the first funding component of the project before we can approach the Foundation for funding assistance with the rest of the project.

Council President McCullagh:

Following the composting presentation tonight, Council President McCullagh noted with school letting out soon, it might be a good project for a sustainability intern to work on this summer, similar to Lizzie Weems last summer.

Councilmember Noland:

No report.

Councilmember Gupta:

Absent.

Councilmember Prieb:

No Report.

Mayor's Report:

Mayor Lilja provided an update to discussion from the last Council Meeting as it relates to the city adopting certain ordinances from the Standard Traffic Ordinances (STO) presented by members of the Safety and Security committee. It has gone before the Q Inc. Board, and they have given us permission to move forward. Mayor Lilja noted he has conferred with the City Attorney as well as Chief Grenier and Council President McCullagh and they will be reviewing the information for possible adoption at the June council meeting.

Mayor Lilja noted we are heading into budget season and asked Councilmembers to start thinking about projects and preparing numbers for that.

Mayor Lilja reported Matt Hanson of Witt O'Brien's will be joining us at the June Council Meeting to go over our ARPA funding and explain how the city can spend those funds.

Mayor Lilja reminded the council of the deadline for filing for city office (noon on June 1st) and encouraged them to reach out to friends and neighbors who might be interested in serving on the council. Kathy will contact Lisa Smith to request an eblast with filing information as well.

Following up to conversation earlier in the evening from the Welcome's the city will put out a communication with the Police Department's on duty, non-emergency, phone number as a reminder to residents to call if they need police assistance as well as 911.

Old Business:

None.

Executive Session.

None.

Adjournment:

Motion: Council President McCullagh made a motion to adjourn at 8:16 p.m. **Second:** Councilmember Prieb seconded. **Vote: 4-0. Motion carried.**

The meeting adjourned at 8:16 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.

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.