



**CITY COUNCIL MEETING MINUTES
CITY OF LAKE QUIVIRA KANSAS
August 3, 2026
6:30 p.m.**

Governing Body Present:

Mayor David McCullagh
Council President Dan McCauley
Councilmember Julie Kurland
Councilmember Mike Pasley
Councilmember Tray Vedock
Councilmember Chip Zimmer

Staff Present:

City Administrator / City Clerk Kathy Bounds
City Attorney Michelle Daise
Building Official Charles McAllister

Visitors:

Carol Dengel
Jim Elder
Mike Olson
Zach Maier

Call to Order

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

Pledge of Allegiance

Mayor McCullagh led the pledge of allegiance.

Comments from the Public:

Carol Dengel, 272 Lakeshore Drive West, addressed the governing body regarding concerns about the proposed zoning regulation updates following her attendance at the July 6th joint work session. During public comments, a memorandum prepared by Carol Dengel and Jim Elder was submitted to the governing body and city clerk for inclusion in the official record. A copy of the memo is included with the minutes as an attachment at the end.

Mayor McCullagh recognized newly appointed Chief of Police, Roy Owens, in the audience and welcomed him to the meeting.

Approval of Minutes:

Approval of Meeting Minutes from the regular Council Meeting held on July 6, 2026.

Motion: Council President McCauley moved to approve the minutes as presented from July 6,

2026, regular Council Meeting. **Second:** Councilmember Vedock seconded the motion. **Vote: 5-0. Motion carried.**

Approval of Meeting Minutes from the special Council Meeting held on July 16, 2026. Motion: Council President McCauley moved to approve the minutes as presented from July 16, 2026, special Council Meeting. **Second:** Councilmember Kurland seconded the motion. **Vote: 5-0. Motion carried.**

Approval of the July 2026 Financial Report:

In the absence of the City Treasurer, the governing body reviewed the July Financial Reports included in the agenda packet prior to the meeting. With no questions or discussion from the governing body, the mayor entertained a motion to approve the financial reports. **Motion:** Councilmember Zimmer made a motion to approve the July Financial Reports as presented. **Second:** Councilmember Pasley seconded. **Vote: 5-0. Motion carried.**

New Business:

None.

Building Official Report:

Building Official McAllister provided the council with a copy of the open building permits report, noting 31 active building permits. Four of those being new home construction, eight being remodels or additions and the remainder for various other permits.

Charles also presented an example memo of an enforcement letter for consideration to construction workers who continue to park and impede traffic flow on roadways at their job sites. The intention of the letter is to give them a warning, as a first step, second step, issue a stop work order, and third step issue a citation with fines if they continue to impede the roadway where regular traffic and/or more importantly emergency vehicles cannot get through. Fines could be taken from their performance bond as one way of collection. The council will take this into consideration.

SMAC:

No report.

Police Department Report:

The Council received the July Safety and Security Report as part of the agenda packet. Chief Owens stated that future reports will be expanded to provide more detailed information on Police Department initiatives, activities, and goals.

Chief Owens also addressed concerns raised by Charles regarding construction vehicles obstructing roadways, noting that the Standard Traffic Ordinance contains provisions that allow officers to cite violations involving the obstruction of emergency vehicles. Additionally, he reported plans to increase traffic enforcement along Holliday Drive and to work with Q Inc. to ensure speed limit signs are properly located within the appropriate designated areas.

Council Reports:

Council President McCauley:

Council President McCauley reported that the generator pad has been poured and the generator has been installed. The company is currently awaiting approval to connect the utilities to the generator, which will complete the project.

Council President McCauley reported weather has delayed the installation of the curb wall on Terrace Trail West but should be completed soon, and Todd Towery, GM for Q Inc. has agreed to cost sharing the project with the city 50/50. The total cost of the project is \$5000.00.

Councilmember Pasley:

Councilmember Pasley proposed using the unused portion of the police garage bay as an Amazon pickup and drop-off location to help reduce delivery truck traffic within the community. He expressed concern about delivery vehicles frequently traveling at excessive speeds and navigating curves unsafely, creating a potential safety hazard.

After discussion, the Council concluded that the garage bay was likely not a suitable location for such a project. As an alternative, it was suggested that guard house staff provide delivery drivers and visitors with informational flyers reminding them of community rules, particularly the 20-mph speed limit and Lake Quivira's commitment to safety.

Councilmember Zimmer:

Councilmember Zimmer reported on preparations for the dam inspection required by the State of Kansas, which must be completed by April 2027. As a Class C High Hazard Dam, inspections are required every three years. McClure Engineering conducted the most recent inspection in 2024 and has provided a proposal of \$4,800 for the 2027 inspection. The State of Kansas also offers inspection services, with a cost of \$3,000 for a dam of this classification. The state's inspection requires completion of a survey, which Councilmember Zimmer volunteered to conduct on behalf of the city. He recommended that the city utilize the State of Kansas for the 2027 inspection and notify McClure Engineering of its decision.

Motion: Councilmember Vedock made a motion that the council award the Dam Inspection Contract to the State of Kansas in an amount not to exceed \$3000.00 and authorize the mayor and/or City Administrator to execute all necessary contract documents, subject to legal review and approval. **Second:** Councilmember Kurland seconded the motion. **Vote: 5-0. Motion carried.**

Councilmember Zimmer also raised the issue of weight limits on the dam roadway and whether additional restrictions should be considered. Discussion indicated that weight restrictions are already in place but may not be clearly posted, and improvements to signage should be evaluated.

Councilmember Vedock:

No report.

Councilmember Kurland:

No report.

Mayor's Report:

- Primary Election Day is August 4th – get out and vote!
- Community Open House – August 6th 5:30 p.m. – 7:30 p.m. at the Club House. Stop by and review recommendations for updates to the zoning regulations and provide feedback. Shockey consultants and city staff will be there to answer questions.
- Met with Morse Township regarding potential development of 100 acres at Holliday and Inland Drive to try to gain potential development. Mayor McCullagh expressed concerns related to truck traffic and was advised it would travel eastbound. Still some unanswered questions such as was a traffic study performed; permitting; special use permit.
- Thank you to Councilmember Vedock for coordinating efforts with the fireworks vendor for use of the unused fireworks during the Fourth of July display to be used during another community event.

Old Business:

- i. Discussion and consideration of awarding the Dam Inspection Contract to the State of Kansas with an inspection fee of \$3000.00. **Motion and vote carried during Councilmember Zimmer's report.**
- ii. Update on Generac Generator Project. **Update provided under Council President McCauley's report.**

Executive Session:

- i. To consider personnel matters of a non-elected employee to protect the privacy rights of the employee to be discussed pursuant to K.S.A. 75-4319(b)(1).

Motion: Councilmember Pasley moved that the City Council recess into executive session for 10 minutes to consider personnel matters of a non-elected employee to protect the privacy rights of the employee to be discussed pursuant to K.S.A. 75-4319(b)(1). Present will be the Governing Body, City Attorney, City Administrator, and City Treasurer. The open meeting will resume in the Council Chambers at 7:41 p.m. **Second:** Council President McCauley seconded the motion. **Vote: 5-0. Motion carried.**

Adjournment:

Motion: Councilmember Pasley made a motion to adjourn at 7:47 p.m. **Second:** Council President McCauley seconded the motion. **Vote: 5-0. Motion carried.**

The meeting was adjourned at 7:47 p.m.

Respectfully submitted by:
Kathy Bounds
City Clerk



Mayor: Quivira Inc., Q, Inc. Board, Lake Quivira Foundation, Police, Newsletter

Julie Kurland: Ordinances, Land Committee, Website, Tree City

Mike Pasley: Road Maintenance, Gas Station, Perimeter Aesthetics and Upkeep, Employee Performance Reviews, Goats

Dan McCauley: Building Requirements/Zoning, City Hall (Upkeep and Improvements), Waste Management, Railroad

Chip Zimmer: SMAC, Land Committee, Lake Preservation/Environmental Concerns, Insurance

Tray Vedock: Budget/Finance, Independence Day Fireworks, Youth volunteering, Spillway/Dam, Deer Harvest

August 3, 2026 City Council Meeting

Input from Carol Dengel and Jim Elder, neither of whom are an engineer or attorney

272 Lakeshore Drive West

We encourage you to call or text with questions to 913-205-5221.

We attended the zoning working session last month and want to identify some things on which the City is working with incomplete or incorrect information on items that are very important with regard to zoning and building at LQ.

1. **Front Yard Setbacks.** Critically important Purpose for a Front Yard setback is Traffic Visibility, which is absent from the list of Setback Purposes in the consultant's deck from working session.

- A.) On page 4 of this handout is an AI query I did. I asked one simple question as you can see—"What is the purpose of frontyard setbacks?" Answer: The first one listed is Traffic Visibility.
- B.) Now turn to page 5 and you'll see another page from the consultant's deck titled Setbacks. See the front yard setback in the illustration that says 40 feet. Now, imagine where it says the words 7 foot on the right—that is most likely where the neighbor's driveway is. So, imagine the neighbor backing out of their driveway with a car or truck approaching from the other side around the curve. Because visibility is more difficult around a curve, there's little time for that driver to react and put on their brakes. And the person backing out has an even slower reaction time as they are navigating oncoming traffic from both sides of their drive, looking in multiple mirrors, as well as trying to not hit anyone or anything in the parking area across the street where there is dock access. Now, imagine if one of the vehicles is a golf car that has no protection should there be a collision. This explains why front yard setbacks are of critical importance.
- C.) There are sight distance codes the City is required to follow to prevent things from being built that would block visibility. But the problem is, the city is not following these codes when homes are being built—my guess is the city is unaware of the requirements and there is not a process in place for review of sight distance. This is certainly something the city will want to understand and consider if considering changes to front yard setbacks, which would make respecting sight distance codes even more critical. I mentioned sight distance regulations that the City is required to follow to the Mayor a week ago, and to his credit, he said he'd like for me to provide information on it to him. I gave him an email today he's unlikely had time to read. I've provided you a copy of it on the last page. *(On Page 45 of LQ's Zoning and Subdivision Regs from 2019 under 3. B., it says the city follows certain adopted roadway design standards: (KCAPWA).<http://kcmetro.apwa.net/> These standards require the City to follow sight distance criteria that are incorporated in these standards including Intersection Sight Distance (ISD) and Stopping Sight Distance (SSD).)*
- D.) In November, the city identified two items on the list of goals for the next two years—Improving safety on the streets inside and outside the gates was one of the two goals.

2. Existing side yard setback in R-1 is not currently 7 feet.

A.) I was perplexed at the working session as to why 7 feet was discussed as the current required setback. Look at the illustration on page 5 again and you will see the sideyard setback is marked at 7 feet, which is incorrect. I asked the consultant after the meeting why they referred to the side setback as 7 feet instead of 25% and she told me it is "Either 25% **or** 7 feet on each side." Her understanding was incorrect. The rule is 25% of the width of the lot, but not less than 7 feet on each side and while the correct wording is included later in the deck, it was spoken of at the meeting as a 7-foot sideyard setback. Last month, I spoke to one of the people who developed the zoning rules in 2019 and he explained it this way—they included the 7 feet because of the narrow lots, 50 feet was his example, because 25% of a lot that narrow would mean too small of a side yard, hence the 7 foot minimum. So the existing sideyard setback is 25%, but not less than 7 feet. Not **or** 7 feet.

B.) So for the most part, by making all lots have a 10 foot sideyard setback, you will significantly reduce the setback for larger lots and increase it for the smallest lots. So this is what it is going to look like with your 10-ft across the board proposal...For a 130-foot lot, the side yard variance will go from 16' on each side to 10' on each side. That means on a 130 lot, you will have a 110 foot house which my AI said it would have a "monster home effect allowing massive homes on wider parcels to squeeze right up to the 10 foot line, dominating the natural lake landscape." The 50-foot lot would today have a sideyard setback of 7 feet on each side and a 36 foot wide house. After the change to a blanket 10-foot wide setback, AI said smaller lots of 40-50 feet wide would force tall, vertical "shotgun-style" designs that look awkwardly crammed together leaving only 20-30 feet of buildable width.

3. Survey Results clearly state that residents don't want you to reduce the setbacks—not for front yard, side yard or height. I hope you will really ponder this before moving further--Why you are proposing things directly opposite of what your constituents have told you they want? The changes proposed will result in taller, bulkier homes, closer to property lines, hurting the character at LQ and making it more dangerous on the roads inside of LQ.

Survey Results:

75% are concerned with height and bulk with newer/rebuilt homes

57% are concerned homes are built closer to property lines

85% said setbacks are important or very important to LQ's character

90% said building height is important or very important to LQ's character.

4. Conclusion. It was stated by the consultant that a large number of variance requests suggests there is a problem with the zoning. I beg to differ. I've been paying attention to variance requests for 18-24 months and there hasn't been a large number of homeowners applying for variances. (Although some of those homeowners ask for multiple variances, which can indicate the house is too big for the lot.) Based on the survey results that have been shared, it appears pretty clear that the majority of residents don't want more lenient setbacks. With all due respect to city leadership, staff, council, boards, etc., it appears what they want is the character of LQ to remain intact with fairness and predictability on variance requests. We believe this points to keeping your setbacks as they are, consistently following the city's and BZA's existing rules, and focus on improving processes and training.

Here is a counterpoint my engineer emailed me with regard to the idea that a large number of variances indicate there is a problem with LQ's zoning:

That conclusion may be appropriate in certain jurisdictions experiencing widespread new subdivision development or systemic nonconformities. However, the consultant's report does not document that the same conclusion is appropriate for Lake Quivira's substantially different pattern of redevelopment.

Lake Quivira is a mature, substantially built-out community in which much of the current construction activity consists of voluntary replacement of existing residences with significantly larger custom homes. Such redevelopment is fundamentally different from new subdivision development because the development constraints are largely known before property acquisition, and requests for additional building area often reflect owner preferences and investment decisions rather than deficiencies within the underlying zoning regulations.

Accordingly, the mere frequency of variance requests should not, by itself, be interpreted as evidence that the existing ordinance is defective. Before drawing that conclusion, the City should expect documentation distinguishing variance requests arising from outdated regulations from those arising simply because property owners seek development exceeding what the existing ordinance was intended to accommodate.

What is the purpose of front yard setbacks?

At their core, **front yard setbacks** are local zoning regulations that dictate the minimum distance a building or structure must be placed back from the front property line (or street edge).

City planners and municipalities implement front yard setbacks for several practical, safety, and aesthetic reasons:

Key Purposes of Front Yard Setbacks

Safety and Sight Lines:

Traffic Visibility: Setbacks ensure that drivers pulling out of driveways—or driving along the street—have clear sight lines to see pedestrians, cyclists, and oncoming traffic.

Emergency Access: Keeping structures back from the road allows firefighters and emergency services easy access to the front of a home without obstruction.

Infrastructure and Utilities:

Utility Easements: The space between the road and your front door often houses public utility lines (water, sewer, gas, electric, telecommunications). Setbacks ensure workers can access, repair, or upgrade these lines without damaging private structures.

Road Expansion: Setbacks preserve a buffer in case the city or township needs to widen the road, add sidewalks, or install drainage swales in the future.

Light, Air, and Space:

Setbacks prevent buildings from feeling overcrowded or looming directly over the sidewalk. They ensure adequate airflow and allow natural sunlight to reach street level, adjacent homes, and sidewalks.

Neighborhood Aesthetics and Character:

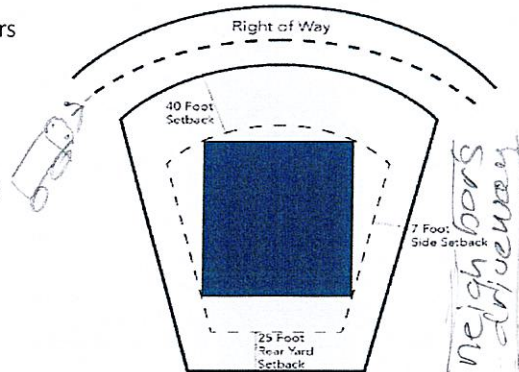
Setbacks

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Setbacks — Purpose

A setback is the required minimum distance between a building (or structure) and a property line.

- Protect **privacy** and reduce close-in conflicts between neighbors
- Provide **light and air** between buildings and along streets
- Reduce **fire risk** by keeping buildings separated and accessible
- Improve safety and access for **emergency service vehicles**
- Support a consistent **neighborhood pattern** and streetscape
- Help keep room for **utilities, drainage, and maintenance** along property edges



Community Survey: 85% of residents said that setbacks are important or very important to Lake Quivira's character.

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Info on the sight distance regulations we briefly discussed on the phone

From: caroldengel@aol.com (caroldengel@aol.com)

To: dmccullagh@lakequivira.ks.gov

Cc: jim@mcchemical.com; kat.elder.crdh@gmail.com

Bcc: caroldengel@aol.com

Date: Monday, August 3, 2026 at 05:36 PM EDT

Mayor McCullaugh,

Thanks for your time when we spoke on the phone recently. You may remember at the end of our call that we talked about sight distance regulations that the City of Lake Quivira is required to follow, and I told you I would forward you information about them if you were interested, and you said you are, so here you go....

On Page 45 of LQ's Zoning and Subdivision Regs from 2019 under 3. B., it says the city follows certain adopted roadway design standards: (KCAPWA).<http://kcmetro.apwa.net/> These standards require the City to follow sight distance criteria that are incorporated in these standards including Intersection Sight Distance (ISD) and Stopping Sight Distance (SSD).

As drivers of cars and golf carts at LQ are keenly aware, safety on the streets around LQ can seem pretty dicey because of our naturally curving roadways and sloping grades that come with being built around a lake. Safety is exacerbated by retaining walls, grading, landscaping, parked vehicles in driveways and along roadways, and in some situations around curves, by the homes themselves. When I made the presentation about visibility issues around LQ's roadways to ARB, you probably remember the example of a home at LQ that I used to illustrate a significant visibility issue for anyone driving around the curving road that the home sits on, not to mention the lack of visibility for it's owners backing out of their own driveway and their neighbor's lack of visibility when backing out of their drive. I think the city following sight distance standards moving forward will prevent situations like this, but I presented a number of examples where sight distance standards would apply.

The things that make visibility at LQ more dangerous is that we have people crossing our curviest roadway, Lakeshore Drive, to get to docks with people/things in tow like little kids, pets, lake toys, fishing equipment, air mattresses, chair cushions, coolers, you name it. Not to mention many service vehicles parked on Lakeshore drive, cars in driveways, pedestrians walking their dogs with no sidewalk, golf carts, bicyclists, joggers, etc. Now is the ideal time for LQ to gain a working knowledge of the sight distance codes we are required to follow while there is attention being given to zoning requirements and processes.

Nobody wants someone to be injured or worse because of non compliance with sight distance standards. To help reduce risk of both an accident and of the city being sued, the city could require the homeowner of a substantial project to have an engineer provide a stamped sight distance plan incorporating ISD and SSD. If the city doesn't want to require that as part of the building application, they could require the homeowner's engineer or architect to sign a checklist or statement where they acknowledge that they followed all ISD and SSD requirements. I would expect that any good architect or engineer would be conscientious about this because they are not going to risk losing their license and livelihood by not actually checking to make sure the ISD

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and SSD are in compliance. Of course I am not an attorney or engineer, but your attorney could confirm this.

I appreciate that you are interested in this, and it doesn't surprise me that you are, given you have mentioned improving roadway safety as part of your 2-year goals for LQ in a few letters to residents. (Your letters are so well done btw--I never miss reading them!)

Thank you so much for your service, Mayor. If there is anything Jim and I can do to help with the two things we have a knowledge base in--safety and generating revenue--please don't hesitate to call on us.

my best,

Carol Dengel and Jim Elder
272 Lakeshore Drive West
913-205-5221