



AGENDA
CITY OF AUGUSTA
Council Meeting
June 3, 2019
7:00 P.M.

“Augusta – Where the metro’s edge meets the prairie’s serenity offering the perfect blend of opportunity and proximity for living, commerce and culture.”

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. PRAYER

Pastor Terri Rawlings, GracePointe Church

D. MINUTES

1. MAY 20, 2019 CITY COUNCIL MEETING MINUTES AND MAY 28, 2019 BUDGET WORK SESSION NO. 1 MEETING MINUTES

Approval of minutes for the May 20, 2019 City Council meeting and May 28, 2019 Budget Work Session No. 1.

a) Council Motion/Vote

E. APPROPRIATION ORDINANCE

1. ORDINANCE(S)

Consider approval of Appropriation Ordinance #5B dated 5/29/19.

a) Council Motion/Vote

F. VISITORS

1. Mat Meckel, Safety Officer for the Augusta Department of Public Safety, will be present to request usage of Garvin Park for the Safety Department’s Movie in the Park Event scheduled for Friday, August 9, 2019 from 5:00pm to Midnight.

2. **Call for Other Visitors.** *(Visitors may be recognized at this time to address the Governing Body regarding items not specifically listed on the Agenda – 5-minute limit).*

G. BUSINESS

1. **ORDINANCE NO. 2150 AUTHORIZING THE SECOND AMENDMENT TO THE LOAN AGREEMENT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE CITY OF AUGUSTA, KANSAS – KWPCRF PROJECT NO. C20 2009 01**

Consider approval of Ordinance No. 2150 authorizing the execution of the second amendment to the loan agreement between Augusta, Kansas and the State of Kansas for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a wastewater treatment project; establishing dedicated source of revenue for repayment of such loan; authorizing and approving certain documents; and authorizing certain other actions in connection with the second amendment to the loan agreement.

- a) Staff Report
- b) **Council Motion/Vote**

H. MATTERS FROM/FOR COUNCIL

1. **City Manager.** Consider scheduling Budget Work Session No. 2 for Monday, June 10, 2019 at 6:00pm at Augusta City Hall.
2. **City Manager.** Reminder of the joint City Council/Park Advisory Board meeting scheduled for Tuesday, June 11, 2019 from 6:00pm to 7:30pm at The Point for community discussion regarding horsepower restrictions for boats on Augusta City Lake.
3. **Call for Other Matters.** *(Council members may be recognized at this time to address the Governing Body regarding items not specifically listed on the Agenda)*

I. INFORMATIONAL MEMORANDUM

J. ADJOURNMENT

CITY COUNCIL
MAY 20, 2019
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on May 20, 2019, with Mayor Mike Rawlings presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Bob Bailey, Tom Leffler, Kip Richardson and Ron Reavis. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Assistant City Manager Cody Sims, Director of Public Safety Bob Sage and City Clerk Erica Jones. Staff Present: Susan Smith. Visitors present were: Rick Neubauer, Mike Stump and Kevin Cowan.

Pledge of Allegiance

Prayer: Pastor Rick Neubauer, First Baptist Church, gave the invocation.

Minutes: Crum made a motion to approve the minutes from the May 6, 2019 City Council meeting. Richardson seconded the motion. Motion carried without opposition.

Ordinance: Crum made a motion to approve Ordinance 5A dated 5/15/2019. Reavis seconded the motion. Motion carried without opposition.

Business:

Inspection Services Agreement with Schwab Eaton, P.A. for Inspection of the Augusta Waterworks Dam at Augusta City Lake: Richardson made a motion to approve an Inspection Services Agreement with Schwab Eaton, P.A. in the amount of \$6,900 to complete an inspection of the Augusta Waterworks Dam at Augusta City Lake as required by the Kansas Department of Agriculture. Crum seconded the motion. Motion carried without opposition.

Authorize City Manager to Submit Documentation to the State of Kansas Amending the City's Revolving Loan Amount for the Basin A Sanitary Sewer Rehabilitation Project; Approval of Change Order No. 2 for Sanitary Sewer Infrastructure Rehabilitation Within Park Place Subdivision; Approval of a Design Services Agreement with Schwab Eaton, P.A. for Sanitary Sewer Infrastructure Improvements on Highland Drive: Crum made a motion to authorize the City Manager to apply for additional funding in the amount or \$230,000 through the State Revolving Loan Program and request a loan amendment from the Kansas Department of Health and Environment. Reavis seconded the motion. Motion carried without opposition.

Crum made a motion to approve Change Order No. 2 in the amount of \$153,611.30 authorizing rehabilitation of sanitary sewer infrastructure in the Park Place Subdivision. Reavis seconded the motion. Motion carried without opposition.

Crum made a motion to approve a design services agreement with Schwab Eaton, P.A. in the amount of \$3,840 for the plan and profile of a new sewer main and manhole along Highland Drive. Reavis seconded the motion. Motion carried without opposition.

Nuisance Abatement Resolution for 111 East Main Street: Magruder made a motion to approve Resolution No. 2019-09 determining a nuisance exists at 111 East Main Street and ordering the removal and abatement of nuisances within ten days as specified by K.S.A. 12-1617e. Bailey seconded the motion. Motion carried without opposition.

Agreement Between City of Augusta and Kelli Miller for Operation of Downtown Mini-Golf Course: Crum made a motion to approve the recommendation from the Convention & Tourism Board to enter into agreement with Kelli Miller to operate a 9-hole mini golf course in the vacant city lot behind Community National Bank. Magruder seconded the motion. Motion carried with Reavis voting in opposition.

Ordinance No. 2149 Authorizing GO Bonds, Series 2019 and Resolution No. 2019-10 Prescribing Terms for the Same: Magruder made a motion to approve Ordinance No. 2149 authorizing the sale and issuance of General Obligation Bonds, Series 2019 and related actions. Richardson seconded the motion. Roll Call: Birk Yes, Magruder Yes, Bailey Yes, Crum Yes, Richardson Yes, Leffler Yes, Reavis Yes. Motion carries.

Reavis made a motion to approve Resolution 2019-10 prescribing the Form and Details of GO Refunding and Improvement Bonds, Series 2019. Magruder seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

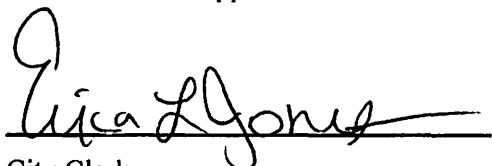
City Manager: Leffler made a motion to schedule Budget Work Session No. 1 for Tuesday, May 28, 2019 at 6:00 p.m. at Augusta City Hall. Crum seconded the motion. Motion carried without opposition.

Richardson: Richardson gave a shout out to the Department of Public Safety and City employees for everything they have done the last couple of weeks to keep people safe from the flooding.

Leffler: Leffler stated that the Certificate of Insurance for the Ballet at the Park is expiring. Shaw stated he has been given a copy of a current one.

Reavis: Reavis stated that the governing body has received hand written questions about the sewer backing up from Charlie Walker. The Mayor said that he would get with staff to respond to the questions. Reavis asked if backflow preventers are required. Sims stated that City Code says if there is more than a five-foot drop from the service line to the main then an ejector is required. Rawlings stated that was put into the building codes a long time ago after there were several sewer backups.

Adjourn: At 7:53 p.m., Reavis made a motion to adjourn. Richardson seconded the motion. Motion carried without opposition.



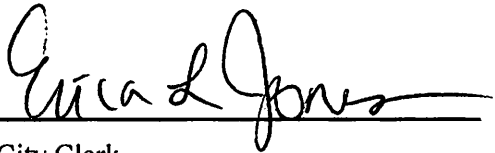
City Clerk

DRAFT

CITY COUNCIL
WORK SESSION
MAY 28, 2019
6:00 P.M.

The Council of the City of Augusta, Kansas met for a work session on May 28, 2019 at 6 p.m., for Budget Work Session #1 with Mayor Mike Rawlings presiding. Council present were Eric Birk, Cale Magruder, Jamie Crum, Bob Bailey, Tom Leffler, Kip Richardson, Felicia Martindale and Ron Reavis. Also present: City Manager Josh Shaw, Assistant City Manager Cody Sims, Director of Public Safety Bob Sage, Human Resources Manager Makala Navarro and City Clerk Erica Jones. Staff Present: Anthony Craft, Rod Davis, Brandon Green, Eric Burris and Troy Snow. Visitors present: None.

Adjourn: At 9:53 p.m. Richardson made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

A handwritten signature in black ink, appearing to read "Erica L. Jones", written over a horizontal line.

City Clerk

City of Augusta

A/P Warrant Register

ORDINANCE #58 (05/29/2019)

For checks after: 5/16/2019

PO Number	Vendor #	Claimant Name	PO Description	Warrant #	Warrant Amt	Fund	Fund Amt
0000169653	0866	AT&T MOBILITY	MONTHLY SERV	70326	\$ 392.69	24-2440	\$ 392.69
0000169631	0702	ALAN'S EXCAVATING, INC	OTHER SERV-ADMIN	70327	\$ 2,500.00	01-1000	\$ 2,500.00
0000169632	1622	AMERICAN CONTROL & ENGINEERING SR	PROF SERV-WTR PROD	70328	\$ 4,155.00	30-5200	\$ 4,155.00
0000169692	0334	AMERICAN FAMILY	DEDUCTION-P/R 5/29/19	70329	\$ 1,844.87	37-0000	\$ 1,844.87
0000169686	3571	ANDREA VARNER	REFUND OVERPMT UTILITY BILL	70330	\$ 43.00	40-0000	\$ 43.00
0000169661	1632	AT&T	MONTHLY SERV	70331	\$ 150.61	70-7100	\$ 150.61
0000169654	0866	AT&T MOBILITY		70332	\$ 618.85	01-1300	\$ 618.85
0000169674	3401	AUGUSTA HOTEL LLC	CID SALES TAX	70333	\$ 2,182.18	13-0000	\$ 2,182.18
0000169682	0021	AUGUSTA POSTMASTER	POSTAGE-WTR ADMIN, ELEC ADMIN	70334	\$ 500.00	30-5100 40-6100	\$ 250.00 \$ 250.00
0000169630	0773	AUGUSTA RENTAL	EQUIP LEASE, OTHER SERV	70335	\$ 2,188.33	01-1000 01-1500 01-1600	\$ 1,745.00 \$ 10.00 \$ 433.33
0000169633	3568	BECKY WOLFE	PROF SERV-ADMIN	70336	\$ 550.00	01-1000	\$ 550.00
0000169668	2227	BOB BERGKAMP CONSTRUCTION CO	BLDG&GRNDS MAINT-ELEC PROD	70337	\$ 393.92	40-6200	\$ 393.92
0000169663	0036	BU RURAL ELEC COOP ASS'N, INC	MONTHLY SERV	70338	\$ 465.02	01-1600 30-5200	\$ 403.60 \$ 61.42
0000169673	0310	CAMI R. BAKER, P.A.	PROF SERV-COURT	70339	\$ 400.00	01-1350	\$ 400.00
0000169669	2489	CDW GOVERNMENT	OFFICE SUPP-WTR PROD, ELEC DIS	70340	\$ 410.39	30-5200 40-6300	\$ 241.22 \$ 169.17
0000169695	0029	CITY - INSURANCE ACCOUNT	DEDUCTION-P/R 5/29/19	70341	\$ 2,079.58	37-0000	\$ 2,079.58
0000169657	2797	CUSTOM TRUCK & EQUIPMENT, LLC	PROF SERV-ELEC DIST	70342	\$ 627.72	40-6300	\$ 627.72
0000169634	9323	DAVIS, MANLEY & LANE, LLC	PROF SERV-COURT	70343	\$ 200.00	01-1350	\$ 200.00
0000169685	3570	DENNIS SANDERS	REFUND OVERPMT UTILITY BILL	70344	\$ 61.58	40-0000	\$ 61.58
0000169636	2104	DIAMOND DRUGS, INC	PRISONER CARE-SAFETY	70345	\$ 6.49	01-1300	\$ 6.49
0000169635	1342	DOWNING SALES & SERVICE, INC	EQUIP MAINT, COMM, DEPT EQUIP	70346	\$ 12,024.00	40-6200 40-6300 50-7000	\$ 3,077.50 \$ 3,077.50 \$ 5,869.00
0000169665	2431	EASTON AVIATION, LLC	OFFICE SUPP-AP	70347	\$ 31.75	70-7100	\$ 31.75
0000169689	0168	EMPRISE BANK	FWTH-P/R 5/29/19	70348	\$ 43,687.72	37-0000	\$ 43,687.72
0000169687	1350	ERICA JONES	EDUCATION, OTHER COMM-ELEC ADM	70349	\$ 159.30	40-6100	\$ 159.30
0000169637	1369	FARWEST LINE SPECIALTIES	TOOLS-ELEC DIST	70350	\$ 675.08	40-6300	\$ 675.08
0000169671	0418	GALLS, LLC	PERS SUPP-SAFETY	70351	\$ 216.23	01-1300	\$ 113.84

							01-1800	\$	102.39
0000169638	1300	HALE'S SALES & SERVICE	EQUIP MAINT-WTR PROD	70352	\$	268.03	30-5200	\$	268.03
0000169662	0302	HAWKS INTER-STATE	BLDG GRND SUPP/MAINT-ADMIN	70353	\$	178.52	01-1000 40-6200	\$ \$	101.76 76.76
0000169639	2033	HAYNES EQUIPMENT	EQUIP MAINT-WW	70354	\$	632.40	50-7000	\$	632.40
0000169672	3248	HEBB COMPANY LLC	CONST-WTR PROD	70355	\$	1,092.13	30-5200	\$	1,092.13
0000169681	2828	HMS LLC	BLDG&GRNDS MAINT-ADMIN	70356	\$	19.98	01-1000	\$	19.98
0000169693	0711	ICMA RETIREMENT TRUST-457	DEDUCTION-P/R 5/29/19	70357	\$	3,214.32	37-0000	\$	3,214.32
0000169678	0789	ISG TECHNOLOGY, LLC	EQUIP MAINT, OTHER SERV-SAFETY	70358	\$	1,102.50	01-1300 01-1500 24-2440	\$ \$ \$	262.50 350.00 490.00
0000169702	3573	JEARL WAYNE ADAMS	REFUND FISHING LIC FEE	70359	\$	15.00	01-0000	\$	15.00
0000169684	3572	JOHN DODGE	REFUND OVERPMT UTILITY BILL	70360	\$	161.91	40-0000	\$	161.91
0000169650	2717	JOY K WILLIAMS, ATTORNEY AT LAW	PROF SERV-COURT	70361	\$	200.00	01-1350	\$	200.00
0000169690	0303	K P E R S	KPERS-P/R 5/29/19	70362	\$	34,944.47	37-0000	\$	34,944.47
0000169699	0104	KANSAS EMPLOYMENT SECURITY FUND	DEDUCTION-P/R 5/29/19	70363	\$	54.82	09-3600 15-4100 20-4500 30-5100 30-5200 40-6100 40-6200 50-7000 70-7100	\$ \$ \$ \$ \$ \$ \$ \$ \$	30.64 1.23 7.27 1.22 2.67 4.92 2.68 2.94 1.25
0000169701	0277	KANSAS MUNICIPAL UTILITIES INC	EDUCATION-ELEC PROD	70364	\$	750.00	40-6200	\$	750.00
0000169696	0813	KANSAS PAYMENT CENTER	DEDUCTION-P/R 5/29/19	70365	\$	599.39	37-0000	\$	599.39
0000169640	0612	KATHY CAGLE	PERS SUPP-SANITATION	70366	\$	16.00	20-4500	\$	16.00
0000169641	1586	KMGA GAS SUPPLY OPERATING FUND	NATURAL GAS-WW, ELEC PROD	70367	\$	4,170.63	40-6200 50-7000	\$ \$	4,111.25 59.38
0000169642	0062	KS DEPARTMENT OF REVENUE	APRIL 2019 SALES TAX	70368	\$	21,790.06	20-4500 40-6100 53-8500 70-7100	\$ \$ \$ \$	10.03 652.64 19,270.05 1,857.34
0000169643	0297		APRIL 2019 USE TAX	70369	\$	875.55	40-6100	\$	875.55
0000169691	0106	KS DEPT OF REVENUE	ST WTH-P/R 5/29/19	70370	\$	7,166.00	37-0000	\$	7,166.00
0000169651	2804	LEASE FINANCE PARTNERS	EQUIP LEASING-SAFETY	70371	\$	300.27	01-1300	\$	300.27
0000169698	2548	LEGALSHIELD	DEDUCTION-P/R 5/29/19	70372	\$	50.15	37-0000	\$	50.15
0000169679	0511	LOWE'S COMPANIES, INC	BLDG&GRNDS MAINT-POOL	70373	\$	123.02	01-1600 01-1700	\$ \$	73.52 49.50
0000169666	1206	MCPHERSON CONCRETE, INC	SEWER REPAIR SUPP-WW	70374	\$	520.00	50-7000	\$	520.00
0000169683	2811	MERITAIN HEALTH INC	HEALTH INS	70375	\$	49,933.49	39-3950	\$	49,933.49

0000169688	0535	MI-TE ELECTRIC	BLDG&GRNDS MAINT-STR, POOL	70376	\$	303.09	01-1400	\$	144.01
							01-1700	\$	159.08
0000169659	0869	MID-CONTINENT SALES	EQUIP MAINT-ELEC PROD	70377	\$	3,222.50	40-6200	\$	3,222.50
0000169660	0148	MID-STATES ENERGY WORKS		70378	\$	1,502.73	40-6200	\$	1,502.73
0000169644	2580	MVP LOGISTICS, LLC	NATURAL GAS-WTR PROD	70379	\$	185.99	40-6200	\$	185.99
0000169680	0239	OPPLIGER BANKING SYSTEMS, INC.	EQUIP MAINT-ADMIN	70380	\$	407.00	40-6100	\$	407.00
0000169700	3518	PAYLOCITY	PROF SERV	70381	\$	2,305.00	09-3600	\$	1,574.65
							15-4100	\$	32.46
							20-4500	\$	129.84
							30-5100	\$	16.23
							30-5200	\$	113.61
							40-6100	\$	129.84
							40-6200	\$	97.38
							40-6300	\$	97.38
							50-7000	\$	64.92
							70-7100	\$	48.69
0000169694	2671	RELIANCE STANDARD LIFE INS CO	DEDUCTION-P/R 5/29/19	70382	\$	514.42	37-0000	\$	514.42
0000169645	3403	REVIZE LLC	OTHER SERV-ADMIN, WEBSITE PJ	70383	\$	9,850.00	01-1000	\$	1,200.00
							63-6310	\$	8,650.00
0000169667	3287	ROWLAND CUSTOM LAWN CARE	OTHER SERV-COMM DEVE	70384	\$	100.00	01-1200	\$	100.00
0000169658	0657	SOUTHWIND OIL CORP	GASOLINE, DIESEL FUEL	70385	\$	3,472.64	01-1500	\$	74.96
							20-4500	\$	2,055.59
							40-6200	\$	314.02
							40-6300	\$	1,028.07
0000169697	3476	SPENCER & SPENCER PA	DEDUCTION-P/R 5/29/19	70386	\$	234.16	37-0000	\$	234.16
0000169676	0195	STANION WHOLESALE ELEC CO	EQUIP MAINT-ELEC PROD	70387	\$	379.99	40-6200	\$	379.99
0000169675	3515	SUGAR SHANES LLC	CID SALES TAX	70388	\$	1,414.90	13-0000	\$	1,414.90
0000169648	2681	SUPERIOR VISION	EYE INSURANCE	70389	\$	1,591.20	09-3600	\$	862.81
							15-4100	\$	39.68
							20-4500	\$	94.74
							30-5100	\$	19.84
							30-5200	\$	114.58
							40-6100	\$	158.72
							40-6200	\$	71.67
							40-6300	\$	114.58
							50-7000	\$	79.36
							70-7100	\$	35.22
0000169649	2682	SURENCY LIFE AND HEALTH	INSURANCE	70390	\$	137.82	18-4400	\$	137.82
0000169656	0882	THE VICTOR L PHILLIPS CO	EQUIP MAINT-ELEC PROD	70391	\$	152.86	40-6200	\$	152.86
0000169646	3557	TRANE U.S. INC.	BLDG & GRNDS MAINT-WW	70392	\$	1,027.26	50-7000	\$	1,027.26
0000169664	2180	U.S. BANK EQUIPMENT FINANCE	EQUIP LEASING-AP	70393	\$	183.16	01-1200	\$	183.16
0000169655	2419	USD 402	BLDG & GRNDS SUPP-SAFETY	70394	\$	81.00	01-1300	\$	81.00
0000169652	4107	W. WALTER CRAIG, ATTORNEY AT LAW	PROF SERV-COURT	70395	\$	400.00	01-1350	\$	400.00
0000169647	0224	WALMART COMMUNITY/GECRB	EQUIP SUPP, BLDG&GRND SUPP	70396	\$	764.17	01-1300	\$	183.00
							01-1350	\$	7.64
							01-1500	\$	15.33

20-4500	\$	56.84
30-5200	\$	134.00
40-6100	\$	18.14
50-7000	\$	266.76
70-7100	\$	82.46

0000169677	0116	WESTAR ENERGY	MONTHLY SERV	70397	\$	1,081.97	30-5200	\$	1,081.97	
								TOTAL	\$	234,054.81

ORD 5B (05/29/2019)

A/P WARRENT REGISTER SUMMARY BY FUND & DEPT
 For checks after: 5/16/2019

Fund	Dept	Description	Dept-Amt	Fund Total
01	0000	REVENUE	\$15.00	
01	1000	ADMINISTRATION	\$6,116.74	
01	1100	CITY CLERK		
01	1200	INSP	\$283.16	
01	1300	SAFETY	\$1,565.95	
01	1350	COURT	\$1,207.64	
01	1400	STREET	\$144.01	
01	1500	PARKS	\$450.29	
01	1600	SANTA FE LAKE	\$910.45	
01	1700	SWIMMING POOL	\$208.58	
01	1800	ANIMAL CONTROL	\$102.39	
01	1900	CEMETERY		
				\$11,004.21
02	2900	LIBRARY		
04	3100	SPECIAL ALCOHOL FUND		
05	0000	REVENUE		
05	3200	GUEST TAX		
06	0000	REVENUE		
06	3300	SPECIAL PARKS		
08	3500	LIBR EMPL BENEFIT		
09	3600	EMPLOYEE BENEFIT	\$2,468.10	
				\$2,468.10
12	3900	STREET SALES TAX		
13	0000	REVENUE	\$3,597.08	
13	2430	CID APPROPRIATION		
				\$3,597.08
15	4100	SPECIAL CITY/COUNTY	\$73.37	
				\$73.37
16	4200	CAPITAL IMPROVEMENTS		
17	4390	E-COMM/API LOANS		
18	4400	EMPLOYEE INSURANCE	\$137.82	
				\$137.82
20	4500	REFUSE	\$2,370.31	
				\$2,370.31
23	5000	SANITATION BOND/INT		
24	2440	EMERG COMM (2012)	\$882.69	
				\$882.69
30	5100	WATER ADMINISTRATION	\$287.29	
30	5200	WATER PRODUCTION	\$7,264.63	
30	5300	WATER DISTRIBUTION		
				\$7,551.92
33	5500	WTR BONDS P & I		
37	0000	REVENUE	\$94,335.08	
				\$94,335.08
39	0000	REVENUE		
39	3950	EMP HEALTH INSURANCE	\$49,933.49	
				\$49,933.49
40	0000	REVENUE	\$266.49	
40	6100	ELECTRIC ADMINISTRAT	\$2,656.11	
40	6200	ELECTRIC PRODUCTION	\$14,339.25	
40	6300	ELECTRIC DISTRIBUTIO	\$5,789.50	
				\$23,051.35

A/P WARRENT REGISTER SUMMARY BY FUND & DEPT
For checks after: 5/16/2019

Fund	Dept	Description	Dept-Amt	Fund Total
41	6800	ELEC RESERVE		
45	4380	2002 ELECTRIC P&I		
47	4940	WASTEWTR RESERVE		
48	4850	SEWER CBBG PROJECT		
49	4950	WASTEWTR TREATMENT		
50	7000	WASTEWATER	\$8,522.02	\$8,522.02
53	8500	SALES TAX	\$19,270.05	\$19,270.05
56	5610	2016 PRIDE&PROGRESS		
60	7500	BOND & INTEREST		
63	6310	WEBSITE DESIGN PJ	\$8,650.00	\$8,650.00
64	6440	DALTON PALMER PARK		
66	6670	LIONS CLUB PROJECT		
70	7100	AUGUSTA AIRPORT	\$2,207.32	\$2,207.32
71	0000	REVENUE		
77	7720	APPCON TEMP NOTES		
80	8050	SOUTH OHIO ST		
			Total:	\$234,054.81



City Clerk: (316) 775-4510 | City Manager: (316) 775-4510 |
Community Development: (316) 775-4505 | Public Safety: (316) 775-4500 |
Public Works: (316) 775-4507
City of Augusta | 113 East 6th Avenue | P.O. Box 489 | Augusta, KS 67010

City of Augusta Event Planning Form

This form must be submitted at least 30 days prior to the event for review by City Departments and approval by the Governing Body.

Event Name

Event Date

Start/End Times

Location of Event

Organization or Applicant Name

Event Planner / Contact Person

Address

Phone

Fax

Contact On-call During Event

Contact's Cell Phone

What time will event set-up begin?

What time will tear down be complete?

Number of Event Staff	Number of Spectators/ Attendees	Total
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**Please indicate if you are requesting permission to use one of the following city facilities
(Some buildings and parks require fees and prior scheduling)**

Garvin Park
Jim Brown Park
Bill Reed Park
Shryock Park
Kerry Unrein Community Stage (Schedule/Fee)
Gary W. Dryden Shelter
Moyle Field
Shryock Park Picnic Area (Schedule/Fee)
Augusta Disc Golf Course
Garvin Park Baseball Fields

Will there be restrictions on parking?	Yes	No
Will your event include food or retail sales?	Yes	No
Will your event include a park or trail?	Yes	No
Will your event include a parade or race?	Yes	No
Will your event use tents/canopies?	Yes	No
Will your event include fireworks or open fires?	Yes	No
Other (Police Escort, Traffic Control, Barricades, Trash/Recycle Containers)	Yes	No

If "Yes" to previous question, please provide details below.

STREET CLOSURE

Will your event require street closures? Yes No

If "Yes" please list the streets you are requesting to close

Have you contacted the residents / businesses affected by the street closure? **If not, you will need to contact them after receiving approval from the Governing Body.** Yes No N/A

Did you have any issues when you contacted the residents / businesses about the street closure? Yes No N/A

If "Yes" please explain

****If you are going to use paint to mark routes for runs/walks/bike rides on City streets, IT MUST be water soluble paint.****

Site Plan or Sketch (please attach to this form): If you plan to have a parade or event involving the closure of streets, please provide a sketch of the parade route or sketch of the streets that you are requesting be closed for your event.

Please provide a detailed description of your event:

The City of Augusta will bill race organizers for police officer's overtime rate plus fringe benefits for each additional officer required as a result of an event to be held within the city. If no additional officers are required above normal shift levels, no charges will be assessed.

****The event organizers agree to secure and maintain event liability insurance in a sum not less than \$1 million and to provide a certificate of insurance coverage to the City PRIOR to the event. The City of Augusta shall be named as an "Additional Insured" for the event on the certificate.****

*****Under no circumstances are vehicles allowed in any location of any park - except for designated parking areas - without prior consent granted at the time the event is approved by the Governing Body. Failure to abide by this request may result in a loss of privilege to use the park system for future events.*****

I, the undersigned, certify the statements and information included in this event form are true, accurate and complete to the best of my knowledge and belief.

Event Coordinator Signature

Date

Please return this application and all supporting documents to:

**Augusta City Hall
113 East 6th Avenue - P.O. Box 489
Augusta, KS 67010
Fax: (316) 775-4566
E-mail: nturnage@augustagov.org**

Approved

Initials

Date



**CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT**

Meeting Date: June 3, 2019
 Department: Administration
 Submitted By: Cody Sims, Assistant City Manager
 Prepared By: Cody Sims, Assistant City Manager
 Agenda Title: **Ordinance No. 2150 Authorizing the Second Amendment to the Loan Agreement between the Kansas Department of Health and Environment and the City of Augusta, Kansas – KWPCRF Project No. C20 2009 01**

RECOMMENDED ACTION:

Approval of Ordinance No. 2150 authorizing the execution of the second amendment to the loan agreement between Augusta, Kansas and the State of Kansas for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a wastewater treatment project; establishing dedicated source of revenue for repayment of such loan; authorizing and approving certain documents; and authorizing certain other actions in connection with the second amendment to the loan agreement.

BACKGROUND:

In March 2016, the City Council approved contracts with Ranson Financial to assist staff in obtaining a 2016 KDHE State Revolving Wastewater Loan (SRF) and a Department of Commerce CDBG Grant for rehabilitation of sanitary sewer infrastructure in Basin A. In December 2016, the City Council approved a loan agreement with KDHE in the amount of \$831,000 to supplement the \$500,000 CDBG grant for an estimated project cost of \$1,331,000. In December 2017, the City Council awarded the low base bid for sewer line improvements to SAK Construction, LLC in the amount of \$1,561,637.80 contingent upon approval by the Kansas Department of Health and Environment. The Council further authorized staff to apply for additional funding (first amendment) from the revolving loan program in the amount of \$386,800 to cover the higher than projected construction costs. The first amendment was approved by the City Council on February 20, 2018.

In September 2018, staff began conversations with the City Council regarding needed improvements to infrastructure in the Park Place Subdivision that would require a second amendment to the loan. Since that time, staff has worked with the City Attorney, City Engineer,

and private property owners to secure utility easements for the project; the easements were accepted by the City Council on May 6, 2019. On May 20, 2019, the City Council approved the change order for the Park Place Subdivision repairs, as well as a design services agreement with Schwab Eaton to produce the necessary engineering designs for the improvements. The City Council also authorized the City Manager to submit an application for loan amendment to the Kansas Department of Health and Environment for an additional \$230,000.

FISCAL IMPACT/FUNDING SOURCE:

The KDHE SRF loan amount will increase from \$1,217,800 to \$1,447,800, which will result in an increase in the annual payment from \$74,300 to \$88,290 beginning in 2020. The annual loan payment for the KDHE SRF loan will be paid out of Fund 49, which had a fund balance of \$431,460.66 as of April 30, 2019.

<i>Loan Amendment</i>	<i>Total Loan</i>	<i>Annual Loan Payment</i>
Original Loan Amount (approved 12-19-16)	\$831,000	\$50,000
1 st Amendment (approved 02-20-18)	\$1,217,800	\$74,300
2 nd Amendment (proposed 06-03-19)	\$1,447,800	\$88,290

Department Head Approval Date: 05-31-2019

City Manager Approval Date:

City Attorney Approval Date:

Attachments (*list in packet assembly order*):

1. *2nd Amendment to the Loan Agreement*
2. *Proposed Ordinance No. 2150*

SECOND AMENDMENT TO THE
LOAN AGREEMENT

By and Between

THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
ACTING ON BEHALF OF
THE STATE OF KANSAS

AND

AUGUSTA, KANSAS
KWPCRF PROJECT NO.: C20 2009 01

ORIGINAL LOAN AGREEMENT
EFFECTIVE AS OF NOVEMBER 25, 2016

AMENDMENT NO.: 2
EFFECTIVE AS OF MAY 30, 2019

Second Amendment to
the Loan Agreement by and between the
Kansas Department of Health and Environment
Acting on Behalf of the State of Kansas
and Augusta, Kansas
Effective as of May 30, 2019

WHEREAS, the City of Augusta, Kansas (the Municipality) has entered into a Loan Agreement with the Kansas Department of Health and Environment, acting on behalf of the State of Kansas, effective as of November 25, 2016 (the "Loan Agreement"); and

WHEREAS, said Loan Agreement was entered into for the benefit of the Municipality, KWPCRF Project No. C20 2009 01; and

WHEREAS, the Municipality and KDHE hereby determines that it is necessary to amend certain exhibits to the Loan Agreement, and

WHEREAS, pursuant to Section 6.04 of the Loan Agreement, this Second Amendment to the Loan Agreement has been duly authorized and approved by the Kansas Development Finance Authority (attached hereto as Exhibit 1).

WHEREAS, this Second Amendment to the Loan Agreement is entered into and effective as of May 30, 2019;

THEREFORE, the Loan Agreement is amended as follows:

SECTION 1. Article II, Loan Terms, Section 2.01, Amount of Loan and Exhibit(s) B of the LOAN AGREEMENT BY AND BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND AUGUSTA, KANSAS are hereby amended to read as set forth on the pages attached hereto.

SECTION 2. Except as herein specifically set out, the Loan Agreement is confirmed and ratified.

IN WITNESS WHEREOF, KDHE and the Municipality have caused this Second Amendment to the Loan Agreement for the Municipality to be executed, sealed and delivered, effective as of May 30, 2019.



The KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT, acting on behalf of THE STATE OF KANSAS

By _____
Leo G. Henning, Director

"KDHE"

Date: _____

AUGUSTA, KANSAS

By _____

Title: _____

(Seal)

ATTEST:

By _____
Title:

The "Municipality"

Date: _____

CONSENT OF THE KANSAS DEVELOPMENT FINANCE AUTHORITY
FOR EXECUTION OF THE SECOND AMENDMENT TO THE LOAN AGREEMENT
BY AND BETWEEN
THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
AND AUGUSTA, KANSAS

WHEREAS, pursuant to the Kansas Water Pollution Control Revolving Fund Act, K.S.A. 65-3321 et seq. (the "Act"), the State of Kansas has established the Kansas Water Pollution Control Revolving Fund for the purposes of the Federal Water Quality Act of 1987 to be administered and managed by the Secretary of the Kansas Department of Health and Environment ("KDHE"); and

WHEREAS, the Kansas Development Finance Authority (the "Authority"), the Kansas Department of Administration, and the Secretary of KDHE have entered into an Inter-Agency Agreement dated as of March 1, 1999, and a Pledge Agreement as amended, pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for Wastewater Treatment Projects and to pledge the interest portion of the Loan Repayments received pursuant to such Loan Agreements and certain other revenues to the Authority and the Authority, in turn, pledges its rights to the Revenues under the Agreement to the payment of the principal of, premium, if any, and interest on the Bonds issued for the purpose of loaning the proceeds thereof to the participating municipalities; and

WHEREAS, based on said Pledge Agreement, KDHE has entered into a Loan Agreement effective November 25, 2016, with Augusta, Kansas (the Municipality) for the benefit of KWPCRF Project No. C20 2009 01; and

WHEREAS, KDHE has expressed the need and intent to amend certain provisions and exhibits of said Loan Agreement with the Municipality in the form as set forth in a Second Amendment to the Loan Agreement as attached hereto; and

WHEREAS, pursuant to Section 6.04 of the Loan Agreement, the Authority must consent, in writing, to any amendment, supplement or modifications to the Loan Agreement.

WITNESSETH, the Kansas Development Finance Authority hereby agrees as follows:

- (1) The Authority acknowledges receipt of the Second Amendment to the Loan Agreement between the Kansas Department of Health and Environment and Augusta, Kansas effective as of May 30, 2019;
- (2) The Authority consents to the execution of the Second Amendment to the Loan Agreement by KDHE and the Municipality.

KANSAS DEVELOPMENT FINANCE AUTHORITY

By _____
Executive Vice-President

ARTICLE II

LOAN TERMS

Section 2.01. Amount of the Loan. Subject to all of the terms, provisions and conditions of this Loan Agreement, and subject to the availability of State and Federal funds, KDHE will loan an amount not to exceed ~~One Million Two Hundred Seventeen Thousand Eight Hundred Dollars [\$1,217,800]~~ One Million Four Hundred Forty-Seven Thousand Eight Hundred Dollars [\$1,447,800] to the Municipality to pay the costs of the Project described in Exhibit A hereto. The final actual amount of the Loan may be reduced without revision of any other terms, provisions or conditions of this Loan Agreement, other than the Loan Repayment Schedule (Exhibit B hereto), to reflect reductions in the estimated or actual total Project Costs as impacted by opening of bids for construction, change orders, final actual costs, and prepayments. The Municipality shall be responsible for any costs incurred by the Municipality in connection with the Project in addition to the amount of the Loan. An amendment to Exhibit B must be accomplished by an Amendment to the Loan Agreement executed by all parties.

EXHIBIT B

LOAN REPAYMENT SCHEDULE
(See Page 7)

DEDICATED SOURCE OF REVENUES AND LOAN REPAYMENT SCHEDULE

Dedicated Source of Revenue.

The Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues or levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce amounts which are sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, and (c) pay all other amounts due at any time under the Loan Agreement; provided, however, no lien or other security interest is granted by the Municipality to KDHE on the System Revenues under this Agreement. In the event that the System Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement.

Loan Repayment Schedule

The Municipality and KDHE have agreed that interest becoming due semiannually on the Loan during the construction period for the Project may be capitalized and repaid as a part of the Loan. In this regard, KDHE shall give the Municipality written notice of each semiannual installment of interest becoming due during the construction period. At its option, the Municipality may elect to pay such amounts, and if so elected, must pay such amounts within 30 days of receipt of the notice of their becoming due. If the Municipality does not elect to pay such amounts within 30 days of receipt of such notice, the amount then due and owing as semiannual interest on the Loan shall be capitalized and added to the principal amount of the Loan and shall bear interest at the rate of interest set forth in Section 2.02 hereof.

KANSAS WATER POLLUTION CONTROL REVOLVING LOAN FUND

Project Principal: 1,447,800.00
 Interest During Const.: 0.00
 Service Fee During Const.: 0.00
 Gross Loan Costs: 1,447,800.00

Estimated Draws - Actual Interest Rate
 Amortization of Loan Costs - AMENDED

Prepared for:
 City of Augusta, Project No. C20 2009 01

5/30/2019 Gross Rate: 1.81% 1st Payment Date: 9/1/2018
 Service Fee Rate: 0.25% Number of Payments: 40
 Loan Interest Rate: 1.56%

Payment Number	Payment Date	Beginning Balance	Interest Payment	Principal Payment	Service Fee	Total Payment	Ending Balance
1	9/1/2018	1,447,800.00	1,497.29	23,117.26	239.95	24,854.50	1,424,682.74
2	3/1/2019	1,424,682.74	6,339.24	17,499.35	1,015.91	24,854.50	1,407,183.39
3	9/1/2019	1,407,183.39	10,976.03	24,413.92	1,758.98	37,148.93	1,382,769.47
4	3/1/2020	1,382,769.47	10,785.60	31,630.96	1,728.46	44,145.02	1,351,138.51
5	9/1/2020	1,351,138.51	10,538.88	31,917.22	1,688.92	44,145.02	1,319,221.29
6	3/1/2021	1,319,221.29	10,289.93	32,206.06	1,649.03	44,145.02	1,287,015.23
7	9/1/2021	1,287,015.23	10,038.72	32,497.53	1,608.77	44,145.02	1,254,517.70
8	3/1/2022	1,254,517.70	9,785.24	32,791.63	1,568.15	44,145.02	1,221,726.07
9	9/1/2022	1,221,726.07	9,529.46	33,088.40	1,527.16	44,145.02	1,188,637.67
10	3/1/2023	1,188,637.67	9,271.37	33,387.85	1,485.80	44,145.02	1,155,249.82
11	9/1/2023	1,155,249.82	9,010.95	33,690.01	1,444.06	44,145.02	1,121,559.81
12	3/1/2024	1,121,559.81	8,748.17	33,994.90	1,401.95	44,145.02	1,087,564.91
13	9/1/2024	1,087,564.91	8,483.01	34,302.55	1,359.46	44,145.02	1,053,262.36
14	3/1/2025	1,053,262.36	8,215.45	34,612.99	1,316.58	44,145.02	1,018,649.37
15	9/1/2025	1,018,649.37	7,945.47	34,926.24	1,273.31	44,145.02	983,723.13
16	3/1/2026	983,723.13	7,673.04	35,242.33	1,229.65	44,145.02	948,480.80
17	9/1/2026	948,480.80	7,398.15	35,561.27	1,185.60	44,145.02	912,919.53
18	3/1/2027	912,919.53	7,120.77	35,883.10	1,141.15	44,145.02	877,036.43
19	9/1/2027	877,036.43	6,840.88	36,207.84	1,096.30	44,145.02	840,828.59
20	3/1/2028	840,828.59	6,558.46	36,535.52	1,051.04	44,145.02	804,293.07
21	9/1/2028	804,293.07	6,273.49	36,866.16	1,005.37	44,145.02	767,426.91
22	3/1/2029	767,426.91	5,985.93	37,199.81	959.28	44,145.02	730,227.10
23	9/1/2029	730,227.10	5,695.77	37,536.47	912.78	44,145.02	692,690.63
24	3/1/2030	692,690.63	5,402.99	37,876.17	865.86	44,145.02	654,814.46
25	9/1/2030	654,814.46	5,107.55	38,218.95	818.52	44,145.02	616,595.51
26	3/1/2031	616,595.51	4,809.44	38,564.84	770.74	44,145.02	578,030.67
27	9/1/2031	578,030.67	4,508.64	38,913.84	722.54	44,145.02	539,116.83
28	3/1/2032	539,116.83	4,205.11	39,266.01	673.90	44,145.02	499,850.82
29	9/1/2032	499,850.82	3,898.84	39,621.37	624.81	44,145.02	460,229.45
30	3/1/2033	460,229.45	3,589.79	39,979.94	575.29	44,145.02	420,249.51
31	9/1/2033	420,249.51	3,277.95	40,341.76	525.31	44,145.02	379,907.75
32	3/1/2034	379,907.75	2,963.28	40,706.86	474.88	44,145.02	339,200.89
33	9/1/2034	339,200.89	2,645.77	41,075.25	424.00	44,145.02	298,125.64
34	3/1/2035	298,125.64	2,325.38	41,446.98	372.66	44,145.02	256,678.66
35	9/1/2035	256,678.66	2,002.09	41,822.08	320.85	44,145.02	214,856.58
36	3/1/2036	214,856.58	1,675.88	42,200.57	268.57	44,145.02	172,656.01
37	9/1/2036	172,656.01	1,346.72	42,582.48	215.82	44,145.02	130,073.53
38	3/1/2037	130,073.53	1,014.57	42,967.86	162.59	44,145.02	87,105.67
39	9/1/2037	87,105.67	679.42	43,356.72	108.88	44,145.02	43,748.95
40	3/1/2038	43,748.95	341.24	43,748.95	54.83	44,145.02	0.00
		Totals	234,795.96	1,447,800.00	37,627.71	1,720,223.67	

Prepared by DOA, OCFO

EXHIBIT F

FORM OF MUNICIPALITY ORDINANCE

* * * * *

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF AUGUSTA, KANSAS
HELD ON JUNE 3, 2019**

The Governing Body of the City met in [regular/special] session at the usual meeting place in the City, at [meeting time], the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LOAN AGREEMENT BETWEEN AUGUSTA, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS WATER POLLUTION CONTROL REVOLVING FUND FOR THE PURPOSE OF FINANCING A WASTEWATER TREATMENT PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.

Thereupon, Council member _____ moved that said Ordinance be passed. The motion was seconded by Council member _____. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yes: _____.

No: _____.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. _____ and was signed and approved by the Mayor and attested by the Clerk. The Clerk was directed to publish the Ordinance one time in the official newspaper of the City.

(Other Proceedings)

On motion duly made, Seconded and carried, the meeting thereupon adjourned.

(SEAL)

Clerk

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(Published in Butler County Times Gazette on June 8, 2019)

ORDINANCE NO. 2150

AN ORDINANCE AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO THE LOAN AGREEMENT BETWEEN AUGUSTA, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS WATER POLLUTION CONTROL REVOLVING FUND FOR THE PURPOSE OF FINANCING A WASTEWATER TREATMENT PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE SECOND AMENDMENT TO THE LOAN AGREEMENT.

WHEREAS, the Federal Water Quality Act of 1987 (the "Federal Act") established revolving fund program for public wastewater treatment systems to assist in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states; and

WHEREAS, to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and

WHEREAS, by passage of the Kansas Water Pollution Control Revolving Fund Act, K.S.A. 65-3321 through 65-3329, inclusive (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Water Pollution Control Revolving Fund (the "Revolving Fund") for purposes of the Federal Act; and

WHEREAS, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

WHEREAS, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Pledge Agreement (the "Pledge Agreement") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public wastewater treatment projects (the "Projects") and to pledge the Loan Repayments (as defined in the Pledge Agreement) received pursuant to such Loan Agreements to the Authority; and

WHEREAS, the Authority is authorized under K.S.A. 74-8905(a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing funds to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to Municipalities within the State for the payment of Project Costs (as said terms are defined in the Loan Act); and

WHEREAS, Augusta, Kansas (the "Municipality") is a municipality as said term is defined in the Loan Act which operates a wastewater collection, pumping, and treatment system (the "System"); and

WHEREAS, the System is a public Wastewater Treatment Works, as said term is defined in the Loan Act; and

WHEREAS, the Municipality has, pursuant to the Loan Act, submitted an Application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its System consisting of the following:

The project includes the rehabilitation of approximately 3,900 linear feet of sewer line within Basin A of the city in approximately 14 different segments using CIPP lining and dig and replace the sewer pipes (the "Project"); and

WHEREAS, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provisions of K.A.R. 28-16-110 to 28-16-138 (the "Regulations") applicable thereto necessary to qualify for an amendment to the loan; and

WHEREAS, KDHE has informed the Municipality that it has been approved for a loan in amount of not to exceed One Million Four Hundred Forty-Seven Thousand Eight Hundred Dollars [\$1,447,800] (the "Loan") in order to finance the Project; and

WHEREAS, the governing body of the Municipality hereby finds and determines that it is necessary and desirable to accept the Second Amendment to the Loan Agreement and to enter into a Second Amendment to the Loan Agreement and certain other documents relating thereto, and to take certain actions required in order to implement the Second Amendment to the Loan Agreement.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS:

Section 1. Authorization of the Second Amendment to the Loan Agreement. The Municipality is hereby authorized to accept the Loan and to enter into a certain Second Amendment to the Loan Agreement, with an effective date of May 30, 2019, with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "Second Amendment to the Loan Agreement") to finance the Project Costs (as defined in the Second Amendment to the Loan Agreement). The Mayor and Clerk are hereby authorized to execute the Second Amendment to the Loan Agreement in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the Mayor and the City Attorney, the Mayor's execution of the Second Amendment to the Loan Agreement being conclusive evidence of such approval.

Section 2. Establishment of Dedicated Source of Revenue for Repayment of Loan. Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of revenue for repayment of the Loan. In accordance therewith, the Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all

improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues or levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce amounts which are sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, and (c) pay all other amounts due at any time under the Loan Agreement; provided, however, no lien or other security interest is granted by the Municipality to KDHE on the System Revenues under this Agreement. In the event that the System Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement.

In accordance with the Loan Act, the obligations under the Loan and the Second Amendment to the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipality.

Section 3. Further Authority. The Mayor, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Governing Law. The Ordinance and the Second Amendment to the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City newspaper.

(The balance of this page is intentionally left blank.)

PASSED by the governing body of the City on June 3, 2019 and signed and **APPROVED** by the Mayor.

(SEAL)

Mayor

ATTEST:

Clerk

APPROVED AS TO FORM ONLY.

City Attorney

EXHIBIT G

FORM OF OPINION OF MUNICIPALITY'S COUNSEL

June 3, 2019

Kansas Development Finance Authority
Topeka, Kansas

The Kansas Department of Health and
Environment, acting on behalf of
The State of Kansas
Topeka, Kansas

Re: Second Amendment to the Loan Agreement effective as of May 30, 2019, between the Kansas Department of Health and Environment ("KDHE"), acting on behalf of the State of Kansas (the "State"), and Augusta, Kansas (the "Municipality")

I have acted as counsel to the Municipality in connection with the authorization, execution and delivery of the above referenced Second Amendment to the Loan Agreement (the "Second Amendment"). In my capacity as counsel to the Municipality, I have examined original or certified copies of minutes, ordinances of the Municipality and other documents relating to the authorization of the Project, the authorization, execution and delivery of the Second Amendment to the Loan Agreement, and the establishment of a Dedicated Source of Revenue (as defined in the Second Amendment to the Loan Agreement) for repayment of the Loan evidenced by the Second Amendment to the Loan Agreement. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned thereto in the Second Amendment to the Loan Agreement.

In this connection, I have examined the following:

- (a) an executed or certified copy of the Second Amendment to the Loan Agreement;
- (b) proceedings adopted or taken by the Municipality to authorize and approve the Project to be constructed with the proceeds of the Loan evidenced by the Second Amendment to the Loan Agreement;
- (c) Ordinance No. _____ of the Municipality (the "Ordinance") adopted on [Ordinance Date], and other proceedings of the Municipality taken and adopted in connection with the authorization, execution and delivery of the Second Amendment to the Loan Agreement, and the establishment of a Dedicated Source of Revenue for repayment of the Loan evidenced by the Second Amendment to the Loan Agreement; and

- (d) such other proceedings, documents and instruments as I have deemed necessary or appropriate to the rendering of the opinions expressed herein.

In this connection, I have reviewed such documents, and have made such investigations of law, as deemed relevant and necessary as the basis for the opinions hereinafter expressed.

Based upon the foregoing, it is my opinion, as of the date hereof, that:

1. The Municipality is a municipal corporation duly created, organized and existing under the laws of the State.
2. The Municipality operates a public Wastewater Treatment Works, as said term is defined in the Loan Act.
3. The Project has been duly authorized by the Municipality.
4. The Municipality has all requisite legal power and authority to, and has been duly authorized under the terms and provisions of the Ordinance to, execute and deliver, and perform its obligations under, the Second Amendment to the Loan Agreement.
5. The Second Amendment to the Loan Agreement has been duly authorized, executed and delivered by the Municipality and constitutes a valid and binding agreement of the Municipality enforceable in accordance with its terms, subject as to enforcement of remedies to any applicable bankruptcy, reorganization, insolvency, moratorium or other similar laws affecting creditors' rights heretofore or hereafter enacted, and subject further to the exercise of judicial discretion in accordance with general principles of equity. In rendering this opinion I have assumed due authorization, execution and delivery of the Second Amendment to the Loan Agreement by the State, acting by and through KDHE.
6. The Municipality has duly authorized the Dedicated Source of Revenue for repayment of the Loan to be made pursuant to the Second Amendment to the Loan Agreement.
7. To the best of my knowledge, the execution and delivery of the Second Amendment to the Loan Agreement by the Municipality will not conflict with or result in a breach of any of the terms of, or constitute a default under, any ordinance, indenture, mortgage, deed of trust, lease or other agreement or instrument to which the Municipality is a party or by which it or any of its property is bound or any of the rules or regulations applicable to the Municipality or its property or of any court or other governmental body.

Very truly yours,



**CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT**

Meeting Date: June 3, 2019
 Department: Public Works
 Submitted By: Nichole Foster, Administrative Assistant
 Prepared By: Nichole Foster, Administrative Assistant
 Agenda Title: **Public Works Memo – Public Works Department (5/12/19 – 5/25/19)**

1. SOLID WASTE DIVISION

1.1. Roll-off dumpsters

Roll-off Dumpsters Rented	
10 yard roll-off	0
20 yard roll-off	1
30 yard roll-off	1
40 yard roll-off	1

1.2. Temporary/Commercial dumpsters

Temporary/Commercial Dumpsters Rented	
2 yard	0
3 yard	2

1.3. The Solid Waste Division report reflects the collection of waste and recycle.

Solid Waste Collection Totals	
Residential Solid Waste	123.83 Tons
Commercial Solid Waste	116.83 Tons
Recycle	0 Tons **All contaminated**

1.4. Cart delivery

Poly Cart Totals	
Delivered	11
Picked up	38

1.5. Miscellaneous

- Flood services
 - Deliver all available Roll-Off dumpsters to various flood area
 - Continuously empty and re-deliver all Roll-Off dumpsters
 - Total tons take to Butler County Landfill (at no charge) = 66.66 Tons
 - Look for missing carts, picked up and replaced as needed

- Clean up flood damage and surrounding flood dumpster

2. **STREET DIVISION**

2.1. Work completed by the Street Division

Location	Work Completed
Augusta Ave, Lakeview Pkwy, Belmont, Lake Rd, 8 th , Ball, Bluff, Harrington	Grader work
West Flood pumps	Cut / remove trees and brush from the bowl and in front of gates. Building a winch system for the gates (pulleys for gates to open/close), haul rock
East Kelly ditch, Augusta Ave / Dike Rd, South pumps, Flap gates behind Waste Water	Clean debris out of ditches and by flap gates to improve the flow
Kelly, Lulu, West, Washington, Augusta, Greyhound, State, Osage, 2 nd , 3 rd , Josephine, Shirley, Santa Fe, Frisco, Ohio, Old / New Cemetery, 12 th , Main, Dearborn, Custer, Belmont, East 7 th , Walnut, 7 th , Garvin Park, West flood gates	Street Sweeping and cleaning piles the sweeping couldn't sweep up
Global Parts on Industrial	Clean under RR bridge behind building and ditch in the industrial park
Pump stations	Flood control, set stop log over South tracks. West Kelly gates were opened and checked for debris. Checked South gates, Highland, Kelly, West gates and pumps. Pumped water off Highland and removed sand bags. Checked gates/pumps for debris and sealed gates closed
West St and W. Clark	Ditch maintenance for storm drains
7 th Street	Manhole in front of Taco Tico had concrete in the bottom, removed
City Hall, Pauline, Kelly, The Point	Pick up tree limbs, help Parks load tree at The Point
East Belmont and shop	1X4 to Belmont to fill in wash out, sand and KGE to shop
Compost Site	General cleaning

3.2 Pothole repair

Location	Total
Walnut	6 potholes
Ohio	15 potholes
Dearborn	3 potholes

3.3 Miscellaneous

- Street Shop clean up and put roofing material on shop roof
- FEMA paperwork

3. WASTEWATER DIVISION

4.1 Sewer Main Repair/Replacement

Location (None)	Description (None)
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4.2 Sewer Main Cleaning (Manhole Numbers and Footage)

Entrance Manhole	Exit Manhole	Total Cleaned (Feet)
C-263	C-262	300
C-264	C-263	350
C-265	C-264	500
C-263	C-262	300
		1450

4.3 Utility Pothole & Assistance for Other Divisions

Location	Description
North of 7 th , South of Kelly, and West of Middle School areas	Took inventory of storm sewer curb inlets that need cleaned out, cleaned out 17
SE corner at Clark/West St	Removed most of a tree located over a storm sewer curb inlet
Parklane, Sunset area west of Washington Lane. Intersection of State/Shirley/ Meadowlake. Neighborhoods between Ohio/ Osage between Main / 12 th	Checked storm sewer inlets
Clark St west of Bluff	Cleaned a culvert
Not specified	Cleaned storm drain curb inlets for ½ day
Solid Waste Division	Cleaned out a parking lot drain line
Santa Fe Lake	Lake run

4.4 Sewer Callouts/Cleaning

Location	Location
304 Woodridge Ct	400 Kansas
2026 Robbins	234 Columbia
239 E Columbia	

4.5 Manhole Adjustment (Address/Intersection and Manhole Numbers)

Location (None)	Description
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4.6 Processing

Sewage processed/treated	24.778 million gallons
Solids produced	9.68 dry tons

4.7 Lift Stations

Location	Description
All	Numerous checking due to flood conditions
6 th St and Kansas	Checked flows

4.7 Miscellaneous

- Building maintenance
 - Eye wash station inspections, fire extinguisher inspections
 - Lift station weekly/monthly checks
 - Process control labs
 - New photo eye installed on the front gate
- Equipment maintenance
 - Ran Grit chamber and belt press
 - Parkson serviced
 - Worked on Influent Pump #1 – sprung an oil leak. Fixed and put back online
- Lawn and grounds maintenance
 - Mowed and weed-eated plant grounds
 - Started bringing flow back from the pre-sedimentation basin until empty
 - Started bringing flow back from the holding pond
 - Reset the manhole cone for the manhole located on the west wedge of the holding pond
- Miscellaneous

4. WATER DIVISION

4.1. Locates

Standard locates	35
Locate updates	44
Emergency locates	5
Non-Re	0
Meet locates	3

4.2. Water Main Leak Repair

Address	Address (Cont'd)
1247 Hooper	Ohio / 12th
Helen / Summit (Re-rock)	

5.3 Water Service Leak Repair

Address

5.4 New Water Service/Main Installation

Address (None)	Description (None)
1900 Custer Lane	Backfilled

5.5 Meter Can and Meter Problems

Location	Description
1618 Cron	Re-rock
620 School	N/A
1216 Spencer	See work order
1619 Robbins	See work order
1232 Golf	Bad read, not changed out

5.6 New/Replacement Meter Installation

Address	Address (Continued)
403 Akron	1215 Custer Lane
1500 Cron	1628 Robbins
1622 Robbins	1618 Robbins
1612 Robbins	1608 Robbins
1515 Robbins	1615 Robbins
1301 Money	1216 Spencer
401 E 15th	1619 Robbins
1722 Robbins	1705 Robbins
1708 Robbins	1711 Robbins
1714 Robbins	1717 Robbins
1720 Robbins	1721 Robbins
1724 Robbins	1727 Robbins
1701 Robbins	1923 Robbins
1928 Robbins	1922 Robbins

5.7 Hydrant Repair/New Installation

Location	Description
15 Ranchwood	Dirt work and seed

5.8 Valve Repair/New Installation

Location (None)	Description (None)
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5.9 Miscellaneous

- Chemical maintenance
 - Bacti and Pesticide samples, nitrate testing
 - Change Pre-Chlorine #1 and #2, and Post-Chlorine #1
 - Change reagents on clearwell and final CL17
 - Chemical and distribution checklist
 - Installed loaner chemical pump
 - Hooked up chemical pump at Augusta pump house and test
 - Change oil in High service pump #1
- General building maintenance
 - Replaced light bulbs in SPR room
 - Clean filter room
- Lawn and grounds maintenance
 - Mowed State St and Golf towers
 - Re-rocked State St tower entrance due to wash out

- Mowed Ewalt and Mulvane pump houses
 - Mowed around plant
- Miscellaneous
 - Chlorine, LAS, and Acrylamide deliveries
 - Tested Splash Pad

Monthly Financial Report

April 2019

Prepared by Director of Finance Erica Jones



REVENUE OVERVIEW

Property Tax Ad Valorem tax revenues come from taxes levied on real property, personal property and state assessed utilities. Ad Valorem taxes are the main source of revenue for the General, Library, Library Empl Benefits, Empl Benefits, and Bond & Interest Funds. Total property tax collections for 2019 to date are \$1,895,271.50, which is a 1% increase over the 2018 collections of \$1,880,607.12 for the same time period.

Sales Tax The City of Augusta receives a 2.0% sales tax. Of the first 1.0%; 50% of is applied to the maintenance, repair and improvements to streets, 20% applied to capital improvement projects, 20% applied to reduce ad valorem property taxes and 10% applied to enhance the general fund. Of the second 1.0%; 90% applied to the costs of public water system improvements and 10% applied to the general fund. Total sales tax collections for 2019 to date are \$831,981.13, which is holding steady compared to 2018 collections of \$827,860.63 for the same time period. The second 1.0% became effective 4/1/2013 and was reconfirmed in 2016.

Sanitation Fees Customers are charged a monthly fee for sanitation services. Sanitation fees are up 4% in 2019 with collections of \$295,488.92, compared to 2018 collections of \$284,378.98 for the same time period. The last rate change occurred January 1, 2018.

Water Fees Customers are charged a monthly fee for water services. Water fees are up 2% in 2019 with collections of \$513,897.08, compared to 2018 collections of \$504,707.60 for the same time period. The last rate change occurred July 1, 2014.

Electric Fees Customers are charged a monthly fee for electric services. Electric fees are up 1% in 2019 with collections of \$2,645,020.05, compared to 2018 collections of \$2,626,005.07. The last rate change occurred January 2, 2007. This increase can be attributed to colder temperatures in 2017.

Sewer Fees Customers are charged a monthly fee for sewer services. Sewer fee are up 3% in 2019 with collections of \$196,610.15, compared to 2018 collections of \$190,117.26 for the same time period. The last rate change occurred January 1, 2018.

WWP Fees Customers are charged a monthly fee to pay the debt for the Wastewater Plant. WWP fees are holding steady in 2019 with collections of \$257,514.61, compared to 2018 collections of \$257,692.51 for the same time period. This fee has remained the same since it was first assessed in February 2001.

2019 Monthly Financial Report

City of Augusta, Kansas

Through April 30, 2019

Fund		2019 YTD Actual	2019 Budget	% of 2019 Budget	2018 YTD Actual	% of Prior Year YTD
01	General Revenue	2,378,981	5,244,525	45.36%	2,575,544	92.37%
	General Expense	1,653,770	6,360,145	26.00%	1,580,439	104.64%
02	Library Revenue	148,613	298,945	49.71%	140,234	105.97%
	Library Expense	152,780	301,500	50.67%	140,234	108.95%
04	Special Alcohol Revenue	3,447	13,000	26.52%	1,939	177.74%
	Special Alcohol Expense	25,499	31,500	80.95%	26,459	96.37%
05	CTB Revenue	5,083	15,000	33.89%	19,336	26.29%
	CTB Expense	3,860	18,100	21.33%	4,388	87.96%
06	Special Parks Revenue	28,067	49,350	56.87%	21,689	129.41%
	Special Parks Expense	78,137	128,000	61.04%	25,965	300.93%
08	Library Emp Benefit Revenue	44,162	83,800	52.70%	43,626	101.23%
	Library Emp Benefit Expense	44,162	83,800	52.70%	43,626	101.23%
09	Employee Benefit Revenue	875,693	1,634,500	53.58%	713,625	122.71%
	Employee Benefit Expense	520,479	1,638,300	31.77%	497,825	104.55%
11	Cemetery Endowment Revenue	1,800	8,000	22.50%	1,000	180.00%
	Cemetery Endowment Expense	0	30,000	0.00%	0	
12	Street Sales Tax Revenue	207,995	555,000	37.48%	239,483	86.85%
	Street Sales Tax Expense	68,462	541,900	12.63%	2,748	2491.32%
14	Ind Development Revenue	0	0		0	
	Ind Development Expense	0	200,000	0.00%	0	
15	Special C/C Hwy Revenue	137,745	285,000	48.33%	130,832	105.28%
	Special C/C Hwy Expense	76,145	310,435	24.53%	75,587	100.74%
16	Capital Improv Revenue	393,198	532,000	73.91%	382,786	102.72%
	Capital Improv Expense	320,000	613,500	52.16%	320,500	99.84%
20	Sanitation Revenue	303,169	861,600	35.19%	284,263	106.65%
	Sanitation Expense	338,255	905,700	37.35%	328,004	103.13%
23	Solid Waste P & I Revenue	129,000	129,000	100.00%	129,000	100.00%
	Solid Waste P & I Expense	9,300	128,600	7.23%	0	
24	Emergency Comm Revenue	11,627	34,000	34.20%	12,543	92.70%
	Emergency Comm Expense	8,741	55,000	15.89%	13,269	65.87%
28	Emergency Comm Expense	10,569	15,000	70.46%	33,319	31.72%
30	Water Revenue	617,561	2,060,200	29.98%	567,848	108.75%
	Water Expense	755,914	2,261,000	33.43%	687,466	109.96%
31	Water Sales Tax Revenue	374,392	999,000	37.48%	372,537	100.50%
	Water Sales Tax Expense	0	423,500	0.00%	200,000	0.00%
33	Water Bond P & I Revenue	346,153	983,000	35.21%	535,153	64.68%
	Water Bond P & I Expense	404,178	1,252,200	32.28%	419,091	96.44%
40	Electric Revenue	2,790,585	9,383,800	29.74%	2,784,009	100.24%
	Electric Expense	3,442,756	10,091,170	34.12%	3,638,244	94.63%
41	Electric Reserve Revenue	0	0		0	
	Electric Reserve Expense	3,506	200,000	1.75%	0	
45	Electric Bond P & I Revenue	490,000	490,000	100.00%	490,000	100.00%
	Electric Bond P & I Expense	22,897	536,000	4.27%	29,947	76.46%
47	Wastewater Reserve Revenue	25,000	25,000	100.00%	185,070	13.51%
	Wastewater Reserve Expense	8,753	0		(5,358)	-163.35%
49	WWTP Revenue	257,515	745,000	34.57%	257,693	99.93%
	WWTP Expense	69,925	775,140	9.02%	269,550	25.94%
50	Wastewater Revenue	202,579	566,600	35.75%	192,501	105.24%
	Wastewater Expense	157,914	651,100	24.25%	156,331	101.01%
60	Bond & Interest Revenue	413,104	678,925	60.85%	457,522	90.29%
	Bond & Interest Expense	66,283	691,000	9.59%	77,380	85.66%
70	Airport Revenue	152,125	401,950	37.85%	132,648	114.68%
	Airport Expense	107,440	489,190	21.96%	117,072	91.77%