

CITY COUNCIL  
SEPTEMBER 18, 2017  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on September 18, 2017, with Mayor Matt C. Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Mike Rawlings, Tom Leffler, Ron Reavis and Justin Londagin. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims and City Clerk Erica Jones. Visitors present were: City Environmental Inspector Travis Combes, City Construction Inspector Anthony Craft, Fire Major Ray Marbut, Belinda Larsen, Connie Thurman, Willis Wilson, Malissa Nesmith, Keith Cross, Kathy Cross, Erik Birk, Brad Waller, Justin Smith and Patricia Templin.

Pledge of Allegiance

Prayer: Pastor Keith Cross, First Christian Church, gave the invocation.

Minutes: Belt made a motion to approve the minutes from the September 5, 2017 City Council meeting. Crum seconded the motion. Motion carried without opposition.

Ordinance 9: Crum made a motion to approve Ordinance #9 dated 9/6/2017. Belt seconded the motion. Motion carried without opposition.

Visitors:

Justin Smith, representing the Kansas Army National Guard 226<sup>th</sup> Engineer Company, will be present to award a recognition plaque to Augusta Department of Public Safety in honor of the working relationship. Fire Major Ray Marbut was present to receive the award on behalf of the Department of Public Safety.

Malissa Nesmith was present to discuss their new business downtown, Line X, and to appeal the decision by the Main Street Committee to not allow installation of the Line X sign on the small building just south of the Frisco Depot. Lowery made a motion to allow installation of the Line X sign for a period of 6 months. Londagin seconded the motion. Motion carried with Magruder and Reavis voting in opposition.

Priscilla Templin, representing the Augusta Historical Museum, will be present to request approval for their annual Elmwood Cemetery Tour to be held October 28, 2017. Rawlings made a motion to approve the request for the annual Elmwood Cemetery Tour to be held October 28, 2017. Lowery seconded the motion. Motion carried without opposition.

Business:

Engineering Services Agreement with Aqua Tech Engineering for Design Engineering, Bidding, Construction Engineering, and Construction Observation Services Related to Wastewater Treatment Plant Scada System: Rawlings made a motion to approve an engineering services agreement with Aqua Tech Engineering in the not-to-exceed amount of \$83,000 for design engineering, bidding, construction engineering, and construction observation services related to the Wastewater Treatment Plant SCADA system. Magruder seconded the motion. Motion carried without opposition.

Update on the Condemnation Process of a Detached Residential Garage Structure Located at 1117 North School Street: Council received an update from staff regarding the condemnation process at 1117 North School Street for a detached residential garage structure pursuant to the provisions of K.S.A. 12-1750 et seq. Londagin made a motion to approve the low bid for demolition of the structure from Alan's Excavating for \$4,800. Crum seconded the motion. Motion carried without opposition.

T-Hangar Development at Augusta Municipal Airport: Reavis made a motion to move forward with the two-row development and authorize staff to submit a grant application to the Kansas Department of Transportation to request funding for the taxi lane extensions as part of the T-Hangar development project and to authorize submittal of a KDOT grant for financial assistance with taxilane construction. Leffler seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Leffler made a motion to schedule a Work Session for October 9, 2017 at 6:00 p.m. to discuss plans for construction of the new Public Works Facility. Reavis seconded the motion. Motion carried without opposition.

Council discussed the initial schedule for conducting the City Manager's annual evaluation. Mayor stated by contract it is supposed to be done by the month of November. He stated that a similarly formatted review would be going out to the Council in the next couple of weeks.

Shaw stated we received a resolution to a KOMA complaint filed last December. He stated that the complaint had to do with meeting notices. Shaw read the letter issued by the Attorney General's office stating that they completed their review and their findings were that while it is clear that the City violated the KOMA, they were persuaded that the failure to provide meeting notices was not intentional or a subterfuge to defeat the purposes of the KOMA and that they have determined not to pursue formal enforcement action at this time. The letter also stated that remedial action is necessary to ensure this problem does not arise in the future and at minimum should include adoption of a written process to ensure that requests for meeting notices are promptly identified and acted upon.

Leffler: Leffler stated that he has been critical about how our cemetery looks in the past, but that it looks the best it has looked for some time. He stated it looks so neat and clean. Leffler asked if we are still seeing a decline in fuel sales at the Airport. Sims stated sales are down regionally but August was the highest they have been all year. He stated that other Airports in the region are reporting a 20% reduction in sales. Leffler asked if we are collecting the fuel flowage fee of 8%. Sims said yes. Leffler inquired about how much water has ran through splash pad and how much usage there has been of the body dryer. Shaw stated he would provide that information.

Magruder: Magruder asked what staff does to confirm we send out the notices. Shaw stated that staff sends out notices at the first of the year of all regularly scheduled meetings and sends out notices as other meeting are schedule. He stated that the problem arises when boards the City is not directly involved with such as the Library Board, CTB or Housing Authority schedule their meetings. He stated that the City is not always aware of when those meetings are scheduled and therefore unable to provide the notice.

Crum: Crum stated that 1702 Highland Dr. is using a storage unit as a shed.

Rawlings: Rawlings asked if staff could include gallons sold on the airport fuel report because it is hard to track the changes with just the revenue figures. Sims stated he would provide that in the future.

Executive Session:

At 8:57 p.m. Lowery made a motion to go into executive session for 30 minutes to discuss matters related to the performance of a nonelected City employee pursuant to the “discuss personnel matters of nonelected personnel” justification for executive meetings under the Kansas Open Meetings Act, K.S.A. 75-4319(b)(1), and to invite in City Manager Josh Shaw and City Attorney Austin Parker. The open meeting will reconvene in the Council Chambers at 9:27 p.m. Magruder seconded the motion. Motion carried without opposition.

At 9:27 p.m., Lowery made a motion to exit executive session with no action being taken. Londagin seconded the motion. Motion carried without opposition.

Adjourn: At 9:28 p.m., Londagin made a motion to adjourn. Crum seconded the motion. Motion carried without opposition.

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City Clerk