

CITY COUNCIL  
AUGUST 16, 2021  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on August 16, 2021, with Mayor Mike Rawlings presiding. Council present were Eric Birk, Jake Marr, Jamie Crum, Mike Huddleston, Tom Leffler and Kip Richardson. Councilmembers Ron Reavis and Bill Slade were absent. Also present: City Attorney Andrew Marino, City Manager Josh Shaw, Assistant City Manager Cody Sims and City Clerk Erica Jones. Staff Present: Director of Public Safety Bob Sage, Susan Smith, Travis Combes, Justin Basgall, Anita Riley and Susie Geiger. Visitors: Pastor Lynn Lamberty, Josh Burns, Nolan Burns, Sue Jones, Ray Jones, Doug Law, Connie Thurman, Janet Vaughn, Jim Vaughn and Reverend John Bassett.

Pledge of Allegiance

Prayer: Pastor Lynn Lamberty, United Methodist Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the August 2, 2021 City Council meeting. Crum seconded the motion. Motion carried without opposition.

Ordinance: Richardson made a motion to approve Ordinance #8 dated 8/4/2021. Crum seconded the motion. Motion carried without opposition.

Visitors:

Doug Law, President of Go! Augusta was present to request use of City services for the Augusta Homecoming Parade and Pep Rally on September 24, 2021. Crum made a motion to approve use of City services for the Augusta Homecoming Parade and Pep Rally on September 24, 2021. Marr seconded the motion. Motion carried without opposition.

Augusta High School Booster Club requested permission to hold the annual bonfire event at Augusta City Lake. Richardson made motion to accept the application with modifications made by the Augusta High School Booster Club and issue the event permit. Crum seconded the motion. Motion carried with Huddleston abstaining.

Josh Burns was present to talk to the City Council about the community fundraising efforts for the Augusta Skatepark Project. Burns asked the Council to consider covering the remaining amount left to reach the \$25,000 in donations at the time the Council applies for the grant. Council took the request under advisement. Burns stated there will be a design meeting at 6:30 p.m. on August 31<sup>st</sup>.

Janet Vaughn addressed the governing body. She stated she was at the last meeting to request to use the golf carts. Vaughn stated she called around to other cities and they all approve of golf carts on their city streets and it is written in their laws. She stated she called City Manager Shaw and asked if she could submit that information to him. Vaughn stated that when she was at the car show last weekend she saw golf carts on the city streets. She said she was told it was a special event and that the City didn't care about that. Rawlings stated that the streets were blocked off during the event and no traffic was allowed at that time, which is why they could be used. Vaughn asked how to get this put on the agenda to discuss it in order to move forward. Mayor stated that the City Manager is researching things and that there has been research submitted to the council in an email but it has not been completed. Shaw stated it is handled as a city ordinance. He stated that staff is working on gathering the info and providing it back to the council. He stated there are a number of cities

that have passed ordinances that allow it and some that have not. Shaw stated that some of those that allow them have a narrow set of rules that apply to their use.

Council consensus was for staff to provide feedback on what other cities are doing and ordinance options and report that back to the council in the next couple months. Huddleston also asked for input from the Safety Department. Shaw inquired about the citizen engagement on this question and asked how the Council would like staff to go about that. Huddleston suggested those listening contact their council member. Rawlings suggested a Facebook post requesting feedback.

Business:

Resolution No. 2021-10 Authorizing the Condemnation of a Fire-Damaged Multi-Family Residential Structure Located at 926 North Lulu: Building Inspector Travis Combes presented a staff report to the Council regarding this structure.

Mayor Rawlings opened a public hearing to consider the condemnation of a multi-family residential structure located at 926 North Lulu Street pursuant to the provisions of K.S.A. 12-1750 et seq. Sue Jones, 1817 Meadowlake Drive, addressed the governing body. She stated this was the scene of her sister's murder in 1979 in the north unit by two men living in the south unit. Jones stated she wrote a letter to the property owner and received no response. She stated that if the owner does not want to address it or respond to the City then it should be turned down. Mayor Rawlings closed the public hearing after no one else came forward with comment.

Leffler made a motion to approve Resolution No. 2021-10 authorizing the condemnation of a fire damaged multi-family residential structure located at 926 North Lulu Street pursuant to the provisions of K.S.A. 12-1750 et seq. Huddleston seconded the motion. Motion carried without opposition.

Public Hearing for Distance Waiver of Distance Limitation for Steaks on the Bricks Event; Resolution No. 2021-11 Approving a Special Event Within the Corporate Limits of the City of Augusta, Kansas in Accordance with the Provisions of K.S.A. 41-2645 and K.S.A. 41-719: Mayor Rawlings opened the public hearing to take public comment on the issue of waiving the distance limitation for the Steaks on the Bricks event located in the 500 block of State Street to allow a temporary permit holder to serve alcoholic liquor within 200 feet of a church pursuant to Augusta City Code Chapter 3, Article 1, Section 3-102. Reverend Bassett with the First Nazarene Church addressed the governing body and stated that they are okay with the event. Mayor Rawlings closed the public hearing after no one else came forward with comment.

Crum made a motion to approve Resolution No. 2021-11 authorizing the sale and consumption of alcoholic liquor on public property in accordance with the provisions of K.S.A. 41-2645 and K.S.A. 41-719 and related to the Steaks on the Bricks event as detailed in the written request submitted by Jayme Chapin. Leffler seconded the motion. Motion carried without opposition.

Crum made a motion to approve the waiver of distance limitation for the Steaks on the Bricks event located on public property in the 500 block of State Street with the finding that the drinking establishment is not adverse to the public welfare or safety and authorize staff to execute a temporary alcohol permit for the event. Leffler seconded the motion. Motion carried without opposition.

Nuisance Abatement Resolution 2021-12 for 1129 North Henry Street: Leffler made a motion to approve Resolution No. 2021-12 determining that a nuisance exists at 1129 N Henry St. and ordering the

removal and abatement of nuisances within ten (10) days as specified by K.S.A. 12-1617e. Richardson seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Shaw reminded everyone that the next city council meeting will be on Tuesday, September 7<sup>th</sup> because of the Labor Day Holiday. The City will also be conducting its revenue neutral rate and budget public hearings on that date.

Assistant City Manager: Crum made a motion to host Doggie Dive Event at the municipal swimming pool after the Labor Day holiday. Huddleston seconded the motion. Motion carried without opposition. Sims stated the event will be September 9<sup>th</sup> from 6 p.m. to 8 p.m.

Leffler: Leffler asked if staff has received any feedback on the CDBG surveys. Shaw stated he will look in to it and provide the Council with an update.

Executive Session:

At 7:58 p.m. Richardson made a motion to go into executive session for 47 minutes to discuss issues related to pending court action pertaining to an eviction and to discuss potential legal liability related to the performance of a contract pursuant to the “consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship” justification for executive sessions under the Kansas Open Meetings Act, K.S.A. 75-4319(b)(2), and to invite in City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Andrew Marino. The open meeting will resume in the City Council Chambers at 8:45 p.m. Leffler seconded the motion. Motion carried without opposition.

At 8:45 p.m. Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 8:45 p.m., Richardson made a motion to adjourn. Crum seconded the motion. Motion carried without opposition.

---

City Clerk