

CITY COUNCIL
OCTOBER 16, 2023
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on October 16, 2023, with Mayor Mike Rawlings presiding. Council present were Mike Martin, Bob Bailey, Eric Birk, Mike Huddleston, Tom Leffler, Kip Richardson, Jeff Brown and Ron Reavis. Also present: City Attorney Justen Phelps, City Manager Josh Shaw, Assistant City Manager Kamme Sroufe, and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Director of Public Utilities Tim Johnson, Rob Cooper, Shawna Cortez, and Susan Smith. Visitors: Myrna Rogers, Gary Rogers, Connie Thurman, Loy Hoskins, Shawn Davis, Shane Scott, and Buddy Willis.

Pledge of Allegiance

Prayer: Pastor Loy Hoskins, First Christian Church, gave the invocation.

Minutes: Huddleston stated that comments that were left out of page three in the minutes that he believes are important to be noted that Mr. Cowan was asked some direct questions regarding the charter ordinance and to have his answers and have his it recorded what his answers to these questions were. Huddleston read the following comments and asked that they be made part of the agenda record.

Huddleston asked, "it appears as though the charter ordinance cuts voters out of getting approval for the debt?" Mr. Cowan responded, "correct." Huddleston asked, "what is the election requirement?" Mr. Cowan responded that to use the statute to issue bonds, you have to have a successful election. Huddleston asked, "under the charter ordinance, where is voter participation?" Mr. Cowan responded that there is not an election requirement, it is intuit, publication, protest period, and then perhaps a petition. Huddleston asked, "so approval is put after the fact in the charter ordinance?" and Cowan said, "correct". Huddleston asked, "under the state statute it's previous and the charter ordinance approval is required first". Cowan said, "that is correct."

Huddleston stated that he wants it to be understood that there were answers from Mr. Cowan to direct questions and not just Huddleston's opinion presented and would like to see that correction made and entered into the minutes.

Richardson made a motion to approve the minutes from the October 2, 2023 City Council meeting. Leffler seconded the motion. Motion failed with Huddleston, Birk, Reavis, Brown, and Martin voting in opposition.

Reavis made a motion to approve the minutes from the October 2, 2023 City Council meeting amended to include the comments with Huddleston corrections. Brown seconded the motion. Motion carried with Richardson and Bailey voting in opposition.

Ordinance: Reavis made a motion to approve Ordinance #10 dated October 11, 2023. Richardson seconded the motion. Motion carried without opposition.

Business:

Drainage & Utility Easement Vacation: Councilmembers Brown and Bailey abstained from the discussion due to a conflict of interest. Leffler made a motion to approve Ordinance 2228 declaring the

vacation of an 80' drainage & utility easement located on W. 5th Avenue between Oak Street and the alley as recommended by the Planning Commission. Huddleston seconded the motion. Roll Call: Huddleston Yes, Birk Yes, Reavis Yes, Richardson Yes, Leffler Yes, Martin Yes. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

City Manager: City Manager Shaw reported on the various City projects and upcoming business items for future City Council meetings.

Ohio Project: Shaw stated the City is still working with Kansas paving to finalize the construction project that is not complete. He stated that they are scheduled to be out this week to do work on a couple of flumes in low spots holding water. Shaw stated the work on the actual roadway includes asphalt work and repair to a private drive entrance, and that asphalt work is scheduled to start next week. Shaw stated they will also work on the far north end of the project where the City road and County road blends and there is a big hump. He stated they will be using mill and overlay to smooth that out and they will use flaggers to take it down to one lane during that part of the project. Shaw stated that the City has given them a deadline of October 31st to complete this work.

Dam Construction Project: Shaw provided an update on the Dam Construction Project. He stated the contract has been signed and provides for 85 days starting either October 23rd or October 30th. He stated that they have identified a haul route to be utilized for the project. He stated they will be coming up Dike Road through Loomis Land and then coming down through Garvin Park Road with the staging area for the rock/rip rap along the City Lake roadway. Shaw stated that the City got an agreement put together with the township regarding Dike Road. He stated when this project is done we will do an evaluation of our City roads and plan whatever project we need to repair any damage that has occurred to those and we are going to partner with the township to get a chip seal placed on Dike Road. Shaw stated the chip seal will have a variety of benefits to the Township but the City as well with improving ingress/egress for folks in our community to get in and out in emergency situations, having a more reliable alternative route for future projects, and will improve the dust issue.

Garvin Park Holiday Light Display: Shaw stated that Alternative Electric is updating the electric system in the park to work with Ignite Augusta to return the holiday light display. He stated they are close to wrapping up their work and putting final touches on it based on the map for the displays. Shaw stated that Ignite Augusta had some theft and damage to their displays and wiring. He stated they are looking at doing a smaller display this year and are fundraising for replacement and repair of displays for future years.

Skate Park Project: Shaw stated that the Skate Park is nearing completion. He stated that the ramps and features are in and now they just have the flat surfaces to complete. He stated that there has been a camera taking a time lapse video of the entire progression of that process that we will get to view when it is complete.

Airport Runway Project: Shaw stated that there was a preconstruction meeting for the Airport Runway project earlier this month. He stated this project is 15 years in the making. The contractor is scheduled to be on site October 19th through mid-December for the earthwork, which involves the closure of 110th street, shaping and filling in pond area, getting all of the dirt from onsite. He stated the project will shut down over the winter to give earth time to settle and resume the earth work and paving in April to October. Shaw stated the FAA approved all the grants so it is 90% funded and the City's 10% share was acquired from the 2016 Pride & Progress project.

Redbud Bridge Crossing: Shaw stated that the field check plans have been submitted and he will provide more detailed information in the future.

Shadow Ridge Subdivision: Shaw stated the Shadow Ridge Subdivision project includes a total of 36 new housing units for moderate income housing. He stated the City created a Rural Housing Incentive District (RHID), securing funding through the Moderate Income Housing (MIH) grant, and the developers obtained additional funding through tax credits through a separate program that the Kansas Housing Resource Commission has available. Shaw stated the purpose was to get these homes built at a moderate income level and offer those homes without any special assessments on them. He stated the developer is paying for the infrastructure by using grants and tax credits. He stated they are close, if they have not already done so, to pull the permit for the first home. Tim Johnson stated the waterline is in and ready to be tested and by next week that line could be pressurized and ready to tap in to. He stated he was on site today and all the sanitary sewer is installed as well. He stated we have enough electric transformers available to take care of 6-12 homes right away with others on order.

Base Grant: Shaw stated he will have to provide a report on the Base Grant to State of Kansas in the next couple weeks. He stated the Base Grant consists of the new substation, 69KV transmission line, industrial park feeder and have moved any assistance we can get on the cooling towers at the electric plant. Shaw stated that the Base Grant project was one we were looking at having to issue debt for because we were capped out in our system and we formed a partnership with DJ Engineering to obtain a \$4 million grant that pays for those projects 100% without any funds coming from our citizens or tax payers.

Common Consumption Ordinance: Shaw stated that he received feedback from our insurance carrier that was not as flexible as he expected it to be. He stated they have concerns and are putting requirements on us and he wants to make sure how that will impact our businesses before bringing that before the Council.

Martin: Martin stated there is a small pothole in the north lane going west on the overpass that needs to be fixed.

Leffler: Leffler thanked Shaw for the update on the projects.

Bailey: Bailey inquired about the mobile home in the front yard. Shaw stated that it is in the court system and will be heard in court on October 31st.

Richardson: Richardson thanked the Department of Public Safety for the Faith in Blue event. He stated it was a good event to build rapport with the public.

Reavis: Reavis stated he was on north Ohio and there was a cattle hauler and an officer had them pulled over. He stated we have been good with signage coming in to town from the north, but the only signage on 7th and Osage a small sign on the crossbar of the traffic signal. Ackerman stated his staff took pictures of all the signs, he stated there are more signs than that but they are hard to read. He stated that staff has ordered new signs.

Reavis stated there was a child hit last week in Maize at a crosswalk similar to the new crosswalk at Fanny and Ohio. He said as a pedestrian you push the button and the lights start flashing so you think it is safe to cross, but the flashing yellow lights do not tell drivers to stop, and he is afraid

there will be an accident here too and inquired about our options there. Ackerman stated we would have to change the lights out again to a stop sign. He stated his staff has also noticed that people do not stop at the flashing light. Shaw stated we are in a partnership with the school district on a project through KDOT about the entire corridor on Ohio Street including that crosswalk. He stated the study was funded and they have done traffic counts and analysis of that area and have been tasked with lane configurations and traffic movements. He stated they are responsible for making recommendations for that entire corridor. Brown asked if we could put additional signage up or improve the signage at the crosswalk.

Huddleston: Huddleston wanted to be clear on an item tonight because he has had some people ask him about the type of rock that will be put on the dam. He stated that we are using limestone and he wants to be comfortable in his own mind that limestone is a good product to be putting on there for rip rap. Shaw stated he sent out a summary to the Council from the engineer. He stated in addition to the permitting we had to get through with the Division of Water Resources and the Corps of Engineers, KDHE had a review process and they required a water quality control plan to be created. He stated in specific response to this question, the engineer asked KDHE about the concerns regarding the rock. Shaw stated this rock is a rock that has been specified and meets KDOT specifications for embankments and streams. He said they specifically asked KDHE if they saw any issues with the use of the limestone rock and they wrote back that they did not. Shaw stated there was more detail in the email that he sent to the Council so if anyone has those questions you can tell them we have specifically asked the engineer to verify that information. Huddleston stated that Shaw has spoken to the water quality but asked if the water will have an effect on the rock. Shaw stated that they have a specification for the rock that is approved for these types of uses. He stated there are different types of limestones, types of granite, river rocks and other sorts of things that can be used, and this is a rock that the engineer indicated that is specified by KDOT and used in embankments, stream work, and other stuff they do. Huddleston asked if it has been used in dams. Shaw stated it submitted in the permit process to DWR and they review and approved the plans and he provided all of that in his response to the Council. Huddleston stated he wants to make sure we get it right this time and he would hate for the Council to be sitting 15 years from now asking why they have to replace all the rock on the dam we just did 15 years ago. Shaw stated that long term there will be maintenance on the dam of some type and it may be rock but it is not going to be the type of maintenance you have now on the earthen berm. Rawlings stated the email Shaw referenced was sent to the Council on October 6th and item #2 said KDOT specification for the rip rap per the project specifications, limestone is one of the types of stone that is allowed. Huddleston stated so was the cloth that was put on a few years ago. Brown asked if there is a suggestion being made. Huddleston stated he was just asking the question to make sure this limestone was the solution and if so then he is fine with that. Martin stated he wants to know how far down in the water the rock will be. Rawlings stated it is shown on the diagram. Shaw stated it will be somewhere in the 6-7 feet depth of water but it would be dependent on the water level at the time. He stated it is supposed to sit where the wave action will be.

Adjourn: At 8:37 p.m., Reavis made a motion to adjourn. Martin seconded the motion. Motion carried without opposition.

City Clerk