

CITY COUNCIL
JULY 17, 2023
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on July 17, 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 Andrew Marino, City Manager Josh Shaw, and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Director of Public Utilities Tim Johnson, Jim Sutton, Anthony Craft, Susan Smith, and Shawna Cortez. Visitors: Pastor John Einem, Chuck May, Chad McCullough, Shane Scott, Shawn Davis, Matt Lichlyter, Melinda Scharff, and Lynn Smith.

Pledge of Allegiance

Prayer: Pastor John Einem, Christ Lutheran Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the July 3, 2023 City Council meeting and the July 10, 2023 City Council Work Session. Brown seconded the motion. Motion carried without opposition.

Ordinance: Richardson made a motion to approve Ordinance #7 dated July 5, 2023. Brown seconded the motion. Motion carried without opposition.

Visitors:

Melinda Scharff, 333 W 7th Avenue, addressed the governing body regarding serious theft issues at their business, especially since the bike path was put in behind their business. She stated they have had 15 catalytic converters stolen between December 31st to February 1st, and their insurance is no longer covering those losses. Scharff stated they are fed up with the theft and damage and were here to ask if there is anything the City can do to help them. She asked if the City could assist with putting in more lighting and a fence along the path to make it more difficult for them. Scharff stated they have reported the thefts to the Safety Department and provided them with pictures and stated that they cannot afford these losses. Huddleston asked if the thieves are coming from the bike path. Scharff stated that is where they are entering her property by bicycle and that there was only one time that they came from the front of the lot. She stated the person they caught on their cameras committing the theft this morning is the same person as last week. She stated they are local people who watch what vehicles are coming in.

Director of Public Safety Ackerman stated that this is the first time he heard from the property owner directly, but the officers are aware of the situation. He stated they have put cameras down there too. Ackerman stated that until there is a fence around that property to keep people out it will continue to happen. He stated that because of the obstructions between the path and this property his staff cannot get through there, and it is difficult to see if people are hiding back there. Brown stated he was aware that lights were going to be installed along the path. Shaw stated there is. Martin stated there has been a lot of bicycle activity on Custer Lane too.

Shaw stated there is a cost share program for fencing with the Rail Trail program where the City could participate in putting the fence up along the trail. He stated it may be a 50/50 split, and the property owner would be responsible for joining the fence to their property on the east and west side. Shaw stated there is a new pole line going in along the trail that will have lighting on it, but

it may not be enough to cast light on that entire area. Shaw and Ackerman stated they will continue to work on it, addressing the thefts and looking into the cost-share option.

Business:

Final Plat of City of Augusta Public Works Addition: Leffler made a motion to approve of Final Plat of the City of Augusta Public Works Addition, a 41.18-acre tract of land, located at the east end of 5th Avenue and Osage Street, as recommended by the Planning Commission. Richardson seconded the motion. Motion carried without opposition.

Declaration of Surplus Property: Leffler made a motion to approve the declaration of the list of equipment and vehicles as surplus property and authorize the sale of said property on Purple Wave Auction. Huddleston seconded the motion. Motion carried without opposition.

Purchase of Drone with Color and Thermal Cameras: Leffler made a motion to approve the purchase of an X2E drone with color and thermal cameras from Skydio in the amount of \$25,745.97. Richardson seconded the motion. Motion carried without opposition.

Substation Site (PAD) Preparation for the BASE Grant Project: Richardson made a motion to approve the bid from Alan's Excavating in the amount of \$73,813.20 for Southwest Substation Site Preparation. Martin seconded the motion. Motion carried without opposition.

Waiver of Contract Fees for the Use of Santa Fe Lake: Reavis made a motion to approve the waiver of the second half of contract fees in the amount of \$600 for the use of Santa Fe Lake by Flatwater Fitness & Fun. Richardson seconded the motion. Motion carried with Leffler, Bailey and Huddleston voting in opposition.

Charter Ordinance No. 20 Relating to Public Improvements and the Issuance of Bonds: Leffler made a motion to table to a future meeting when Kevin Cowan is available to answer questions. Richardson seconded the motion. Motion carried without opposition.

Supplemental Agreement for Design Services for Redbud Trail Pedestrian Bridge Over US-54: Richardson made a motion to approve a supplemental agreement with Schwab-Eaton, P.A. Consulting Engineers to complete design services for the Redbud Trail Pedestrian Bridge over US-54 Highway between Santa Fe Lake Road and Tawakoni Road at a cost not to exceed \$233,460. Brown seconded the motion. Motion carried with Reavis, Leffler and Martin voting in opposition.

Leffler: Leffler asked City Engineer Chuck May to provide an update on the Dam Project. May stated we have been waiting on approval from the Kansas Department of Agriculture. He stated he thought he received an email today that includes the permit approval, and he will reach out to staff to schedule a meeting to get the project moving down the road.

Matters From/For Council and Informational Memorandum:

City Manager: Leffler made a motion to schedule budget work session #5 for Monday, July 31st at 6 p.m. at City Hall to finalize the 2024 budget adjustments and review five-year Capital Improvement Plan (CIP). Richardson seconded the motion. Motion carried without opposition.

Leffler made a motion to schedule the Revenue Neutral Rate (RNR) public hearing for Tuesday, September 5, 2023 at 7:00 p.m. Richardson seconded the motion. Motion carried without opposition.

Huddleston: Huddleston stated that some time back we spoke about the ability of the Flock camera system to track the trucks utilizing Ohio Street. Chief Ackerman stated the FLOCK system is not a live video feed that monitors traffic. He stated that they have written 26 truck tickets this year and are continuing to monitor the situation. Ackerman stated that staff could do a traffic count with the camera which would pick up the trucks, and he will check in to that. He stated the \$200 fine is not high enough. Huddleston stated he thought there was a tiered fine for repeat offenders. Ackerman said there is, but then they have to track and monitor if it is a repeat offender. Shaw stated staff followed the feedback from the judge, but we may need to consider increasing it if we want to decrease all offenders, not just repeat offenders. Huddleston asked if we could monitor specific types of vehicles such as bull racks. Leffler stated he sees a bull trailer go through at least every other day and some times one behind the other. He stated he would like to see the fine increased from \$200 to \$500. Leffler asked staff to look at bringing the fine up to \$500 at a future meeting. Shaw stated staff will bring back a couple variations on the fine schedule for the Council to review.

Leffler: Leffler inquired about the status of the employee handbook update. Shaw stated that staff is actively working on it along with all the other stuff we are doing.

Leffler stated he is not trying to put anyone down, but he feels bad that we allowed someone to break a contract with us over \$600 when someone else came to the meeting tonight that has lost their insurance because of all the thefts they are having at their place and including the loss of money and possibly their business. He stated we have offered a little solution from the City, but they have a much bigger problem than losing \$600 at Santa Fe Lake.

Executive Session:

At 8:55 p.m. Richardson made a motion to go into executive session for 40 minutes to discuss issues related to 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 the City Manager Josh Shaw and City Attorney Andrew Marino. The open meeting will resume in the City Council Chambers at 9:35 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:35 p.m. Richardson made a motion to exit executive session where no action was taken. Brown seconded the motion. Motion carried without opposition.

Adjourn: At 9:35 p.m., Richardson made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

City Clerk