

CITY COUNCIL  
JANUARY 4, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on January 4, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Paul Belt, Tom Leffler, Mike Rawlings, Ron Reavis and Justin Londagin. Councilwoman Crum was absent. Also present: City Manager Josh Shaw, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Sarah Hoefgen, Bill Morris, and Neal Whitlow,

Pledge of Allegiance

Prayer: Neal Whitlow, Community Crossroads Church, gave the invocation.

Minutes: Belt made a motion to approve the minutes from the December 21, 2015 Council meeting. Lowery seconded the motion. Reavis stated that the minutes should read that Rawlings voted in opposition to the 2016 CMB License renewals Motion carried without opposition.

Ordinance 12B: Leffler made a motion to approve Ordinance 12B in the amount of \$368,282.28. Lowery seconded the motion. Motion carried without opposition.

Presentation:

Bill Morris of WMA Architects and city staff gave a presentation regarding materials and finishes for the Frisco Depot and provided an update on the schedule for construction.

Business:

Schedule a Public Hearing for a Dangerous Structure Located at 636 North Santa Fe Street: Londagin made a motion to approve Resolution 2016-01 scheduling a public hearing for the condemnation of property located at 636 North Santa Fe Street for Monday, March 7, 2016 at 7:00 p.m. at Augusta City Hall, pursuant to the provisions of K.S.A. 12-1750 et seq. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council:

Reminder of Street Sales Tax Advisory Committee 2<sup>nd</sup> Public Hearing scheduled for January 7, 2016 at 6:00 p.m. to discuss 2016 Street Sales Tax Projects.

Reminder of work session scheduled for January 11, 2016 at 7:00 p.m. to discuss code enforcement in Augusta.

Adjourn: At 7:31 p.m. Reavis made a motion to adjourn. Londagin seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
WORK SESSION  
JANUARY 11, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met for a work session on January 11, 2016 at 7 p.m., to discuss code enforcement in Augusta.

The meeting adjourned at 10:00 p.m.

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City Clerk

CITY COUNCIL  
JANUARY 18, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on January 18, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Paul Belt, Tom Leffler, Mike Rawlings, Ron Reavis and Justin Londagin. Councilwoman Crum was absent. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, Director of Electric Utility Bill Webster, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Jim Sutton, Connie Thurman, Shirley Stueven, and Mark Chesney.

Pledge of Allegiance

Prayer: Councilman Magruder gave the invocation.

Minutes: Rawlings made a motion to approve the minutes from the January 4, 2016 Council meeting. Lowery seconded the motion. Motion carried without opposition.

Ordinance 12C: Leffler made a motion to approve Ordinance 12C in the amount of \$1,594,503.35. Rawlings seconded the motion. Motion carried without opposition.

Business:

Resolutions Authorizing the City's Continued Participation in the Kansas Power Pool: Rawlings made a motion to approve Resolution 2016-02 authorizing the City to continue its participation in the Kansas Power Pool, a Municipal Energy Agency, by executing the Second Amendment to the Agreement creating the Kansas Power Pool. Lowery seconded the motion. Motion carried without opposition.

Leffler made a motion to approve Resolution 2016-03 authorizing the City's continued participation in the Kansas Power Pool, a Municipal Energy Agency, by approving the Second Amended Operation Agreement-subject to the following conditions: 1) The proposed amendments to Articles III and Section 13 of the 2<sup>nd</sup> Amended Operating agreement that were approved by the KPP's Board of Directors at the January 14, 2016 meeting shall be presented to the individual member cities of KPP for their approval. 2) Upon unanimous action of the member cities of KPP approving the attached amendment, the amendment will be adopted and the Second Amended Operating Agreement shall be changed as reflected in the amendment. 3) That the foregoing is accomplished before the Operating Agreement is signed and executed by the City of Augusta. Lowery seconded the motion. Motion carried with Londagin voting in opposition.

2016 Street Sales Tax Program Recommendations: Reavis made a motion to approve of the Sales Tax Advisory Committee's recommendation for the 2016 Street Sales Tax Program and authorize staff to proceed with drafting an engineering services agreement with MKEC for presentation at the February 1, 2015 meeting. Lowery seconded the motion. Motion carried without opposition.

Bid Award for Community Development Department Vehicles: Magruder made a motion to approve a bid award to the low bidder, Rusty Eck Ford, in the amount of \$20,327 for a new 2016 Ford F-150 for the Environmental Inspector. Lowery seconded the motion. Motion carried without opposition.

Magruder made a motion to approve a bid award to the low bidder, Rusty Eck Ford, in the amount of \$20,327 for a new 2016 Ford F-150 for the Parks & Recreation Division Foreman. Lowery seconded the motion. Motion carried without opposition.

Resolution Scheduling a Public Hearing for a Dangerous Structure Located at 347 East Main Street: Magruder made a motion to approve Resolution 2016-04 scheduling a public hearing for the condemnation of property located at 347 East Main Street for Monday, March 7, 2016 at 7:00 p.m. at Augusta City Hall, pursuant to the provisions of K.S.A. 12-1750 et seq. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council:

Discussion regarding 1% Local Option Sales Tax scheduled to expire in September of 2016. Reavis made a motion to schedule a work session for Monday, January 25<sup>th</sup> at 7 p.m. to discuss the 1 % Local Option Sales Tax. Leffler seconded the motion. Motion carried without opposition.

Informational Memorandum:

Belt: Belt stated a citizen told him it is difficult to locate on the city website when the limb yard is open and to find the trash schedule for the holidays.

Executive Session:

At 7:30 p.m. Lowery made a motion to go into executive session for 60 minutes under the preliminary discussions regarding acquisition of real property, attorney-client relationship, and personnel matters of non-elected personnel exceptions to the Kansas Open Meetings Act to discuss the following matters:

1. Preliminary discussions regarding acquisition of property for expansion of public facilities;
2. Discussion on matters deemed privileged in the attorney-client relationship; and
3. Discussion regarding the City Manager's annual performance evaluation and contract.

Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 8:30 p.m. Magruder seconded the motion. Motion carried without opposition.

Lowery made a motion to exit executive session with no action being taken. Rawlings seconded the motion. Motion carried without opposition.

Lowery made a motion to extend the City Manager Josh Shaw's contract for two years, extending it to December 31, 2018, and including a 2.5% merit increase. Rawlings seconded the motion. Motion carried without opposition.

Adjourn: At 8:32 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
WORK SESSION  
JANUARY 25, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met for a work session on January 25, 2016 at 7 p.m., to discuss the 1% Local Option Sales Tax for Streets/Capital Projects.

The meeting adjourned at 9:00 p.m.

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City Clerk

CITY COUNCIL  
FEBRUARY 1, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on February 1, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Paul Belt, Jamie Crum, Tom Leffler, Mike Rawlings, Ron Reavis and Justin Londagin. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Bill Morris, Connie Thurman, Melody Kuhlman, Jane Mathias, Priscilla Templin, and Casey Socha.

Pledge of Allegiance

Prayer: Councilman Rawlings gave the invocation.

Minutes: Londagin made a motion to approve the minutes from the January 18, 2016 Council meeting and the January 11, 2016 and January 25, 2016 work sessions. Lowery seconded the motion. Reavis stated that the motion to adjourn on the January 18, 2016 Council meeting was missing the second. Lowery stated he thought Rawlings seconded. Motion carried without opposition.

Ordinance 1 and 1A: Leffler made a motion to approve Ordinance 1 in the amount of \$244,343.19 and Ordinance 1A in the amount of \$728,199.56. Londagin seconded the motion. Motion carried without opposition.

Visitors:

Bill Morris addressed the governing body and stated that ground was finally broken on the Depot project. He stated the estimated completion date is 220 days from today.

Business:

Annual Review of Global Parts Property Tax Exemption: Crum made a motion to approve continuing the property tax exemption for Global Parts as originally authorized by the City Council. Reavis seconded the motion. Motion carried without opposition.

Charitable Donations on Utility Bills: Council reviewed and discussed options for adding a donation program on City Utility Bills. Melody Kuhlman, representing the Augusta Historical Society, read a statement from the Augusta Historical Society Board of Directors. Magruder made a motion to schedule a work session for February 29, 2016 at 7 p.m. at City Hall to discuss charitable donations on utility bills. Londagin seconded the motion. Motion carried without opposition.

Lowery made a motion to recess for 5 minutes so the audio system could be re-booted. Leffler seconded the motion. Motion carried without opposition.

Meeting resumed at 7:21 p.m.

Bid Award for Police Vehicles: Leffler made a motion to approve a bid award to Don Hattan for the Marked Tahoe in the amount of \$33,176.13 and Rusty Eck for the Unmarked Ford Interceptor in the amount of \$26,317 and instead of trading in the unmarked police cruiser it will be moved to

the Augusta Municipal Airport to replace the existing courtesy car. Lowery seconded the motion. Motion carried without opposition.

Resolution Authorizing an Election for the Special Question of Levying a One Percent City-Wide Sales Tax: Magruder made a motion to approve Resolution 2016-05 authorizing and providing for the calling of a question submitted election in the City of Augusta Kansas for the purpose of submitting to the qualified electors of the City the special question of levying a one percent (1.0%) city-wide sales tax for the purpose of paying the costs of certain public infrastructure projects in the City, ad valorem property tax reduction in the City and General Fund enhancement in the City; and providing for the giving of notice of said election. Belt seconded the motion. Motion carried without opposition.

Resolution Authorizing the City to Utilize Cemetery Endowment Funds: Rawlings made a motion to approve Resolution 2016-06 authorizing the City to utilize cemetery endowment funds for permanent improvements and equipment for the care and maintenance of Elmwood Cemetery. Leffler seconded the motion. Motion carried without opposition.

Engineering Design Services Agreement for 2016 Sales Tax Projects and Cemetery Road: Leffler made a motion to approve an engineering services agreement in the amount of \$23,331.00 with MKEC for engineering design services related to the 2016 Street Sales Tax maintenance projects and design of the north Elmwood Cemetery access road. Londagin seconded the motion. Motion carried without opposition.

#### Matters to from council

Magruder made a motion to further discuss the Community Development bid award for two vehicles approved at the January 18<sup>th</sup> meeting. Reavis seconded the motion. Motion carried without opposition. Sims stated after the bid was awarded and he notified Rusty Eck Ford he received an email that there was a \$3,000 mistake on each of the bids provided bringing the individual vehicle price to \$23,327.35. Sims stated the email said they could not take a \$6,000 loss or any way to move forward. He stated Rusty Eck Ford is often the low bidder for our trucks. Sims stated that after discussing the matter with the City Attorney he would recommend rejecting both bids and re-bidding the trucks. Rawlings made a motion to reject the bids and direct staff to re-bid. Lowery seconded the motion. Leffler stated he would like to give Rusty Eck an opportunity to make this mistake right instead of re-bidding it. Motion failed with Magruder voting in favor and other Council members voting in opposition. Lowery made a motion to table the issue for two weeks to give staff an opportunity to visit with Rusty Eck Ford concerning bid. Leffler seconded. Motion carried with Magruder voting in opposition.

#### Informational Memorandum:

Magruder: Magruder asked if the Council could give a consensus to have staff bring back a discussion/direction item to either replace the sound system or get another company to come in and repair it. The Council gave consensus to move forward in the most aggressive manner.

#### Executive Session:

At 8:02 p.m. Lowery made a motion to go into executive session for 40 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session.

The governing body will reconvene in the Council Chambers at 8:42 p.m. Magruder seconded the motion. Motion carried without opposition.

At 8:42 p.m. Lowery made a motion to exit executive session with no action being taken. Rawlings seconded the motion. Motion carried without opposition.

Adjourn: At 8:43 p.m. Londagin made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

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City Clerk



CITY COUNCIL  
FEBRUARY 16, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on February 16, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Tom Leffler, Mike Rawlings and Justin Londagin. Council members Paul Belt and Ron Reavis were absent. Also present: City Manager Josh Shaw, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, HR Manager Makala Navarro, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Bob Sage, Eric Birk and Brian Alfaro.

Pledge of Allegiance

Prayer: Councilman Magruder gave the invocation.

Minutes: Londagin made a motion to approve the minutes from the February 1, 2016 Council meeting. Crum seconded the motion. Magruder stated that Rawlings gave the invocation at the February 1, 2016 meeting. Motion carried without opposition.

Ordinance 2: Leffler made a motion to approve Ordinance 2 in the amount of \$469,612.56. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Makala Navarro, the City's new HR Manager, was present to introduce herself to the City Council.

Bob Sage from Rose Hill was present to discuss Elmwood Cemetery regulations regarding the prohibition on above-ground storage vaults. Lowery made a motion to grant an administrative waiver and authorize staff to not enforce the provision of code in this case for this one space. Londagin seconded the motion. Motion carried with Leffler and Magruder voting in opposition.

Business:

Z2016-04 Final Plat for AppCon Addition: Magruder made a motion to accept the Planning Commission's recommendation to approve the AppCon Addition Final Plat produced by Professional Engineering Consultants, P.A. for development located at 525 and 603 West 7<sup>th</sup>. Lowery seconded the motion. Motion carried without opposition.

Electric Utility Easement in Support of Infrastructure Enhancements: Rawlings made a motion to accept a utility easement located at 430 East Broadway needed to support infrastructure enhancements. Crum seconded the motion. Motion carried without opposition.

City Manager Shaw gave a presentation regarding the 2016 Legislative Session, including a discussion on the property tax lid currently scheduled to go into effect in 2018.

Matters From/For Council:

Reminder of the work session scheduled for February 29, 2016 at 7 p.m. to discuss charitable donations on City utility bills.

Lowery made a motion to add an agenda item for discussion/direction regarding previously submitted bids from Rusty Eck Ford for Community Development department trucks. Londagin seconded the motion. Childers stated staff recommended action is to reject the previously awarded bids and

authorize staff to rebid these vehicles. Leffler made a motion to reject the previously awarded bids and authorize staff to rebid the vehicles and to restrict Rusty Eck Ford from bidding on our vehicles for 365 days. Crum seconded the motion. Motion failed with Rawlings, Lowery, and Magruder voting in opposition and the Mayor breaking the tie.

Rawlings made a motion to accept the next lowest bid from Davis Moore if the bid is still valid and to extend budget authority for the purchase. Magruder seconded the motion. Motion carried without opposition.

Magruder made a motion authorizing staff to reject all of the bids and re-bid the trucks if the bid from Davis Moore is no longer valid. Leffler seconded the motion. Motion carried with Lowery and Rawlings voting in opposition.

Informational Memorandum:

Magruder: Magruder encouraged citizens to contact their legislators if they have any concerns about the legislative update provided by the City Manager.

Leffler: Leffler stated that Kansas Farm Bureau is sponsoring a breakfast with local legislators this Saturday at 7:45 a.m. at the Holiday Bowl.

Childers: Childers also encouraged citizens to contact their legislators and the Council as well if they have concerns or questions about the legislative update.

Londagin: Londagin inquired about a discussion that was previously tabled by the Council until School was back in session regarding the speed limit on Custer Lane. Londagin stated it was mentioned by the Planning Commission. Shaw stated there has been no direction from the governing body to revisit the discussion. Goering stated she and Chief Brewer discussed it because there was a request to raise speed limit on Custer Lane and to remove the stop signs. Goering stated staff felt it was an either or decision and that staff would recommend removing the stop sign not raising the speed limit. Childers stated the property owners were previously not in favor of raising the speed limit and recommended Londagin contact the property owners on Custer and if he is able to garner their support he should then bring it back to the council.

Adjourn: At 8:20 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
FEBRUARY 16, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on February 16, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Tom Leffler, Mike Rawlings and Justin Londagin. Council members Paul Belt and Ron Reavis were absent. Also present: City Manager Josh Shaw, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, HR Manager Makala Navarro, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Bob Sage, Eric Birk and Brian Alfaro.

Pledge of Allegiance

Prayer: Councilman Magruder gave the invocation.

Minutes: Londagin made a motion to approve the minutes from the February 1, 2016 Council meeting. Crum seconded the motion. Magruder stated that Rawlings gave the invocation at the February 1, 2016 meeting. Motion carried without opposition.

Ordinance 2: Leffler made a motion to approve Ordinance 2 in the amount of \$469,612.56. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Makala Navarro, the City's new HR Manager, was present to introduce herself to the City Council.

Bob Sage from Rose Hill was present to discuss Elmwood Cemetery regulations regarding the prohibition on above-ground storage vaults. Lowery made a motion to grant an administrative waiver and authorize staff to not enforce the provision of code in this case for this one space. Londagin seconded the motion. Motion carried with Leffler and Magruder voting in opposition.

Business:

Z2016-04 Final Plat for AppCon Addition: Magruder made a motion to accept the Planning Commission's recommendation to approve the AppCon Addition Final Plat produced by Professional Engineering Consultants, P.A. for development located at 525 and 603 West 7<sup>th</sup>. Lowery seconded the motion. Motion carried without opposition.

Electric Utility Easement in Support of Infrastructure Enhancements: Rawlings made a motion to accept a utility easement located at 430 East Broadway needed to support infrastructure enhancements. Crum seconded the motion. Motion carried without opposition.

City Manager Shaw gave a presentation regarding the 2016 Legislative Session, including a discussion on the property tax lid currently scheduled to go into effect in 2018.

Matters From/For Council:

Reminder of the work session scheduled for February 29, 2016 at 7 p.m. to discuss charitable donations on City utility bills.

Lowery made a motion to add an agenda item for discussion/direction regarding previously submitted bids from Rusty Eck Ford for Community Development department trucks. Londagin seconded the motion. Childers stated staff recommended action is to reject the previously awarded bids and

authorize staff to rebid these vehicles. Leffler made a motion to reject the previously awarded bids and authorize staff to rebid the vehicles and to restrict Rusty Eck Ford from bidding on our vehicles for 365 days. Crum seconded the motion. Motion failed with Rawlings, Lowery, and Magruder voting in opposition and the Mayor breaking the tie.

Rawlings made a motion to accept the next lowest bid from Davis Moore if the bid is still valid and to extend budget authority for the purchase. Magruder seconded the motion. Motion carried without opposition.

Magruder made a motion authorizing staff to reject all of the bids and re-bid the trucks if the bid from Davis Moore is no longer valid. Leffler seconded the motion. Motion carried with Lowery and Rawlings voting in opposition.

Informational Memorandum:

Magruder: Magruder encouraged citizens to contact their legislators if they have any concerns about the legislative update provided by the City Manager.

Leffler: Leffler stated that Kansas Farm Bureau is sponsoring a breakfast with local legislators this Saturday at 7:45 a.m. at the Holiday Bowl.

Childers: Childers also encouraged citizens to contact their legislators and the Council as well if they have concerns or questions about the legislative update.

Londagin: Londagin inquired about a discussion that was previously tabled by the Council until School was back in session regarding the speed limit on Custer Lane. Londagin stated it was mentioned by the Planning Commission. Shaw stated there has been no direction from the governing body to revisit the discussion. Goering stated she and Chief Brewer discussed it because there was a request to raise speed limit on Custer Lane and to remove the stop signs. Goering stated staff felt it was an either or decision and that staff would recommend removing the stop sign not raising the speed limit. Childers stated the property owners were previously not in favor of raising the speed limit and recommended Londagin contact the property owners on Custer and if he is able to garner their support he should then bring it back to the council.

Adjourn: At 8:20 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
MARCH 7, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on March 7, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, Director of Electric Utility Bill Webster, Electric Production Superintendent Jim Sutton, Parks Foreman Brian Alfaro, City Inspector Dan Allen, Sergeant Chad McCluskey, Officer Mat Meckel and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Sarah Hoefgen, Lori Jones, David Jones, Mike Galbraith, Brian Prentice, Connie Thurman, Bill Morris, Lane Bevan, Goldie Kingsley, Erik Birk, Keith Cross, and David Slaughter.

Pledge of Allegiance

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

Minutes: Rawlings made a motion to approve the minutes from the February 16, 2016 Council meeting and February 29, 2016 Work Session. Lowery seconded the motion. Motion carried without opposition.

Ordinance 2A: Leffler made a motion to approve Ordinance 2A in the amount of \$1,131,981.72. Reavis seconded the motion. Motion carried without opposition.

Proclamation:

Mayor Childers read a proclamation celebrating 48 years of Fair Housing and recognizing the month of April as Fair Housing Month.

Visitors:

Bill Morris, Representing Downtown Augusta, Inc., was present to provide a progress report on their recent activities and events.

Council considered a request from Life Church for use of the stage and surrounding area at Garvin Park on Saturday, March 26<sup>th</sup> from 11 a.m. to 3 p.m. for their annual Easter Eggstravaganza. Reavis made a motion to approve Life Church's use of the stage and surrounding area at Garvin Park on Saturday, March 26<sup>th</sup> from 11 a.m. to 3 p.m. for their annual Easter Eggstravaganza. Lowery seconded the motion. Motion carried without opposition.

Lori Jones, 6 Good Drive, was present to ask the Council for a zoning variance or to waive the Ordinance related to the number of animals that can be kept in the city limits to allow for her to keep her seven dogs. Jones stated she recently moved to Augusta and was not aware of the ordinance until notified by animal control. Mayor Childers encouraged Jones to speak to her Third Ward representatives on the Council, Mike Rawlings and Tom Leffler.

Bill Morris was present to request a wall to be added to the Depot to create two office spaces to accommodate for the Chamber of Commerce and Downtown Augusta, Inc. Morris stated that adding a wall would result in a \$2,475 change order, but that if the State won't pay for it Downtown Augusta, Inc. would be willing to help pay for it. The consensus of the Council was to make this an agenda item two weeks from now when the funding information is determined.

Business:

Public Hearing for Condemnation of Property at 636 N Santa Fe Street: A Public Hearing was conducted regarding the condemnation of property located at 636 N Santa Fe Street pursuant to procedures outlined in K.S.A. 12-1750 et seq. The Mayor closed the public hearing after no public comments were received.

Crum made a motion to approve Resolution 2016-07 authorizing the condemnation of property located at 636 N Santa Fe Street pursuant to procedures outlined in K.S.A. 12-1750. Belt seconded the motion. Motion carried without opposition.

Public Hearing for Condemnation of Property at 347 E Main Street: A Public Hearing was conducted regarding the condemnation of property located at 347 E Main Street pursuant to procedures outlined in K.S.A. 12-1750 et seq. Brian Prentice, 10312 SW Eagle Rd Augusta, addressed the governing body stating he believes the property can be completely renovated for sale or to use as a rental property. He stated he is a licensed contractor and has lived in Augusta 20 years. He stated a realistic time frame for the property to be purchased, cleaned and brought back to code would be 12-18 months.

City Attorney Parker read Section 2 of Resolution 2016-08 directing that the structure be repaired or removed and the premises made safe and secure. Parker stated if action is taken it would provide the owner of the property until April 7, 2016 to secure the necessary permits to commence the work and to diligently prosecute the same. He stated that does not require it to all be done at once, but it does require them to diligently prosecute the same. Parker stated that even if there is a significant investment made in to the property, if it is not brought up to city code that does not meet the definition of diligently prosecuting the same to completion. He stated if it does not meet city code there is still a condemnation on the table and he wants Mr. Prentice to know that up front. Parker stated that the governing body cannot take any action that promises anything different than that or in terms of timelines. He stated a 12-18 month timeline is not authorized under State Statute. Mayor Childers closed the public hearing.

Magruder made a motion to approve Resolution 2016-08 authorizing the condemnation of property located at 347 E Main Street pursuant to procedures outlined in K.S.A. 12-1750. Leffler seconded the motion. Motion carried without opposition.

Discussion Regarding Neighborhood Revitalization Program (NRP) Scheduled to Expire in May 2016: Council reviewed and discussed modifications to the City of Augusta's Neighborhood Revitalization Program scheduled to expire May 2016.

Leffler made a motion to approve Resolution 2016-10 scheduling a public hearing for March 21, 2016 to take input on the proposed NRP. Belt seconded the motion. Motion carried with Londagin voting in opposition.

Emergency Water Supply Plan Update: Reavis made a motion to approve the newest version of the Emergency Water Supply Plan as required by KDHE and K.A.R. 28-15-18 (c). Leffler seconded the motion. Motion carried without opposition.

Electric Utility Easements in Support of Infrastructure Enhancements: Rawlings made a motion to accept electric utility easements located at 448 East Broadway, 442 East Broadway, 444 East Broadway, and 474 East Broadway to support infrastructure enhancements. Lowery seconded the motion. Motion carried without opposition.

Bid Award for Electric Department Vehicles: Lowery made a motion to approve the low bid from Winfield Motors in the amount of \$50,266.43 for a dual wheeled one-ton 4x4 pickup truck for Electric Production. Rawlings seconded the motion. Motion carried without opposition.

Rawlings made a motion to approve the bid submitted under the National Joint Powers Alliance (NJPA) from Altec in the amount of \$163,017.30 plus delivery charge of \$2,300 for a 2016 53' bucket truck. Leffler seconded the motion. Motion carried without opposition.

Bid Award for Community Development Department Vehicles: Lowery made a motion to approve the low bid from Shawnee Mission Ford in the amount of \$22,104 for a new 2016 Ford F-150 for the Environmental Inspector and the low bid from Shawnee Mission Ford in the amount of \$22,104 for a new 2016 Ford F-150 for the Parks & Recreation Division Foreman. Leffler seconded the motion. Motion carried without opposition.

Augusta Public Library Board Appointment: Reavis made a motion to approve the Library Board's recommendation to appoint Thurston Thies as Trustee to fill the unexpired term, April 2013 to April 2017, of Jennifer Dromey. Lowery seconded the motion. Motion carried without opposition.

Park Advisory Board Recommendations: Reavis made a motion to approve the Park Advisory Board's recommendation to open fishing at City Lake on April 1, 2016 with catch-and-release restrictions. Lowery seconded the motion. Motion carried without opposition.

Magruder made a motion to approve the Park Advisory Board's recommendation to increase fees and to dedicate revenue generated through the sale of city fishing licenses to the Special Parks Fund (Fund 6) beginning with the 2017 Budget. Lowery seconded the motion. Motion carried without opposition.

Rawlings made a motion to dedicate the revenue generated through the sale of city fishing licenses to maintenance and fish stocking at City Lake. Belt seconded the motion. Motion carried without opposition.

Belt made a motion for a 5 minute recess and return at 8:58 p.m. Leffler seconded the motion. Motion carried without opposition. The meeting reconvened at 8:58 p.m.

Leffler made a motion to approve the Park Advisory Board's recommendation to construct a splash park in Shryock Park. Lowery seconded the motion. Motion carried without opposition.

Fee Schedule Resolution 2016-09: Council reviewed, discussed, and provided direction for proposed Fee Schedule Resolution 2016-09 updating numerous fees for the City of Augusta. Council directed staff to review the fee schedule and bring it back for further consideration at a future council meeting with the exception of the fishing license fees.

Magruder made a motion to approve Resolution 2016-09 with only the updated fishing license fees. Lowery seconded the motion. Motion carried without opposition.

#### Matters From/For Council:

Discussion regarding allowing utility bill inserts from social service agencies if the agency pays the cost for the additional mailer. There was not a consensus from the governing body to move forward with this or drafting a policy.

Leffler: Leffler stated that the sales tax election is coming up in April and that he wanted to see some advertising done on this. Shaw stated that there wasn't a consensus after work session and that staff was not given direction to prepare anything. Leffler stated that we need to put some information out there so they understand what we are going to do with the sales tax. Council gave consensus directing staff to prepare an informational flier related to the sales tax election.

Leffler stated he received a call last week from someone in Ward 3 about parking vehicles in the front yard. Leffler stated that he told him that the Council directed staff back in January to draft an ordinance. City Attorney Parker stated he has reviewed and it should be on agenda for consideration at the next meeting.

Childers: Childers announced that the Government Finance Officers Association (GFOA) has issued the GFOA Distinguished Budget Presentation Award to the City of Augusta for its 2016 Budget. The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as a policy document, a financial plan, an operations guide, and a communications device. Childers stated a total of 24 municipalities (cities and counties) in Kansas that have received the award in the past. He stated there are a total of 776 municipalities in the State of Kansas, meaning just 3% of the municipalities in Kansas have received the award. Nationally there are a total of 1,491 municipalities that have received the award out of 19,492, roughly 7.65%. Childers stated this is the highest award for governmental budgeting. Childers congratulated City Manager Shaw on the outstanding achievement.

Childers stated Cox Business limits our emails to 2G, so several emails that have been sent to him have been returned. He stated he would like the Council's approval to purchase a laptop to maintain all the emails for the Mayor in the future and allow him to continue to receive emails. The Council agreed.

#### Informational Memorandum:

Reavis: Reavis stated there is a water leak in high school parking lot and asked if that is that our responsibility. Goering stated it is going to be repaired over spring break.

Reavis referred to the request for variance from the owner of the property at Clark and Osage. He stated the request did not meet the criteria for meeting the variance, but the Board of Zoning Appeals voted to allow it. He stated those decisions can set a precedence for the future. Reavis stated that the Council does not have any veto power with the Board of Zoning Appeals and that it bothers him that staff and the Board do not agree if it meets the criteria. He asked what are our options are to alleviate this problem in the future. Sims stated he put together a very detailed staff analysis showing that all the criteria were not met. He stated the last month with Planning Commission has been very frustrating. He stated his intent and responsibility to the City is to make sure we develop properly and within the intent of Kansas law. Sims stated he is discouraged and frustrated by how this has turned out and has spoken with the City Attorney and the Mayor to see what can be done to make this better. Sims stated that a variance is a planning tool to allow certain development to take place in unique properties where a strict enforcement of the rules would create an unreasonable hardship. He stated he is 110% confident there were no unique circumstances in these three cases that would have supported a variance and what really concerns him is the precedence we are setting for future development.



Parker stated we need to be very cautious as a city that what we do in terms of variance falls neatly within statutory provisions of KSA 12-759(e). Parker stated that ultimately the final decider under state statute of how variances are issued is the Board of Zoning Appeals, so it is very important that whatever is accomplished at that level is compliant with state statute as they are final decider for the City on those issues of variance. Childers stated this is part of the on-going conversation about getting the right people in the right places and this was part of the “good ole boy” networks working its magic rather than following State statute and staff’s recommendations.

Reavis stated he appreciates what staff is trying to do, but when we have a board representing the City that takes a majority vote against what staff is telling them, that is an issue. Reavis stated that without staff’s memo he would have a hard time telling if they met the criteria for a variance. Childers stated this was pretty cut and dry and that there are State statutes that directly point to property lines and when variances are to be used. Reavis asked why it was allowed to go to the Board of Zoning Appeals. Parker stated that under state law there has to be a level of redress for a property owner that is affected by a local regulation.

Leffler: Leffler stated he was glad Reavis brought that up because he too was concerned about it. Leffler agreed with the Mayor that this was part of the “good ole boy” system and could cause a problem down the road. Sims stated he warned the Board of Zoning Appeals about setting a precedence and encouraged them to look at this as if it were in the northeast part of town and what position they would take on that. Sims stated that when staff met with the property owners to begin with the clear cut answer to them was no because Section 1203.3.2 of the zoning regulations does not allow the placement of accessory structures on the property line. Sims stated that the only recourse of action for the property owners to appeal was the Board of Zoning Appeals.

Rawlings: Rawlings asked if we have we spoken to the people at Casey’s to let them know that they may be adversely affected when the South Ohio project starts. Goering stated that MKEC contacted them and our easement professionals are discussing the project with them.

Londagin: Londagin stated there are several dips on Lakepoint Drive that are getting worse and worse. Goering stated she would look at it.

Adjourn: At 10:09 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
MARCH 21, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on March 21, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Sarah Hoefgen, Keith Cross, Kathy Cross, Bill Morris, Connie Thurman, Dana Rogers, Michael Timberlake, Tony Madrigal, Mark Detter, Mike Thompson, Jehramy Heckman, Eric Grooms, Mark McCollom, Kelly Modlin, and Randy Johnson.

Pledge of Allegiance

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

Minutes: Londagin made a motion to approve the minutes from the March 7, 2016 Council meeting. Lowery seconded the motion. Motion carried without opposition.

Ordinance 3: Rawlings made a motion to approve Ordinance 3 in the amount of \$493,950.11. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Dana Rogers, Operations Director of Downtown Augusta, Inc., was present to present a request that the lake road be closed for the annual April Fools 5K and 1 Mile Family Fun Run to be held on April 2, 2016. Londagin made a motion to approve the closure of the lake road for the annual April Fools 5K and 1 Mile Family Fun Run to be held on April 2, 2016. Reavis seconded the motion. Motion carried without opposition.

Londagin made a motion to approve a CTB Grant in the amount of \$500 for Downtown Augusta, Inc.'s annual April Fool's 5K and 1 Mile Family Fun Run to be held on April 2, 2016. Rawlings seconded the motion. Motion carried without opposition.

Dana Rogers, Operations Director of Downtown Augusta, Inc., was present to provide an update to the Council on the plans for the 2016 Adopt-A-Pot Program and request that the City Council partner with DAI and the Chamber of Commerce on awarding prize money for the top three pots. Rawlings made a motion to approve the City partnering with DAI and the Chamber of Commerce on awarding prize money for the top three pots in the amount of \$600 total. Belt seconded the motion. Motion carried with Reavis voting in opposition.

Jehramy Heckman, representing Duck's Flying Discs, was present to request permission to host a Disc Golf Mini Glow Tournament at Garvin Park on March 26, 2016. Magruder made a motion to approve the request to host a Disc Golf Mini Glow Tournament at Garvin Park on March 26, 2016. Lowery seconded the motion. Motion carried without opposition.

Michael Timberlake, representing Augusta Little League Baseball, was present to request use of Garvin Park from April 1, 2016 to July 12, 2016 with electricity and restrooms. Rawlings made a motion to approve the request from Augusta Little League Baseball to use Garvin Park from April 1, 2016 to July 12, 2016. Lowery seconded the motion. Motion carried without opposition.

Business:

Augusta-Andover Partnership for Utility Extensions to Service the Augusta Municipal Airport and Epic Sports Development: Mark Detter and Mike Thompson, representing the City of Andover, KS were present to formally announce their EPIC SPORTS development and request that our two communities take steps to formalize our partnership to extend sewer and natural gas utilities to the area around the Augusta Municipal Airport. Londagin made a motion to direct staff to proceed with working with Andover to draft documents formalizing the partnership and proposed cost-sharing arrangement. Leffler seconded the motion. Motion carried without opposition.

2016 Insurance Renewal: Reavis made a motion to accept the bid proposal from Madrigal & Welch for the renewal of the City's 2016 Insurance Policy in the amount of \$380,213. Lowery seconded the motion. Motion carried without opposition.

Augusta Progress Inc. Request to Utilize Funds from the Economic Development Fund for City Main Utility Extensions to the APPCON Development: Crum made a motion to approve the request from Augusta Progress Inc. for use of funds from Economic Development Fund 27 to pay for 50% of water and wastewater utility extension costs for public infrastructure up to \$40,000 for the APPCON Development on HWY 54/400, which includes the Scooter's Coffee Shop. Leffler seconded the motion. Motion carried without opposition.

Update on KDOT Discussions Regarding Depot Change Order Requests for Mold Remediation, Joist Repairs, and Wall for Second Office: Council reviewed and discussed KDOT feedback regarding depot change order requests for mold remediation, joist repairs, and adding a new wall for a second office in the Historic Frisco Depot. Lowery made a motion to approve the proposed change order amounts and authorize staff to prepare the appropriate documentation to submit to KDOT. Londagin seconded the motion. Motion carried without opposition.

Magruder made a motion to approve adding a new wall for a second office in the Historic Frisco Depot with the cost of the wall to be split 50/50 between the City of Augusta and Downtown Augusta, Inc. Rawlings seconded the motion. Motion carried with Reavis voting in opposition.

Administrative Services Agreement with Ranson Financial for KDHE Wastewater Revolving Loan; Grant Writing Proposal From Ranson Financial for Department of Commerce Community Development Block Grant (CDBG): Londagin made a motion to approve an administrative services agreement in the not-to-exceed amount of \$10,000.00 with Ranson Financial for services related to the KDHE revolving loan application to the Department of Commerce for sanitary sewer rehabilitation in Basins A, B, C, and D. Leffler seconded the motion. Motion carried without opposition.

Rawlings made a motion to approve a grant writing proposal in the not-to-exceed amount of \$14,500 with Ranson Financial for services related to surveying and grant writing for a CDBG grant through the Kansas Department of Commerce. Reavis seconded the motion. Motion carried without opposition.

Neighborhood Revitalization Plan Public Hearing, Ordinance, and Resolution Authorizing Interlocal Agreements: The Mayor opened the public hearing. Eric Grooms, 2500 Lakepoint Court, spoke in favor of the NRP and encouraged the council to go back to the 2011 and 2013 plans that encompassed all of the city and new construction. Grooms stated we need to take advantage of the NRP to attract new construction in Augusta like El Dorado has.

Mark McCollom, 518 State, spoke in favor of the NRP. McCollum stated El Dorado has a five year program for new builds.

Randy Johnson, 401 W Augusta, listed the projects he has worked on and their prior appraisal versus what they are now after he has remodeled the properties. He stated it is a very good program and would like to see it city-wide and include new construction.

Kelly Modlin addressed the governing body and stated he agrees with what everyone else said and stated he would support a five year program. The Mayor closed the public hearing.

Londagin made a motion to direct staff to redraft the NRP to reflect a city-wide program that mirrors that of El Dorado's program. Rawlings seconded the motion. Motion carried with Magruder, Leffler and Reavis voting in opposition.

At 9:27 p.m. Belt made a motion to recess for 10 minutes. Leffler seconded the motion. Motion carried without opposition.

The meeting reconvened at 9:37 p.m.

Bid Award for the Resurfacing of US-54 (7<sup>th</sup> Street) from West City Limits to 280 Feet West of Walnut-KLINK: Lowery made a motion to approve the bid award to Cornejo and Sons, LLC in the amount of \$432,864.00 for the resurfacing of US-54 (7<sup>th</sup> Street) from west city limits to 280 feet west of Walnut-KLINK. Rawlings seconded the motion. Motion carried without opposition.

Accept Electric Utility Easements in Support of Infrastructure Enhancements: Rawlings made a motion to accept electric utility easements for 452 East Broadway, 454 East Broadway, 456 East Broadway, and 466 East Broadway needed to support infrastructure enhancements. Lowery seconded the motion. Motion carried without opposition.

Fee Schedule Resolution 2016-12: Rawlings made a motion to approve Fee Schedule Resolution No. 2016-12 updating numerous fees for the City of Augusta. Londagin seconded the motion. Motion carried without opposition.

Resolution 2016-13 Opening Augusta City Lake and Santa Fe Lake to Catch-and-Release Fishing: Magruder made a motion to approve Resolution 2016-13 to rescind Resolution 2012-08 and allow fishing at Augusta City Lake and Santa Fe Lake on a catch-and-release basis beginning on April 1, 2016. Belt seconded the motion. Motion carried without opposition.

Kansas Municipal Energy Agency (KMEA) Director Reappointments: Belt made a motion to reappoint Councilman Mike Rawlings to serve as Director #2 and City Manager Josh Shaw to serve as Alternate representing the City on the Kansas Municipal Energy Agency (KMEA) Board of Directors. Londagin seconded the motion. Motion carried without opposition.

Matters From/For Council:

Council reviewed the Sales Tax Informational Flyer Draft pursuant to direction provided by Council at the March 7, 2016 meeting and indicated it was good to post for the public.

Informational Memorandum:

Reavis: Reavis stated we are within a year of our next election cycle and asked if we are working towards changing our ordinances as a result of the new legislation. Shaw stated there will be a charter

ordinance change, but that he was waiting to see if there are any additional changes passed by the legislature.

Belt: Belt stated he was notified by the wife of a city employee that had to contact the City's HR Manager about some issues with her health insurance and stated the new HR lady was a great help.

Magruder: Magruder stated the new signs for lake need to match the resolution passed tonight. Magruder stated that there will be a Good Friday prayer breakfast at The Point at 6:45 a.m. this Friday. He stated the cost is \$7 and \$2 of each ticket sold will go to the Augusta Community Caring Center.

Londagin: Londagin thanked Shaw and staff for making it easy to find the minutes and agendas online.

Adjourn: At 9:56 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
APRIL 4, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on April 4, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Council member Jason Lowery was absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Mike Timberlake, Andy Hall, Kelly Modlin, Connie Thurman, Suzi Thien, Randy Johnson, Robert Chandler, and Eric Grooms.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the March 21, 2016 Council meeting. Belt seconded the motion. Motion carried without opposition.

Ordinance 3A: Crum made a motion to approve Ordinance 3A in the amount of \$1,124,778.55. Belt seconded the motion. Motion carried without opposition.

Proclamations:

The Mayor issued a proclamation recognizing April 5, 2016 as National Service Recognition Day.

Visitors:

Mike Timberlake, President of Augusta Little League Baseball, and Andy Hall were present to request field usage at Garvin Park for three (3) baseball tournaments this summer. Crum made a motion to approve Augusta Little League Baseball's request to use the fields at Garvin Park for three baseball tournaments this summer. Reavis seconded the motion. Motion carried without opposition.

Suzi Thien, Executive Director of Sunlight Children's Advocacy and Rights Foundation (SCARF), was present to provide an update on SCARF's activities in Augusta and Butler County.

Presentations:

The Mayor and City Manager recognized City Clerk/Director of Finance, Erica Jones, for being awarded the designation of Certified Municipal Clerk from the International Institute of Municipal Clerks.

Business:

Discussion Regarding 2016 Neighborhood Revitalization Program (NRP) Scheduled to Expire in May 2016; Consider Approval of Resolution Scheduling a Public Hearing to Discuss the NRP: Council reviewed and discussed modifications to the City of Augusta Neighborhood Revitalization Program scheduled to expire in May 2016.

Londagin made a motion to approve Resolution 2016-14 scheduling a public hearing on May 2, 2016 to discuss proposed changes to the City of Augusta Neighborhood Revitalization Program scheduled to expire on May 4, 2016. Reavis seconded the motion. Motion carried with Leffler voting in opposition.

Regulating Parking of Vehicles Upon Private Property: Magruder made a motion to appoint an ad hoc committee consisting of council members Crum, Belt, and Londagin and staff to review this Ordinance and make recommendations to the Governing Body. Rawlings seconded the motion. Motion carried without opposition.

Vacating and Canceling the Plat and Platting of the Greens at Willowbrook Addition: Reavis made a motion to approve Ordinance 2092 vacating the final plat for the Greens at Willowbrook Addition to the City of Augusta. Leffler seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried without opposition.

Accept Electric Utility Easements in Support of Infrastructure Enhancements: Rawlings made a motion to accept an electric utility easement at 426 East Broadway needed to support infrastructure enhancements. Magruder seconded the motion. Motion carried without opposition.

Mayoral Appointment: Leffler made a motion to approve the re-appointment of Connie Thurman to the Augusta Planning Commission. Rawlings seconded the motion. Motion carried without opposition.

Augusta Housing Authority Board Appointment: Magruder made a motion to approve the Housing Authority Board of Commissioner's recommendation to appoint John McCrary as a commissioner to replace Martin Yeager for a two year term ending April 2018. Rawlings seconded the motion. Motion carried without opposition.

#### Matters From/For Council:

Council reviewed and discussed the background and purpose of the Insurance Committee and provided direction to staff on how to utilize the committee going forward. Reavis made a motion to do away with the insurance committee. Magruder seconded the motion. Motion carried without opposition.

Shaw stated the Park Board is appointed based on nominations by the Council. He stated if the Council has individual people they would like to nominate, to have them fill out the board/committee application on the City's website and submit it to the City Manager's office. He stated that staff will submit the applications to the council for their consideration at the April 18<sup>th</sup> meeting. Shaw stated that two new members are needed and that the terms of the two governing body members serving on this board are up and two will need to be appointed.

Shaw stated the City has received a lot of questions about the catch and release program and the fishing licenses. He stated anyone age 65 or older and under the age of 16 is not required to have a permit. Shaw stated there have also been questions about allowing bow fishing at the city lake. He stated that was a discussion during the park board meeting as a special event, but it has not been approved by the governing body and is not legal at this time. Shaw stated the fishing is catch and release for the sport fish we stocked; which is bass, walleye and channel cat. He stated that the State's marine biologist said it is good to remove the crappie so they don't over proliferate the lake. Shaw stated you have to have a state license in addition to the city license to fish for anyone age 16-74.

#### Informational Memorandum:

Leffler: Leffler stated he lives along the lake and it is fantastic to see people out there fishing and boating. He reminded everyone to treat people with respect, drive slower and not to exceed the 25 mph speed limit. He asked that people pick up their trash. Childers stated he spoke to Chief Brewer

and he said that the Public Safety Department will step up their monitoring of speeding and littering around the lake.

Belt: Belt stated that the Twisted Oz Motorcycle Museum is now open to the public.

Childers: Childers reminded everyone of the Rainbows Glow Run on Saturday, April 16<sup>th</sup>.

Crum: Crum asked what needs to be done to do to add a fall city-wide garage sale. Jones stated the city-wide garage sale is usually organized through the Augusta Chamber of Commerce and Downtown Augusta Inc. Shaw stated that staff would forward the request to them.

Rawlings: Rawlings stated that the School District spent some money putting up new sun shades at the softball fields. He stated there were probably 1,500 people out there last weekend.

Londagin: Londagin stated he was approached by one to two traveling baseball teams that said they were being run off the baseball fields at Garvin Park by other teams saying they were contracted with the City for exclusive use of the fields. He asked if there a way to coordinate scheduling their practices with the Park Department. Shaw stated at the last council meeting the council directed staff to draft a usage agreement with ALLB and address the issue of the traveling teams within that agreement. Childers stated that Londagin is confirming the need of a Recreation Commission.

#### Executive Session:

At 8:49 p.m. Magruder made a motion to go into executive session for 5 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Magruder asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 8:54 p.m. Londagin seconded the motion. Motion carried without opposition.

At 8:54 p.m. Magruder made a motion to exit executive session with no action being taken. Londagin seconded the motion. Motion carried without opposition.

Adjourn: At 8:55 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk



CITY COUNCIL  
APRIL 18, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on April 18, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jason Lowery, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings and Ron Reavis. Council member Justin Londagin was absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Director of Electric Utility Bill Webster, Electric Production Superintendent Jim Sutton, and City Clerk Erica Jones. Visitors present were: Belinda Larsen, Sarah Hoefgen, Mike Timberlake, Brian Prentice, Connie Thurman, Public Safety Officer Mat Meckel, Mark Chesney and Kevin Cowan.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Magruder made a motion to approve the minutes from the April 4, 2016 Council meeting. Reavis seconded the motion. Motion carried without opposition.

Ordinance 4: Leffler made a motion to approve Ordinance 4 in the amount of \$316,324.33. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Connie Thurman, representing Downtown Augusta, Inc., was present to request permission to host a sidewalk chalk art contest in Downtown Augusta on May 7, 2016. Magruder made a motion to approve Downtown Augusta, Inc.'s request to host a sidewalk chalk art contest in Downtown Augusta on May 7, 2016. Rawlings seconded the motion. Motion carried without opposition.

Business:

Resolution 2016-15 Authorizing Redemption and Payment of Bonds for Lakepoint Nursing Center and Assisted Living Facility and the Sale and Conveyance of Property: Reavis made a motion to approve Resolution 2016-15 authorizing the redemption and payment of City of Augusta Taxable Industrial Refunding and Improvement Revenue Bonds, Series A, 2005 and Taxable Industrial Revenue Bonds, Series 2005 and the sale and conveyance of certain property to Augusta Health Care, L.L.C. Leffler seconded the motion. Motion carried without opposition.

Resolution 2016-16 Authorizing Termination of the Hydro Power Pooling Agreement Contract with KMEA; Resolution 2016-17 Authorizing Execution of a Power Sales Contract with the United States of America Southwestern Power Administration: Magruder made a motion to approve Resolution 2016-16 authorizing the execution of a termination agreement relating to the Hydro Power Pooling Contract dated January 1994 between the City of Augusta, Kansas and the Kansas Municipal Energy Agency. Leffler seconded the motion. Motion carried with Reavis voting in opposition.

Magruder made a motion to approve Resolution 2016-17 authorizing execution of a power sales contract with the United States Department of Energy Southwestern Power Administration. Lowery seconded the motion. Motion carried with Reavis voting in opposition.

Magruder made a motion to authorize staff to execute the letter designating Kansas Power Pool as our scheduling agent. Lowery seconded the motion. Motion carried with Reavis voting in opposition.

Update on Condemnation Process for Real Property Located at 347 East Main: Council reviewed the progress and provided staff with direction on how to proceed with the condemnation process for real property located at 347 East Main Street. Brian Prentice addressed the governing body and provided photos of the progress made on the cleanup. Prentice stated he could realistically complete the repairs in 6-12 months. The Mayor asked Officer Meckel if there were any concerns about the use or production of meth in the structure and future implications. Meckel stated the structure has been aired out and he didn't really have any concerns with regard to that. He stated that the drug activity at the property has appeared to stop. Mayor asked Prentice and staff to provide an update on what he has accomplished by the May 16<sup>th</sup> council meeting. Prentice stated he could do that. The consensus of governing body is for staff and Prentice to continue to provide monthly updates on his progress.

Bid Award for Demolition of Condemned Real Property Located at 636 North Santa Fe Street: Rawlings made a motion to approve the low bid received from Alan's Excavating in the amount of \$5,200 to demolish the structure located at 636 North Santa Fe and make the property safe and secure pursuant to K.S.A. 12-1754. Lowery seconded the motion. Motion carried without opposition.

City of Augusta Field Usage Policy – Garvin Park: Reavis made a motion to approve the City of Augusta Field Usage Policy – Garvin Park between the City of Augusta and Augusta Little League Baseball. Lowery seconded the motion. Motion carried without opposition.

Resolution 2016-18 Setting the Time and Place for a Public Hearing for a Dangerous Structure Located at 606 East 12<sup>th</sup> Avenue: Magruder made a motion to approve Resolution 2016-18 scheduling a public hearing for the condemnation of property located at 606 East 12<sup>th</sup> Avenue for Monday, June 6, 2016 at 7:00 p.m. at Augusta City Hall, pursuant to the provisions of K.S.A. 12-1750 et seq. Lowery seconded the motion. Motion carried without opposition.

Resolution 2016-19 Setting the Time and Place for a Public Hearing for a Dangerous Structure Located at 326 North Walnut Street: Magruder made a motion to approve Resolution 2016-19 scheduling a public hearing for the condemnation of property located at 326 North Walnut Street for Monday, June 6, 2016 at 7:00 p.m. at Augusta City Hall, pursuant to the provisions of K.S.A. 12-1750 et seq. Lowery seconded the motion. Motion carried without opposition.

Ordinance 2093 Changing the Zoning District Classification for Property Located at 120 West Josephine: Rawlings made a motion to approve the Planning Commission's recommendation to approve Ordinance 2093 changing the zoning district classification from C-Commercial to R1-Single Family Residential for property located at 120 West Josephine. Reavis seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea. Motion carried.

Resolution 2016-20 Supporting the City of Augusta's Grant Application for New Trail Construction Sponsored by the Sunflower Foundation: Reavis made a motion to approve Resolution 2016-20 supporting the City of Augusta's submission of a new trail construction grant application for RFP#16-102 for Shryock Park. Lowery seconded the motion. Motion carried without opposition.

Resolution 2016-21 Replacing Resolution 2007-04 and Establishing an Airport Advisory Board for the Augusta Municipal Airport: Reavis made a motion to approve Resolution 2016-21 replacing

Resolution 2007-04 and establishing an Airport Advisory Board for the Augusta Municipal Airport. Belt seconded the motion. Motion carried without opposition.

Governing Body Appointments to Park Advisory Board: Lowery made a motion to appoint governing body members Justin Londagin, and Mike Rawlings to the Park Advisory Board. Belt seconded the motion. Motion carried without opposition.

Crum made a motion to appoint Jerramy Pankratz and Mike Ashenfelter and to the Park Advisory Board. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council:

Reavis made a motion to schedule a work session for Monday, May 9<sup>th</sup> at 7 p.m. to review and discuss plans for the El Dorado waterline project and Walnut River Diversion project. Lowery seconded the motion. Motion carried without opposition.

Mayor Childers announced that the Wichita Business Journal selected Josh Shaw as one of the 40 under 40 class for this year. He stated there will be a gathering on June 15<sup>th</sup> to celebrate the 40 under 40 and that tables seating 10-11 people may be purchased. Childers asked that there be an item on the May 2<sup>nd</sup> agenda to see who would like to attend keeping in mind the number of governing body in attendance will need to be limited to avoid an open meeting violation.

Shaw stated it was previously contemplated to put the City's engineering services out to bid every three or four years. He stated that MKEC has provided the City's engineering services since 2012. Shaw stated this is a requirement if you obtain for certain Federal Grants. He stated we previously conducted interviews based on the RFQ's received and that a council member sat in on the interviews. Rawlings and Leffler both volunteered to sit on the interviews.

Informational Memorandum:

Reavis: Reavis inquired about a house in the 1700 block of Cron that was heavily damaged by a fire. Sims stated he is aware of it and the property owner has selected a contractor but there have been some issues. He stated he is continuing to watch it and if there is no progress it will come before council.

Leffler: Leffler reminded everyone to complete and mail the sales tax election ballot to the election office by noon on April 26<sup>th</sup>. Leffler stated he has been receiving complaints about people driving too fast around the lake and parking in the grass off the road leaving ruts. He asked that people respect the property.

Childers: Childers wished Belinda Larsen and Ron Reavis a Happy Birthday.

Rawlings: Rawlings stated the house at 1415 State has been vacated and the doors are off. Sims said he would look in to it.

Adjourn: At 9:14 p.m. Rawlings made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
MAY 2, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on May 2, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jason Lowery, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Lisa Daniels, Michele Spainhower, Connie Thurman, Clint Headley, Randy Johnson, Eric Grooms, Kevin Unrein, Dalton Patterson, Cody Bird, Kristy Long, Ted Long, Kathy Metsker, Tammy Raynard, Charley Metsker, Dale Metsker, Natasha Hayden, Matt Bird, Chuck Bird, Kelley Bird, Amanda Garcia, Charlie Garcia, Rick Neubaugher, Rita Ramsey, Robert Ramsey, Emily Ramsey, and Macee Pierce.

Pledge of Allegiance

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

Minutes: Crum made a motion to approve the minutes from the April 18, 2016 Council meeting. Reavis seconded the motion. Motion carried without opposition.

Ordinance 4A: Lowery made a motion to approve Ordinance 4A in the amount of \$962,505.58. Belt seconded the motion. Motion carried without opposition.

Proclamation: Mayor Childers read a proclamation designating May 21, 2016 as National Kids to the Parks Day.

Visitors:

Michelle Spainhower, representing the Augusta Art's Council., was present to request permission to hold their event entitled "*It Happened One Night*" in the 500 block of State Street starting at 4 p.m. on June 11, 2016 with a cookout followed by a movie at 6 p.m. Reavis made a motion to approve the Augusta Art's Council to hold their event entitled "*It Happened One Night*" in the 500 block of State Street starting at 4 p.m. on June 11, 2016 with a cookout followed by a movie at 6 p.m. Lowery seconded the motion. Motion carried without opposition.

Lowery made a motion to approve a CTB grant for this event in the amount of \$800. Rawlings seconded the motion. Motion carried without opposition.

Lisa Daniels, representing the Augusta Public Library and Connie Thurman, representing Augusta Arts Council, were present to request use of the stage area at Garvin Park for the third annual performance of Ballet in the Park on June 11, 2016. Crum made a motion to approve the request to use the stage area at Garvin Park for the third annual performance of Ballet in the Park on June 11, 2016. Lowery seconded the motion. Motion carried without opposition.

Kathy Metsker, 10244 SW Hopkins Switch Rd, addressed the governing body. Metsker requested a waiver for a terrazzo for Virginia Bird for a pre-purchased terrazzo. She stated the cemetery spaces were purchased in 1957 when her sister passed away and her parents had planned to have a terrazzo placed next to hers. Metsker stated her father's terrazzo was placed after he passed and her mother just passed away in 2016. She stated that the Council allowed one to be placed in February of 2016 and has set precedence. Metsker stated that adding the third terrazzo between

the other two would actually reduce the maintenance. Crum made a motion to approve the placement of a terrazzo for the Virginia Bird. Lowery seconded the motion. Motion carried with Magruder and Leffler voting in opposition.

**Business:**

**Field Usage Policy for Moyle Field:** Reavis made a motion to approve the field usage policy between the City of Augusta and Legacy Sports, LLC for Moyle Field. Lowery seconded the motion. Motion carried without opposition.

**Forced Mowing Agreement with Superior Landscaping:** Leffler made a motion to approve the lawn mowing services agreement between the City of Augusta and Superior Landscape Management, Inc. Rawlings seconded the motion. Motion carried without opposition.

**Neighborhood Revitalization Plan Public Hearing, Ordinance, and Resolution Authorizing Interlocal Agreements:** The Mayor opened the public hearing. The Mayor closed the public hearing after no one came forward to comment.

Londagin made a motion to approve Ordinance 2094 adopting the newest version of the NRP and designating the area within the corporate limits of the City of Augusta as denoted on the revised NRP map as the Neighborhood Revitalization Area. Lowery seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Londagin made a motion to approve Resolution 2016-22 authorizing the Mayor to execute interlocal agreements with Butler County, Butler Community College, and USD 402. Lowery seconded the motion. Motion carried with Magruder voting in opposition.

**Mayoral Appointments:** Magruder made a motion to approve the Mayor's reappointment of Jerry Gentzler and Jill Bostwick to the Library Board; appointment of Tom Leffler and reappointment of Troy Waltemath to the Airport Advisory Board; and the appointment of Ron Reavis to the CIP Committee. Lowery seconded the motion. Motion carried without opposition.

**Matters From/For Council:**

Reminder of the work session scheduled for Monday, May 9<sup>th</sup> at 7 p.m. to review and discuss plans for the El Dorado waterline project and Walnut River Diversion project.

Council discussed the Governing Body Retreat to review goals and strategies and budget planning for the upcoming year. Rawlings made a motion to schedule a budget retreat for Tuesday, May 24<sup>th</sup> at 6 p.m. Magruder seconded the motion. Motion carried without opposition.

Council discussed Governing Body member attendance at June 15<sup>th</sup> celebration of Wichita Business Journal 40 under 40 Class of 2016. Lowery, Childers, Leffler, and Londagin stated they will be able to attend.

**Reavis:** Reavis inquired about section 5 on the interlocal agreement about the parties not intending to acquire any real or personal property under the agreement. He asked if that means you cannot purchase any property during this agreement, for example the Public Works Building. Shaw stated it doesn't have anything to do with that type of transaction. Reavis asked how the City can find out for sure that we can legally do a city-wide program and who has the final authority to determine that. Parker stated that the governing body could authorize the filing of a Declaratory Action through Butler County District Court to determine compliance with applicable State law.

Reavis made a motion to authorize the city attorney to draft a Declaratory Action in the Butler County District Court. Leffler seconded the motion. Motion failed with only Reavis voting in favor.

Magruder: Magruder asked when staff planned for the Council to discuss the capital improvement projects as part of the sales tax election. Shaw stated the strategic planning session would be a good opportunity.

Rawlings: Rawlings stated he was reading the public works report about TV's and appliances left on the side of the road and asked how those items were closed. Sims stated the code enforcement officer would have notified the property owner to abate the situation.

Informational Memorandum:

None

Adjourn: At 8:22 p.m. Londagin made a motion to adjourn. Belt seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
WORK SESSION  
MAY 9, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met for a work session on May 9, 2016 at 7 p.m., to review and discuss progress on the El Dorado Waterline and Walnut River Diversion Projects.

The meeting adjourned at 8:10 p.m.

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City Clerk

CITY COUNCIL  
MAY 16, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on May 16, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jason Lowery, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Fire Major Ray Marbut, Connie Thurman, Sarah Hoefgen, John Cox, Wyanna Casper, Dan Casper, Morris Short, Charles Beye, Leslie Clayton, Paul Oliver, Duncan Macormac, Walt Clayton, Dallas Love, Karla Weber, Herb Duncan, Elmer Simon, Don Durflinger, Jim Hall, James Noeller, Michael Holland, Charlie Cravens, June Winger, Evelyn Metcalf, Ellen Noeller, Bob Dool, Rosie Dool, Pastor Rick Neubauer, Harold Woolery, Tony Madrigal, Jo Ann Duncan, Rick Ekum, Mary Walker, Dennis Scuffhan, Rita Ramsey, Robert Ramsey, Emily Ramsey, Robert Pressnell, June Pressnell, Connie Mead, Erik Birk, Donella O’Gorman, David Higgs, Jonathan McDonald, and Kim Braungardt.

Pledge of Allegiance

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

Minutes: Londagin made a motion to approve the minutes from the May 2, 2016 Council meeting. Lowery seconded the motion. Motion carried without opposition.

Ordinance 5: Rawlings made a motion to approve Ordinance 5 in the amount of \$669,988.31. Belt seconded the motion. Motion carried without opposition.

Visitors:

Tony Madrigal, representing Madrigal & Welch, presented the annual dividend check from EMC Insurance in the amount of \$40,957.75.

Jaime Simpson, representing the Augusta Public Library, presented information on the Library’s Summer Reading Program. Simpson requested a proclamation for the winner of the reading program and 200 passes to the swimming pool. Londagin made a motion to approve providing 200 day passes to the swimming pool to the Augusta Public Library for their summer reading program. Magruder seconded the motion. Motion carried without opposition.

Connie Thurman, representing Downtown Augusta, Inc., presented a request that State Street be closed from 3<sup>rd</sup> to 7<sup>th</sup> Avenues for the annual Brick Street Festival to be held June 17<sup>th</sup> and 18<sup>th</sup>, 2016. Lowery made a motion to approve the closure of State Street from 3<sup>rd</sup> to 7<sup>th</sup> Avenues for the annual Brick Street Festival to be held June 17<sup>th</sup> and 18<sup>th</sup>, 2016. Londagin seconded the motion. Motion carried without opposition.

Presentation:

Major Ray Marbut the Department of Public Safety provided the City Council with a flood-response briefing.

Business:

Ad Hoc Committee for Review of Cemetery Regulations: John Cox, VFW Post 6746, addressed the governing body about his concern of the removal of prohibited items and decorations. He



believes the “not limited to...” and “etc.” could refer to the veteran decorations. Cox asked the governing body to put something in writing in ordinance that the flag holders will remain in place for future generations.

Jim Hall, Commander of the VFW Post, addressed the governing body about his concern with the word “etc.” and would like that word to be removed from the ordinance. He said the mowers are racing up and down the graves and are too lazy to weed eat the graves.

Wyanna Casper addressed the governing body and said El Dorado has a nice cemetery and they allow decorations. Casper asked when the ordinance will be enforced and the decorations will be removed. Shaw stated that depends on the direction the Council gives staff.

Crum thanked the veterans for being here and for their service and sacrifice. She stated that city staff met with several veterans last week and that she met with veterans on Friday. She stated it was never the Council’s intent to remove the veteran markers.

Londagin stated this was brought up at a work session in January and that his first question was regarding the veteran grave markers. He stated staff answered at that time that those would not be touched.

Magruder encouraged city staff and said that the comments about them being lazy are uncalled for and that they are hard workers and appreciated. He asked that the governing body members to keep the original intent of the ordinance in mind.

June Pressnell addressed the governing body regarding the peonies that have been planted on her family member’s graves prior to the 1974 ordinance and on her father-in-law’s grave after the ordinance. Pressnell reminded the Council that they are governed by the people who elected you and if you cannot listen to the people that they will find new people to represent them.

Rita Ramsey addressed the governing body. She stated she lives across from the cemetery and told Magruder if he wants to judge how they do their job to sit at her house and watch them. Ramsey stated that they maintain those graves themselves and that the Council will not be taking the flowers off her family’s graves.

Lowery made a motion to approve the creation of an ad hoc committee to review cemetery regulations and to appoint Tim Follis, Karen Berry, Vicki Simmons, Clint Headley, Carla Weber, Tom Leffler and Paul Belt to the committee. Londagin seconded the motion. Motion carried without opposition.

Londagin made a motion to suspend the enforcement of the letter until the ad hoc committee reports back to the governing body on July 6<sup>th</sup>. Magruder seconded the motion. Motion carried without opposition

At 7:51 p.m. Londagin made a motion for a 5 minute recess. Belt seconded the motion. Motion carries without opposition.

Approval of Park Advisory Board’s Recommendation for Splash Pad for Shryock Park: Karen Berry addressed the governing body inquiring if there would be an age limit for use of the splash pad. Childers stated there would be no age limit.

Magruder made a motion to approve the preliminary concept for the splash pad/rain garden for Shryock Park as recommended by the Park Advisory Board and authorize staff to initiate work with landscape architects/engineers to formally design the landscape improvements. Leffler seconded the motion. Motion carried without opposition.

Londagin made a motion to authorize the use of previously allocated capital improvement funds for the Splash Pad project in anticipation of the issuance of bond proceeds pursuant to K.S.A. 10-1116. Belt seconded the motion. Motion carried without opposition.

Londagin made a motion to approve the medieval-themed splash pad as voted on by the public and authorize staff to execute agreements to order the fixtures and initiate the construction process with Athco. Magruder seconded the motion. Motion carried without opposition.

Update on Reconstruction of Real Property Located at 347 East Main: Brian Prentice was present to provide a progress report on the reconstruction of property located at 347 East Main previously condemned by the City Council. Magruder asked what the options were to not require Prentice to come before the council monthly or if the condemnation process can be terminated. Parker stated the Council could require less frequency of reporting or could terminate the condemnation procedure. Magruder asked if they can require progress reports every 60 days instead of every 30. Parker stated that they could.

Magruder made a motion to suspend the condemnation process for the property located at 347 East Main. Lowery seconded the motion. Reavis, Belt, Rawlings, and Leffler voted in opposition of the motion and Londagin, Crum, Lowery, and Magruder in favor of the motion. Motion carried with Childers breaking the tie by voting in favor of suspending the condemnation process.

Sale of Surplus Equipment from Solid Waste Division: Leffler made a motion to the direct sale of surplus trash trucks from the solid waste division to New Way in the amount of \$45,000. Lowery seconded the motion. Motion carried without opposition.

Fireworks Production Contract with Rainbows Fireworks: Magruder made a motion to approve a fireworks production contract in the amount of \$7,500 with Rainbows Fireworks for the annual 4<sup>th</sup> of July fireworks show at Augusta City Lake on July 3<sup>rd</sup> with July 2<sup>nd</sup> as a second choice and July 4<sup>th</sup> as the third choice. Lowery seconded the motion. Motion carried without opposition.

Fee Schedule Resolution No. 2016-23 Correcting Fees for Building Permits: Lowery made a motion to approve Resolution 2016-23 to correct incremental valuation fees for building permits. Rawlings seconded the motion. Motion carried without opposition.

Mayoral Appointment: Magruder made a motion to approve the Mayor's reappointment of Rex Cagle to the Augusta Housing Authority Board. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reminder of the strategic retreat scheduled for Monday, May 24, 2016 at 6 p.m. at City Hall.

Reavis: Reavis stated there was an ad hoc committee formed to discuss parking cars in the grass and asked if that committee has met. Shaw stated they have met and are still working on recommendations. Reavis stated he received an email about a burial fee. Childers explained that the Council was contacted by Ms. Zeinert who resides in Colorado. Her father Mr. Boyer has been cremated and wished to be buried in Elmwood Cemetery. When Ms. Zeinert inquired about

the burial in December she was told the cost would be \$200, but the fee was increased in March to \$350. Childers stated that she has requested that the Council reduce the fee for her to the \$200. Rawlings made a motion to set the cremation burial fee at \$200 for Kay Zeinert. Belt seconded the motion. Motion carried without opposition.

Londagin: Londagin reminded the citizens that when mowing their grass not to leave the grass and clippings in the street as it will damage to our drainage and wastewater system.

At 8:55 p.m. Magruder made a motion to recess for 5 minutes. Belt seconded the motion. Motion carried without opposition.

Executive Session:

At 9:01 p.m. Lowery made a motion to go into executive session for 20 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:21 p.m. Leffler seconded the motion. Motion carried without opposition.

Lowery made a motion to exit executive session with no action being taken. Londagin seconded the motion. Motion carried without opposition.

At 9:22 p.m. Lowery made a motion to go into executive session for 15 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:37 p.m. Magruder seconded the motion. Motion carried without opposition.

Lowery made a motion to exit executive session with no action being taken. Magruder seconded the motion. Motion carried without opposition.

Adjourn: At 9:38 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
JUNE 6, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on June 6, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jason Lowery, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Connie Thurman, Rex Cagle, Kathy Cagle, Tammy Davis, Sarah Hoefgen, Ramona Waymire, Dana Hubbart, Guy McGrew, Connie Thurman, Zachary Blue, Patti French, and Kim Braungardt.

Pledge of Allegiance

Prayer: Councilman Magruder gave the invocation.

Minutes: Reavis made a motion to approve the minutes from the May 9, 2016 City Council work session and May 16, 2016 Council meeting. Leffler seconded the motion. Motion carried without opposition.

Ordinance 5A and 6: Rawlings made a motion to approve Ordinance 5A in the amount of \$741,922.07 and Ordinance 6 in the amount of \$222,258.79. Lowery seconded the motion. Motion carried without opposition.

Recognition:

Kathy Cagle, Treasurer and Assistant City Clerk, who will be retiring on June 11, 2016 was recognized for her 22 years of service with the City of Augusta, Kansas.

Visitors:

Patricia French, representing Relay For Life, was present to request State Street to be closed from 3<sup>rd</sup> to 4<sup>th</sup> Avenue and east to Walnut Street for the annual Relay For Life to be held June 17, 2016. Rawlings made a motion to approve the closure of State Street from 3<sup>rd</sup> to 4<sup>th</sup> Avenue and east to Walnut Street for the annual Relay For Life event on June 17, 2016. Lowery seconded the motion. Motion carried without opposition.

Business:

Development Agreement with AppCon Properties, LLC. for Financing of Water and Wastewater Infrastructure Improvements: Reavis made a motion to approve a Developers Agreement with AppCon Properties, LLC for financing of water and wastewater main extension costs up to a maximum of \$43,832 utilizing City Economic Development Funds. Magruder seconded the motion. Motion carried with Londagin voting in opposition

Public Hearing for Condemnation of Property Located at 606 E 12<sup>th</sup> Avenue: A public hearing was conducted regarding the condemnation of property located at 606 E 12<sup>th</sup> Avenue pursuant to procedures outlined in K.S.A. 12-1750 et seq. The hearing was closed after no one came forward with comments.

Leffler made a motion to approve Resolution 2016-24 authorizing the condemnation of property located at 606 E 12<sup>th</sup> Avenue pursuant to procedures outlined in K.S.A. 12-1750 et seq. Belt seconded the motion. Motion carried with Rawlings, Lowery, and Reavis voting in opposition.

Public Hearing for Condemnation of Property Located at 326 N Walnut Street: A public hearing was conducted regarding the condemnation of property located at 326 N Walnut Street pursuant to procedures outlined in K.S.A. 12-1750 et seq. Ramona Waymire 305 Edgewood Ct, Dana Hubbard 635 Santa Fe, and Guy McGrew 1156 School addressed the governing body regarding the property located at 326 N Walnut Street. They agree that property needs to be demolished it was owned by their aunt and uncle. They stated they contacted an attorney and that there was no will and several other people with a legal right to the property. Sims stated it would be approximately \$4,000 to \$7,000 to demolish the property and that it will be billed to the property owner. Parker stated if you have someone who dies intestate there are so many variables with regard to who is responsible. He stated once a property is condemned and removed those costs are assessed against the property as a tax and then eventually if they are not paid the property will go up for auction and the proceeds will be used to pay a portion of the costs incurred by the City. Mayor closed the public hearing.

Leffler made a motion to approve Resolution 2016-25 authorizing the condemnation of property located at 326 N Walnut Street pursuant to procedures outlined in K.S.A. 12-1750 et seq. Lowery seconded the motion. Motion carried without opposition.

Final Plat and Change of Zoning District Reclassifications for the Broken Branch Ranch Located at 9150 SW Tawakoni Road: Crum made a motion to approve the Final Plat produced by Goedecke Surveying, LLC for the Broken Branch Ranch located at 9150 SW Tawakoni Road. Reavis seconded the motion. Motion carried without opposition.

Reavis made a motion to approve Ordinance 2095 to change the zoning district classification for Lot 1 of the Broken Branch Ranch from AG-2 to R-6B – Rural Residential. Leffler seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Crum made a motion to approve Ordinance 2096 to change the zoning district classification for Lot 2 of the Broken Branch Ranch from AG-2 to R-6B – Rural Residential. Londagin seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Rawlings made a motion to approve Ordinance 2097 to change the zoning district classification for Lot 3 of the Broken Branch Ranch from AG-2 to R-6B – Rural Residential. Magruder seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Belt made a motion to approve Ordinance 2098 to change the zoning district classification for an unplatted tract of land located at 9150 SW Tawakoni Road from AG-2 to R-6D – Rural Residential. Leffler seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Ordinance 2099 Imposing a Special One Percent (1.0%) City-Wide Sales Tax: Reavis made a motion to approve Ordinance 2099 imposing a special one percent (1.0%) city-wide sales tax pursuant to the special election held on April 26, 2016. Magruder seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Resolution 2016-26 Creating a Policy and Program for Accepting Donations on City Utility Bills for Historical Preservation Organizations: Crum made a motion to approve Resolution 2016-26 creating a policy and program for accepting donations on city utility bills to be remitted to eligible historical preservation organizations. Leffler seconded the motion. Motion carried without opposition.

Resolution 2016-27 Authorizing Filing of Application with the Kansas Department of Health and Environment for a Loan Under the Kansas Water Pollution Control Revolving Fund Act: Leffler made a motion to approve Resolution 2016-27 authorizing the filing of application with the Kansas Department of Health and Environment for a loan under the Kansas Water Pollution Control Revolving Fund Act. Rawlings seconded the motion. Motion carried without opposition.

Schedule a Public Meeting and Public Hearing for the KDHE State Revolving Loan for Wastewater Improvements: Leffler made a motion to schedule a public meeting on June 20, 2016 at 7 p.m. and a public hearing for July 18, 2016 at 7 p.m. as part of the requirements for the Kansas Department of Health and Environment for a loan under the Kansas Water Pollution Control Revolving Fund Act. Londagin seconded the motion. Motion carried without opposition.

Bid Award for Water Division Plant Truck: Reavis made a motion to approve a bid award to Shawnee Mission Ford in the amount of \$24,837 for a 2016 Ford F-150 crew cab truck with the addition of cab steps. Leffler seconded the motion. Motion carried without opposition.

Supplemental Agreement No. 1 for the Historic Depot Project: Magruder made a motion to approve Supplemental Agreement No. 1 with KDOT for the Historic Depot Project. Belt seconded the motion. Motion carried without opposition.

Designation of Surplus Property from Public Works and Community Development Departments: Reavis made a motion to designate the following pieces of equipment and vehicles as surplus property and authorized the property to be disposed of through public auction pursuant to city policy: 1988 Chevrolet S-10 Pickup, 1999 Ford Ranger Pickup, 2004 Ford Crown Vic, 1999 Chevrolet Truck Topper, 16' Car Trailer, 2000 Cat Recycle Trailer, 2003 Compost Turner, 2001 Belle Jump Jack, EDCO Brick Saw, Blue Giant Lift Jack, BG Coolant Flusher, Dayton Electric Shop Wall Heater (2), McClain EPCO Bailer, PW PIQUA Waste Bailer, and Reddy Heater. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Shaw: Shaw stated that the EFA/FECA trended very well in 2015 so there were not a lot of complaints or concerns from citizens, but this year has been trending higher and the month of June is going to see a significant spike. Shaw stated the EFA/FECA is impacted by several market forces, specifically load factor this month. He stated that if you have a day where your peak usage was really high, but low the rest of the month, it will cause an increase. Shaw stated the Kansas Power Pool had a really high peak day in May, so the EFA is about to double for June. He wanted to give notice so people can adjust their usage so it can help keep that cost down and their bills lower. Childers stated he felt a more proactive approach would help people. The council agreed. Jones stated it may be too late to impact those customers receiving a June 15<sup>th</sup> bill as that bill is based on their May usage, but that it could help them adjust their usage for the following month.

Belt: Belt stated he was contacted someone on Harrington about the gravel roads. He said they are not ours but that we have taken care of them on occasion. Shaw stated he would pass on to the Street Division.

Magruder: Magruder inquired about the date of the City Fireworks display. Shaw stated it will be July 3<sup>rd</sup>. Magruder asked for a short update on the ad hoc cemetery committee. Shaw stated the first meeting went well and that second meeting will be on June 8<sup>th</sup>. He stated they are taking the time to see what the problems and challenges are. He stated the next meeting will focus on the ordinance and that they will review it section by section. Shaw stated they are progressing very well and he would anticipate at least one more meeting after the June 8<sup>th</sup> meeting.

Magruder asked if the School Board minutes could be included in the council packet. Shaw stated they could be included.

Magruder inquired about diversion rate on the recycling and asked if it is doing well and it where we would like to see it. Goering stated it is trending lower than what we originally anticipated. She stated that it started higher but has decreased due to too much contamination in our bins that has to go to the dump. Shaw stated we anticipated 25-30% in our original meetings, but there is a contamination factor which means it is being diverted to the dump instead of the recycling center so we don't compromise the entire truck. Goering stated the mixed paper is the biggest issue, such as dog food bags, wrapping paper, plastic grocery bags, etc. She stated that her staff is producing a You Tube video to explain what is and what is not acceptable.

Magruder asked why the South Ohio Project is being delayed until October. Goering stated it is delayed because we are still waiting for a railroad permit from BNSF. She stated we are working with MKEC to obtain the permit.

Magruder stated he will be out of town for the next meeting.

Childers: Childers reminded everyone of the Brick Street Festival scheduled for June 17<sup>th</sup> through the 18<sup>th</sup>. He stated the Relay for Life will be on the 17<sup>th</sup> and Ottaway Amusements will be there both days.

Childers stated he has received copies of an ordinance from Andover and El Dorado regarding backyard chickens and asked if there is any interest in making a change in this ordinance and have staff report back on this in September. He stated he has been contacted by several people over the last year and a half that most other communities allow chickens. There was no consensus from the governing body to bring this back as an agenda item. Leffler made a motion to permanently table any discussion about backyard chickens. Rawlings seconded the motion. Motion carried without opposition.

Londagin: Londagin stated it was previously decided to purchase a laptop for the Mayor's office and at that time Leffler brought up looking at tablets for all the council and going paperless. Sims stated there were 40,108 pieces of paper included in the council packets last year and that we will exceed that number this year. Londagin asked if the council can direct staff to look in to an all electronic packet and purchasing iPads for the council. He stated we could use Google docs for anything added after the packet is sent out. Childers recommended this to be a discussion item for the budget work sessions. Leffler agreed.

Executive Session:

At 8:57 p.m. Lowery made a motion to go into executive session for 15 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that City Manager Josh Shaw, Assistant City

Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:12 p.m. Magruder seconded the motion. Motion carried without opposition.

Lowery made a motion to exit executive session with no action being taken. Rawlings seconded the motion. Motion carried without opposition.

Adjourn: At 9:13 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk



CITY COUNCIL  
JUNE 20, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on June 20, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Jamie Crum, Paul Belt, Tom Leffler, Justin Londagin and Ron Reavis. Council members Cale Magruder and Mike Rawlings were absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Connie Thurman, Lynda McDermott, Michael McDermott, Jeremy Lawson, Megan Moore, Cathy Brock, Bobby Smith, Sarah Hoefgen, Kevin Cowan, Dustin Avey, Rocky Bourget, Kyle Bourget, Bruce Bourget, Connie Bourget, Bob Cummings, Guy Corcoran, and Father Michael Schemm.

Pledge of Allegiance

Prayer: Father Michael Schemm, St. James Catholic Church, gave the invocation.

Minutes: Crum made a motion to approve the minutes from the June 6, 2016 Council meeting. Londagin seconded the motion. Motion carried without opposition.

Ordinance 6A: Leffler made a motion to approve Ordinance 6A in the amount of \$548,111.14. Belt seconded the motion. Motion carried without opposition.

Visitors:

Lynda McDermott was present to request approval for the Children's 4<sup>th</sup> of July Parade to be held downtown July 4, 2016. Crum made a motion to approve the Children's 4<sup>th</sup> of July Parade to be held downtown July 4, 2016 at 10 a.m. Lowery seconded the motion. Motion carried without opposition.

Jeremy Lawson, representing the WFO Guys Car Club, was present to request use of the downtown area for their 22<sup>nd</sup> Annual Car Show on August 6, 2016. Belt made a motion to approve the request from WFO Guys Car Club to close State Street from 7<sup>th</sup> Avenue south to the roundabout on August 6, 2016 for their 22<sup>nd</sup> Annual Car Show downtown. Leffler seconded the motion. Motion carried without opposition.

Megan Moore and Cathy Brock, representing the Pregnancy and Family Resource Center, were present to request use of Shryock Park, Garvin Park, and City Lake Road to hold a 5K family run/walk on Labor Day morning, September 5, 2016. Crum made a motion to approve the request from the Pregnancy and Family Resource Center to use Shryock Park, Garvin Park, and City Lake Road to hold a 5K family run/walk on Labor Day morning, September 5, 2016. Lowery seconded the motion. Motion carried without opposition.

Bobby Smith, representing "Big Ring Hondo", was present to request the use of Garvin Park for an all-day event on September 24, 2016 including a bicycle race that will start and finish in Garvin Park, south of the spillway. Council provided a consensus to direct staff to bring an ordinance back to the governing body for consideration to allow for a beer garden on public property. Crum made a motion to approve the request for use of Garvin Park for the "Big Ring Hondo" all-day event on September 24, 2016. Leffler seconded the motion. Motion carried without opposition.

Guy Corcoran, 430 E 14<sup>th</sup> Avenue Apt B, addressed the governing body concerning the street condition of 14<sup>th</sup> Avenue. He stated it is gravel now, but that it was blacktop at one time. He stated the asphalt being removed from 7<sup>th</sup> Avenue is being used at Santa Fe Lake instead of on streets in town. Corcoran stated there are piles of asphalt at the Butler County Landfill. He stated the dust is killing

him. Childers asked if Corcoran was asking for asphalt regrind added to the street to cut down on the dust. Corcoran said yes. Childers stated he would refer that to our public works staff to see what could be done to the street. Corcoran said after the last meeting they filled some of the pot holes, but not all of them.

Rocky Bourget, 9355 SW 110<sup>th</sup> Augusta, and Kyle Bourget, 2002 Moyle Augusta, addressed the governing body regarding trees along the South Ohio Project. K Bourget stated that he applauds the governing body for their efforts to repair the road, but the project is overkill and will have a negative impact. He recommended an alternate project to pave Dike Road and provide an alternate path for those traveling to Wichita. K Bourget stated that the trees do not need to go. Childers stated the council wants to save as many of the trees as possible. He stated it would be best for the Bourgets to meet with Goering to discuss the construction plans. K Bourget stated he would take legal action to do whatever he can to save the trees.

**Business:**

Ordinance 2100 Designating City Lake Road as a Main Trafficway; Resolution 2016-28 Authorizing and Providing for Construction of Various Capital Improvement Projects; Resolution 2016-29 Authorizing the Sale of GO Bonds Series 2016-A: Reavis made a motion to approve Ordinance 2100 designating City Lake Road within the City of Augusta, Kansas as a main trafficway. Leffler seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Lowery Yea, Crum Nay, Londagin Yea. Motion carried.

Reavis made a motion to approve Resolution 2016-28 authorizing and providing for construction of a new public works building and improvements to existing public buildings in the City of Augusta, Kansas; authorizing the improvement or reimprovement of a main trafficway on the East side of the Augusta Lake within the City; and providing for the payment of the costs thereof. Lowery seconded the motion. Motion carried with Crum voting in opposition.

Reavis made a motion to approve Resolution 2016-29 authorizing the offering for sale of General Obligation (GO) Bonds, Series 2016-A, of the City of Augusta, Kansas. Leffler seconded the motion. Motion carried with Crum voting in opposition.

Public Restroom Facility Proposal: Crum made a motion to approve Purchase Order No. 2016-16.2 in the amount of \$82,323 with McCollom Construction authorizing staff to proceed with the construction of a public restroom facility in Shryock Park. Lowery seconded the motion. Motion carried without opposition.

Agreement for Professional Services Between the City of Augusta and Garver, LLC to Produce a New Airport Master Plan for the Augusta Municipal Airport: Reavis made a motion to approve an Agreement for Professional Services between the City of Augusta and Garver, LLC to produce a new Airport Master Plan for the Augusta Municipal Airport. Leffler seconded the motion. Motion carried without opposition.

**Matters From/For Council and Informational Memorandum:**

Leffler made a motion to schedule Budget Work Session #1 for 6:00 p.m. on Monday, June 27, 2016 to discuss utility and special revenue funds. Reavis seconded the motion. Motion carried without opposition.

Sims stated the City of Augusta was awarded a grant in the amount up to \$48,000 from the Sunflower Foundation for a walking path across Ohio Street and into Shryock Park.

Reavis: Reavis said he has a tendency to agree with the Bourgets to save as many of the trees along Ohio as possible. He asked if they are going because of the widening of the street or because of the storm sewer. Goering stated it is a combination of both depending on the area. She stated they have engaged a landscape architect to look at planting replacement trees. Reavis stated he would agree with trying to save as many of the trees as possible as the project proceeds. Londagin stated most of the trees being removed are Elm trees which can cause a lot of damage to personal property in storms. Lowery stated the same could be said for Cottonwood Trees. Goering stated it could be brought up again in the pre-construction meetings.

Reavis expressed his gratitude to for the community events this past weekend including the Arts Council 1935 event, Brick Street Festival and Relay for Life. He stated that there were a lot of people in town for the events and that the area was cleaned up well after the events. Childers stated that Reavis was a volunteer at both events and thanked him for his participation.

Reavis stated he was asked about the grass on the west side of the city lake not being mowed recently. Shaw stated more than half of the Parks Department staff has left in the last couple weeks and we are down to two employees. Shaw stated we are looking at the private sector to see if there is an avenue where we can provide these services in a more effective manner. He stated we will be bringing documents to the council at a meeting in the near future. Reavis stated he has been reading a lot about the overtime regulations that take effect December 1<sup>st</sup>. He asked if there are any concerns for this year. Shaw stated there was not, but that there would be more discussions around the changes in the budget work sessions. Shaw stated there have been several changes that take effect this year that will impact us in different ways.

Leffler: Leffler asked if part of the problem with the mowing is that the new Holland tractor is down. Sims stated that was correct.

Belt: Belt stated that the Augusta Historical Society is having a golf tournament on August 27<sup>th</sup> and is looking for sponsors.

Lowery: Lowery inquired about the funds budgeted for welcome sign on west side of town. Shaw stated the money is still there and we are trying to get that done this year. He stated staff is doing some problem solving on where to place it where utilities are available.

#### Executive Session:

At 9:05 p.m. Lowery made a motion to go into executive session for 15 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:20 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:20 Lowery made a motion to exit executive session with no action being taken. Londagin seconded the motion. Motion carried without opposition.

Adjourn: At 9:20 p.m. Londagin made a motion to adjourn. Belt seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
BUDGET WORK SESSION  
JUNE 27, 2016  
6:00 P.M.

The Council of the City of Augusta, Kansas met for a budget work session on June 27, 2016 at 6 p.m., to review and discuss the proposed budgets for the utility and special revenue funds.

The meeting adjourned at 9:15 p.m.

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City Clerk

CITY COUNCIL  
JULY 5, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on July 5, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Parks Foreman Brian Alfaro, Cemetery Sexton Evan Cain, Belinda Larsen, John Black, Clint Headley, Karen Berry, Tim Follis, Logan Weakley, Chrystal Weakley, Karla Weber, Vicki Simmons, Troy Waltemath, Sharon Tucker, Mike Stump, Walker Andrews, Connie Thurman, Diane Briggs, Nancy Chavez, David Higgs, and John Stewart.

Pledge of Allegiance

Prayer: Councilman Lowery gave the invocation.

Minutes: Londagin made a motion to approve the minutes from the June 20, 2016 Council meeting and the June 27, 2016 Budget Work Session. Lowery seconded the motion. Motion carried without opposition.

Ordinance 6B: Leffler made a motion to approve Ordinance 6B in the amount of \$684,184.76. Lowery seconded the motion. Motion carried without opposition.

Proclamation:

The Council proclaimed July 30, 2016 as “Kansas All-Star Football Shrine Bowl Day” and recognized Augustan Logan Weakley for being chosen to represent Augusta in the 43<sup>rd</sup> Annual Shrine Bowl Football Game.

Visitors:

Troy Waltemath, on behalf of the National MS Society, was present to request permission to hold a bicycle ride fund raiser on September 10, 2016. Waltemath stated the event will start and finish at St. James Catholic Church and will go south on Ohio Street and follow Thunder Road out of town. Waltemath requested a police escort to assist riders in safely. Reavis made a motion to approve the request to hold a bicycle ride fund raiser on September 10, 2016. Belt seconded the motion. Motion carried without opposition.

Diane Briggs, representing the Addiction Recovery Counseling Services, was present to request use of the stage area at Garvin Park for a Recovery of Life Celebration on July 23, 2016. Lowery made a motion to approve the use of the stage area at Garvin Park for a Recovery of Life Celebration on July 23, 2016 contingent upon proof of insurance. Magruder seconded the motion. Motion carried without opposition.

Walker Andrews, candidate for Butler County Sheriff, was present to introduce himself. He encouraged everyone to do their research and make a tough decision.

Presentation:

Elmwood Cemetery Regulations Review Committee Presentation of Summary Report: The Council received and filed a presentation and report from the Ad Hoc Elmwood Cemetery Regulations Review Committee summarizing findings and recommendations for decorations at Elmwood Cemetery. The Council gave consensus for the ad hoc committee to bring an ordinance with their recommendations back to the governing body in September for consideration.

Business:

Ordinance 2101 Allowing Consumption of Alcohol in Garvin Park with a Temporary Permit; Temporary Permit for Consumption of Alcohol in Garvin Park: Leffler made a motion to approve Ordinance 2101 exempting Garvin Park and its facilities from the statutory prohibitions on the drinking or consumption of alcoholic liquor on public property within the corporate limits of the City of Augusta, Kansas. Crum seconded the motion. Roll Call: Reavis Nay, Leffler Yea, Belt Nay, Magruder Nay, Lowery Nay, Crum Yea, Rawlings Nay, Londagin Nay. Motion failed.

Agreement for Professional Engineering Services Between the City of Augusta and Schwab Eaton for City Engineering Services; Authorize the Termination of Professional Engineering Services Agreement with MKEC: Reavis made a motion to approve the Professional Engineering Services Agreement between the City of Augusta and Schwab Eaton for City Engineering Services. Lowery seconded the motion. Motion carried without opposition.

Londagin made a motion to authorize staff to terminate the Agreement for Professional Engineering Services with MKEC. Rawlings seconded the motion. Motion carried without opposition.

Engineering Design Services Agreement for Design of the Sunflower Trails Grant Improvements: Leffler made a motion to approve an engineering services agreement in the amount of \$19,600 with Schwab Eaton for engineering design services related to the Sunflower Trails Grant. Belt seconded the motion. Motion carried without opposition.

Bid Award for the Resurfacing of US-54 from East City Limits to Walnut; Authorization for Matching Funds; Approval of Force Account Agreement for Construction Engineering Inspection: Reavis made a motion to approve the KDOT recommendation to award the bid for Pavement Reconstruction - US-54 from Walnut to Bridge Approach on Overpass – KDOT Geometric Improvement Project 8 KA-3052-01 to Pearson Construction, LLC in the amount up to \$699,435.15. Belt seconded the motion. Motion carried without opposition.

Reavis made a motion to authorize city staff to provide matching funds to KDOT in the amount of \$49,000 approximately 7% of the total bid. Lowery seconded the motion. Motion carried without opposition.

Reavis made a motion to approve the Force Account Agreement for Construction Engineering Inspection between the City of Augusta and KDOT for construction related services. Rawlings seconded the motion. Motion carried without opposition.

Public Flood Levee System Mowing Agreement Between the City of Augusta, Kansas and Superior Landscape Management Inc.; Park Mowing Services Agreement Between the City of Augusta, Kansas and BG Lawn & Landscape, Inc.: Leffler made a motion to approve a Public Flood Levee System Mowing Agreement between the City of Augusta, Kansas and Superior Landscape Management, Inc. Londagin seconded the motion. Motion carried without opposition.

Leffler made a motion to approve a Park Mowing Services Agreement between the City of Augusta, Kansas and BG Lawn & Landscape, Inc. Londagin seconded the motion. Motion carried without opposition.

Contract with Athco, LLC for Construction of the New Splash Pad in Shryock Park: Councilman Rawlings recused himself from this discussion as he is a sub-contractor for Athco, LLC. Magruder made a motion to approve the construction contract between Athco, LLC and the City of Augusta, Kansas in the amount of \$107,235 for the construction and installation of the new Medieval-themed splash pad

in Shryock Park removing the sentence about conflict of interest. Belt seconded the motion. Motion carried without opposition.

Acceptance of Drainage and Utility Easement Located at Lot 1, Block A, Modlin Addition: Reavis made a motion to accept a drainage and utility easement on Lot 1, Block A, of the Modlin Addition changing an existing storm water drainage easement to a drainage and utility easement to allow for installation of sanitary sewer infrastructure to service new development on 7<sup>th</sup> Avenue subject to Kelly Modlin's signature on the easement. Lowery seconded the motion. Motion carried without opposition.

Acceptance of Electric Utility Easements in Support of Infrastructure Enhancements: Rawlings made a motion to accept an electric utility easement at 1125 N Henry Street needed to support infrastructure enhancements. Lowery seconded the motion. Motion carried without opposition.

Rawlings made a motion to accept electric utility easements at 452 East Broadway, 454 East Broadway, and 456 East Broadway needed to support infrastructure enhancements. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reavis made a motion to schedule Budget Work Session #2 for 6:00 p.m. on Monday, July 11, 2016 to discuss tax supported and utility funds. Rawlings seconded the motion. Motion carried without opposition.

Reavis: Reavis stated he has been getting a lot of questions about the plans for the ball diamonds for Garvin Park. Shaw stated staff trying to address a lot of challenges in the park such as drainage and parking and those things have to be looked at as part of that project. Shaw stated that he hopes to bring work authorization with the new city engineer to the next council meeting to authorize him to develop a scope and move on to full conceptual designs after that. Reavis asked if we could involve citizens in the planning and allow them to give input. Shaw said yes and stated that staff previously met with Augusta Little League Ball and would expect that communication to continue.

Magruder: Magruder thanked those that worked on the stop log structure on Highland Dr during the flooding. He asked if there is anything staff learned from that experience and if there would be any changes made for next time. Shaw stated staff learned a lot and that they would be having a follow up meeting with staff to discuss recommended changes.

Childers: Childers stated the Scooters groundbreaking will be on Sunday, July 10<sup>th</sup>.

Crum: Crum stated if we want to get on the map for our community, we have to be open to new ideas and change. She stated she was disappointed in the action taken tonight with regard to the beer garden and hopes that doesn't make them not come to our community in the future.

Londagin: Londagin stated that Dike Road is no longer a dirt road to the South of US 54, but there is no blockage now to stop someone entering off Thunder Road. Londagin asked if we work with the County to block that off. Shaw stated we have to allow Mr. Burress access to his fields, but that he would reach out to see if there is a willingness to put a gate or something up. Londagin inquired about the fees for events in our community. He asked what is charged for police escorts. Shaw stated there is no established fee for an event permit or for their staffing needs. Londagin stated he finds that strange when we charge for people to use our parks and other things that do not require any staff time.

Lowery: Lowery gave thanks for wonderful fireworks display.

At 8:48 p.m. Lowery made a motion to recess for 10 minutes. Leffler seconded the motion.

Executive Session:

At 8:58 p.m. Lowery made a motion to go into executive session for 30 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that City Manager Josh Shaw, Public Works Director Jaime Goering and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:29 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:29 p.m. Rawlings made a motion to exit executive session with no action being taken. Lowery seconded the motion. Motion carried without opposition.

Adjourn: At 9:30 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk



CITY COUNCIL  
BUDGET WORK SESSION  
JULY 11, 2016  
6:00 P.M.

The Council of the City of Augusta, Kansas met for a budget work session on July 11, 2016 at 6 p.m., to review and discuss the proposed budgets for the tax supported and utility funds.

The meeting adjourned at 10:15 p.m.

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City Clerk

CITY COUNCIL  
JULY 18, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on July 18, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Councilman Lowery was absent. Also present: City Manager Josh Shaw, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, Sarah Hoefgen, Connie Thurman, Rose Mary Saunders, Nick McClure, Dana Hubbard, Denise Loper, and Brad Loper.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Rawlings made a motion to approve the minutes from the July 5, 2016 Council meeting and the July 11, 2016 Budget Work Session. Crum seconded the motion. Motion carried without opposition.

Ordinance 7: Leffler made a motion to approve Ordinance 7 in the amount of \$1,267,856.78. Belt seconded the motion. Motion carried without opposition.

Business:

Public Hearing to Provide Information For the Proposed KDHE State Revolving Loan: A public hearing was conducted for the proposed Kansas Department of Health & Environment (KDHE) Revolving Loan to consider the solution and cost estimates for meeting sanitary sewer needs for the residents of Augusta. Public Works Director Jaime Goering and Rose Mary Saunders with Ransom Financial gave a presentation on the various improvements and the areas being considered. The public hearing was closed after no one from the public came forward with comments.

Engineering Design Services Agreement for Topographical Survey for Shryock Park and Garvin Park: Reavis made a motion to approve the topographic survey proposal with Schwab Eaton in the amount of \$9,800 for the survey of the Shryock Park Rain Garden, Shryock Park Parking Lot, Garvin Park, and Garvin Park Parking Lot D subject to legal review. Magruder seconded the motion. Motion carried without opposition.

Acceptance of General Warranty Deeds for Right of Way Acquisition Related to the South Ohio Project: Reavis made a motion to approve warranty deeds from Mary Erma Bryan, 666 N. Santa Fe; Anna L. Wallace, 350 E. Main; Dennis Dodds Revocable Trust, 676 E Frisco; Michael and Vicky Moore, 400 E. Main; Kevin Unrein, 678 E Frisco Unit B; Linda Winzer, 678 E Frisco; and City of Augusta, Frisco, Ohio/Frisco, and 1301 N. Ohio for right of way acquisition for the South Ohio Project. Leffler seconded the motion. Motion carried without opposition.

Bid Award for Demolition of Condemned Real Property Located at 326 North Walnut Street: Magruder made a motion to approve the low bid from Butler County Backhoe Service, LLC in the amount of \$2,500 to demolish the structure located at 326 North Walnut Street and make the property safe and secure pursuant to K.S.A. 12-1754. Leffler seconded the motion. Motion carried without opposition.

Update on Condemnation of Real Property Located at 606 East 12<sup>th</sup> Avenue: Assistant City Manager Cody Sims provided an update on the condemnation of 606 East 12<sup>th</sup> Avenue. Property owner Denise Loper stated she has a contract with Unruh House Moving, Inc. to move the home. Loper stated that because of the rain the structure will not be able to be moved until September. Magruder made a motion to table this item until September 19, 2016. Crum seconded the motion. Motion carried without opposition.

Revised Flood Levee Mowing Agreement with Superior Landscape Management, Inc.: Leffler made a motion to approve the revised flood levee mowing agreement with Superior Landscape Management, Inc. effective through October 31, 2016. Londagin seconded the motion. Motion carried with Reavis voting in opposition.

Grant Agreement Between the City of Augusta and the Federal Aviation Administration For Airport Improvement Program (AIP) Project No. 3-20-006-017-2016 at the Augusta Municipal Airport: Leffler made a motion to approve the Grant Agreement Between the City of Augusta and the Federal Aviation Administration For Airport Improvement Program (AIP) Project No. 3-20-006-017-2016 at the Augusta Municipal Airport. Reavis seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Leffler made a motion to schedule Budget Work Session #3 for 6:00 p.m. on Monday, July 25, 2016 to discuss the 2017 Budget. Crum seconded the motion. Motion carried without opposition.

Reavis: Reavis asked if a fire remodel permit was pulled for a house located at 1715 Cron. He asked if any inspections been done on that property. Sims stated a permit has been pulled; there has not been an inspection yet to his knowledge. Reavis stated he would like to get the clock ticking on this property because the back side of the property is not secured. Sims stated the clock is already ticking and we have the ability to inspect it now.

Reavis stated that in the westbound lanes of 7<sup>th</sup> Avenue there is a 30 mph sign east of Osage, but not another one until you get past Walnut and in front of The Shop. Reavis asked if larger 30 mph signs can be installed so they are more visible. Goering stated she would check with KDOT about the spacing of the signs, but that she didn't think their regulations would allow larger signs.

Leffler: Leffler saw some things on social media about the cemetery looking unsightly and that he agreed when he drove by Saturday night. But Leffler stated that the weather has been uncooperative and is making it difficult to get in there and get it mowed. He also stated that we are short staffed. Leffler stated that the cemetery accounts for 33 acres, the size of 25 football fields, and there are 5,000 monuments. He stated that is the distance from the Senior Center to Santa Fe Lake Road that has to be weed whipped. Leffler stated that we cannot control the weather and asked to give them a break and a little time to get it back under control.

Adjourn: At 8:09 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
BUDGET WORK SESSION  
JULY 25, 2016  
6:00 P.M.

The Council of the City of Augusta, Kansas met for a budget work session on July 25, 2016 at 6 p.m., to review and discuss the proposed 2017 Budget.

The meeting adjourned at 8:42 p.m.

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City Clerk

CITY COUNCIL  
AUGUST 1, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on August 1, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Dustin Avey, Connie Thurman, Kathy Keeton, Terry Keeton, Dana Rogers, Connie Weide and Kay McCollom.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the July 18, 2016 Council meeting and the July 25, 2016 Budget Work Session. Londagin seconded the motion. Motion carried without opposition.

Ordinance 7A: Rawlings made a motion to approve Ordinance 7 in the amount of \$321,458.67. Crum seconded the motion. Motion carried without opposition.

Visitors:

The winners of the 2016 Adopt-A-Pot Contest were presented with certificates and prizes. The 1<sup>st</sup> Place Winners were a team including Dana Rogers, Connie Weide, and Mark McCollom. The 2<sup>nd</sup> Place Winner was Kay McCollom. The 3<sup>rd</sup> Place Winner was Kathy Keeton.

Kelly Modlin, representing Twisted Oz Motorcycle Museum, addressed the governing body regarding a tax and utility abatement. Modlin stated he had spoken to Shaw and understands that the abatements are usually handled in November but asked that the governing body consider granting him one now. Mayor Childers asked Modlin to provide information required under the resolution and then it could be added to the next council meeting as an agenda item for consideration.

Business:

Acceptance of the Bid with Lowest Net Interest Cost for GO Bonds, Series 2016-A and Approval of Ordinance 2101 and Resolution 2016-30 Authorizing the Issuance and Sale of Bonds and Levying of Annual Tax for Repayment: Magruder made a motion to approve the bid from Northland Securities, Inc. with the lowest net interest cost of 1.53%. Lowery seconded the motion. Motion carried without opposition.

Magruder made a motion to approve Ordinance 2101 authorizing the issuance of bonds and levying annual tax for the repayment of the bonds. Lowery seconded the motion. Roll Call: Reavis Yes, Leffler, Yes, Belt Yes, Magruder Yes, Lowery Yes, Crum Yes, Rawlings Yes, Londagin Yes. Motion carried.

Magruder made a motion to approve Resolution 2016-30 authorizing the issuance and sale of the bonds. Lowery seconded the motion. Motion carried without opposition.

Resolution 2016-31 Requesting that the State Director of Accounts and Reports Waive the Requirements of K.S.A. 75-1120a(a) for the City's 2016 Financial Statements and Reports: Reavis made a motion to approve Resolution 2016-31 requesting the State Director of Accounts and Reports waive the requirements of K.S.A. 75-1120a(a) with regard to the City's 2016 financial statements and reports. Leffler seconded the motion. Motion carried without opposition.

Kansas Municipal Gas Agency Director Reappointment: Rawlings made a motion to reappoint Director of Electric Utility Bill Webster to serve as Director representing the City of Augusta on the Kansas Municipal Gas Agency (KMGA) Board of Directors. Lowery seconded the motion. Motion carried without opposition.

Schedule Public Hearing to Take Input and Comment on the Proposed 2017 Budget: Leffler made a motion to schedule a public hearing on Monday, August 15<sup>th</sup> at 7:00 p.m. at City Hall to take input and comment on the Proposed 2017 Budget. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Leffler: Leffler inquired about the July 2<sup>nd</sup> flood and asked if there has been a follow up meeting by those involved and what is being changed or handled differently. Shaw stated there was a staff meeting at the Safety Department for those involved and there were recommended changes that were suggested in terms of equipment needs and procedural changes. Shaw stated that for the larger projects there will be recommendations coming back to the governing body for approval. Shaw stated this wasn't a typical flood event in that the water was coming from the spillway instead of the river which had not happened in many years and since the new structure was built.

Belt: Belt stated he stopped out at Santa Fe Lake and that it was a wonderful facility and well kept. He encouraged people to go out and visit the lake.

Magruder: Magruder thanked staff for their efforts with regard to the Splash Park and in meeting the proposed completion deadline.

Executive Session:

At 7:21 p.m. Lowery made a motion to go into executive session for 20 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship and for preliminary discussion relating to acquisition of real property for the City park system. Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 7:41 p.m. Magruder seconded the motion. Motion carried without opposition.

At 7:42 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 7:42 p.m. Londagin made a motion to adjourn. Belt seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
AUGUST 15, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on August 15, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, HR Manager Makala Navarro and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Yolanda Black, Rose Mary Saunders, Lisa Daniels, Kelly Modlin, Connie Thurman, Andy Hall, Jerry Gentzler, Ron Nibbelink, Katrina Wolf, Calvin Wolf, and Avin George.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Crum made a motion to approve the minutes from the August 1, 2016 Council meeting. Magruder seconded the motion. Motion carried without opposition.

Ordinance 8: Magruder made a motion to approve Ordinance 8 in the amount of \$2,334,763.44. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Andy Hall, representing Augusta High School Booster Club, was present to request approval for a bonfire at the front of the peninsula at Augusta City Lake on August 31, 2016 for a Pep Rally. Belt made a motion to approve a bonfire at the front of the peninsula at Augusta City Lake on August 31, 2016 for a pep rally. Lowery seconded the motion. Motion carried without opposition.

Business:

Conduct a Public Hearing to Take Public Input and Comment on the Proposed 2017 Budget: The Council conducted a public hearing to take input and comment on the proposed 2017 Budget. The public hearing was closed after receiving no comments from the public.

Reavis made a motion to approve Ordinance 2104 establishing the maximum property tax dollar amount for the Library Fund and the Library Employee Benefit Fund for the Augusta Public Library. Belt seconded the motion. Roll Call: Reavis Yes, Leffler Yes, Belt Yes, Magruder Yes, Lowery Yes, Crum Yes, Rawlings Yes, Londagin Yes. Motion carried.

Lowery made a motion to approve the proposed 2017 Budget. Belt seconded the motion. Motion carried with Londagin voting in opposition.

Conduct a Public Meeting/Hearing to Consider the Construction of Sanitary Sewer Improvements for the City of Augusta, Kansas: The Council conducted a public hearing to consider the construction of sanitary sewer improvements for the City of Augusta, Kansas. The public hearing was closed after receiving no comments from the public.

Magruder made a motion to approve Resolution 2016-32 certifying legal authority to apply for a Community Development Block Grant (CDBG) and authorize the Mayor to execute all required documents, including the Anti-Displacement Plan, Statement of Assurances and Certifications, Disclosure Report, and Determination of Level of Review. Lowery seconded the motion. Motion carried without opposition.

Leffler made a motion to approve Resolution 2016-33 assuring the Kansas Department of Commerce (KDOC) that operating funds for sewers will be provided continually. Belt seconded the motion. Motion carried without opposition.

Lowery made a motion to approve the Residential Anti-displacement and Relocation Assistance Plan. Leffler seconded the motion. Motion carried without opposition.

Utility Abatement Request for Twisted Oz Motorcycle Museum: Reavis made a motion to approve a request from Twisted Oz Motorcycle Museum for a utility abatement in the amount of \$4,000 for the 2016 Budget Year. Rawlings seconded the motion. Motion carried without opposition.

Consider Approval of Resolution 2016-34 Ordering the Removal and Abatement of Nuisances Identified by the Code Enforcement Officer of the City of Augusta on Property located at 1410 Kelly Court: Staff provided an update that the property has been cleaned up to code enforcement's satisfaction and therefore recommended not moving forward with this resolution.

2016 Uniform Public Offense Code and Standard Traffic Ordinance: Reavis made a motion to approve Ordinance 2102 regulating public offenses within the corporate limits of the City of Augusta, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities" Edition 2016, subject to changes and additions; and repealing all conflicting ordinances. Lowery seconded the motion. Roll Call: Reavis Yes, Leffler Yes, Belt Yes, Magruder Yes, Lowery Yes, Crum Yes, Rawlings Yes, Londagin Yes. Motion carried.

Leffler made a motion to approve Ordinance 2103 regulating traffic within the corporate limits of the City of Augusta, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities" Edition 2016, subject to changes and additions; and repealing all conflicting ordinances. Belt seconded the motion. Roll Call: Reavis Yes, Leffler Yes, Belt Yes, Magruder Yes, Lowery Yes, Crum Yes, Rawlings Yes, Londagin Yes. Motion carried.

Ordinance 2105 Amending Chapter XI Public Offenses, Article 4, Controlled Substances within the Corporate Limits of the City of Augusta, Kansas: Belt made a motion to approve Ordinance 2104 amending Chapter XI Public Offenses, Article 4, Controlled Substances within the corporate limits of the City of Augusta, Kansas and repealing all conflicting ordinances. Leffler seconded the motion. Roll Call: Reavis Yes, Leffler Yes, Belt Yes, Magruder Yes, Lowery Yes, Crum Yes, Rawlings Yes, Londagin Yes. Motion carried.

Accept Utility and Sidewalk Easement in Support of the Sunflower Foundation Shryock Park Pedestrian Trail Project: Londagin made a motion to accept the utility and sidewalk easement from the Robert R. Whittaker Revocable Trust on Lot 1, Block B of the Cottonwood Professional Park 2<sup>nd</sup> Addition to the City of Augusta, Butler County, Kansas. Lowery seconded the motion. Motion carried without opposition.

Mayoral Appointments to the Main Street Design Committee: Rawlings made a motion to approve the Mayor's appointment of Brett Kappelmann, Kathy McClure, and reappointment of Bill Morris, Aaron Wells, and Mark McCollom to the Main Street Design Committee. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Septic Hauling at the Wastewater Treatment Plant: Shaw stated the increased fee for septic hauling at the Wastewater Treatment Plant has impacted some of our local businesses. He stated that there are good reasons for us to want to restrict this process because of how it impacts the City, but that staff recognizes the impact to local businesses. Shaw stated that staff is looking at options to provide



oversight, including permitting applications or banning it entirely. He also stated that the Airport, Santa Fe Lake, and other park facilities use septic services and this would add significant cost back to the City. He stated staff is considering a bid process for providing service to city facilities to keep our cost low. Shaw stated he wanted to let the governing body know that staff is considering this issue and trying to find a balance while providing oversight and protecting the City.

Discussion of street lights for South Ohio Street Project: Londagin stated he would like to see more decorative lights with a small town feel that would allow for flags to be hung on them. Rawlings stated for the downtown project it would have added \$120,000 to \$200,000 and that the South Ohio Project is a much larger scale. Shaw stated that because it is in a residential area there would be concern about the lights shining into homes where the led lights shine directly down onto the street. The consensus of the governing body was to move forward with the lights as planned but to see if flags could be hung on them.

Makala Navarro provided an update on the proposal for the City Manager's 360 evaluation.

Reminder that the first Council meeting in September will be Tuesday, September 6<sup>th</sup> at 7:00 p.m. because of the Labor Day Holiday on Monday.

Reavis: Reavis thanked city staff and the citizens that came out to support the WFO Car Show a couple weeks ago. He stated there were 238 cars registered from 32 different cities. Of the 238 there were 97 cars from Butler County and 141 from outside of Butler County. Reavis stated the car that traveled the furthest was from Sterling, Colorado. He stated that it speaks volumes for Augusta that even on a rainy day people are willing to come out to Augusta because they like to come here. Reavis stated that the concert was well attended too and maybe could be expanded upon.

Crum: Crum stated that Santa Fe Lake looks fantastic and that caretaker Rod Davis has done a fabulous job.

Londagin: Londagin inquired about the status of the ordinance on parking in yards. Sims stated that is next on his list of items to tackle.

Executive Session:

At 8:34 p.m. Lowery made a motion to go into executive session for 20 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship and for preliminary discussion relating to acquisition of real property for the City park system. Lowery asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 8:54 p.m. Magruder seconded the motion. Motion carried without opposition.

At 8:54 p.m. Lowery made a motion to exit executive session with no action being taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 8:55 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
SPECIAL MEETING  
AUGUST 29, 2016  
6:00 P.M.

The Council of the City of Augusta, Kansas met for a special meeting on August 29, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw and City Clerk Erica Jones. Visitors present were: Sohan Saroya.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Business:

Consider approval of the application by Sunny LLC dba Sunny Stop Augusta located at 2330 Ohio, Augusta, KS for a Cereal Malt Beverage License for Sale and Not for Consumption on Premises. The public hearing was closed after receiving no comments from the public. Londagin made a motion to approve the application by Sunny LLC dba Sunny Stop Augusta located at 2330 Ohio, Augusta, KS for a Cereal Malt Beverage License for Sale and Not for Consumption on Premises. Tom Leffler seconded the motion. Motion carried with Magruder voting in opposition.

Adjourn: At 6:05 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
SEPTEMBER 6, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on September 6, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Paul Belt, Tom Leffler, Mike Rawlings, Justin Londagin and Ron Reavis. Council member Jamie Crum was absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, Travis Combes, John Black, Sarah Hoefgen, Lisa Daniels, Connie Thurman, Jaime Simpson, Zaidan Ohlson, Claire Carpenter, Kathleen Holtom, Keith Cross, Kathy Cross, Michele Spainhower, and Janae Mettling.

Pledge of Allegiance

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

Minutes: Leffler made a motion to approve the minutes from the August 15, 2016 Council meeting and August 29, 2016 Special Council meeting. Magruder seconded the motion. Motion carried without opposition.

Ordinance 8A: Rawlings made a motion to approve Ordinance 8A in the amount of \$887,064.93. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Jaime Simpson, representing the Augusta Public Library, was present to announce Zaidan Ohlson as the winner of the "Dare to Make Augusta Great Challenge". The Mayor presented Zaidan Ohlson with a certificate.

Clair Carpenter, representing Ducks Flying Discs, was present to request permission to hold a Glow Doubles Tournament at Garvin Park on September 17, 2016. Londagin made a motion to approve the request to hold a Glow Doubles Tournament at Garvin Park on September 17, 2016. Belt seconded the motion. Motion carried without opposition.

Cale Magruder, representing the Augusta Ministerial Alliance, was present to request use of the stage area at Garvin Park for a singing event "Praise in the Park" on September 25, 2016. Rawlings made a motion to approve the request to use the stage area at Garvin Park for a "Praise in the Park" event on September 25, 2016. Lowery seconded the motion. Motion carried without opposition.

Janae Mettling, representing Ewalt Elementary PTO, was present to request permission to hold a Run with the Dogs 5K/10K on September 25, 2016. Belt made a motion to approve the request to hold a Run with the Dogs 5K/10K on September 25, 2016. Londagin seconded the motion. Motion carried without opposition.

Sarah Hoefgen, Director of the Augusta Chamber of Commerce, was present to request permission to hold the Augusta High School Homecoming Parade and Pep Rally on September 30, 2016 in downtown Augusta. Magruder made a motion to approve the request to hold the Augusta High School Homecoming Parade and Pep Rally on September 30, 2016 in downtown Augusta. Lowery seconded the motion. Motion carried without opposition.

Michele Spainhower, representing the Augusta Historical Museum, was present to request approval for their annual Yester Year Fair to be held Sunday, October 9, 2016 and to request approval for the annual Elmwood Cemetery Tour to be held October 22, 2016. Lowery made a motion to approve the request for the annual Yester Year Fair to be held Sunday, October 9, 2016 and to approve the annual Elmwood Cemetery Tour to be held October 22, 2016. Londagin seconded the motion. Motion carried without opposition.

Paul Belt, representing the Cannon Ball Motorcycle Run, was present to request dumpsters and barricades for their event on September 16, 2016. Leffler made a motion to approve the request for dumpsters and barricades for the Cannon Ball Motorcycle Run on September 16, 2016. Reavis seconded the motion. Belt abstained from voting. Motion carried without opposition.

**Business:**

Consider Approval of Resolution 2016-34 Ordering the Removal and Abatement of Nuisances Identified by the Code Enforcement Officer of the City of Augusta on property located at 618 Santa Fe: Lowery made a motion to approve Resolution 2016-34 ordering the removal and abatement of nuisances identified by the Code Enforcement Officer on property located at 618 North Santa Fe Street within ten days as specified by K.S.A. 12-1617e. Magruder seconded the motion. Motion carried with Reavis voting in opposition.

Bid Award for the Shryock Park Pedestrian Trail: Rawlings made a motion to approve the bid award to Vogts Parga in the amount of \$135,098.55 for construction of the Shryock Park Pedestrian Trail contingent on approval of the bid by the Sunflower Foundation. Lowery seconded the motion. Motion carried without opposition.

Engineering Design Services Agreement for Sanitary Sewer Rehabilitation in Basin A: Leffler made a motion to approve the Design Services Agreement Part A with Schwab Eaton in the amount of \$6,500 for review of the engineering report completed by MKEC and review of the sewer inspection information completed by Mayer Specialty Services. Lowery seconded the motion. Motion carried without opposition.

Leffler made a motion to approve the Design Services Agreement Parts B, C and D with Schwab Eaton in the amount of \$84,500 for Design, Bidding Phase Services and Construction Administration Services. Rawlings seconded the motion. Motion carried without opposition.

Engineering Services Agreement for Construction Staking for Shryock Park Pedestrian Trail Project: Lowery made a motion to approve the survey agreement with Schwab Eaton in the amount not to exceed \$6,900 for construction staking of the Shryock Park Pedestrian Trail. Rawlings seconded the motion. Motion carried without opposition.

Engineering Design Services Agreement for Parking Lot Improvements at Shryock Park: Belt made a motion to approve the design services agreement with Schwab Eaton in the amount of \$10,700 for design of parking lot improvements at Shryock Park. Leffler seconded the motion. Motion carried without opposition.

**Matters From/For Council and Informational Memorandum:**

Reminder of the Motorcycle Cannonball Run on September 16, 2016. Various council members and city staff have volunteered to help serve food to the riders from 4:00 p.m. to 6:00 p.m.

Leffler made a motion to schedule a joint work session with the Council and Park Board for October 10, 2016 at 6:00 p.m. at Santa Fe Lake to discuss future plans and vision for Santa Fe Lake. Lowery seconded the motion. Motion carried without opposition.

Reavis: Reavis inquired about a statement in the public works project update that stated that staff will meet with representatives of the City of El Dorado to discuss our water supply options prior to making any further decisions on the raw waterline project. Reavis stated this project has drag on forever and citizens are becoming impatient. He stated he does not want to see work on this project delayed for talks with El Dorado about things that will probably not happen. Shaw stated there is no project if we cannot determine the future of our long term agreement with El Dorado because it ends in 7-8 years. He stated that those discussions may impact the construction project and we want to resolve that issue before putting any pipe into the ground. Reavis stated we are collecting sales tax for this project and if there are questions we need to put it on a front burner. Shaw stated all of the revenue being collected is for that project and because we have built up some revenue it will help reduce the amount of debt we will have to issue. He stated that we have lost half of our wholesale customers, so our usage and needs have changed significantly since the project began. He stated this is our due diligence to make sure we are moving forward with the right type of project to serve our community for the next 50 to 60 years.

Leffler: Leffler inquired about the water usage during the soft opening of the splash pad. Shaw stated there was 89,000 gallons used during the 12 hours it was open. He stated that is a lot of water, but was not as high as what we were projecting.

Leffler inquired about the cracks in the cinder blocks at the new restroom facility at Shryock Park. Shaw stated that staff has requested a meeting with the contractor McCollom Construction to see what can be done to address those.

Belt: Belt stated that a citizen approached him about a hump in the 1100 block of Ohio. Staff stated they would look into it. Belt invited everyone to come down to the Motorcycle Museum on September 16<sup>th</sup> for the Cannonball Motorcycle Run.

Magruder: Magruder stated that the Ministerial Alliance will recognize all city employees during the Praise in the Park event on September 25<sup>th</sup>.

Childers: Childers reminded the Council of the annual LKM Conference Oct 8, 9, 10. Childers stated he will be attending. Londagin made a motion to appoint Cody Sims and Josh Shaw as voting delegates at the LKM Conference and Childers as an alternate voting member. Lowery seconded the motion. Motion carried without opposition.

Childers stated that we have had more and more events coming before the Council and asked the governing body if they would like to give the City Manager the authority to approve those events that occur consistently from year to year but have all new events presented to the Council for approval. Childers stated another option would be to include the events in a consent agenda and if there were questions about an event they could be pulled out of the consent agenda and discussed individually. There was a consensus for staff to prepare an agenda item for the next council meeting for how to handle event requests going forward.

Rawlings: Rawlings inquired about having t-shirts for the council members to wear for the Cannonball Motorcycle Run event that they are volunteering for as well as other events they attend. Shaw stated that staff would look in to that.

Londagin: Londagin stated that the Run for Their Lives 5K event this past weekend went really well and was well attended. He said that over 80% of those in attendance were from outside of Augusta.

Londagin stated he was contacted by citizens asking for lights at the cul-de-sacs at Custer Lane and the Kimberly Ct/Debra Circle area.

Adjourn: At 8:54 p.m. Londagin made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
SEPTEMBER 19, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on September 19, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler, Justin Londagin and Ron Reavis. Councilman Mike Rawlings was absent. Also present: City Manager Josh Shaw, Assistant City Manager Cody Sims, Director of Public Safety Tyler Brewer and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Sarah Hoefgen, Connie Thurman, Sergeant Derek Highbarger, Sarah Highbarger, Safety Officer James Hageman, Sergeant Chad McCluskey, Safety Detective Bob Sage, Kathy McClure, Mark Chesney, William Morris, Keith Cross, and Kathy Cross, Denise Loper and Gary Steed.

Pledge of Allegiance

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

Minutes: Crum made a motion to approve the minutes from the September 6, 2016 Council meeting. Londagin seconded the motion. Motion carried without opposition.

Ordinance 9: Leffler made a motion to approve Ordinance 9 in the amount of \$644,273.69. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Gary Steed, Executive Director of the Kansas Commission on Peace Officer Standards and Training (KSCPOST), was present to recognize Sergeant Bob Sage for his participation and accomplishments as a commissioner for the KSCPOST.

Director of Public Safety Tyler Brewer was present to recognize and honor Sergeant Derek Highbarger and Officer James B. Hagman with the "Life Saving Award" for their efforts in saving a human life.

Mark Chesney, representing the Kansas Power Pool (KPP), was present to provide an update on KPP operations and to thank Augusta for their membership in KPP.

Kathy McClure was present to request approval for the 3<sup>rd</sup> Annual "Steaks on the Bricks" to be held downtown October 14, 2016. Belt made a motion to approve Resolution 2016-35 approving a special event allowing the sale and service of alcoholic liquor for consumption on a city property on the 14<sup>th</sup> day of October. Leffler seconded the motion. Motion carried with Magruder voting in opposition.

Belt made a motion to approve Resolution 2016-36 approving a special event allowing the sale and service of alcoholic liquor for consumption on a city property on the 21<sup>st</sup> day of October in the event of rain if postponed on the 14<sup>th</sup> day of October. Leffler seconded the motion. Motion carried with Magruder voting in opposition.

Business:

Update on Condemnation of Real Property Located at 606 East 12<sup>th</sup> Avenue: Denise Loper, 219 Wiley Street, addressed the governing body about the property located at 606 East 12<sup>th</sup> Avenue. She stated the house moving contractor has said that they will be moving the house in the first two

weeks of October. Crum made a motion to table this agenda item until October 17, 2016. Reavis seconded the motion. Motion carried with Leffler and Londagin voting in opposition.

Temporary Commercial Lease Agreement between the City of Augusta and Pray Aviation, Inc.: Reavis made a motion to table this agenda item until October 3, 2016. Leffler seconded the motion. Motion carried without opposition.

Proposal for Downtown Banners and Wayfinding: Council reviewed and discussed a proposal from Downtown Augusta Inc. (DAI) to install decorative banners on street light posts in the downtown area. Londagin made a motion to table this agenda item until October 3, 2016 and requested additional information on alternative proposals and options from DAI. Lowery seconded the motion. Motion carried without opposition.

Policy Statement for Event Planning Requests: Magruder made a motion to approve Policy Statement No. 2016-04 titled Event Planning Approval Process. Lowery seconded the motion. Motion carried without opposition.

Letter of Agreement for the Shryock Park Pedestrian Trail between the City of Augusta and the Sunflower Foundation: Leffler made a motion to approve the Letter of Agreement for the Shryock Park Pedestrian Trail between the City of Augusta and the Sunflower Foundation for a final grant amount of \$47,614, authorizing the Mayor and City Manager to execute the agreement and return to the Sunflower Foundation by Friday, September 30, 2016. Lowery seconded the motion. Motion carried without opposition.

Privatization of Grounds Maintenance in the Parks & Recreation Division for the 2017 Mowing Season: Staff requested direction from the Council regarding the privatization of grounds maintenance in the Parks & Recreation Division for the 2017 Mowing Season. Reavis made a motion not to privatize grounds maintenance in the Parks & Recreation Division for the 2017 mowing season. Leffler seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reminder that the City Manager, Assistant City Manager, and Public Works Director will be attending the ICMA conference in Kansas City on September 25-28<sup>th</sup>.

Reminder of the League of Kansas Municipalities Conference in Overland Park October 8-10<sup>th</sup>.

Reminder of the joint work session with Park Board scheduled for October 10, 2016 at 6:00 p.m. to discuss future plans and vision for Santa Fe Lake. This work session will be hosted on site at Santa Fe Lake.

Belt: Belt thanked the Mayor, Council, and Staff for helping out at the Cannonball Motorcycle Run this past weekend. He also thanked Bill Page, Kelly Modlin, and Terry Richardson for sponsoring the event. Belt stated the event brought a lot of good publicity to Augusta.

Magruder: Magruder reminded everyone of Praise in the Park this Sunday from 5-7 p.m. at Garvin Park. He stated the entire community is invited but there will be a special time for honoring city workers at about 6 p.m. Magruder stated there will be food, music and games for the kids.

Childers: Childers stated that in August of last year the governing body chose to replace two existing park board members with two new members as part of our appointment process. He stated that following that action, the two members that were removed filed a grievance with the Kansas



Attorney General's Office alleging a violation of the Kansas Open Meetings Act. Childers stated that after a yearlong process where each Council member and staff were interviewed and a thorough investigation by the Attorney General's Office, they found no wrongdoing by this governing body. Childers stated that throughout that process he has kept the Times Gazette in the loop about what has been happening and why, and have provided the public documents returned to us by the Attorney General's Office to the Times Gazette. He stated that he anticipates the Times Gazette will be writing an article about this finding from the Attorney General's Office. Childers encouraged any members of the council or staff that feel so inclined to contact Belinda Larsen with the Times Gazette with any comments they would like to add to her article on this finding.

Londagin: Londagin stated that he was contacted by a citizen who had a guest over the weekend who stated they were very disappointed in the lack of sidewalks to get to our park system. Lowery stated that we talk about the sidewalks often. He stated that we do a good job of identifying the problem but have not come up with solutions for this problem. Lowery stated that if we are going to keep bringing it up then we need to do something about it. Londagin suggested a work session in the future to discuss options to address it.

Adjourn: At 8:27 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
OCTOBER 3, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on October 3, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Tom Leffler and Justin Londagin. Council members Mike Rawlings and Ron Reavis were absent. Also present: City Attorney Austin Parker, Assistant City Manager Cody Sims and City Clerk Erica Jones. Visitors present were: Airport Manager Lloyd Partin, Belinda Larsen, John Black, Tiffany Gillespie, Eric Birk, Matthew Pray, Roberta Bond, Leslie Bond and Kathy McClure.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the September 19, 2016 Council meeting. Lowery seconded the motion. Motion carried without opposition.

Ordinance 9A: Leffler made a motion to approve Ordinance 9A in the amount of \$1,216,038.22. Lowery seconded the motion. Motion carried without opposition.

Visitors:

Tiffany Gillespie, representing the downtown merchants, was present to request approval of the annual Witches Night Out event and closure of the 500 block of State Street from approximately 6 p.m. to 8:30 p.m. on October 20, 2016 for the annual Witches Dance Event. Crum made a motion to approve the annual Witches Night Out event and closure of the 500 block of State Street from approximately 6 p.m. to 8:30 p.m. on October 20, 2016 for the annual Witches Dance Event. Lowery seconded the motion. Motion carried without opposition.

Les Bond, 1515 Washington Lane, addressed the governing body about the condition of the street on Washington Lane. He stated the road is covered in pot holes and in complete disrepair. Bond presented a petition to the council from the property owners in the area and asked for the council to repair Washington Lane between Kelly and Shirley Avenues. The Mayor stated that he has turned the petition over to Leffler who will follow up with the Public Works Director to inquire about the status of this particular street.

Business:

Temporary Commercial Lease Agreement between the City of Augusta and Pray Aviation, Inc.: Leffler made a motion to approve a temporary commercial lease agreement between the City of Augusta and Pray Aviation, Inc. Lowery seconded the motion. Motion carried without opposition.

Fishing Dock Proposal for Augusta City Lake by Liebe's EZ Dock: Magruder made a motion to accept the Park Advisory Board's recommendation to approve a proposal from Liebe's EZ Dock for three (3) docks to be installed at Augusta City Lake. Belt seconded the motion. Motion carried without opposition.

Magruder made a motion to approve Purchase Order No 2016-56.1 authorizing staff to purchase fishing docks from Liebe's EZ Dock in the amount of \$39,849. Belt seconded the motion. Motion carried without opposition.

Accept General Warranty Deeds for Right of Way Acquisition Related to the South Ohio Street Project: Lowery made a motion to accept a Warranty Deed for Right of Way Acquisition from Moore

Property investments, LLC. for \$2,000 related to the South Ohio Street Project. Belt seconded the motion. Motion carried without opposition.

Update on Charitable Donations on Utility Bills and the Landfill Coupon Program: Jones provided an update on charitable donations on utility bills and the use of the landfill coupon program.

Matters From/For Council and Informational Memorandum:

Reminder of the League of Kansas Municipalities Conference in Overland Park October 8-10<sup>th</sup>.

Leffler made a motion to postpone the joint work session with the Park Board scheduled at Santa Fe Lake for October 10, 2016 at 6:00 p.m. to a future date yet to be determined. Londagin seconded the motion. Motion carried without opposition.

Leffler: Leffler made a motion to schedule a joint work session with the Advisory Board for October 10, 2016 at 6:00 p.m. at the Airport to discuss future plans and vision for the Airport. Lowery seconded the motion. Motion carried without opposition.

Leffler asked for an update about the Neighborhood Revitalization Plan (NRP). Sims stated he received a call from the Assistant Attorney General today clarifying a few things the Attorney General's Office would like to see in the interlocal agreements going forward, but that the NRP was approved and they will be sending a confirmation letter out tomorrow.

Magruder: Magruder stated he was contacted by a citizen on Osage about a cattle truck that is parking in the area of her home without cleaning the truck out after its use causing a decreased quality of life due to the odor. Magruder stated she contacted the Safety Department and Inspection Department and we do not currently have anything on the books to address this and other noxious odors. Parker said there is nothing readily available in the code to address this, but if it is the will of the governing body he will review this with staff and other communities to see what kind of ordinance can be drafted to address this. Leffler stated that they could be slopping the manure out when they move it so we may be able to address the spillage. The consensus of the governing body was to have Parker and staff work on how to address this issue.

Executive Session:

At 7:33 p.m. Lowery made a motion to go into executive session for 10 minutes under the attorney-client relationship exception to the Kansas Open Meetings Act to discuss matters deemed privileged in the attorney-client relationship. Lowery asked that Assistant City Manager Cody Sims and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 7:43 p.m. Leffler seconded the motion. Motion carried without opposition.

At 7:43 p.m. Lowery made a motion to exit executive session with no action being taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 7:43 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
WORK SESSION  
October 10, 2016  
6:00 P.M.

The Council of the City of Augusta, Kansas met for a joint work session with the Airport Advisory Board on October 10, 2016 at 6 p.m., to discuss future plans and vision for the Airport.

The meeting adjourned at 7:20 p.m.

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City Clerk

CITY COUNCIL  
OCTOBER 17, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on October 17, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Paul Belt, Mike Rawlings, Tom Leffler, Ron Reavis and Justin Londagin. Councilwoman Jamie Crum was absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, Human Resource Manager Makala Navarro and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Charles Greenwell, Jill Greenwell, Eric Meyer, John Cox, John George, Nin George, Guy Corcoran and Carrie Cox.

Pledge of Allegiance

Prayer: Pastor Cale Magruder, First Southern Baptist Church, gave the invocation.

Minutes: Reavis made a motion to approve the minutes from the October 3, 2016 Council meeting and October 10, 2016 work session. Leffler seconded the motion. Motion carried without opposition.

Ordinance 10: Leffler made a motion to approve Ordinance 10 in the amount of \$419,544.48. Lowery seconded the motion. Motion carried without opposition.

Proclamation:

John Cox read a proclamation signed by the Mayor designating November 5 and 6, 2016 as days to support the annual distribution of Buddy Poppies by the Veterans of Foreign Wars.

Visitors:

Eagle Scout John George was present to request Council permission to pour pads for benches along the new walking path in Shryock Park as part of his Eagle Scout Project with the City responsible for adding the benches. Reavis made a motion to approve the request to pour pads for benches along the new walking path in Shryock Park as part of George's Eagle Scout Project. Lowery seconded the motion. Motion carried without opposition.

Charles Greenwell, representing Flying Bar G. Ranch Carriage, LLC, was present to request permission to operate a horse and carriage business in the downtown area. The Council requested a special event request be presented for consideration at the next Council meeting.

Business:

Update on Condemnation of Real Property Located at 606 East 12<sup>th</sup> Avenue: Shaw stated the structure was moved on Friday, October 14, 2016. Leffler asked that the code enforcement officer continue to monitor the property as there was debris left behind that needs to be cleaned up.

Presentation of 2015 Audit: Eric Meyer with George, Bowerman and Noel presented the City's 2015 Audited Financial Statements to the governing body. Lowery made a motion to accept the City's 2015 Audited Financial Statements. Londagin seconded the motion. Motion carried without opposition.

Service Agreement for Human Capital Management System: Leffler made a motion to approve a services agreement for Human Capital Management System aka payroll and human resources information systems provided by Paychex subject to legal review and the addressing of staff concerns. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reavis: Reavis stated he was approached by two different individuals about the City dragging their feet on certain items, specifically the ordinance addressing parking on grass and rodents due to the conditions of neighboring properties. He stated that if we say we are going to do something we need to follow through with it. Reavis also stated that one of our business owners is waiting on an agreement to dump sewer at the wastewater plant and stated that it can't be that hard to come up with a solution. He stated the business owner feels he is getting nowhere with city staff.

Belt: Belt was approached by citizen about an increase in semi-truck traffic on Custer Lane.

Executive Session:

At 8:03 p.m. Lowery made a motion to go into executive session for 60 minutes under the personnel matters exception to the Kansas Open Meetings Act to discuss personnel matters of non-elected personnel to conduct the City Manager's annual performance evaluation. Lowery asked that Carrie Cox from Allen, Gibbs, and Houlik and City Manager Josh Shaw join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:03 p.m. Magruder seconded the motion. Motion carried without opposition.

At 9:03 p.m. Lowery made a motion to exit executive session with no action being taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 9:04 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
NOVEMBER 7, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on November 7, 2016, with Mayor Matt Childers presiding. Council present were Jason Lowery, Cale Magruder, Jamie Crum, Paul Belt, Mike Rawlings, Tom Leffler, and Ron Reavis. Councilman Justin Londagin was absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Charles Greenwell, Nin George, Avin George, Tyler Brewer, Linda Brewer, Dan Allen, Stephanie Cole, Kim Galgon, Colleen Beckley, Ray Marbut, Chad McCluskey, Jeremy Johnston, Chris Schueber, Derrick Highbarger, Shane Noland, Eric Birk, Steve Spencer Scott Cheslic and Zachary Blue.

Pledge of Allegiance

Prayer: Pastor Steve Spencer, First United Methodist Church, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the October 17, 2016 Council meeting. Lowery seconded the motion. Motion carried without opposition.

Ordinance 10A and 11: Crum made a motion to approve Ordinance 10A in the amount of \$1,073,831.91 and Ordinance 11 in the amount of \$373,208.19. Leffler seconded the motion. Motion carried without opposition.

Visitors:

Avin George: Avin George was present to request approval for the placement of six fish habitats at Augusta City Lake to create fish habitats and improve fishing. He stated they will be built at the Augusta High School and be placed at the lake this weekend if approved. George stated that Ace Hardware has agreed to cover the costs of three of them and requested that the City pay for the other three at a cost of \$390. Belt made a motion approve the placement of six fish habitats at Augusta City Lake and to fund the cost of three of the habitats. Rawlings seconded the motion. Motion carried without opposition.

The Council recognized Ray Marbut, Fire Major for 40 years of service; Erica Jones, City Clerk/Director of Finance; Colleen Beckley, Public Safety Administrative Assistant; Stephanie Cole Public Safety Communication Specialist; Dan Allen, City Inspector; and Shane Noland, WWTP Lab Technician for 10 years of service.

Business:

First Amendment to Infrastructure Development Refunding Agreement with Appcon Services: Reavis made a motion to approve the First Amendment to Infrastructure Development Refunding Agreement with AppCon Services for a change order in the amount of \$6,410 related to realignment of water and sanitary sewer infrastructure improvements. Rawlings seconded the motion. Motion carried without opposition.

2016 Street Sales Tax Program Project Award Recommendation: Leffler made a motion to approve a bid award to APAC-Kansas, Inc. for the 2016 Street Sales Tax Program in the amount of \$115,613.95 for improvements to Washington Lane, Cemetery Road, and thermal crack repair in Lakeside II Addition. Lowery seconded the motion. Motion carried without opposition.

Bid Award for the Shryock Park Parking Lot Improvements: Rawlings made a motion to approve a bid award to McCollom Construction, Inc. in the amount of \$181,083.10 for the base bid and alternate 1

for parking lot improvements at Shryock Park. Crum seconded the motion. Motion carried without opposition.

Ordinance 2106 Regulating Parking of Vehicles upon Private Property within the City of Augusta, Kansas: Rawlings made a motion to approve Ordinance 2106 regulating parking of vehicles upon private property within the City of Augusta, Kansas with “up to...” added to the fine amounts. Belt seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, and Rawlings Yea. Motion carried.

Schedule Public Hearing to Amend the 2016 Budget: Lowery made a motion to table this agenda item. Magruder seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reavis: Reavis stated we gave away some award money out of the departmental fund and didn't want to see those departments penalized. Shaw explained that the service award money comes out of the salary line item of the department the employee works for.

Magruder: Magruder stated he was glad for the discussion tonight and that it is worth the patience they show with one another to discuss these things.

Childers: Childers asked for an update on the docks at the Augusta City Lake. Sims stated staff expects the gangways and docks to be delivered between the 11<sup>th</sup> and 15<sup>th</sup> of this month and they will be installed shortly thereafter.

Executive Session:

At 8:25 p.m. Lowery made a motion to go into executive session for 60 minutes under the personnel matters exception to the Kansas Open Meetings Act to discuss personnel matters of non-elected personnel and to conduct the City Manager's annual performance evaluation. Lowery asked that City Manager Josh Shaw join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:25 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:25 p.m. Lowery made a motion to exit executive session with no action being taken. Rawlings seconded the motion. Motion carried without opposition.

Adjourn: At 9:26 p.m. Lowery made a motion to adjourn. Rawlings seconded the motion. Motion carried without opposition.

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City Clerk



CITY COUNCIL  
NOVEMBER 21, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on November 21, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jamie Crum, Paul Belt, Mike Rawlings, Tom Leffler, Justin Londagin and Ron Reavis. Council member Jason Lowery was absent. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Wastewater Superintendent Eric Burris, Tom Bishop, Kelly Modlin, Chris Kuhlmann, Brad Waller, and Chuck May.

Pledge of Allegiance

Prayer: Pastor Steve Spencer, First United Methodist Church, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the November 7, 2016 Council meeting. Crum seconded the motion. Motion carried without opposition.

Ordinance 11A: Reavis made a motion to approve Ordinance 11A in the amount of \$468,617.06. Leffler seconded the motion. Motion carried without opposition.

Visitors:

Tom Bishop: Tom Bishop, representing Homestead Affordable Housing, will be present to discuss a rehabilitation project for Brookside Cottages and provide information about an upcoming request for the City to issue industrial revenue bonds that will be presented to the City Council for consideration in December.

Business:

Scope of Engineering Services Agreement Between the City of Augusta and Alfred Benesch & Company for Taxilane Design and T-Hangar Coordination Design Engineering at Augusta Municipal Airport: Reavis made a motion to approve the Scope of Engineering Services Agreement in the amount of \$29,465 between the City of Augusta and Benesch for Taxilane Design and T-Hangar Coordination Design Engineering at the Augusta Municipal Airport. Leffler seconded the motion. Motion carried without opposition.

Engineering Design Services Agreement with Schwab Eaton for Ohio Street Waterline: Leffler made a motion to approve the Design Services – Part A with Schwab Eaton in the amount of \$18,900 for design of the parallel 8” and 6” water mains to be replaced in coordination with the Ohio Street Project. Reavis seconded the motion. Motion carried without opposition.

Report on Septic Disposal Options for Augusta Wastewater Treatment Plant: Kelly Modlin addressed the governing body on behalf of his septic hauling business and requested that the governing body consider lowering the sewage dumping fee. Leffler made a motion to table this discussion until Modlin’s experts are ready to address the Council. Londagin seconded the motion. Motion carried with Magruder voting in opposition.

Charter Ordinance No. 14 Changing City Elections to November; Ordinance No. 2107 Declaring City Elections to be Nonpartisan: Rawlings made a motion to approve Charter Ordinance No. 14 Exempting the City of Augusta, Kansas from certain terms and provisions of K.S.A. 14-201, and providing substitute provisions on the same subjects relating to the conduct of elections and the tenure of elected city officials by amending section 3 of Charter ordinance No. 12. Magruder

seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Childers Yea, Crum Yea, Rawlings Yea, and Londagin Yea. Motion carried.

Magruder made a motion to approve Ordinance No. 2107 declaring the election of city offices to be nonpartisan in accordance with the provisions of K.S.A. 25-2113. Londagin seconded the motion. Roll Call: Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Crum Yea, Rawlings Yea, and Londagin Yea. Motion carried.

Training Agreement with Kansas Army National Guard: Rawlings made a motion to approve the Local Training Area (LTA) License Agreement with the Kansas Army National Guard (KSARNG) to allow the 226<sup>th</sup> Engineer Company based in Augusta to use the designated locations at Santa Fe Lake as a training site and authorize the City Manager to sign the agreement. Crum seconded the motion. Motion carried without opposition.

Appointment of Ad Hoc Committee to Review Special Alcohol Grant Applications: Belt made a motion to appoint Reavis, Crum and Londagin to serve on an ad hoc committee to review Special Alcohol Grant submissions for the 2017 Budget year. Leffler seconded the motion. Motion carried without opposition.

Schedule Public Hearing for 2016 Budget Amendments: Leffler made a motion to schedule a public hearing to take input on the 2016 Budget Amendments for Monday, December 19, 2016 at 7 p.m. at City Hall and authorize publication of the public hearing notice. Rawlings seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Shaw provided an update that construction of the parking lot at Shryock Park will begin Monday of next week. He stated the project area will be barricaded and shut down entirely during the construction phase and recommends that citizens avoid the area during that time.

Leffler: Leffler stated he had the privilege of seeing the trail being built in Shryock Park and he was very impressed with the work being done by the construction company doing the work and that he has received positive comments from citizens that Pearson and Vogts Parga have been doing a good job.

Leffler inquired about the completion status of the construction of the Depot. Shaw stated it is getting close. He stated staff had a walk through with the Architect today and he is working on establishing a punch list which will address any remaining items that need to be resolved. Shaw stated that staff had a very candid conversation with the Architect today explaining the City's position and what our expectations are and hope that as our representative that he is going to relay our concerns with the contractor.

Leffler stated he noticed they started adding fishing docks at the lake and asked if they are fully operable as he saw people using them this past weekend. Shaw stated they are still under construction and asked that people please stay off of them for a few more days until they are completed. He stated he has spoken to staff to see if more barriers can be added.

Magruder: Magruder inquired about the status of the restrooms at Shryock Park. Goering stated it should be completed by next Wednesday. She stated they have rented equipment which makes it easier to dig through the rock and they are laying the line and covering it as they are trenching it.

Rawlings: Rawlings stated that part of the ongoing issue with the Depot started when the construction first started. He stated the contractor discovered mold and rotted foot joists which automatically delayed the project by 45 days at the start of the project.

Rawlings stated it is obvious that something needs to be done about sidewalks along Money, Lulu and West 7<sup>th</sup> Avenue. He stated we should be asking developers to address the sidewalk when they develop west 7<sup>th</sup> Avenue. Rawlings stated we need to address sidewalks by the next budget work sessions. Shaw stated that one of the upcoming work sessions that have been suggested is a session to discuss sidewalks.

Londagin: Londagin stated he had a citizen message him thanking city staff for the fishing docks. Londagin commended Shaw and Sims for their innovative thinking on how to fund those.

Childers: Childers stated that this Saturday is Small Business Saturday along with the Christmas parade.

Executive Session:

At 8:54 p.m. Magruder made a motion to go into executive session for 60 minutes under the preliminary discussions of real property acquisition and personnel matters exceptions to the Kansas Open Meetings Act for preliminary discussions relating to acquisition of real property for future expansion of city facilities and to discuss personnel matters of non-elected personnel and conduct the City Manager's annual performance evaluation. Magruder asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 9:54 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:54 p.m. Magruder made a motion to exit executive session with no action being taken. Leffler seconded the motion. Motion carried without opposition.

Reavis made a motion to authorize the City Manager to purchase a property with the commonly known address of 347 E 5<sup>th</sup> at a price not to exceed \$8,000 and to execute all necessary documents incidental thereto. Leffler seconded the motion. Magruder made a motion to amend the original motion be a price not to exceed \$8,000 plus closing costs. The motion to amend was seconded by Leffler and carried without opposition. Motion to amend the original motion to include closing costs was approved. Motion to authorize the purchase carried without opposition.

Adjourn: At 9:55 p.m. Londagin made a motion to adjourn. Reavis seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
DECEMBER 5, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on December 5, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jason Lowery, Paul Belt, Jamie Crum, Mike Rawlings, Tom Leffler, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering, Electric Utility Director Bill Webster and City Clerk Erica Jones. Visitors present were: Belinda Larsen, John Black, Matt Pray, Sarah Hoefgen, Connie Thurman, Ken Brinkman, Eric Birk, Erin Allen, Kirk Larson, and Tom Bishop.

Pledge of Allegiance

Prayer: Pastor Paul Andrews, Life Church, gave the invocation.

Minutes: Reavis made a motion to approve the minutes from the November 21, 2016 Council meeting with a change in the final paragraph to state "...an amount not to exceed \$8,000 plus closing costs". Leffler seconded the motion. Motion carried without opposition.

Ordinance 11B: Lowery made a motion to approve Ordinance 11B in the amount of \$926,647.32. Crum seconded the motion. Motion carried without opposition.

Visitors:

Cody Sims, Assistant City Manager, was recognized for his graduation from the Leadership Butler Class of 2015.

Kenneth Brinkman, 308 E 6<sup>th</sup> Avenue, addressed the governing body regarding an orange clay tile sewer line installed in 1917 that has been clogged for the past five weeks. Brinkman stated he would like the city to consider replacing that entire line. Magruder stated Brinkman has had this conversation with staff going back 30 years and that we need to get definitive answers for Mr. Brinkman regarding ownership and responsibility of the sewer line. He suggested that Brinkman and the other two property owners meet with staff and discuss the issue and bring it back to the council as a discussion/direction agenda item. Shaw agreed the conversation goes back a while and stated that everything staff has located indicates it is a private line but that staff is looking to see if we can find a plat that would show if it was dedicated as a public or private line. He stated it will have to be reconstructed because of the condition of the line, but could result in special assessments if it is determined it is privately owned.

Reavis made a motion that the City assume responsibility for the line and designate it as public infrastructure. Motion died from lack of a second.

Lowery made a motion to draft an agreement that would not hold the City liable for the line as we pay for it to be cleaned out. Leffler seconded the motion. Magruder stated he would feel more comfortable with Brinkman paying for it and City reimbursing him if it is determined to be a public line. Lowery made a motion to amend the original amendment to state that the City will reimburse Brinkman for the cleaning of the line if it is determined to be a public line. Leffler seconded. Motion to amend carried with Londagin voting in opposition. Amended motion carries with Reavis voting in opposition.

Business:

Geographic Information Systems (GIS) Mapping Presentation from Midland GIS: The Council received a presentation from City staff and Midland GIS regarding mapping software proposal for city utilities and discussed process for selecting a firm to assist the City with GIS mapping. Public Works Director Jaime Goering introduced Erin Allen with Midland GIS to conduct the presentation. Council directed staff to move forward with negotiating with Midland GIS.

Conduct a Public Hearing Regarding the Issuance of Industrial Revenue Bonds (IRBs) for Homestead Affordable Housing: A public hearing was conducted regarding the proposed issuance by the City of its multifamily housing revenue bonds in the maximum principal amount of not to exceed \$2,000,000, for the purpose of making a loan to Homestead Senior Residences Augusta, LLC, to finance a portion of the costs of the acquisition and rehabilitation of a 48-unit apartment project known as Brookside Senior Residences. The public hearing was closed after no one coming forward with comments.

Tom Bishop with Homestead Senior Residences Augusta, LLC addressed the governing body.

Magruder made a motion authorize the Mayor to execute the Certificate of Approval authorizing financing a portion of the costs of the acquisition and rehabilitation of a 48-unit apartment project known as Brookside Senior Residences, located at 711 Smiles Avenue in the City of Augusta, Butler County, Kansas. Londagin seconded the motion. Motion carried without opposition.

Executive Session:

At 8:34 p.m. Lowery made a motion to go into executive session for 25 minutes under the attorney-client privilege exception to the Kansas Open Meetings Act for discussion of matters deemed privileged in the attorney-client relationship. Londagin asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker join the Council in the executive session. The governing body will reconvene in the Council Chambers at 8:59 p.m. Leffler seconded the motion. Motion carried without opposition.

At 8:59 p.m. Lowery made a motion to exit executive session with no action being taken. Rawlings seconded the motion. Motion carried without opposition.

Agreement Between the City of Augusta and Pray Aviation, Inc. for the Sale of Identified Improvements and a Long-Term Ground Lease at the Midfield Complex at Augusta Municipal Airport: Matt Pray addressed the governing body regarding his plans for the property and his business model. Magruder made a motion to approve a land lease agreement between the City of Augusta and Pray Aviation, Inc., and authorizing staff to proceed with the sale of identified improvements at the Midfield Complex and establishing a long-term ground lease for the ground located under the improvements for an initial term of 30 years and authorize staff to terminate the temporary lease at closing. Leffler seconded the motion. Motion carried without opposition.

Alignment of Kansas Power Pool Power Purchase Contracts with Member Cities: Council directed staff to vote in support for a Resolution calling upon all governing bodies to take certain actions pertaining to their contracts for power purchase with KPP.

2017 Utility Abatements: Leffler made a motion to authorize award of utility abatements for the 2017 calendar year to Augusta Arts Council (Theatre) in the amount of \$9,000, Augusta Arts Council (Gallery) in the amount of \$1,000, Augusta Chamber of Commerce in the amount of \$2,200, Augusta Community Caring Center in the amount of \$3,400, Augusta Historical Society in the amount of \$6,500, Augusta Public Library in the amount of \$24,000, Augusta Senior Center in the amount of \$5,000, Kansas Museum of Military History in the amount of \$3,000, Mid-Kansas CAP in

the amount of \$8,000, Twisted Oz Motorcycle Museum in the amount of \$15,000, and to provide free utility service to Augusta Youth Soccer and Augusta Girls Softball. Lowery seconded the motion. Motion carried with Rawlings voting in opposition.

2016 Utility Write Offs and Collections: Reavis made a motion to approve the write off of 21 utility accounts in the amount of \$6,223.93. Leffler seconded the motion. Motion carried without opposition.

Settlement Agreement with Demeon Brown: Rawlings made a motion to approve a Settlement Agreement with Demeon Brown in the amount of \$2,256, equivalent to one year's hangar rent, and releasing the City from future claims. Lowery seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Sims stated that staff is working on planning a joint meeting with Park Advisory Board and City Council on December 12<sup>th</sup> to discuss the design for the complex at Garvin Park and aspects of the project that need to be discussed as a group to see how to move forward. Consensus of the governing body was for December 12<sup>th</sup> at 6 p.m. Lowery made a motion to schedule a joint meeting with Park Advisory Board and the City Council to discuss the design for the complex at Garvin Park and aspects of the project. Londagin seconded the motion. Motion carried without opposition.

Leffler: Leffler asked if the fishing docks are completed. Sims stated they are but that the contractor is working on the concrete extensions. Leffler asked if they could be used now. Sims stated staff would like to wait until concrete is done.

Leffler asked if the Washington Lane street repairs are starting this week. Goering stated that she anticipates that work will begin sometime this week, but with the weather she isn't certain. Londagin asked if residents will be given notice for parking. Goering stated they would receive 48 hours notice.

Belt: Belt stated that some of the lights are out on the display at 7<sup>th</sup> Avenue and Osage. Londagin stated he saw staff working on it today.

Rawlings: Rawlings stated he has received requests from 2-3 citizens for a street light at the corner of Lulu and 6<sup>th</sup> Avenue, but Rawlings stated he believes that intersection is in the County. Shaw stated he would consult with the Electric Department to see what could be done in a different location in the area as the intersection is outside of the City limits.

Londagin: Londagin stated he was contacted by a citizen who said they travel the intersection of 7<sup>th</sup> Avenue and Lulu at 4 a.m. in the morning when no one is there, and they have to wait up to a minute sometimes due to the crosswalk and they didn't used to have to wait. Webster stated he would check on it.

Adjourn: At 9:52 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk

CITY COUNCIL  
WORK SESSION  
December 12, 2016  
6:00 P.M.

The Council of the City of Augusta, Kansas met for a joint work session with the Park Advisory Board on December, 2016 at 6 p.m., to discuss the design for the complex at Garvin Park and aspects of the project.

The meeting adjourned at 7:20 p.m.

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City Clerk

CITY COUNCIL  
DECEMBER 19, 2016  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on December 19, 2016, with Mayor Matt Childers presiding. Council present were Cale Magruder, Jason Lowery, Paul Belt, Jamie Crum, Mike Rawlings, Tom Leffler, Justin Londagin and Ron Reavis. Also present: City Manager Josh Shaw, City Attorney Austin Parker, Assistant City Manager Cody Sims, Public Works Director Jaime Goering and City Clerk Erica Jones. Visitors present were: Wastewater Superintendent Eric Burris, Code Enforcement Officer Travis Combes, Belinda Larsen, John Black, Aaron Wells, Britt Moore, Kelly Modlin, Chris Kuhlmann, Matt Moore, Brad Reynolds, Eric Birk, Elmer Simon, Jennifer Stanyer, Kris Schumacher, Ray Conell, and Clint Headley.

Pledge of Allegiance

Prayer: Pastor Brad Reynolds, Life Church, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the December 5, 2016 Council meeting and December 12, 2016 Joint Work Session with the Park Board. Belt seconded the motion. Lowery stated that he made motion to go in to executive session not Londagin. Motion carried to approve the amended minutes without opposition.

Ordinance 12: Belt made a motion to approve Ordinance #12 in the amount of \$1,079,985.15. Leffler seconded the motion. Motion carried without opposition.

Business:

Conduct a Public Hearing for 2016 Budget Amendments; Consider Approval of Proposed Budget Amendments to the 2016 Budget: A Public Hearing was conducted to take input on the 2016 Budget Amendment. After no comments were received from the public, the hearing was closed.

Reavis made a motion to approve the amended 2016 Budget. Lowery seconded the motion. Motion carried without opposition.

2017 Cereal Malt Beverage License Renewals: Crum made a motion to approve the applications for 2017 Cereal Malt Beverage License Renewals. Reavis seconded the motion. Motion carried with Rawlings and Magruder voting in opposition.

New Cereal Malt Beverage License Applications: Crum made a motion to approve a 2016 Cereal Malt Beverage License for Holiday Bowl, LLC located at 310 State Street. Reavis seconded the motion. Motion carried with Rawlings and Magruder voting in opposition.

Londagin made a motion to approve a 2017 Cereal Malt Beverage License for Holiday Lanes, LLC located at 310 State Street. Leffler seconded. Motion carried with Rawlings and Magruder voting in opposition.

Resolution No. 2016-37 Ordering the Removal and Abatement of Nuisances Identified by the Code Enforcement Officer of the City of Augusta on Property Located at 606 E 12<sup>th</sup>: Magruder made a motion to approve Resolution No. 2016-37 ordering the removal and abatement of nuisances identified by the Code Enforcement officer on property located at 606 E 12<sup>th</sup> within ten days as specified by K.S.A. 12-1617e. Leffler seconded the motion. Motion carried without opposition.



2017 Special Alcohol Grant Applications: Belt made a motion to approve the 2017 Special Alcohol Grant Applications for Family Life Center in the amount of \$5,000; Augusta High School SADD Group in the amount of \$5,000; Tri-County CASA in the amount of \$5,000; Bright Futures Augusta in the amount of \$5,000; and Youth Leadership Butler in the amount of \$700. Magruder seconded the motion. Motion carried without opposition.

Update Report/Discussion on Septic Disposal Options for Augusta Wastewater Treatment Plant: Attorney Ray Conell, representing Kelly and Teresa Modlin, Chris Kuhlmann, and Augusta Rental addressed the governing body.

Public Works Superintendent Jaime Goering and Wastewater Superintendent addressed the governing body and explained staff's position to no longer accept waste from septic haulers at the Wastewater Treatment Plant.

Britt Moore, President of PD Plumbing, addressed the governing body.

Kelly Modlin, owner of Augusta Rental, addressed the governing body.

James Tusch, retired from the City of Wichita and former PEC and City of Pittsburg employee, addressed the governing body.

Magruder made a motion to no longer accept waste from private haulers effective February 1<sup>st</sup>, 2017. Motion died from lack of a second.

Lowery made a motion to continue with the current fee structure and require call ahead prior to dumping while the city engineer conducts a max flow study of the plant to be presented to the governing body in March 2017. Reavis seconded the motion. Lowery amended his motion to establish timeline of first meeting in April. Reavis seconded. The motion to amend carried without opposition. Amended motion carried with Magruder voting in opposition.

At 8:47 Magruder made a motion to recess for 10 minutes, returning at 8:57. Belt seconded the motion. Motion carried without opposition.

Engineering Services Agreement with Schwab Eaton for City Lake Road Paving Project Design: Aaron Wells, 2907 Lakeshore Drive, addressed the governing body.

Leffler made a motion to approve the Design Services Agreement – Parts A and B with Schwab Eaton in the amount of \$42,900 for survey and design of paving improvements on the East side of City Lake Road. Lowery seconded the motion. Motion carried without opposition.

Tablet Use Policy for Governing Body Members: Lowery made a motion to approve of Policy No. 2016AD-01 adopting a tablet use policy for members of the Governing Body. Belt seconded the motion. Motion carried without opposition.

Ordinance No. 2109 Authorizing KDHE Loan Agreement for Wastewater Improvements: Lowery made a motion to approve the water conservation plan as presented. Belt seconded the motion. Motion carried without opposition.

Lowery made a motion to approve Ordinance No. 2109 authorizing the execution of a loan agreement between August, 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 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. Magruder seconded the motion. Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Policy Pertaining to the application of Certain Discounts for Hangar Space and Aviation Gasoline at Augusta Municipal Airport: Belt made a motion to approve Policy No. CD2016-04 regulating discounts approved for hangar space and 100 Low Lead Aviation Gasoline at Augusta Municipal Airport. Leffler seconded the motion. Motion carried without opposition.

Ordinance No. 2108 Regulating Elmwood Cemetery: Lowery made a motion to approve Ordinance 2108 regulating, governing, and protecting Elmwood Cemetery, and the grounds thereof, the owners of the lots therein, visitors thereof, the enclosing, adorning and erecting of monuments and tombstones on cemetery lots, and improvements on the grounds of the cemetery, and repealing all ordinances or parts thereof in conflict herewith. Leffler seconded the motion. Reavis Yea, Leffler Yea, Belt Yea, Magruder Yea, Lowery Yea, Crum Yea, Rawlings Yea, Londagin Yea. Motion carried.

Matters From/For Council and Informational Memorandum:

Reminder that the first meeting in January will be Tuesday, January 3, 2016 because of the New Year's Holiday.

Childers stated that staff is considering two work sessions for January, one to discuss sidewalks and one with API to discuss economic development opportunities.

Shaw stated there was \$15,000 budgeted in the CTB Fund to furnish the new Welcome Center. Shaw stated he found a display case from the 1910 era at a Paramount Antique Mall for \$626.50. Council was comfortable with that purchase.

Reavis: Reavis stated he received calls about the intersection at Mainsgate and Pembroke. Shaw stated staff has reviewed this intersection from a safety perspective and does not feel like it merits a stop sign based on the MUTCD regulations. He stated that if Council wanted to see something different up there, they would have to advise staff to put one in. Reavis asked why there is not a protected left turn signal for vehicles traveling East on 7<sup>th</sup> Avenue and turning North onto Cliff Drive. Childers stated he understood that the amount of traffic at that intersection does not warrant it.

Belt: Belt inquired about the status of the traffic signal cross-arm at Highway 54 and Walnut Street that was damaged. Shaw stated that the repair is on order.

Magruder: Magruder stated that Ward 1 is looking for representatives to serve on the Street Sales Tax Committee and if anyone is interested to contact him or Lowery.

Adjourn: At 10:23 p.m. Londagin made a motion to adjourn. Lowery seconded the motion. Motion carried without opposition.

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City Clerk