

CITY COUNCIL
NOVEMBER 21, 2022
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on November 21, 2022, with Council President Tom Leffler and Mayor Mike Rawlings presiding. Council present were Mike Martin, Eric Birk, Mike Huddleston, Bob Bailey, Tom Leffler, Kip Richardson, Jeff Brown and Ron Reavis. Also present: City Attorney Andrew Marino, City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Ray Seif, Shawna Cortez, Anthony Craft and Susan Smith. Visitors: Nick McClure, Sue Jones, Katie Roggenbaum, Chuck May, Joe Bertapelle, Rachel Bertapelle, Alex Wang, and Tim McLemore.

Pledge of Allegiance

Prayer: Councilman Kip Richardson gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the November 7, 2022 City Council meeting and November 8, 2022 Council work session. Martin seconded the motion. Motion carried without opposition.

Ordinance: Richardson made a motion to approve Ordinance #11 dated 11/9/2022. Brown seconded the motion. Motion carried without opposition.

Mayor Rawlings arrived at 7:04 p.m.

Visitors:

Nick McClure, representing Augusta Township, was present to discuss the condition of the township roads. McClure requested funding from the City to put the roads back to the condition they were in before the Ohio project. He stated that 4 (four) inches of rock across the 8 (eight) miles used for the detours would cost approximately \$56,800 per mile for an approximate total of \$454,400.00.

Katie Roggenbaum, 7297 SW Shumway, addressed the governing body in support of the Augusta Township's request for funding from the City to repair the dirt roads.

Business:

Ordinance for Various Conditional Use Permits: Huddleston made a motion to approve Ordinance No. 2203 approving a Conditional Use Permit for a tattoo studio located at 108 West 5th Avenue. Reavis seconded the motion. Roll Call: Huddleston Yes, Birk Yes, Reavis Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Martin Yes. Motion carried.

Huddleston made a motion to approve Ordinance No. 2204 approving a Conditional Use Permit for an oversized detached structure located at 5878 SW Ohio Street Road. Brown seconded the motion. Roll Call: Huddleston Yes, Birk Yes, Reavis Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Martin Yes. Motion carried.

Huddleston made a motion to approve Ordinance No. 2205 approving a Conditional Use Permit for an oversized detached structure located at 5275 SW Ohio Street Road. Brown seconded the motion. Roll Call: Huddleston Yes, Birk Yes, Reavis Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Martin Yes. Motion carried.

Airport Runway Closure Concessions: Brown made a motion to approve the Augusta Municipal Airport Advisory Board's recommendation to give all aviation tenants a 30% discount on rent during the long runway closure, give commercial aviation tenants a 30% discount for an additional period equal to ½ of the time the runway is closed during the long closure, to commence once the runway reopens, contingent upon commercial tenants returning to the same pre-closure level of employment and based aircraft (if applicable) at the airport. Leffler seconded the motion. Motion carried without opposition.

Schedule a Public Hearing to Take Input and Comment on the Proposed 2022 Budget Amendments: Leffler made a motion to schedule a public hearing on Monday, December 19, 2022 at 7:00 p.m. at City Hall to take input and comment on the Proposed Amendments to the 2022 Budget. Martin seconded the motion. Motion carried without opposition.

Resolution No. 2022-36 Adopting a Cemetery Fee Waiver Policy: Reavis made a motion to table the resolution and direct staff to reword the resolution based on the recommendations and feedback provided by the Council. Brown seconded the motion. Motion carried without opposition.

Agreement with Schwab-Eaton to Complete the Surveying and Concept Phase for Redbud Trail Pedestrian Bridge over US-54 Highway between Santa Fe Lake road and Tawakoni Road: Reavis made a motion to not approve an agreement with Schwab-Eaton, P.A., Consulting Engineers to complete the surveying and concept phase for the Redbud Trail Pedestrian Bridge over US-54 Highway between Santa Fe Lake Road and Tawakoni Road at a cost not to exceed \$49,500.00. Leffler seconded the motion. Motion carried with Brown, Birk and Richardson voting in opposition.

Kansas Power Pool (KPP) Voting Delegate Appointments: Richardson made a motion to appoint Director of Public Utilities Tim Johnson as the City's voting delegate and Electric Production Superintendent Jim Sutton as the alternate voting delegate at the annual Membership Committee meeting of the Kansas Power Pool. Huddleston seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Huddleston: Huddleston stated the construction of the Ohio Street was poorly done workmanship and asked where we go from here to get our money's worth out of that project. Leffler agreed that there are areas where the road is very rough, especially on the north end. Huddleston stated Kansas Paving also did the South Ohio project and there is a big difference between they way it drives versus North Ohio. Huddleston stated that we have received a poor product at this point. Leffler stated he has had several people comment to him about it. City Engineer Chuck May said he drove it and there are some rough areas. He stated we will have a walk thru with the contractor tomorrow to go over the final punch list and we will have to talk to the contractor to see what can be done about it at this point.

Reavis: Reavis stated that on the Wastewater's monthly report it mentions that there is no sewer access to the property at Custer Lane and Williams. He asked if it is up to the developer to provide that access and would the 180 days conditional use permit limit apply to that property as well. Sims stated he would look in to that and report back to the council.

Leffler: Leffler stated that at the last Airport Advisory Board's joint work session with the City Council they met Tim McLemore who bought the helicopter business that was originally at the Airport. Leffler stated that McLemore has concerns about the condition of the building, which the City

owns. Leffler stated that McLemore is willing to make the repairs, but he wants to see if he can meet with the council to redo the contract that expires September 2025 with no provision to extend the contract. He stated he would like a new contract that provides for an extension or renewal of the contract. Leffler stated he is willing to provide a business plan with specific milestones and he wants to rebrand the business. Tim McLemore addressed the governing body and stated that he wants to grow the business. He wants to serve his customers and be a better neighbor and would like to spend the money and invest in the hanger, but he would need to have a new contract or provide an opportunity to extend the current contract. Staff stated they would work with McLemore to draft a base line contract so there is something for the council to review and start working from.

Executive Session:

At 8:40 p.m. Richardson made a motion to recess into executive session for 45 minutes to discuss an individual employee's performance to conduct the City Manager's annual evaluation pursuant to the non-elected personnel matter exception, K.S.A 75-4319(b)(1). Richardson asked that City Manager Josh Shaw join the Council in executive session. The open meeting of 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. Richardson made a motion to executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 9:26 p.m., Richardson made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

City Clerk