

CITY COUNCIL
FEBRUARY 20, 2018
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on February 20, 2018, with Mayor Matt C. Childers presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Paul Belt, Mike Rawlings, Tom Leffler, Justin Londagin and David Bates. 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, Blair Miller, Michelle Eastman, Mike Stump, Connie Thurman and Mike Timberlake.

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 February 5, 2018 City Council meeting. Crum seconded the motion. Motion carried without opposition.

Ordinance 2: Crum made a motion to approve Ordinance 2 dated 2/7/2018 with the payment to Ascent Aviation withdrawn. Bates seconded the motion. Motion carried without opposition.

Proclamation:

The Mayor read a proclamation designating March 5 to March 9, 2018 as a Severe Weather Awareness Week recognizing the need to increase awareness of the potential dangers of severe weather.

Visitors:

Michelle Eastman with Rainbows United, Inc. and Blair Miller, Special Events Coordinator for Rainbows United, Inc., were present to discuss the Rainbows Run/Walk. Rawlings made to approve the Rainbows United, Inc. annual run/walk on May 5, 2018 from 8 a.m. to 12 p.m. Crum seconded the motion. Motion carried without opposition.

Mike Timberlake was present to request permission for Augusta Little League Baseball to use Garvin Park ball diamonds for this summer's practices and games/tournaments.

Business:

Annual Review of Global Parts Property Tax Exemption: Magruder made a motion to approve continuing the tax exemption as originally authorized by the City of Augusta. Leffler seconded the motion. Motion carried without opposition.

Ordinance No. 2128 Authorizing the First Amendment to the Loan Agreement Between the Kansas Department of Health and Environment and the City of Augusta, Kansas – KWPCRF Project No. C20 2009 01: Magruder made a motion to approve Ordinance No. 2128 authorizing execution of the first amendment to the loan agreement between Augusta, 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; and authorizing certain other actions in connection with the first amendment to the loan agreement. Belt seconded the motion. Roll Call: Birk Yes, Magruder Yes, Belt Yes, Crum Yes, Rawlings Yes, Leffler Yes, Londagin Yes, Bates Yes. Motion carried without opposition.

Topographic Survey of Electric Plant Property: Crum made a motion to approve an engineering services agreement with City Engineer Schwab Eaton for \$5,500 to prepare a topographical survey of the Electric Plant facility to begin the planning process for a future maintenance shop. Rawlings seconded the motion. Motion carried without opposition.

Convention and Tourism Committee Grant to Augusta Arts Council: Magruder made a motion to accept the Augusta Convention and Tourism Committee's recommendation to approve grant reimbursement for the Augusta Arts Council for \$1,000 for Wichita Children's Theatre performer fees. Belt seconded the motion. Motion carried without opposition.

Kansas Municipal Energy Agency (KMEA) Director Reappointments: Leffler made a motion to reappoint Jim Sutton to serve as Director #1, Mike Rawlings to serve as Director #2 and City Manager Josh Shaw to serve as Alternate representing the City of the Kansas Municipal Energy Agency (KMEA) Board of Directors. Rawlings seconded the motion. Motion carried without opposition.

Park Advisory Board Recommendations Regarding Day Pass Promotional Program for Santa Fe Lake and Equipment Furnishings for Garvin Park Concessions Facility: Crum made a motion to approve the Park Advisory Board recommendation to implement a one-day recreational pass program at Santa Fe Lake for residential utility customers of the City of Augusta during Daylight Savings Time. Belt seconded the motion. Motion carried without opposition.

Rawlings made a motion to approve the Park Advisory Board recommendation to furnish concession equipment in the new fieldhouse facility in Garvin Park in an amount not to exceed \$16,000. Londagin seconded the motion. Motion carried with Magruder voting in opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Shaw gave a reminder of the City Council work session scheduled for February 26, 2018 at 6:00 p.m. to finalize project list and discuss timelines and goals for the remaining Pride & Progress projects as well as preliminary discussion of a dust control plan. Crum made a motion to add the discussion of the Santa Fe Lake spillway. Bates seconded the motion.

Shaw announced a public meet and greet for the Director of Public Safety candidates for Thursday, February 22, 2018 from 5:30 p.m. to 8 p.m. at The Point Event Center. Leffler made a motion to schedule a public meeting on Thursday, February 22, 2018 from 5:30 p.m. to 8 p.m. at The Point Event Center for a meet and greet for the Director of Public Safety candidates subject to a quorum in attendance. Crum seconded the motion. Motion carried without opposition.

Rawlings: Rawlings stated he heard chatter on social media about the streets not being taken care of, but given the conditions city crews did a good job. Rawlings reminded business owners, specifically those downtown, that it is their responsibility to maintain and keep clear the sidewalks in front of their business.

Leffler: Commended Webster for the list of vehicles and equipment maintained in the Informational Memorandum. Leffler stated that for the first time in 2018, there was no dust on the lake road.

Childers: Childers read the following statement: "At the last council meeting, based on information from Councilman Londagin, the governing body chose to remove and replace Robert Chandler from our Park Advisory Board without affording the Mayor and staff the courtesy of any notification. Londagin indicated that Chandler had only attended one or two Park Advisory Board meetings

during the previous two years and was late for at least one of those meetings. Even worse, during the discussion we besmirched Mr. Chandler's integrity, a man who honorably and courageously protects our community as a member of the Butler County Sheriff's Department. The governing body, taking Londagin at his word and following his motion to remove and subsequently replace Mr. Chandler, voted 5-2 in favor of the removal. It was a regrettable and avoidable course of action. Following the council meeting, staff contacted Mr. Chandler advising him of his removal. Mr. Chandler's term was set to expire in April. Mr. Chandler requested information related to his Parks Advisory Board attendance and learned that Councilman Londagin's statements were at odds with the facts. Had the governing body been provided with the actual attendance records for Mr. Chandler and had the Mayor and staff been properly advised, the result of the vote would likely have been different or may not have even occurred. To my friends who serve on this council, we are far better than this. We know better than to act impulsively and without complete information. And I know we all clearly understand this now. It is my sincere hope that we treat this as a learning opportunity and avoid any future actions that are not fully vetted and properly considered. Mr. Chandler, on behalf of the City of Augusta thank you for serving on our Park Advisory Board. I extend my sincerest apologies for our action, the embarrassment it caused you and your family, and hope you would be willing to volunteer your time and service to our community in the future."

Executive Session:

At 8:19 p.m. Crum made a motion to go into executive session for 30 minutes to discuss issues related to potential legal liability related to the performance of a contract pursuant to the "consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship" justification for executive sessions under the Kansas Open Meetings Act, K.S.A. 75-4319(b)(2), and to invite in City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Austin Parker. The open meeting will resume in the City Council chambers at 8:49 p.m. Magruder seconded the motion. Motion carried without opposition.

At 8:49 p.m., Crum made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 8:50 p.m., Bates made a motion to adjourn. Belt seconded the motion. Motion carried without opposition.

City Clerk