

CITY COUNCIL
MARCH 5, 2018
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on March 5, 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, John Black, Connie Thurman, Sarah Hoefgen, Bill Morris, Troy Woltemath, Shane Scott, Tonya Scott, Josh Peters, Mark Williams and Mike Snow.

Pledge of Allegiance

Prayer: Councilman Rawlings gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the February 20, 2018 City Council meeting, February 22, 2018 Public Safety Candidate Meet & Greet meeting, and February 26, 2018 work session. Crum seconded the motion. Motion carried without opposition.

Ordinance 2A: Crum made a motion to approve Ordinance 2A dated 2/21/2018. Rawlings seconded the motion. Motion carried without opposition.

Visitors:

Connie Thurman, representing Downtown Augusta, Inc, was present to request continued support from the City Council for \$600 in prize funding for the annual Adopt-A-Pot program. Crum made a motion to continue providing \$600 in prize funding for the annual Adopt-A-Pot program. Rawlings seconded the motion. Motion carried without opposition.

Business:

Conduct a Public Hearing Regarding the Creation of a Community Improvement District for Sugar Shane's Café; Ordinance No. 2129 Authorizing the Creation of a Community Improvement District for Sugar Shane's Café; Resolution N. 2018-06 Approving the Developer's Agreement Between the City of Augusta and Sugar Lion Properties, LLC: A public hearing was conducted regarding the creation of a community improvement district for Sugar Shane's Café. Earnest Seay, 12 Belmont Court, addressed the governing body and asked if this is something new or are there other Community Improvement Districts in town. Shaw explained that the new Comfort Inn and Suites is also a Community Improvement District. Seay stated that as a citizen, he is confused as to why they do not raise the prices on the menu instead of instituting a behind the back tax. He stated that he does not like that the citizens do not have an opportunity to vote. The Mayor closed the hearing.

Crum made a motion to approve Ordinance No. 2129 authorizing the creation of a community improvement district for Sugar Shane's Café contingent upon proof of ownership. Bates seconded the motion. Roll Call: Birk Yes, Magruder Yes, Belt Yes, Crum Yes, Rawlings Yes, Leffler Yes, Bates Yes. Motion carried without opposition.

Rawlings made a motion to approve Resolution 2018-06 approving the Developer's Agreement between the City of Augusta and Sugar Lion Properties, LLC. Leffler seconded the motion. Motion carried without opposition.

Resolution Fixing the Time and Place for Hearings Concerning the Condemnation and Repair or Demolition of Structures Located at 435 East 12th Avenue Pursuant to the Provisions of K.S.A. 12-1750 Et Seq: Magruder made a motion to approve Resolution No. 2018-07 fixing the time and place for a public hearing to take place on Monday, May 7, 2018 at Augusta City Hall at 7:00 p.m. concerning the condemnation and repair or demolition of a single-family residential structure located at 435 East 12th Avenue. Belt seconded the motion. Motion carried without opposition.

Magruder made a motion to approve Resolution No. 2018-08 fixing the time and place for a public hearing to take place on Monday, May 7, 2018 at Augusta City Hall at 7:00 p.m. concerning the condemnation and repair or demolition of a detached residential garage structure located at 435 East 12th Avenue. Belt seconded the motion. Motion carried without opposition.

Update on Airport Master Plan: Council received and filed an update regarding the status of the Augusta Municipal Airport Master Plan process and provide staff direction regarding the Council's desire pertaining to the next steps of the Augusta Municipal Airport Master Plan.

Londagin joined the meeting at 8:17 p.m.

Council provided direction to staff, Garver and Mark Snow to visit the FAA in person to discuss a 4,500 or 5,500-foot runway.

Accept Electric Utility Easements in Support of Infrastructure Enhancements: Crum made a motion to accept electric utility easements at 2101 North Dearborn Street needed to support infrastructure enhancements for residential development. Bates seconded the motion. Motion carried without opposition.

Fourth of July Fireworks Production Contract with Rainbow Fireworks: Crum made a motion to approve the fireworks production contract with Rainbow Fireworks, Inc. in the amount of \$7,500 for the City's annual fireworks display at Augusta City Lake on July 4th, 2018. Rawlings seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Magruder: Magruder stated he would be interested in seeing the City of Wichita's ordinance for CID disclosure.

Crum: Crum stated she was contacted about swimming pool reservations asking if there is there any way to open up scheduling prior Memorial weekend. Childers asked Crum to give the Council a couple weeks to think about this and recommend solutions.

Childers: Mayor Childers requested City Funding for a fireworks show for the City of Augusta's 150th celebration on September 28th - 29th, 2018. Sarah Hoefgen addressed the governing body regarding the plans for the City of Augusta's 150th celebration. Council was supportive of staff providing funding options at the next meeting.

Rawlings: Rawlings stated he had inquiries about basketball court in close proximity to wherever the skate park is located. Rawlings reminded everyone about the time change this weekend. Rawlings mentioned offering free fishing at the city lake for one day. He stated he has not heard anything about improving the lobby of City Hall in the last few years. Shaw stated there are not

funds available in the budget at this time. Rawlings stated that he thought we had to designate the official newspaper every year. Parker stated it does not need to be designated every year, that it will stay the official publication until another redesignation.

Leffler: Leffler inquired about the purchase of items for concessions. Shaw said he has spent \$13,000 so far. Leffler inquired about signed permit from KDHE for the discharge at the splash park. Shaw stated he has the email that it was approved and that a signed copy has been mailed, but that he has not received the mailed copy yet.

Executive Session:

At 8:43 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 9:13 p.m. Magruder seconded the motion. Motion carried without opposition.

At 9:13 p.m., Crum made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

At 9:14 p.m. Crum made a motion to go into executive session for 20 minutes to discuss potential legal liability related to district court litigation 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 9:34 p.m. Magruder seconded the motion. Motion carried without opposition.

At 9:34 p.m., Crum made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

At 9:35 p.m. Crum made a motion to go into executive session for 30 minutes to discuss applicants for employment pursuant to the “non-elected personnel matter” justification for executive sessions under the Kansas Open Meetings Act, K.S.A. 75-4319(b)(1), 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 10:05 p.m. Rawlings seconded the motion. Motion carried without opposition.

At 10:05 p.m., Crum made a motion to exit executive session where no action was taken. Birk seconded the motion. Motion carried without opposition.

Adjourn: At 10:06 p.m., Bates made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

City Clerk