

CITY COUNCIL  
APRIL 2, 2018  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on April 2, 2018, with Mayor Matt C. Childers presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Mike Rawlings, Tom Leffler, Justin Londagin and David Bates. Councilman Paul Belt 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: Director of Public Safety Bob Sage, Dawn Sage, Major Ray Marbut, Lieutenant Tim Follis, Sergeant Chad McCluskey, Sergeant Derek Highbarger, Officer Loren Huggans, Colleen Beckley, Belinda Larsen, Connie Thurman, Jack Black, Mark Chesney, Ron Reavis, Daren Devinney and Tom Gresham.

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 March 19, 2018 City Council meeting. Leffler seconded the motion. Bates noted that it was Birk who voted in opposition of the motion regarding the tree replacement on Ohio, not him. Motion carried without opposition.

Ordinance 3A: Crum made a motion to approve Ordinance 3A dated 3/19/2018. Bates seconded the motion. Motion carried without opposition.

Proclamation:

The Mayor read a proclamation declaring April 2018 as Fair Housing Month and in celebration of 50 years of fair housing.

Oath of Office:

City Clerk Erica Jones administered the Oath of Office and ceremonial swearing in of Bob Sage as the new Director of Public Safety for the City of Augusta.

Visitors:

Mark Chesney, representing the Kansas Power Pool (KPP) was present to provide an update on KPP cost ramifications for Augusta.

Business:

Bid Award for Fence Construction for Dog Park: Crum made a motion to approve the bid award to Quality First Fence in the amount of \$25,401.61 for construction of a black vinyl coated chain link fence for the new off-leash dog park in Meadowview Acres. Bates seconded the motion. Motion carried without opposition.

Bid Award for Nuisance Mowing: Crum made a motion to approve the proposed Lawn Maintenance Services Agreement between the City of Augusta and Rowland Custom Lawn Care. Magruder seconded the motion. Motion carried without opposition.

Resolution 2018-09 Authorizing Execution of an Interlocal Agreement to Join the Regional Economic Area Partnership: Magruder made a motion to approve Resolution 2018-09 authorizing execution of an interlocal agreement pursuant to the Interlocal Cooperation Act, K.S.A. 12-2901 et seq., to

join the Regional Economic Area Partnership of local governments of South Central Kansas. Rawlings seconded the motion. Motion carried without opposition.

Crum made a motion to appoint Mayor Childers to represent the City of Augusta on REAP's governing body and City Manager Shaw as an alternate member. Bates seconded the motion. Motion carried without opposition.

Change Order for Garvin Park Concessions Facility Construction: Magruder made a motion to approve a change order in the amount of \$12,810.28 and allowing an additional 5 days to finish the construction of the Garvin Park public facilities project. Crum seconded the motion. Motion carried with Leffler voting in opposition.

Ordinance No. 2131 Amending the Zoning Regulations for the City of Augusta Kansas: Crum made a motion to accept the Augusta Planning Commission's recommendation to approve the amendments to Chapter 5 of the Augusta Zoning Regulations via approval of Ordinance No. 2131. Rawlings seconded the motion. Roll Call: Birk Yes, Magruder Yes, Crum Yes, Rawlings Yes, Leffler Yes, Londagin Yes, Bates Yes. Motion carried.

New Cereal Malt Beverage License Application for Valero-Jump Start: Crum made a motion to approve the Cereal Malt Beverage License to sell Cereal Malt Beverages not for consumption on the premises for C-Store Operations, LLC, DBA Valero-Jump Start 3, located at 115 E 7<sup>th</sup> Avenue. Leffler seconded the motion. Motion carried with Magruder and Rawlings voting in opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Shaw provided a reminder of the strategic budget retreat scheduled for April 9, 2018, which will include discussions of the annual utility abatement program.

Shaw stated there was an event request form for the Twisted Oz Event in the Informational Memorandum. He stated they are requesting the City to provide trashcans and dumpsters. Shaw stated that the City does not provide barricades on private property. He stated that they receive an abatement that covers the cost of their utilities, including trash, so if it were billed to their utility account it would be paid for by their abatement. Rawlings motioned to provide trashcans and dumpsters necessary for the event. Crum seconded the motion. Motion failed with Bates and Crum voting in favor and Londagin, Leffler, Rawlings, Magruder and Birk voting in opposition.

Crum: Crum stated there are some significant potholes on Dearborn in front of the Armory. Shaw stated that the street department is playing catch up as there were a lot of potholes as a result of the winter weather this year.

Childers: Childers congratulated Londagin on reaching his 40<sup>th</sup> birthday.

Rawlings: Rawlings stated it has been brought to his attention there is a lot of algae in the ponds north of the City Lake and people curious if there are things we need to be thinking about or doing up there.

Leffler: Leffler stated he drove through Garvin Park during the Easter Egg hunt, and while there was one heck of a turn out it was dangerous to drive through there. He stated about a year and a half ago there was a discussion about a parking lot off Highland Drive. Leffler stated that needs to be revisited again. He stated that there have been a lot of improvements to the park. There was a broad consensus of the governing body to consider this as part of the strategic budget discussions.

Leffler stated that he visited with the Augusta Animal Clinic about the euthanizing of animals and that there has not been any cats euthanized in a very long time. He asked if the City is not picking up feral cats any more. Shaw stated he would have to inquire with the Department of Safety.

Londagin: Londagin asked if the people who are billed for the City mowing their property have paid their weed assessments either to city or through special assessments. Jones stated that most are collected through special assessments if the property taxes are paid.

Executive Session:

At 8:05 p.m. Crum made a motion to go into executive session for 5 minutes to discuss matters of potential litigation and legal liability 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:~~25~~10 p.m. Leffler seconded the motion. Motion carried without opposition.

At 8:~~25~~10 p.m., Magruder made a motion to exit executive session where no action was taken. Rawlings seconded the motion. Motion carried without opposition.

Adjourn: At 8:~~26~~11 p.m., Bates made a motion to adjourn. Birk seconded the motion. Motion carried without opposition.

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City Clerk