

CITY COUNCIL  
JUNE 18, 2018  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on June 18, 2018, with Mayor Mike Rawlings presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Tom Leffler, Kip Richardson, 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: Susan Smith, Merle Kaufmann, Belinda Larsen, John Black, Latasha Harder, Karen Laubhan, Michele Roth, Sue Jones, Ray Jones, Michelle Davis, Tim Davis, Jenee Woolery, Andy Hall, Don McClure, Casey Lowmiller, Jocelyn Mitchell, Connie Mead, Jozette Rhodes, Deborah Jarrell, Fawn Eisenbarth, Linda Evans, Maria Laughlin Carrillo, Harold Woolery, Jessica Whiteman, Claudetta Borg, Matt Engels, Matt Failes, Paul Andrews, Jason Riddle, Christy Riddle, Josh Riddle, Tanisha Riddle, Tonya Scott and Megan McClure.

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 June 4, 2018 City Council meeting and June 5, 2018 Budget Work Session #1. Bates seconded the motion. Motion carried without opposition.

Ordinance 6: Leffler made a motion to approve Ordinance 6 dated 6/13/2018. Crum seconded the motion. Motion carried without opposition.

Leffler made a motion to add a discussion regarding Elmwood Cemetery onto the agenda as Item G4. Richardson seconded the motion. Motion carried without opposition.

Visitors:

Fawn Eisenbarth, representing Augusta Head Start was present to request City vehicles participate in the Mini Car Show. Magruder made a motion to allow City vehicles to participate in the Augusta Head Start Mini Car Show on June 21 from 4 p.m. to 5:30 p.m. at the Augusta Middle School. Bates seconded the motion. Motion carried without opposition.

Andy Hall, representing Augusta Little League Baseball, was present to request permission to use Garvin Park ball diamonds and concession stand for the DD23 Invitational Tournament. Richardson made a motion to approve Augusta Little League Baseball's request to use Garvin Park ball diamonds and concession stand on June 22 and 23 from 9 a.m. to 6 p.m. for the DD23 Invitational Tournament. Leffler seconded the motion. Motion carried without opposition. Hall presented a signed baseball bat to the Council as a token of appreciation for their support. Kindergartners through Freshman participating in the Charlie Dunn Tournament signed the bat and it was used by a 12 year old team.

Don McClure of Flint Hills Multisport, LLC d/b/a Flatwater Fitness & Fun was present to request permission to conduct a Paddle 2 Gravel Adventure Race at Santa Fe Lake. Crum made a motion to approve the request from Flint Hills Multisport, LLC d/b/a/ Flatwater Fitness & Fun to utilize Santa Fe Lake for a Paddle 2 Gravel Adventure Race on September 15, 2018. Bates seconded the motion. Motion carried without opposition.

Business:

Resolution Fixing Time and Place for Hearings Concerning the Condemnation and Repair or Demolition of Structures Located at 432 East Broadway Avenue Pursuant to the Provisions of K.S.A. 12-1750 Et Seq: Magruder made a motion to approve the Resolution 2018-15 fixing the time and place for a public hearing to take place on Monday, August 6, 2018 at Augusta City Hall at 7 p.m. regarding the condemnation and repair or demolition of a single-family residential structure located at 432 East Broadway Avenue. Birk seconded the motion. Motion carried without opposition.

Magruder made a motion to approve the Resolution 2018-16 fixing the time and place for a public hearing to take place on Monday, August 6, 2018 at Augusta City Hall at 7 p.m. regarding the condemnation and repair or demolition of a detached residential garage structure located at 432 East Broadway Avenue. Crum seconded the motion. Motion carried without opposition.

Zoning District Reclassification for Property Located Adjacent to 610 North State Street From M-Main Street District to PR-1 – Public/Private Recreational District – Division 1 for the Development of a New Downtown Park: Crum made a motion to accept the Planning Commission’s recommendation by adopting Ordinance No. 2132 authorizing the zoning district reclassification for property located adjacent to 610 North State Street from M – Main Street District to PR-1 – Public/Private Recreational District – Division 1 for the development of a new downtown park. Richardson seconded the motion. Roll Call: Birk Yes, Magruder Yes, Crum Yes, Richardson Yes, Leffler Yes, Londagin Yes and Bates Yes. Motion carried.

Ordinance No. 2133 Amending Section 12-305 of the Code of the City of Augusta, Kansas, Establishing Boating Restrictions for Lake Augusta – Garvin Park and Amending Chapter 12, Article 3, of the Code of the City of Augusta, Kansas, 2010: Crum made a motion to approve Ordinance 2133 establishing boating restrictions for Lake Augusta – Garvin Park and opening boating privileges on Lake Augusta to the first 25 Butler County residents living outside of the city limits of the City of Augusta throughout the remainder of 2018. Magruder seconded the motion. Roll Call: Birk Yes, Magruder Yes, Crum Yes, Richardson Yes, Leffler Yes, Londagin Yes and Bates Yes. Motion carried.

Crum made a motion to approve Resolution 2018-17 establishing a boat permit fee of \$100 for boat permits issued to all Butler County residents living outside of the city limits of the City of Augusta. Londagin seconded the motion. Motion carried without opposition.

Discussion Regarding Elmwood Cemetery Regulation Enforcement: Leffler provided a synopsis of how the current regulations were formed off input provided by an ad hoc committee made up of two council members, city staff, and representatives from the funeral homes, and citizens. He stated they had five long, intensive meetings and researched what 25 other communities do with their cemeteries. He stated that safety of city employees was a big concern.

Sue Jones, 1817 Meadowlake Drive, addressed the governing body. Jones stated that it had been two years since the regulations were made public and inquired about signage. She stated that the City needs to figure out a way to better communicate with the community.

Michelle Davis, 1115 Johnson Street, addressed the governing body. Davis stated she did not have a problem with the codes, but rather the lack of notification. She stated she has a problem with things moved from the concrete of the headstones because she understands that to be a safe area. Davis stated that things were said by city staff that were very unprofessional. She also inquired about where to purchase the shepherd hooks that meet the regulations.

Connie Mead, 1626 Moyle, addressed the governing body. Mead stated that communication is key. She stated that at the time her son was buried she was not in the state of mind to make herself aware of the regulations and she had been told that nothing on the headstone would be touched, but now she is being told that if an item is broken it will be removed. She stated that enforcement needs to be consistent and communication needs to be better.

Jozette Rhodes, 1003 West Street, addressed the governing body. Rhoades stated that her flowers were in a pot on the concrete, not posing a safety hazard, but were still removed.

Linda Evans addressed the governing body. Evans stated that her father is buried on top of her mother's grave under a heart shaped stepping-stone. She is concerned that the stone will be removed and that she considers that his headstone. She stated that she was told her mother was buried in another space and that someone is not keeping very good records.

Megan McClure, 10375 SW River Valley Rd, addressed the governing body. McClure explained that her daughter passed away as a baby and is buried at Elmwood. She inquired as to whether the items she placed on the concrete base will be able to stay there. She had concerns about comments from the sexton and stated that the mowers go too fast and damage headstones. McClure stated that this is all that they have of their loved ones and that the sexton's comments were unprofessional.

Deborah Jarrell addressed the governing body. Jarrell stated that the trellis that has been placed at her uncle's grave has been removed. She stated that the family cannot afford a headstone and that you cannot hang a wreath from a shepherd's hook. She stated it was her understanding three months ago when the trellis was put up that it would be able to stay as long as it was next to the concrete. She stated she does not get the newspaper.

Matt Failes, 121 Broadway, addressed the governing body. Failes stated his son is buried at Elmwood and stated that he weed eats it because the city does not and said it should be mowed for Father's Day. He stated he was hurt and that the City should have to give back the items that were removed.

Jocelyn Mitchell, 3117 Country Lane, addressed the governing body. Mitchell stated that her son has been buried at Elmwood for almost 4 years and that they have complied with the regulations since 2016, but now there are items missing from his grave. She stated that in that time she has seen nothing but disrespect and laziness from city staff. Mitchell stated that she has taken care of the mowing and weed eating for the past two years. She stated that the City needs to re-think whom they hire to take care of the cemetery and that the shepherd hook type needs to be reviewed.

Maria Laughlin Carrillo, 231 S Parkwood Lane Wichita, addressed the governing body. Carrillo stated that she takes a lot of time coming to Augusta to maintain her parents' graves. She stated that her father worked for the City for many years. She stated that with today's technology the

City could build a record to assist with communicating to the loved ones with family buried at Elmwood. Carrillo stated that there has never been a weed whip used on her parents' grave unless she did it. She stated that the City needs to hire people who care and have respect and use technology to better communicate.

Tim Davis, 1115 Johnson, addressed the governing body. He stated there was a way to turn shepherd hooks so that they could comply with the City's regulations if the City would allow it.

City Manager Shaw stated he has appreciation for all those present tonight. He stated that staff and the Council is listening. He stated that communication is an issue and it could have been handled better. Shaw stated he has instructed staff to hold off on any further enforcement until direction is provided by the Council. Mayor Rawlings acknowledged there has been a communication breakdown, and the buck stops here.

Leffler made a motion to schedule a work session to discuss cemetery regulations for Monday, June 25, 2018 at 6 p.m. at City Hall. Londagin seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Shaw: Shaw stated that the cost incurred to operate the splash pad and meet KDHE regulations is not cost effective and that the decision was made to bypass the permit requirements by discharging into the sewer instead of the lake and due to the cost of using citrus tablets. Leffler stated he is about as pissed off about the splash park as these people here tonight are about the cemetery. He said that tight schedules have led to poor decision making. Londagin agreed and stated that decisions are being made to move forward with things on short time frames without a lot of discussion and planning. Magruder stated that there have been many decisions made by all on the council without much planning and discussion.

Rawlings: Rawlings thanked staff for the repair of the pothole at Kelly and Parklane.

Leffler: Leffler stated that since the Lake Road has been closed the dust on the lake is much better.

Londagin: Londagin inquired about the accuracy of the EFA on the last bill. Jones stated that she verified that it was correct and that the big jump can be attributed to significant increases in electric usage in the past month.

Adjourn: At 9:04 p.m., Bates made a motion to adjourn. Richardson seconded the motion. Motion carried without opposition.

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City Clerk