

CITY COUNCIL
DECEMBER 16, 2019
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on December 16, 2019, with Mayor Mike Rawlings presiding. Council present were Eric Birk, Cale Magruder, Bob Bailey, Tom Leffler, Kip Richardson, Felicia Martindale and Ron Reavis. Councilwoman Jaime Crum was absent. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Director of Public Safety Bob Sage, Human Resource Manager Makala Navarro and City Clerk Erica Jones. Staff Present: Susan Smith. Visitors present were: Pastor Paul Andrews.

Pledge of Allegiance

Prayer: Pastor Paul Andrews, Life Church, gave the invocation.

Minutes: Reavis made a motion to approve the minutes from the December 2, 2019 Council meeting. Martindale seconded the motion. Motion carried without opposition.

Ordinance: Reavis made a motion to approve Ordinance 12 dated 12/11/2019. Richardson seconded the motion. Motion carried without opposition.

Business:

Conduct a Public Hearing to Take Input and Comment on the Proposed 2019 Budget Amendments: The Mayor conducted a public hearing to take input and comment on the proposed amendments to the 2019 Budget. The Mayor closed the public hearing after no one came forward with comments.

Martindale made a motion to approve the proposed amendments to the 2019 Budget. Reavis seconded the motion. Motion carried without opposition.

2020 Cereal Malt Beverage License Renewals: Martindale made a motion to approve 2020 Cereal Malt Beverage License Renewals for Pizza Hut of SE KS, Inc., Taco Tico, King Buffet, Candiles Mexican Restaurant, Circle K Store, Wal-Mart Store #346, Casey's General Store and Jump Start #3 contingent on compliance with the State Fire Marshall's findings. Reavis seconded the motion. Martindale and Reavis withdrew their motion and second.

Reavis made a motion to approve the 2020 Cereal Malt Beverage License Renewals for Pizza Hut of SE KS, Inc., Taco Tico, King Buffet, Candiles Mexican Restaurant, Circle K Store, Wal-Mart Store #346, Casey's General Store and Jump Start #3. Leffler seconded the motion. Motion carried with Magruder voting in opposition.

2019 Utility Write Offs and Collections: Leffler made a motion to approve the write off of 20 utility accounts in the amount of \$2,842.45. Reavis seconded the motion. Motion carried without opposition.

Resolution 2019-24 Establishing Council Start Dates: Reavis made a motion to approve Resolution No. 2019-24 establishing the start date of a regular term of office following a city election in accordance with provisions of K.S.A. 25-313 as amended by 2019 Senate Bill 105 to the first regularly scheduled meeting in January. Leffler seconded the motion. Motion carried without opposition.

Resolution No. 2019-25 Establishing the 2020 Job Classification and Salary Schedule: Reavis made a motion to approve Resolution 2019-25 establishing the 2020 Job Classification and Salary Schedule. Richardson seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reavis: Reavis stated he was contacted by a couple residences in Knebler addition about two decorative lights at their entrance on Taylor. He said they told him the City does not want to repair those lights. Reavis stated that there is an assumption that those lights were put in privately when first constructed, and asked if the City could get those lights to work or come up with official language on why we will not maintain those lights. Shaw stated he would have to look in to that. The Mayor said he knows for a fact that those lights were put in privately and they were responsible for maintaining those. Rawlings stated the homeowners associated had taken care of that in the past, but there has been a changeover in the homeowners association and they are not aware that they were handling that previously. Reavis stated if we are maintaining other lighting in the area that the City should provide proper street lighting, whether it be these lights or a different light. Shaw stated that he runs in to stuff like this a lot, but we don't have any record or basis for evaluating any of that and he doesn't know how to resolve it exactly unless you get an agreement on the books now. Rawlings stated that Keefer was aware of it. Shaw stated that staff will look in to it.

Leffler: Leffler asked if the Council should be considering holding off on the North Ohio project and wait to see if we receive a grant in March. He said it could be embarrassing if we move forward with a two lane and get approved for the grant for a three lane and have to turn it down. Leffler stated he spoke to the engineers, the project could hold off and be completed in 2021, and we would not be out a lot of money for engineering costs. He asked if the Council thought North Ohio could wait another year, move forward with the three lane, and have other funds available for additional projects. Leffler stated there is still no guarantees that we will get the money in March, but asked if we are really hurting ourselves by waiting until March. Mike Stump stated it would just be up to the City on how they want to move forward.

Reavis asked what costs we would incur if we had you prepare for both a two lane and a three-lane project. Stump stated he would not have a number right now. Reavis stated he would not want to hold off another year, at some point you have to draw a line in the sand and make a decision. Leffler stated he could not get an answer on how the State would look at us if we refused the grant and how it would impact us with future grants. Magruder asked if we could withdraw from grant process. Shaw stated he would recommend withdrawing from the grant process if you do not want to move forward with a three lane. Magruder stated he is with Reavis that he does not want to put this off another year. He said there was an urgency on our part to make a decision previously and to him this seems like another attempt to hold off for a three-lane road when we already voted for a two-lane road. Rawlings stated that most of the comments he received were from people disappointed that we were not going through with the three lane versus the two lane. Leffler stated he had people come to him that thought we had already approved the three lane and were disappointed that we had not.

Magruder stated if we delay the project, we could miss a cost savings by combining the street sales tax projects. Shaw stated it would be a competitive pricing by breaking them out. Martindale stated we have spoken about this for a year and everyone voted on it. She said we did our due diligence and made a decision, why are we still talking about this. Rawlings stated he has had a lot more contact after we voted down the three lane coming to me saying they wanted a three lane since the original vote. Reavis stated he has asked them if the three lane is worth \$1M to them. Rawlings stated that the contractor stated that it will be a terrible project for traffic regardless of what project we choose, but that it would be better if it included a third lane so they could keep

traffic moving forward in both directions. Bailey stated we already voted on it and the numbers do not support a third lane. He stated it is embarrassing to go back and try again and keep putting it off. Leffler stated he will drop this whole issue and hopes this is something we do not regret in the future and hope we do not look like asses if we are awarded the grant in March. Leffler apologized to Mike Stump for having to come to this meeting.

Richardson: Richardson stated that he really wants to encourage councilmembers not to put down other council members for bringing up subjects for discussion. We should be able to speak about things that have been spoken about previously without feeling attacked.

Magruder made a motion to withdraw our grant application from the KDOT cost share program. Martindale seconded the motion. Motion carried without opposition.

Bailey: Bailey thanked everyone for letting him serve on the council. He thanked those that voted for him and thanked those who did not for voting.

Magruder: Magruder wished everyone a Merry Christmas.

Executive Session:

At 8:22 p.m., Richardson made a motion to recess into executive session for 30 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 8:52 p.m. Leffler seconded the motion. Motion carried without opposition.

At 8:52 p.m., Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

At 8:52 p.m., Richardson made a motion to recess into executive session for 10 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). The open meeting of the governing body will reconvene in the Council Chambers at 9:02 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:02 p.m., Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

At 9:02 p.m., Richardson made a motion to recess into executive session for 15 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). The open meeting of the governing body will reconvene in the Council Chambers at 9:17 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:17 p.m., Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Reavis stated that the City Manager's annual evaluation is complete and made a motion to approve a 2.2% merit increase and keep all other aspects of his contract the same. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 9:18 p.m., Reavis made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

City Clerk