

CITY COUNCIL
AUGUST 5, 2019
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on August 5, 2019, with Mayor Mike Rawlings presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Bob Bailey, Tom Leffler, Kip Richardson, Ron Reavis and Felicia Martindale. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Assistant City Manager Cody Sims, Director of Public Safety Bob Sage and City Clerk Erica Jones. Staff Present: Susan Smith, Susie Geiger and Dave Warner. Visitors present were: Mike Stump, Jayme Chapin, Don Durflinger, Michael Huddleston, Jennifer Eagleson, Hadleigh Eagleson, Emmary Eagleson, Tricia Brown, Melanie Tennyson, Travis Tennyson, Vivian Tennyson and Mark Hall.

Pledge of Allegiance

Prayer: Councilman Kip Richardson gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the July 15, 2019 City Council meeting. Crum seconded the motion. Motion carried without opposition.

Ordinance: Crum made a motion to approve Ordinance 7A dated 7/24/2019. Reavis seconded the motion. Motion carried without opposition.

Visitors:

Jayme Chapin, representing Downtown Augusta Inc. (DAI), was present to announce the winners of the 2019 Downtown Adopt-a-Pot Contest. Tony Housel (Augusta Barber Shop) was the 3rd place winner, 2nd place was Jennifer Eagleson and the Eagleson Girls, and 1st place was Tricia Brown, Melanie Tennyson and Vivienne Tennyson. Crum made motion to authorize the prize checks for the winners. Richardson seconded the motion. Motion carried without opposition.

Don Durflinger, representing the American Legion Post 189, was present to introduce their new officers and provide an annual update.

Mark Hall was present to provide a report on the June 8th benefit ride at the Augusta Municipal Airport. He stated that the staff at the Airport was very helpful and eager to help. There were 350 to 400 people who attended the event and they raised approximately \$7,000. He stated they were able to distribute approximately \$5,000 to three local families. He requested permission to have the event there next year and every year moving forward.

Business:

Ordinance No. 2151 Establishing a Public Safety Equipment Reserve Fund for the City of Augusta: Richardson made a motion to approve Ordinance No. 2151 establishing a Public Safety Equipment Reserve Fund for the City of Augusta, Kansas. Crum seconded the motion. Roll Call: Birk, Yes; Magruder, Yes; Crum, Yes; Richardson, Yes; Leffler, Yes; Reavis, Yes; and Martindale, Yes. Motion carried.

2019 UPOC & STO Ordinances: Magruder made a motion to approve Ordinance No. 2152 incorporating into city code the 2019 edition of the Uniform Public Offense Code (UPOC). Richardson seconded the motion. Roll Call: Birk, Yes; Magruder, Yes; Crum, Yes; Richardson, Yes; Leffler, Yes; Reavis, Yes; and Martindale, Yes. Motion carried.

Reavis made a motion to approve Ordinance No. 2153 incorporating into city code the 2019 edition of the Standard Traffic Ordinance (STO). Crum seconded the motion. Roll Call: Birk, Yes; Magruder, Yes; Crum, Yes; Richardson, Yes; Leffler, Yes; Reavis, Yes; and Martindale, Yes. Motion carried.

Authorize Donation of Lost and Stolen Bicycles to the American Legion Post and Auxiliary: Reavis made a motion to approve the Public Safety Director's recommendation to donate approximately 50 found, lost, and/or stolen bicycles to Gary Rogers of the American Legion Post and Auxiliary to refurbish and redistribute the bicycles to children in need pursuant to Chapter 7, Article 5, Section 7-507 of City Code. Martindale seconded the motion. Motion carried without opposition.

Change Order for Sanitary Sewer Basin A Project: Reavis made a motion to approve Change Order #2 with SAK for Sanitary Sewer Rehabilitation Basin A project in the amount of \$70,761.20 and authorize close out of the CDBG funded portion of the project including submittal of all relevant paperwork; authorize submittal of drawdown and compliance paperwork to KDHE for the portion of the project funded by the state revolving loan. Leffler seconded the motion. Motion carried with Magruder voting in opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Reminder of the Special Meeting scheduled for Monday, August 12, 2019 at 6:00 p.m. at Augusta City Hall to conduct a public hearing on the City of Augusta's 2020 Budget.

Reavis: Reavis stated that in the Flood Zone Map there were 3-4 properties that were singled out and asked if they still in the flood plain. Shaw stated that he would not be able to provide an answer for that tonight, but he can do more research to identify exactly what that means.

Reavis stated that in the agreement with the hotel it states there will be a payment in lieu of taxes and asked if that is being received. Jones stated that it is received annually, approximately in February.

Reavis stated that the WFO Car Guys car show was a successful event again this year. He thanked the City and the citizens for their support of the event and stated that it has been good thing for the town.

At 8:07 p.m. Richardson made a motion to recess for 10 minutes and reconvene at 8:17 p.m. Leffler seconded the motion. Motion carried without opposition.

At 8:17 p.m. Richardson made a motion reconvene the meeting. Leffler seconded the motion. Motion carried without opposition.

Rawlings offered condolences to the family of Bob Griffith who formerly served on the Council in excess of 20 years.

Executive Session:

At 8:18 p.m. Richardson made a motion to recess into executive session for 20 minutes for preliminary discussion of the acquisition of real property for the electric utility pursuant to the preliminary discussion of the acquisition of real property exception, K.S.A. 75-4319 (b)(6). Richardson asked that City Manager Josh Shaw, Assistant City Manager Cody Sims, City Attorney Austin Parker, and Electric Distribution Superintendent Dave Warner join the Council in executive session. The open meeting of the governing body will reconvene in the Council Chambers at 8:38 p.m. Reavis seconded the motion. Motion carried without opposition.

At 8:38 p.m., Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

At 8:40 p.m. Richardson made a motion to recess into executive session for 40 minutes to discuss issues related to potential court litigation and 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). Richardson asked that City Manager Josh Shaw, Assistant City Manager Cody Sims and City Attorney Austin Parker join the Council in executive session. The open meeting of the governing body will reconvene in the Council Chambers at 9:20 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:20 p.m., Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 9:20 p.m., Richardson made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

City Clerk