

CITY COUNCIL
SEPTEMBER 3, 2019
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on September 3, 2019, with Mayor Mike Rawlings presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Tom Leffler, Kip Richardson, Ron Reavis and Felicia Martindale. Councilman Bob Bailey was absent. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Assistant City Manager Cody Sims and City Clerk Erica Jones. Staff Present: Susan Smith and Susie Geiger. Visitors present were: Jayme Chapin, Tom Chapin, Chuck May, Mike Galbraith, Stan Taylor, Tom Bybee, Curtis Pressnell and Colby Simon.

Pledge of Allegiance

Prayer: Councilwoman Martindale gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the August 19, 2019 Council meeting. Crum seconded the motion. Motion carried without opposition.

Ordinance: Crum made a motion to approve Ordinance 8A dated 8/21/2019. Reavis seconded the motion. Motion carried without opposition.

Business:

Park Advisory Board Recommendations Regarding Boat Motor Horsepower Restrictions on Augusta City Lake: Colby Simon and Stan Taylor addressed the governing body. Reavis made a motion to approve Ordinance No. 2155 amending Section 12-305 of the Augusta City Code to allow boats with a motor greater than 9.9 horsepower to be operated by residents of the City of Augusta on Augusta City Lake, subject to fees and regulations established by the Augusta City Council. Crum seconded the motion. Roll Call: Birk, Yes; Magruder, No; Crum, Yes; Richardson, No; Leffler, No; Reavis, Yes; Martindale, Yes. Motion carried.

Reavis made a motion to approve Fee Schedule Resolution No. 2019-15 establishing a \$100 annual permit fee (limit first 25) for City Lake permits for boats with a motor horsepower that is greater than 9.9 horsepower. Crum seconded the motion. Motion carried with Magruder, Richardson, and Leffler voting in opposition.

Resolution No. 2019-16 Establishing the Street Sales Tax Advisory Committee: Richardson made a motion to approve Resolution No. 2019-16 establishing the Street Sales Tax Advisory Committee with changes to Section 5. Martindale seconded the motion. Richardson made a motion to call the previous motion. Motion died due to lack of a second. Motion carried with Birk and Magruder voting in opposition.

Ordinance No. 2156 Designating Ohio Street as a Main Trafficway and Amending Note Resolution No. 2017-28: Leffler made a motion to approve Ordinance No. 2156 Designating Ohio Street as a main trafficway, authorizing certain improvements to the main trafficway, and amending and supplementing Note Resolution No. 2017-28 to authorize the use of notes issued thereunder to finance such additional improvements. Richardson seconded the motion. Roll Call: Birk, Yes; Magruder, Yes; Crum, Yes; Richardson, Yes; Leffler, Yes; Reavis, Yes; Martindale, Yes. Motion carried.

Scope of Services Agreement with Schwab Eaton for Engineering Services for the North Ohio Street Improvement Project: Reavis made a motion to approve a Scope of Services Agreement in the amount of \$146,450 between Schwab-Eaton, P.A. and the City of Augusta for Professional Engineering Services for the Completion of the North Ohio Street Maintenance and Reconstruction Project. Leffler seconded the motion. Motion carried without opposition.

Codification Services Proposal from CityCode Financial, LLC.: Reavis made a motion to accept the proposal from CityCode Financial, LLC. to update the City of Augusta's Code of Ordinances in the amount of \$6,500 and approve the annual fee of \$1,500 for immediate online updates and year end paper supplements for all code books. Leffler seconded the motion. Motion carried without opposition.

Interlocal Agreement for Indemnification and Defense Between the City of Augusta, Kansas and Butler County, Kansas for the Requested Closure of 1,100' of SW 110th Street from the Intersection with SW Indianola Road for the Southerly Expansion of the Augusta Municipal Airport: Leffler made a motion to approve the Interlocal Agreement for Indemnification and Defense between the City of Augusta and Butler County with the suggested changes to Sections 2 and 3 reading that "The City of Augusta will defend the actual vacation action but not the process engaged by the County to take the vacation action" with approval of the changes by Butler County. Richardson seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Reminder of work session scheduled for Monday, September 30, 2019 at 6:00 p.m. at Augusta City Hall to discuss city economic development strategy, staffing, incentives, and Neighborhood Revitalization Program with representatives from API, Chamber of Commerce, and DAI.

Shaw stated that he received contact from a teacher at the High School who has an outdoors class of about 20 students who he plans to take fishing at the City Lake. Shaw stated that the teacher has requested the city fishing permit fee be waived for the students. Shaw stated they would still be required to have State permit. Martindale made a motion to approve the use of the City Lake for the class of 20 and to waive the City permit fee. Reavis seconded the motion. Motion carried with Magruder and Leffler voting in opposition.

Leffler: Leffler stated that we need to take better care of City mowing. He stated there are many areas where Johnson grass is growing, such as West Street, North Ohio, in the Industrial Park. He stated that 8th Street has been cleaned up. Leffler stated that the compost area looks atrocious and that City property needs to be better taken care of.

Reavis: Reavis asked if staff could obtain a cost estimate for the second boat dock. Shaw stated he would work on that.

Executive Session:

At 9:14 p.m. Richardson made a motion to recess into executive session for 20 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 9:34 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:34 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 9:34 p.m., Richardson made a motion to adjourn. Crum seconded the motion. Motion carried with Magruder voting in opposition.

City Clerk