

CITY COUNCIL  
OCTOBER 19, 2020  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on October 19, 2020, with Mayor Mike Rawlings presiding. Council present were Eric Birk, Cale Magruder, Jamie Crum, Mike Huddleston, Kip Richardson, Tom Leffler, Ron Reavis and Bill Slade. Also present: City Attorney Austin Parker, City Manager Josh Shaw, Assistant City Manager Cody Sims and City Clerk Erica Jones. Staff Present: Director of Public Safety Bob Sage, Director of Public Utilities Tim Johnson, Anita Riley and Susie Geiger. Visitors present were: Jane Mathias and Charlie Walker.

Pledge of Allegiance

Prayer: Councilman Magruder gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the October 5, 2020 Council meeting and October 12, 2020 Special Council meeting. Slade seconded the motion. Motion carried without opposition.

Ordinance: Crum made a motion to approve Ordinance 10 dated 10/14/2020. Reavis seconded the motion. Motion carried without opposition.

Visitors:

Jane Mathias, 144 Main Street, was present to request the closure of Main Street between Osage and the alleyway before State Street to the west for a block party event on October 25, 2021 from 2 p.m. to 5 p.m. Richardson made a motion to approve the request to close Main Street between Osage and the alleyway before State Street to the west for a block party event on October 25, 2021 from 2 p.m. to 5 p.m. Reavis seconded the motion. Motion carried without opposition.

Charlie Walker, 1705 State Street, to address the governing body regarding a mask ordinance. He read a statement supporting his request for a mask ordinance. Walker thanked the Council for their time and implored them to look at the evidence and take public health seriously. Mayor Rawlings thanked Walker and stated the Council would take this under advisement.

Business:

Lease Agreement with Butler County for Public Safety Building Located at 2100 N Ohio Street: Council provided direction to staff to negotiate the insurance section of the lease to include a provision that if they choose not to rebuild the City will receive 37.5% of the insurance payout minus the deductible. Council also directed staff to include the parking lot as part of the exterior premises in the lease at the 37.5% rate as well as the building.

Huddleston made a motion to give staff an opportunity to negotiate the insurance section of the lease and to include the parking lot in the lease and to bring back a revised lease agreement to the Council. Slade seconded. Motion carried with Reavis voting in opposition

KDOT Cost-Share Agreement for Redbud Trail Project Between Lulu and Frisco Streets: Reavis made a motion to approve KDOT Cost Share Agreement No. 229-20 for 28% of the actual cost of construction not to exceed \$75,000 for the rail trail project between Lulu and Frisco. Huddleston seconded the motion. Motion carried without opposition.

Easement for Electric Utility Infrastructure: Reavis made a motion to accept a Utility Easement and Right-of-Way for an electric utility easement located at 300 East Broadway in support of reconstruction of existing electric distribution infrastructure. Richardson seconded the motion. Motion carried without opposition.

Ordinances Approving and Adopting Augusta Action Comprehensive Plan, Zoning Regulations, Subdivision Regulations and Official Zoning Map: Magruder made a motion to approve Ordinance No. 2169 accepting the Planning Commission's recommendation to approve and adopt the 2020-2040 Augusta Action Comprehensive Plan. Leffler seconded the motion. Roll Call: Reavis Yes, Richardson Yes, Huddleston No, Birk Yes, Magruder Yes, Crum Yes, Leffler Yes, Slade Yes. Motion carried.

Magruder made a motion to approve Ordinance No. 2170 accepting the Planning Commission's recommendation to approve and adopt the Augusta Action Zoning Regulations. Leffler seconded the motion. Roll Call: Reavis Yes, Richardson Yes, Huddleston No, Birk Yes, Magruder Yes, Crum Yes, Leffler Yes, Slade Yes. Motion carried.

Magruder made a motion to approve Ordinance No. 2171 accepting the Planning Commission's recommendation to approve and adopt the 2020-2040 Augusta Action Subdivision Regulations. Leffler seconded the motion. Roll Call: Reavis Yes, Richardson Yes, Huddleston No, Birk Yes, Magruder Yes, Crum Yes, Leffler Yes, Slade Yes. Motion carried.

Continuing Disclosure Services: Leffler made a motion to approve the proposal from Gilmore & Bell, P.C. authorizing them to assist the City in meeting our continuing disclosure obligations for \$1,500 per year for five (5) years, beginning with the City's fiscal year ended December 31, 2019. Slade seconded the motion. Motion carried without opposition.

#### Matters From/For Council and Informational Memorandum:

Leffler: Leffler asked how restroom facility is coming along at the Frisco Depot. Rawlings stated that the plumbing is plumbed in, walls are going up and roof is getting ready to start. He said it should be functional by the end of November.

Magruder: Magruder thanked Sims and his staff for all the effort they put forth on the documents presented tonight. Magruder also thanked Huddleston for his attention to the Safety Department lease and the items he pointed out.

At 8:30 p.m. Magruder made a motion to recess for 10 minutes. Leffler seconded the motion. Motion carried without opposition.

At 8:40 p.m. Richardson made a motion to reconvene the regular meeting. Leffler seconded the motion. Motion carried without opposition.

#### Executive Session:

At 8:41 p.m. Richardson made a motion to recess into executive session for 45 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 9:26 p.m. Leffler seconded the motion. Motion carried without opposition.

At 9:26 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 9:27 p.m., Richardson made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

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City Clerk