

CITY COUNCIL  
JULY 6, 2021  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on July 6, 2021, with Mayor Mike Rawlings presiding. Council present were Eric Birk, Jake Marr, Jamie Crum, Mike Huddleston, Tom Leffler, Kip Richardson, Ron Reavis and Bill Slade. Also present: City Attorney Justen Phelps, City Manager Josh Shaw and City Clerk Erica Jones. Staff Present: Director of Public Safety Bob Sage, Director of Public Utilities Tim Johnson, Electric Production Superintendent Jim Sutton, Susan Smith, Anita Riley and Susie Geiger. Visitors: Pastor Paul Einem and Jesse Ybarra.

Pledge of Allegiance

Prayer: Pastor John Einem, Christ Lutheran Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the June 21, 2021 City Council meeting and June 28, 2021 Budget Work Session. Slade seconded the motion. Motion carried without opposition.

Ordinance: Slade made a motion to approve Ordinance #6A dated 6/23/2021. Richardson seconded the motion. Motion carried without opposition.

Business:

Resolution 2021-08 Designating City Website as Official City Newspaper: Leffler made a motion to approve Resolution No. 2021-08 designating the City website [www.augustaks.org](http://www.augustaks.org) as the official City newspaper. Huddleston seconded the motion. Motion carried without opposition.

Ordinance No. 2176 Adopting Interconnection Standards for Installation and Parallel Operation of Customer Owned Residential and Customer Owned Commercial Renewable Energy Generation Facilities: Jesse Ybarra addressed the governing body and said he is interested in generating solar energy and he is just waiting on the Council to take this action.

Leffler made a motion to approve Ordinance No. 2176 adopting interconnection standards for installation and parallel operation of customer owned residential and customer owned commercial renewable energy generation facilities within the City of Augusta, Kansas. Slade seconded the motion. Roll Call: Birk Yes, Marr Yes, Crum Yes, Huddleston Yes, Leffler Yes, Richardson Yes, Reavis Yes and Slade Yes. Motion carried.

Mayoral Appointments to the Main Street Design Committee: Crum made a motion to approve the Mayor's reappointment of Connie Thurman, Shanna Goldenstein, and Bill Morris to the Main Street Design Committee for a three-year term expiring April 30, 2024. Reavis seconded the motion. Motion carried with Huddleston voting in opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Shaw verified the Council member list of appointments to the 2022 Street Sales Tax Committee.

Leffler made a motion to schedule a budget work session for Monday, July 12<sup>th</sup> at 6:00 p.m. Crum seconded the motion. Motion carried without opposition.

Huddleston: Huddleston stated he received a call from a resident along Ohio Street looking for their surveyor pin and couldn't find it. He said they think it may have disappeared during construction of the sidewalk and were wondering if the construction people moved it. Huddleston asked if the survey pins can go somewhere other than along the easement. Shaw stated they go along the property line and that normally sidewalks are constructed along the right of way and property line. Shaw asked Huddleston to provide him with the address and he will look in to it to see what is going on.

Reavis: Reavis stated he was contacted by someone stating that the Cub Scouts and Boy Scouts were previously able to camp out at Santa Fe Lake for free but now they are being charged the daily fee. He stated they would always do some type of service project while they are out there. Reavis stated that SFL Caretaker Rod Davis said it is something changed at City Hall. Shaw said he was not aware of the situation but he would check with Davis to get the details. Shaw stated that the fee schedule does not allow for fess to be waived for certain groups, but that he would check it out and get an answer to the Council.

Richardson: Richardson inquired about an update on the distance requirements related to the Red Brick District. Shaw stated not yet, but staff is working on it and will be bringing it back to the council.

Rawlings: Rawlings thanked all that participated in the fire downtown and their efforts that saved a building and possibly other buildings. Rawlings stated the annual fireworks display went really well and everyone seemed to enjoy them. Rawlings expressed his condolences to the family of Rick Blue and Augusta White Eagle Credit Union on their loss.

Leffler: Leffler agreed about the fireworks and stated it was one of the best ones we had in years. Leffler inquired about the status of the CDBG surveys. Shaw stated the consultant is conducting the door to door surveys now. Leffler asked if we were getting close to the deadline. Shaw stated we have a few more months before the application has to be submitted. Leffler stated a couple people have asked where the City of Augusta fits in to the new speaker system downtown. Shaw stated that the City will help install the system on our poles downtown and provide the computer and McCollom Construction will host it online. He stated that we have collected the donations and created the project fund to purchase the equipment with those donations. Leffler stated during the Streetscape there was a controversy about whether the poles were strong enough to support the speakers. Shaw stated the vendor does not have concerns, but that was a concern originally related to flags and speakers. Reavis asked about installation date. Shaw stated before the car show in August.

Crum: Crum stated she sent Shaw an email with pictures of a home with stuff that has been sitting there for a couple weeks and asked him to pull those pictures up for the Council to see. Crum stated she called it in and staff said they are working with them. She asked if there is something we can do to make them move things by a certain time frame since they just moved in. She stated this is not the accumulation of years of trash, but just a couple weeks since they moved in. Crum stated she is concerned that we are setting a precedent that they can move in and leave their junk there as long as they want. Shaw stated this is handled as a nuisance and is not defined by the amount of time, but by the nuisance it causes. He stated that previously the council wanted us to work with them in a neighborly fashion rather than starting with the formal process to help them get it cleaned up before bringing it to the Council and having hearings. He stated it is the formal hearings that establish an abatement timeline. Crum asked if there is something we can do given all the rentals we have, such as putting it into code giving them two weeks to get it cleaned up before it comes to the Court. Shaw stated it doesn't go to court, that it goes to the Council for action. Crum asked if we can establish a deadline for them to clean it up. Shaw stated that is up to the governing body if they want to establish a deadline for addressing a nuisance. Crum stated that maybe we need to be

stricter on the deadlines. City Attorney Phelps stated that adding the deadline would make it more difficult because some nuisances would have to wait out the timeline and make it harder to enforce. He stated that if you can abate the nuisance before taking it to court or the Council it is better. Shaw stated you could tie a timeline to a start date that the enforcement officer started the enforcement process and documenting it, but that it couldn't just be tied to when they moved in to it. Crum asked if there is an established timeline that the code enforcement officer follows. Shaw stated it is more of an art than a science, but a lot of factors play in to the timeline. Shaw stated his guess is that something would be communicated to them when the code enforcement officer makes contact with them, but he is not sure that there is a standard timeframe. Crum stated she would check with Sims when he gets back to see what the protocol is for the follow ups. Shaw stated there is nothing in code but they probably have a general standard that they use as long as their workload allows for them to follow that timeline. Reavis asked who is responsible for cleaning up a rental property, the resident or the property owner. Shaw stated the initial work is with the resident then follow up with property owner if the nuisance is not abated by the resident.

Adjourn: At 8:15 p.m., Richardson made a motion to adjourn. Slade seconded the motion. Motion carried without opposition.

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City Clerk