

CITY COUNCIL  
FEBRUARY 22, 2022  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on February 22, 2022, with Mayor Mike Rawlings presiding. Council present were Jake Marr, Eric Birk, Bob Bailey, Kip Richardson and Ron Reavis. Councilmembers Mike Huddleston, Tom Leffler and Jeff Brown were absent. Also present: City Attorney Justen Phelps, City Manager Josh Shaw, Assistant City Manager Cody Sims and City Clerk Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Electric Production Superintendent Jim Sutton, City Inspector Travis Combes, Susan Smith and Susie Geiger. Visitors: Mack Martin, Dustin Avey, Charles May and Jeff Shamburg.

Pledge of Allegiance

Prayer: Pastor Mack Martin, First Baptist Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the February 7, 2022 City Council meeting. Marr seconded the motion. Motion carried without opposition.

Ordinance: Reavis made a motion to approve Ordinance #2A dated 2/22/2022. Bailey seconded the motion. Motion carried without opposition.

Business:

Request for Reinstatement of Properties into the Neighborhood Revitalization Program: Reavis made a motion to approve the reinstatement of 419 E 14<sup>th</sup>, 417 E Broadway and 1115 N Custer Lane into the Neighborhood Revitalization Program. Birk seconded the motion. Motion carried without opposition.

Bid Award for the North Ohio Street Reconstruction Project: Reavis made a motion to approve the low bid submitted by Kansas Paving in the amount of \$1,872,776.46 for the construction of North Ohio Street and the construction of a new pedestrian trail. Richardson seconded the motion. Motion carried without opposition.

Resolution No. 2022-05 Declaring it Necessary to Issue General Obligation Sales Tax Bonds of the City of Augusta, Kansas, For the Purpose of Paying Costs of Financing a Street Capital Improvement Program and Electric System Meters in the City and Providing for the Giving of Notice of Said Intentions: Richardson made a motion to approve Resolution No. 2022-05 declaring it necessary to issue general obligation sales tax bonds of the City of Augusta, Kansas for the purpose of paying costs of financing a street capital improvement program and electric system meters in the city and providing for the giving of notice of said intention. Reavis seconded the motion. Motion carried without opposition.

Purchase Off-Lease 2017 John Deere 324 E Skid Steer Loader from Murphy Tractor & Equipment: Reavis made a motion to approve the purchase of the City's currently leased John Deere 324 E Skid Steer Loader for the Wastewater Division from Murphy Tractor in Wichita, KS. Marr seconded the motion. Motion carried without opposition.

Revised Engineer Estimate for Lift Station Project; Lakeside and Simmons Lift Stations Rehabilitation Bid Award: Reavis made a motion to approve the city engineer's revised bid estimate. Marr seconded the motion. Motion carried without opposition.

Reavis made a motion to approve the City Engineer's recommendation to award a construction contract for rehabilitation of the Lakeside and Simmons Lift Stations in the amount of \$692,000 to the low bidder McCullough Excavation. Marr seconded the motion. Motion carried without opposition.

Cereal Malt Beverage License Application: Richardson made a motion to approve a Cereal Malt Beverage License to sell Enhanced Cereal Malt Beverages (CMB) for consumption on the premises for Pizza Hut, located at 718 W 7<sup>th</sup> Avenue. Bailey seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Reavis: Reavis stated he has been contacted a couple different times about the status of our golf cart ordinance. He asked if there is any way to get this resolved. Shaw stated he is the only one working on it but he is currently spending all of his time working on those grant applications discussed during the strategic planning session. Shaw stated he would visit with Chief Ackerman to see if he can work on it as well.

Richardson: Richardson stated he was contacted by people from outside the City saying they have almost hit someone on Walnut Street at the new walking path when it is dark. He asked if there is anything we can look at for lighting in that area. Shaw stated staff will look in to it.

Bailey: Bailey stated he received a letter from Lynn Smith about the dog ordinance. Bailey asked if that is something we enforce anymore or do we need to discuss removing it. Shaw stated the Public Safety Department does enforce it. He stated the council has considered the issue settled for a while and instruction was given that if enough people were interested then they could petition to put it on the ballot. Ackerman stated that he forwarded the email to the Animal Control Officer for her input. Shaw stated it is a dangerous dog ordinance. He stated the Animal Clinic doesn't dictate what the breed is and there are complications to enforcement. You have to catch it and then prove that it is a dangerous dog and we run in to issues with service dogs and ADA and that has thwarted enforcement at times. Ackerman stated with cross breeding it is difficult to not find Staffordshire terrier, rottweiler or other vicious breeds mixed in. He stated that in his previous employment they got rid of the banned breed and just enforced a vicious dog ordinance. Bailey stated he would like to leave the vicious animal portion but remove breed specific restrictions. Mayor Rawlings agreed and said it is hard to determine the breed, but we need to keep the vicious dog part of the ordinance. City Attorney Justen Phelps stated it has been more than a year since a breed specific case has come to municipal court. He stated that the challenges of proof can be difficult if it comes to proving it in court. Shaw asked if they would want to discuss this as a more formal agenda item when all the council is available to be part of the discussion. Council agreed.

Adjourn: At 8:13 p.m., Richardson made a motion to adjourn. Bailey seconded the motion. Motion carried without opposition.

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City Clerk