

CITY COUNCIL
MARCH 7, 2022
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on March 7, 2022, with Mayor Mike Rawlings presiding. Council present were Jake Marr, Eric Birk, Bob Bailey, Mike Huddleston, Tom Leffler, Kip Richardson, Ron Reavis and Jeff Brown. Also present: City Attorney Andrew Marino, City Manager Josh Shaw, Assistant City Manager Cody Sims and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Solid Waste/Street Superintendent Anthony Craft, Safety Officer Mat Meckel, Susan Smith and Susie Geiger. Visitors: Pastor Loy Hoskins, Richard Kennedy Monica Cowen, and Rose Mary Saunders.

Pledge of Allegiance

Prayer: Pastor Loy Hoskins, First Christian Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the February 19, 2022 Strategic Budget Retreat, February 22, 2022 City Council meeting, and February 25, 2022 Special City Council meeting. Leffler seconded the motion. Motion carried without opposition.

Ordinance: Leffler made a motion to approve Ordinance #3 dated 3/2/2022. Marr seconded the motion. Motion carried without opposition.

Visitors:

Mat Meckel, School Resource Officer for the Augusta Department of Public Safety, was present to request usage of Garvin Park for the Safety Department's Movie in the Park event scheduled for Saturday, August 13, 2022: Leffler made a motion to approve the use of Garvin Park for the Safety Department's Movie in the Park on Saturday, August 13, 2022. Huddleston seconded the motion. Motion carried without opposition.

Monica Cowen, representing the New Life Tabernacle Church was present to request use of Garvin Park for a "Family Fun Day at the Park" on Saturday, April 16, 2022 from 11 a.m. to 4 p.m.: Marr made a motion to approve the use of Garvin Park for a "Family Fun Day at the Park" on Saturday, April 16, 2022 from 11 a.m. to 4 p.m. contingent on liability insurance being provided. Brown seconded the motion. Motion carried without opposition.

Kelli Miller was supposed to be present to discuss her idea for a new business along Highway 54 just outside of Augusta and to request a letter of support for her application to the Attraction Development Grant Program; however, she was not present at the meeting. Marr stated he wouldn't be comfortable writing the letter of support without hearing the proposal details. Consensus was to hold off until Kelli is present to provide information related to her business idea.

Richard Kennedy, representing the Augusta Model Railroad Club, was present to express gratitude to the Council and to invite them and city staff to their Fun and Run night with pizza and light refreshments on Saturday, March 26th from 2 p.m. to 4 p.m.

Business:

CDBG Grant Agreement No. 22-PF-003 For Purchase of New Fire Truck: Leffler made a motion to approve Grant Agreement No. 22-PF-003 between the State of Kansas, Department of Commerce

and the City of Augusta for \$260,000 in Community Development Block Grant funds. Richardson seconded the motion. Motion carried without opposition.

Leffler made a motion to authorize the Mayor to sign the cover letter and all related documents. Richardson seconded the motion. Motion carried without opposition.

Agreement with Schwab Eaton, P.A. for a Drainage Study at 4141 North Ohio Street: Reavis made a motion to approve an agreement with Schwab Eaton, P.A. in the amount of \$8,940. Leffler seconded the motion. Motion carried without opposition.

Tree Removal Agreement with Arbor Masters for Trees in Garvin Park: Reavis made a motion to approve the low quote from Arbor Masters in the amount of \$16,600 for tree removal. Bailey seconded the motion. Motion carried without opposition.

Discussion/Direction Regarding Compost Site/Limb Yard: Council requested that staff provide information regarding a gate and RFID cards for citizens at the next meeting and provided direction to disallow all commercial haulers use of the compost site/limb yard moving forward.

At 8:39 p.m. Richardson made a motion to take a 10 minute break to return at 8:49 p.m. Leffler seconded the motion. Motion carried without opposition.

At 8:49 p.m. Richardson made a motion to reconvene the meeting. Marr seconded the motion. Motion carried without opposition.

Resolution No. 2022-08 Verifying Availability of Matching Funds and Authorizing Submittal of a Task Grant Application for the Development of the Augusta Downtown Park: Reavis made a motion not to approve Resolution No. 2022-08 verifying availability of matching funds and authorizing submittal of a TASK grant application for the development of the Augusta Downtown Park. Leffler seconded the motion. Motion carried with Marr and Huddleston voting in opposition.

Kansas Municipal Energy Agency (KMEA) Director Reappointments: Richardson made a motion to approve the reappointment of Tim Johnson to serve as Director #2 and Josh Shaw as Alternate representing the City on the Kansas Municipal Energy Agency (KMEA) Board of Directors. Marr seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

City Manager: Shaw stated that at a previous meeting Councilman Bailey brought up the Dog Breed Restriction Ordinance. He stated that he recommended the Council revisit the issue when the full Council was present. Council consensus was for staff to provide a draft ordinance with their recommendations to be considered at a future meeting.

Huddleston: Huddleston stated he has received a couple inquiries about where we stand on golf carts. Shaw stated he finished the draft ordinance over the weekend and sent it to the Director of Public Safety to consider the permitting process and to the City Attorney for his review. He stated they are also considering the loophole in state law regarding a UTV side by side and the width restrictions relating to ATV's. Shaw stated that staff has recommendations limiting traffic on highways or roads over 30 miles per hour and to allow crossing Ohio Street but not driving on Ohio Street. Shaw stated the ordinance will be coming to a future meeting soon.

Huddleston stated he was looking through case details from Community Development for nuisances, and every one of these listed are south of Kelly. He stated he was curious as to what is going on in that part of town that there are so many nuisances. Sims stated his staff has the city broken down into 9 zones, so his assumption is they were focusing on those particular zones this past month.

Huddleston asked with the swimming pool opening soon, if staff anticipates any unanticipated costs. Sims stated the big ticket items have already been replaced. He stated every year we have to have valves rebuilt and that is an annual cost, but there isn't anything hanging out there as big costs. Huddleston asked if he foresaw any issues with the pool opening. Sims stated the pool is tentatively scheduled to open the weekend prior to Memorial Day. Shaw stated that the lifeguard certification process would be the only issue that could cause a delay.

Leffler: Leffler asked Sims to give a brief explanation regarding notice about the backflow testing. Sims stated the issue is that everyone that has an irrigation system connected to a municipal water supply is required by KDHE to be tested annually by a licensed irrigation technician by April 30th.

Marr: Marr asked if the structural inspection of the Play Park has been ordered. Sims stated he is getting the ball rolling on it. Marr inquired about a fence. Sims stated he is working with staff on getting a fence put up. Marr asked about communication to the public and asked if staff can supplement the post or add to the post the pictures of the damage that were shared during the strategic retreat. Sims stated staff would share the pictures with the public.

Executive Session:

At 9:53 p.m. Richardson made a motion to go into executive session for 30 minutes to discuss issues related to potential legal liability 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), and to invite in the City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Attorney Andrew Marino. The open meeting will resume in the City Council chambers at 10:23 p.m. Leffler seconded the motion. Motion carried without opposition.

At 10:23 p.m. Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Richardson made a motion to appoint Keith Schofield to the Augusta Housing Authority. Leffler Seconded the motion. Motion carried without opposition.

Adjourn: At 10:24 p.m., Richardson made a motion to adjourn. Brown seconded the motion. Motion carried without opposition.

City Clerk