

CITY COUNCIL  
APRIL 18, 2022  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on April 18, 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, Anthony Craft, Mike Lunnam, Susan Smith and Susie Geiger. Visitors: Pastor Gene Kaufman, Dustin Avey, Shawn Davis, Connie Thurman, Jayme Chapin, Thomas Chapin, Richard Kennedy, Jan Vaughn, Jim Vaughn, Aaron Hall, Beth Hall, Traci Payne, Jason Payne, Deborah Jarrell, and Tom Tucker.

Pledge of Allegiance

Prayer: Pastor Gene Kaufman, GracePointe Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the April 4, 2022 City Council meeting and April 11, 2022 Special City Council meeting. Reavis seconded the motion. Motion carried without opposition.

Ordinance: Richardson made a motion to approve Ordinance #4 dated 4/13/2022. Brown seconded the motion. Motion carried without opposition.

Proclamations:

The Mayor read a proclamation declaring the week of May 1, 2022 as “Public Service Recognition Week” and encouraging all citizens to recognize the accomplishments and contributions of government employees at all levels.

The Mayor read a proclamation declaring May 1 to May 7, 2022 as “Drinking Water Week”.

Visitors:

Richard Kennedy, representing the Augusta Model Railroad Club, was present to give the Council an update on the state of the club and talk about the possibility of Augusta participating in the rail fan cam program.

Deborah Jarrell, 410 E 15<sup>th</sup> Avenue, addressed the governing body regarding the traffic on 15<sup>th</sup> Street and the speed limits along that road and young children on the street. She asked if a speed limit sign could be put up and asked if the speed limit could be lowered. Jarrell also brought up how trash carts blow down the street and she understood that they were to be kept off the street and only at the house or the curb on trash day. She stated that Edward Jones leaves his trash carts at the street all week long and at 1-2 a.m. they blow down the street and one hit a vehicle recently. Everyone in the block has had to pick them up. Jarrell also stated there used to be a stop sign at 15<sup>th</sup> and Johnson Street and stated it would help if the stop sign was there so that people wouldn't take that route to avoid the light at Kelly and Ohio.

Tom Tucker, 7082 SW 110<sup>th</sup> Terrace, addressed the governing body regarding the fishing fees at Lake Augusta. Tucker stated he doesn't understand why the fees were raised for those who don't live in the City when he has an Augusta address and pays taxes to the school district and shops local in Augusta instead of Wichita.

Richardson made a motion to change the order of item #1 and #2 on the agenda to discuss item #2 first. Marr seconded the motion. Motion carried without opposition.

Business:

Ordinance No. 2187 Authorizing the Sale/Issuance of General Obligation Sales Tax Bonds Series 2022-B; Resolution No. 2022-11: Leffler made a motion to approve the bid award of General Obligation Sales Tax Bonds, Series 2022-B to Country Club Bank with the lowest interest rate of 2.28%. Huddleston Seconded the motion. Motion carried without opposition.

Leffler Made a motion to approve Ordinance No. 2187 authorizing the sale/issuance of General Obligation Sales Tax Bonds, Series 2022-B and related documents. Brown seconded the motion. Roll Call: Huddleston Yes, Reavis Yes, Birk Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Marr Yes. Motion carried.

Leffler made a motion to approve Resolution No. 2022-11 prescribing the form and details of General Obligation Sales Tax Bonds, Series 2022-B. Marr seconded the motion. Motion carried without opposition.

Ordinance No. 2186 Authorizing the Operation of Special Purpose Vehicles on the Streets Within the Corporate Limits of the City of Augusta: Council considered proposed Ordinance No. 2186 amending Chapter 14 of City Code, creating Article 7 authorizing the operation of worksite utility vehicles, micro utility trucks, and golf carts on the streets within the corporate limits of the City of Augusta.

Jayme Chapin, 236 E Sunflower Avenue, addressed the governing body. Chapin asked since we are redoing Ohio would there not be a small passage way for a slow moving vehicle off to the side of the road. She also stated if we are in a hurry we can drive our vehicles, so she doesn't think it will be an issue to drive through the neighborhoods if necessary for golf carts. She stated that her UTV can drive the speed limit and has all the necessary lights, windshield and seatbelts. Chapin stated that the purpose of this is for a fun relaxing type of thing and there is a lot of benefits this could bring for tourism and other events.

Brad Cox, 1212 Rolling Hills Dr, addressed the governing body saying he is opposed to requiring a registration at the County when they are already taxed to the hilt. Cox stated he understands the issues with golf carts on the higher speed roads. Cox stated he has hosted UTV runs that have brought in 100 plus UTV's in to our area.

Huddleston made a motion to approve Ordinance No. 2186 amending Chapter 14 of City Code, creating Article 7 authorizing the operation of worksite utility vehicles, micro utility trucks, and golf carts on the streets within the corporate limits of the City of Augusta.

Traci Payne, 1615 Highland Drive, addressed the governing body to clear up the question regarding registrations. She stated that other communities that allow these types of vehicles on their streets

require it to be registered with their local city government but not with the County or State. Shaw stated we require the proof that the property taxes have been paid at the time of purchase. Chief Ackerman stated it requires proof that the personal property tax has been paid.

Beth Hall, 2111 Loomis Dr, asked if they would be able to cross Belmont because the way she reads it they will not because it is above 30 mph. Shaw agreed that they will not if the ordinance is approved as presented.

Motion dies from lack of a second.

Jan Vaughn 1917 State Street, asks where she would be allowed to cross Ohio north of Belmont. Council explained that she would not be able to.

Brown made a motion to approve Ordinance No. 2186 amending Chapter 14 of City Code, creating Article 7 authorizing the operation of worksite utility vehicles, micro utility trucks, and golf carts on the streets within the corporate limits of the City of Augusta and to include Lakewood to Lakepoint, Lakeshore to Knebler, Belmont and Augusta Avenue as crossings for connecting movements. Marr seconded the motion. Roll Call: Huddleston No, Reavis No, Birk No, Richardson No, Bailey No, Leffler No, Brown No, Marr No. Motion failed.

Reavis made a motion to approve Ordinance No. 2186 amending Chapter 14 of City Code, creating Article 7 authorizing the operation of worksite utility vehicles, micro utility trucks, and golf carts on the streets within the corporate limits of the City of Augusta with golf carts held to 30 mph restriction, remove lien req, and “unrestricted” wording pertaining to licenses, and subsection 14-702a deleted to comply with State Statute regarding speed limits and crossings for UTV’s and golf carts. Reavis withdrew his motion.

Reavis made a motion to table item until the next meeting so the language in the ordinance is clarified. Leffler seconded the motion. Motion carried without opposition.

At 8:58 p.m. Richardson made a motion to take a 10 minute break. Leffler seconded the motion. Motion carried without opposition.

At 9:09 p.m. Richardson made a motion to reconvene. Brown seconded the motion. Motion carried without opposition.

Rainbow Fireworks Contract for 2022 Display: Leffler made a motion to approve of an annual firework show contract with Rainbow Fireworks at Augusta City Lake for July 4th. Richardson seconded the motion. Motion carried without opposition.

Ordinance No. 2188 Establishing Requirements for Following Designated Truck Routes and Penalties for Violation Thereof: Leffler made a motion to approve Ordinance No. 2188 amending Chapter 14, Article 2, Section 14-210 of the Code of the City of Augusta, establishing requirements for following designated truck routes and penalties for violation thereof. Huddleston seconded the motion. Roll Call: Huddleston Yes, Reavis Yes, Birk Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Marr Yes. Motion carried.

Ordinance No. 2189 Amending Chapter 12, Article 3, Section 310 of the Code of the City of Augusta, KS Regarding Boat Licensing Requirements at Lake Augusta: Richardson made a motion to approve Ordinance No. 2189 amending Chapter 12, Article 3, Section 310 of the Code of the City of Augusta, KS regarding boat licensing requirements at Lake Augusta to correspond with current regulations at Santa Fe Lake. Marr seconded the motion. Roll Call: Huddleston Yes, Reavis Yes, Birk Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Marr Yes. Motion carried.

Richardson made a motion to refund permit fees for human propelled boats for those who have already purchased 2022 permits. Marr seconded. Motion carried without opposition.

Kansas Department of Transportation Kansas Airport Improvement Program (KAIP) Grant Agreements for Asphalt Crack Fill Equipment and FOD Sweeper Acquisition and Fuel Farm Improvements: Leffler made a motion to accept KAIP Grant Project Number AV-2023-05 – FOD Razor System, KAIP Grant Project Number AV-2023-06 – Crack Fill Equipment, and KAIP Grant Project Number AV-2023-20 – Fuel Farm. Marr seconded the motion. Motion carried without opposition.

Ordinance No. 2190 Amending Certain Sections of Chapter 15, Article 5 of the City Code of the City of Augusta, Kansas Establishing Regulations for the Solid Waste Utility: Leffler made a motion to cease and desist commercial dumping of grass clippings and tree limbs, only open to the citizens of Augusta to haul grass and limbs, operating hours of 8 a.m. to 5 p.m. on Wednesday, Saturday and Sunday. Reavis seconded the motion. Roll Call: Huddleston Yes, Reavis Yes, Birk No, Richardson No, Bailey No, Leffler Yes, Brown No, Marr No. Motion failed.

Brown made a motion to approve Ordinance No. 2190 amending certain sections of Chapter 15, Article 5 of the City Code of the City of Augusta, Kansas Establishing Regulations for the Solid Waste Utility and Repealing Other Ordinances in Conflict with Amended Sections. Richardson seconded the motion. Roll Call: Huddleston No, Reavis No, Birk Yes, Richardson Yes, Bailey Yes, Leffler No, Brown Yes, Marr Yes. Motion carried.

Fee Schedule Resolution No. 2022-11: Reavis made a motion to include a fee under the Solid waste Division for a fee for Commercial Compost/Limb Site Permit of \$500 and \$50 per vehicle after that. Motion died from lack of a second.

Richardson made a motion to approve Fee Schedule Resolution No. 2022-11 making changes to various City fees. Richardson rescinded his motion.

Brown made a motion to approve Fee Schedule Resolution No. 2022-11, including a provision under the Solid waste Division for a fee for Commercial Compost/Limb Site Permit of \$300. Richardson seconded the motion. Motion carried with Reavis, Huddleston and Leffler voting in opposition.

Council consensus was to credit Camacho's for the permit fee they previously paid for 2022 to their \$300 fee.

Demolition Bid for Play Park Pointe: Reavis made a motion to approve the demolition bid for Play Park Pointe submitted by Alan's Excavating, Inc. in the amount of \$4,450 and to leave the pillars until a final decision is made about them. Brown seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Shaw reminded the Council of the work session scheduled for Monday, April 25<sup>th</sup> at 6 p.m. at City Hall for discussion of Robinson building and to start 2023 budget discussions.

Work Session: Leffler made a motion to schedule a 2023 budget work session on Monday, May 9, 2022 at 6 p.m. at City Hall. Marr seconded the motion. Motion carried without opposition.

Leffler made a motion to schedule a work session on Tuesday, May 10, 2022 at 6:00 p.m. at City Hall to discuss housing needs/strategy in Augusta. Marr seconded the motion. Motion carried with Huddleston voting in opposition.

Reavis: Reavis inquired about the status of the Ohio Street Project. Sims stated that the contractor is waiting on a delivery date for the culvert so they have not conducted the pre-construction meeting yet.

Huddleston: Huddleston stated that the “Change of District Classification/Conditional Use Permit/Variance/Appeal of the Zoning Decision/Temporary Use Permit” fees listed in the fee schedule resolution either need to be dropped or we need to eliminate the need for them.

Executive Session:

At 11:11 p.m. Richardson made a motion to go into executive session for 20 minutes to discuss acquisition of real property pursuant to the preliminary discussions of the acquisition of real property exception, K.S.A. 75-4319(b)(6), 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 11:32 p.m. Leffler seconded the motion. Motion carried without opposition.

At 11:32 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 11:32 p.m., Richardson made a motion to adjourn. Leffler seconded the motion. Motion carried without opposition.

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City Clerk