

CITY COUNCIL
APRIL 4, 2022
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on April 4, 2022, with Mayor Mike Rawlings presiding. Council present were Jake Marr, Eric Birk, Bob Bailey, Mike Huddleston, Tom Leffler, Ron Reavis and Jeff Brown. Council member Kip Richardson was absent. 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, Director of Public Utilities Tim Johnson, Ray Seif, Anthony Craft, Mike Lunnam and Susie Geiger. Visitors: Wayne Vogel, Jennifer Penner, Richard Kennedy, Jayme Chapin, Connie Thurman, Shawn Davis, Kristey Williams, Jan Vaughn, Jim Vaughn, Nick Huelskamp, Josh Maska, Monty Rowland, and David Slaughter.

Pledge of Allegiance

Prayer: Wayne Vogel, Church of Christ, gave the invocation.

Minutes: Leffler made a motion to approve the minutes from the March 21, 2022 City Council meeting. Reavis seconded the motion. Motion carried without opposition.

Ordinance: Reavis made a motion to approve Ordinance #3B dated 3/30/2022. Leffler seconded the motion. Motion carried without opposition.

Visitors:

Jennifer Penner, representing H + H Candle Company, was present to request approval of a grand opening event involving street closure and food trucks on April 22nd. Huddleston made a motion to approve a grand opening event for H + H Candle Company on April 22, 2022. Marr seconded the motion. Motion carried without opposition.

Nick Huelskamp and Josh Maska, representing Augusta Little League Baseball, were present to request approval for the use of the baseball fields at Garvin Park for their tournaments on April 8-10th for the Spring Bash tournament, May 20-22th for the Wood Bat tournament, and June 17-19th for the Charlie Dunn tournament. Marr made a motion to approve use of the baseball fields at Garvin Park for April 8-10th for the Spring Bash tournament, May 20-22nd for the Wood Bat tournament, and June 17-16th for the Charlie Dunn tournament pending receipt of the event forms. Brown seconded the motion. Motion carried without opposition.

Business:

Play Park Pointe Playground Inspection Report Findings and Recommendations for Removal: Kristey Williams addressed the governing body and provided the history of the Castle Park project and how it came to be. She thanked the City for their partnership and continued upkeep of the park since it was built. Williams requested that any parts of the park that are salvageable but not reused by the City be returned to the individuals that built the park. Williams also requested a proclamation recognizing the process and individuals that were involved in the development and building of the park and that the public be informed of the date of demolition so that those that want to watch the demo can do so from a safe distance.

Council consensus was for staff to obtain bids for demolition of the park to bring back to the council for consideration. Shaw stated he was working with Williams on a grant application for a Lowe's 100 Home Towns Grant to use for the reconstruction of a new playground.

Construction Administration and Observation for the North Ohio Street and Belmont Pedestrian Trail Improvement Project: Leffler made a motion to approve the North Ohio Street and Belmont Pedestrian Trail Construction Administration and Observation Agreement with Schwab Eaton, P.A. in the amount not to exceed \$330,020 to include construction administration, construction observation, and construction staking. Brown seconded the motion. Motion carried without opposition.

Bid Award for Fire Command Pickup Truck: Leffler made a motion to approve bid received for a 2022 Ford F-150 fire command pickup truck and award the purchase of the truck to Superior Emergency Response Vehicles (SERVE) in Andover, KS in the amount of \$36,852.00. Bailey seconded the motion. Motion carried without opposition.

Agreement with Sensus USA, Inc. for AMI Spectrum, Software & Technical Support for Electric & Water Meter Reading: Reavis made a motion to approve an agreement with Sensus USA, Inc. for AMI Spectrum, Software & Technical Support for Electric & Water Meter Reading and services and authorize the city manager to sign the appropriate document. Leffler seconded the motion. Motion carried without opposition.

Augusta Municipal Airport Main Hangar Repair Proposal: Leffler made a motion to accept the Augusta Municipal Airport Advisory Board recommendation to approve the hangar repair project scope and proposal submitted by Commerce Construction in the amount of \$59,440. Marr seconded the motion. Motion carried without opposition.

Resolution 2022-10 Authorizing the City to Utilize Cemetery Endowment Funds for the Care and Maintenance of Elmwood Cemetery; Approve Proposal for a New Soil Shed Submitted by Drechsler Construction in the Amount of \$9,587: Leffler made a motion to approve Resolution 2022-10 authorizing the City to utilize cemetery endowment funds for care and maintenance of Elmwood Cemetery. Huddleston seconded the motion. Motion carried without opposition.

Leffler made a motion to approve the proposal for a new soil shed submitted by Drechsler Construction in the amount of \$9,587. Huddleston seconded the motion. Motion carried without opposition.

Council Discussion/Direction Regarding Proposed Special Purpose Vehicle Ordinance: Council reviewed and discussed a proposed ordinance amending Chapter 14 of City Code, creating Article 7 authorizing the operation of worksite utility vehicles, micro utility trucks, all-terrain vehicles, and golf carts on the streets within the corporate limits of the City of Augusta and provide staff with direction on how to proceed.

Jan Vaughn, 1917 State Street, addressed the governing body and stated the original request was for golf carts, most of which are street legal. She said residents were not asking for ATV's. She said she thinks there has been way too much thought put in to this and we need to make it simple.

Jayne Chapin, 236 E Sunflower Ave, addressed the governing body and said that she has a side by side utility vehicle. She stated there should be an age requirement of 18 and over and also agreed there should be no ATV's. She stated that the City of Douglass allowed ATV's and revoked it because it was abused. Chapin stated that her side by side has headlights, mirrors, a full windshield and can go 70 mph. She stated she would not recommend having them as part of events for now, but maybe consider it in the future. Chapin stated that residents want to show that we can behave and follow the rules.

David Slaughter, 532 School, addressed the governing body. Slaughter stated golf carts do not come with a State registration. Shaw stated that proof of payment of taxes can be obtained through the County Appraisers office.

Shaw stated that based on the direction of the Council, staff will prepare a draft ordinance to not allow ATV's, require proof of insurance and payment of taxes at registration, add language to allow for people who live or need to do business on Ohio Street to traverse using the most direct route, include a pricing structure to include a \$100 registration fee and an annual renewal of \$50, age restriction of 18, allow operation at night provided that they meet the lighting requirements of Kansas State statute and require slow moving vehicle signs when appropriate.

Council Discussion/Direction Regarding the Compost Site/Limb Yard Operations: Council discussed and provided direction regarding future operations of the compost site and limb yard. Consensus was to continue operations at the compost site/limb yard for residents and commercial landscapers with an Augusta address, higher fees for commercial businesses, no commercial tree haulers, stronger penalties and fines for those violating the ordinance and to re-evaluate the process closer to the end of the year when more data is available from this season to determine the process for next year.

Monty Rowland, 316 W Kelly, addressed the governing body and stated that he has no problem with the fees going up. Rowland stated that the tree limbs seem to be the biggest problem down there. He stated he has a concern about putting the grass in the trash because the City will have to pay more than what they are to move it now.

Shaw stated that based on the feedback from the governing body staff will prepare an ordinance to keep operations open for residents and landscaping businesses with an Augusta address, recommend a fee schedule change for landscaper permits, and implementing a penalty and fee for those violating the rules and bring it back for Council consideration.

Matters From/For Council and Informational Memorandum:

Work Session: Leffler made a motion to schedule a work session on April 25, 2022 at 6:00 p.m. at City Hall with representatives from the school district to discuss the status of Robinson Elementary School and to begin the 2023 Budget process. Reavis seconded the motion. Motion carried without opposition.

Board Appointments: Council consensus was to have staff publicize board openings and that anyone interested contact staff, and that the names or applications be forwarded to Council or mayor depending on the appointment.

Huddleston: Huddleston stated he has noticed cones in front of the inspection building since it has been finished. Sims stated staff is trying to locate landscaping pots to put in front of the building similar to the pots used downtown.

Huddleston asked if there is a timeline for the fixing the brick street between Osage and Santa Fe where the water line was repaired last year and has subsequently sunk. Sims stated that staff is working on elevating that repair work.

Brown: Brown stated that the stop light at Ohio Belmont has issues with changing. He stated it has taken 5 minutes to change before when he is on his way to work. He asked if someone could check on that.

Marr: Marr asked if there was any interest during or after the work session on the 25th to look at growth and housing in our community and what to consider that for the budget discussions. Consensus of the governing body was that there is interest in having that discussion.

Huddleston: Huddleston asked Shaw to look at State requirements regarding annexation. Shaw stated he could make that part of the budget discussion.

Executive Session:

At 10:02 p.m. Bailey made a motion to go into executive session for 12 minutes to discuss issues related to potential legal liability related to the performance of a contract 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 10:15 p.m. Leffler seconded the motion. Motion carried without opposition.

At 10:15 p.m. Bailey made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Leffler made a motion to authorize the Mayor, City Manager and City Clerk to sign a lease agreement with Schreib-Air. Marr seconded the motion. Motion carried without opposition.

Adjourn: At 10:15 p.m., Leffler- made a motion to adjourn. Reavis seconded the motion. Motion carried without opposition.

City Clerk