AGENDA
CITY OF AUGUSTA
Council Meeting
Monday, August 21, 2023
7:00 P.M.

"Augusta – Where the metro's edge meets the prairie's serenity offering the perfect blend of opportunity and proximity for living, commerce and culture."

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. PRAYER
Pastor Lynn Lamberty, Augusta United Methodist Church

D. MINUTES

1. CITY COUNCIL MEETING MINUTES
Approval of minutes of the August 7, 2023 City Council meeting.

a) Council Motion / Vote

E. APPROPRIATION ORDINANCE

1. ORDINANCE(S)
Consider approval of Appropriation Ordinance No. 8A dated August 16, 2023.

a) Council Motion / Vote

F. VISITORS

1. Jayme Chapin from Go! Augusta will be present to recognize the winners of the 2023 Adopt-a-Pot Contest and present award checks.

2. **Call for Other Visitors.** *(Visitors may be recognized at this time to address the Governing Body regarding items not specifically listed on the Agenda – 5-minute limit.*

G. BUSINESS

1. **CEREAL MALT BEVERAGE LICENSE APPLICATIONS**
   Consider approval of the following CMB license applications for Millers 5 Drive In: Approval of Cereal Malt Beverage License to sell Cereal Malt Beverages (CMB) for **on** premise consumption Millers 5 Drive In, located at 330 State Street; and Approval of a Cereal Malt Beverage License to sell Cereal Malt Beverages (CMB) for **off** premise consumption Millers 5 Drive In, located at 330 State Street.

   a) Staff Report
   b) **Council Motion / Vote**

2. **ORDINANCE NO. 2225 REGARDING ANIMAL CONTROL AND REGULATION**
   Consider approval of Ordinance No. 2225 repealing and replacing Chapter 2 of the Code of the City of Augusta, Kansas, relating to animal control and regulation.

   a) Staff Report
   b) **Council Motion / Vote**

3. **FEE SCHEDULE RESOLUTION NO. 2023-12 AMENDING ANIMAL CONTROL FEES**
   Consider approval of Fee Schedule Resolution No. 2023-12 amending Animal Control fees pursuant to Ordinance No. 2225.

   a) Staff Report
   b) **Council Motion / Roll Call Vote**

H. MATTERS FROM/FOR COUNCIL

1. **Call for Other Matters.** *(Council members may be recognized at this time to address the Governing Body regarding items not specifically listed on the Agenda).*

I. INFORMATIONAL MEMORANDUM

J. EXECUTIVE SESSION

1. **Attorney Client Privilege.** Staff recommends the City Council go into executive session to discuss matters deemed privileged in the attorney/client relationship.

K. ADJOURNMENT

DRAFT

CITY COUNCIL
AUGUST 7, 2023
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on August 7, 2023, with Mayor Mike Rawlings presiding. Council present were Mike Martin, Bob Bailey, Eric Birk, Tom Leffler, Kip Richardson, Jeff Brown, and Ron Reavis. Councilmember Mike Huddleston was absent. Also present: City Attorney Andrew Marino, City Manager Josh Shaw, and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Susan Smith, Shawna Cortez, Jim Sutton, and Chris McNutt. Visitors: Pastor Lynn Lamberty, Kristey Williams, Sean Gordon, Kevin Cowan, Connor Relph, Jayme Chapin, Connie Thurman, Shawn Davis, and Shane Scott.

Pledge of Allegiance

Prayer: Pastor Lynn Lamberty, United Methodist Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the July 17, 2023 City Council meeting and the July 31, 2023 City Council Work Session. Brown seconded the motion. Motion carried without opposition.

Ordinance: Richardson made a motion to approve Ordinance #7A dated July 19, 2023 and Ordinance #8 dated August 2, 2023. Bailey seconded the motion. Motion carried without opposition.

Visitors:

Kristey Williams was present to discuss a potential corporate donation for the Castle Park Playground Rebuild. Richardson made a motion to approve the application process for $50,000 to Burlington Northern Santa Fe contingent on grant approval with Kristey Williams and going through city staff. Brown seconded the motion. Motion carried without opposition.

Connor Relph, owner of rental property at 1415 State Street. Relph stated he had a tenant move out June 6th, and utilities were put into his name until his new tenant moved in on July 6. He stated they were charged $16 for June and then another $16 for six days in July. City Clerk Erica Jones explained that this is the base fee that is charged with each bill that is issued and that the rate ordinance does not allow for proration of the base fee. Shaw and Jones stated they would reach out to other communities to see how they handle their base fees when there are multiple bills sent out for the same address in one month.

Business:

Presentation of 2022 Audited Financials: Leffler made a motion to accept the City's 2022 Audited Financials as presented by the City Auditor. Martin seconded the motion. Motion carried without opposition.

Resolution No. 2023-09 Requesting the State Director of Accounts and Reports Waive the Requirements of K.S.A. 75-1120A(A) for the City's 2023 Financial Statements and Reports: Leffler made a motion to approve Resolution No. 2023-09 requesting the State Director of Accounts and Reports waive the requirements of K.S.A. 75-1120a(a) with regard to the City's 2023 financial statements and reports. Richardson seconded the motion. Motion carried with Martin voting in opposition.

Notice of Hearings to Exceed Revenue Neutral Rate and Budget Hearing for the Proposed 2024 Budget: Richardson made a motion to authorize staff to publish the Notice of Hearings to Exceed the

Revenue Neutral Rate and Budget Hearing for the Proposed 2024 Budget. Bailey seconded the motion. Motion carried with Martin voting in opposition.

Charter Ordinance No. 20 Relating to Public Improvements and the Issuance of Bonds: Leffler made a motion to approve the narrow version of Charter Ordinance No. 20 exempting the City of Augusta from the provisions of K.S.A. 14-570 and K.S.A. 14-571 and providing substitute and additional provisions on the same subject relating to public improvements and the issuance of bonds for the purpose of paying for said improvements. Richardson seconded the motion. Roll Call: Birk Yes, Reavis No, Richardson Yes, Rawlings Yes, Bailey Yes, Leffler Yes, Brown Yes, Martin No. Motion carried.

At 8:15 p.m. Richardson made a motion to take a 10 minute break. Leffler seconded the motion. Motion carried without opposition.

At 8:25 p.m. Richardson made a motion to reconvene the meeting. Leffler seconded the motion. Motion carried without opposition.

Discussion/Direction Regarding Establishing a Common Consumption Area: Jayme Chapin, Executive Director of Go! Augusta, made a presentation regarding establishing a common consumption area in downtown Augusta. Council consensus was for staff to continue working on the ordinance to bring a final draft for consideration at the next meeting.

Nuisance Abatement Resolution for 506 North Osage Street: Leffler made a motion to approve Resolution No. 2023-10 determining that a nuisance exists at 506 North Osage Street and ordering the removal and abatement of nuisances within ten days as specified by K.S.A. 12-1617e. Brown seconded the motion. Motion carried without opposition.

Electric Utility Financial Policy: Reavis made a motion to approve Policy No. 2023-01 establishing an Electric Utility Financial Policy. Martin seconded the motion. Motion carried without opposition.

Ordinance No. 2224 Establishing Requirements for Following Designated Truck Routes and Penalties for Violation Thereof: Leffler made a motion to approve Ordinance No. 2224 amending Chapter 14, Article 2, Section 14-210(b) of the Code of the City of Augusta, establishing requirements for following designated truck routes and penalties for violation thereof with three tiers of fines, $500, $1,000, $2,500 and for signage to be added. Richardson seconded the motion. Roll Call: Birk Yes, Reavis No, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Martin Yes. Motion carried.

Fee Schedule Resolution No. 2023-11: Richardson made a motion to approve Fee Schedule Resolution No. 2023-11 establishing separate fees for the disinterment and reinternment of casket burials and cremation burials. Martin seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Mayor: Reminder Council of the Public Safety Annual Dinner on August 19th. Reminder of Skatepark groundbreaking ceremony on August 11th at Bill Reed Park at 9 a.m.

Reavis: Reavis stated that the sequencing is off for the stop lights at State and 7th. He stated that Dave Warner said he was going to work on that and asked if he has done that yet. Shaw stated he would check with Warner to see if that work has been completed.

Reavis stated that on behalf of the WFO car guys, he is pleased with the City of Augusta and their assistance with their annual car show. He stated that staff helped with the sound system, trash receptacles, and barricades. He stated the Business community stepped up and opened up their doors and the Lion's Club had a pancake feed. Reavis stated this all helped to make it an event instead of just a car show. He stated they estimated there were 275 cars present, which is the most they have had in several years. He stated that all in all it was a good day. He said he did not hear any complaints and business owners were very pleased with the foot traffic. Reavis again thanked everyone for their support.

Richardson: Richardson inquired about the date of the budget hearings. Jones stated September 5th is the date of the hearings. Richardson thanked the Electric department for their help to restore power to the Cities of Ottawa and Winfield. He stated that he and the cities were very appreciative of their help.

Bailey: Bailey asked for an update on the vicious animal ordinance. Shawna Cortez stated that the Planning Commission Hearing to discuss chicken coops is scheduled for August 14th. She stated that staff will present the final ordinance at the September 5th council meeting.

Leffler: Leffler asked if there is a plan in place at Garvin Park for the several dead trees and several others with dead limbs. He asked if the tree trimming crew has a plan for those. Shaw stated he will follow up with them, but he has encouraged them to start planning for how to replace them but with the state they are in now they may have to be removed now. Leffler stated he is concerned about our liability if they were to fall on vehicles or people. Shaw stated he will check with staff on the plan for those.

Martin: Martin stated he received a call from a citizen about trees on Osage and 5th that are hanging down in the street and blocking vision for traffic. Martin asked if there is any way for staff to provide a map of where engine breaking is prohibited and a map of the truck routes. Shaw stated that Hwy 400 and Hwy 77 are the only truck routes within the city limits. Martin stated the engine breaking will be hard to take care of. Leffler stated he hears that up on Ohio as well when they are breaking.

Executive Session:

At 9:37 p.m. Richardson made a motion to go into executive session for 60 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 and City Attorney Andrew Marino. The open meeting will resume in the City Council Chambers at 10:37 p.m. Leffler seconded the motion. Motion carried without opposition.

At 10:37 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 10:37 p.m., Richardson made a motion to adjourn. Brown seconded the motion. Motion carried without opposition.

Erica L. Jones

City Clerk

City of Augusta

A/P Warrant Register

ORDINANCE #8A (08/16/2023)

For checks after: 08/03/2023

PO Number	Vendor Nu	Claimant Name	PO Description	Warrant Nu	Warrant Amt	Fund	Fund Amt
0000180287	3889	ACC BUSINESS	MONTHLY SERV	80856	$ 118.42	24-2440	$ 118.42
0000180275	0870	AEROMET ENGINEERING, INC.	EDUCATION-ELEC PROD	80857	$ 1,375.00	40-6200	$ 1,375.00
0000180313	1228	AIRGAS USA, LLC	EQUIP SUPP-WW	80858	$ 21.99	50-7000	$ 21.99
0000180329	3899	AMAZON CAPITAL SERVICES INC	OFC SUPP, PERS SUPP-ALL DEPTS	80859	$ 6,515.81	01-1200	$ 353.53
						01-1300	$ 363.60
						01-1500	$ 186.00
						01-1600	$ 73.93
						01-1900	$ 170.00
						06-3300	$ 199.96
						15-4100	$ 329.99
						40-6200	$ 189.30
						40-6300	$ 3,178.98
						50-7000	$ 554.90
						70-7100	$ 915.62
0000180306	0334	AMERICAN FAMILY	DEDUCTION-P/R 8/16/23	80860	$ 1,976.70	37-0000	$ 1,976.70
0000180276	2369	ASCENT AVIATION GROUP, INC	FUEL-AP	80861	$ 38,295.38	70-7100	$ 38,295.38
0000180286	1632	AT&T	MONTHLY SERV	80862	$ 260.00	24-2440	$ 260.00
0000180301	2176	ATWOODS DISTRIBUTING, LP	EQUIP SUPP-S[CC	80863	$ 28.48	15-4100	$ 28.48
0000180319	0285	AUGUSTA ACE HOME CENTER	BLDG&GRNDS MAINT,SUPP-ALL	80864	$ 3,298.35	01-1500	$ 192.41
						01-1600	$ 1,088.04
						01-1700	$ 296.10
						12-3900	$ 152.94
						15-4100	$ 85.87
						20-4500	$ 7.18
						30-5200	$ 507.75
						40-6200	$ 224.65
						40-6300	$ 301.35
						50-7000	$ 395.33
						70-7100	$ 46.73
0000180285	0018	AUGUSTA ANIMAL CLINIC	PROF SERV-ANIMAL CONTROL	80865	$ 2,632.00	01-1800	$ 2,632.00
0000180298	4034	BATTERIES PLUS BULBS #902	EQUIP SUPP-WW	80866	$ 1,085.70	50-7000	$ 1,085.70
0000180297	3903	BEACON TIRE	TIRES & BATTERIES-AP, WTR PROD	80867	$ 578.68	30-5200	$ 232.03
						70-7100	$ 346.65
0000180281	3631	BORDER STATES INDUSTRIES INC	ELEC REP SUPP, BASE GRANT	80868	$ 51,148.70	40-6300	$ 7,100.04
						55-5530	$ 44,048.66
0000180282	0322	BRIAN'S LAWN SERVICE	CAP PJ'S LIBRARY	80869	$ 104.00	16-4200	$ 104.00
0000180311	9598	BRUCE & LEHMAN, LLC	GARNISHMENT-P/R 8/16/23	80870	$ 38.34	37-0000	$ 38.34
0000180283	1638	BUTLER RURAL WATER DIST #5	BLDG&GRNDS MAINT, WTR PURCH	80871	$ 645.80	01-1600	$ 298.45
						70-7100	$ 347.35
0000180280	3730	CAMACHO'S HANDYMAN SERVICES LLC	CAP PJ'S LIBRARY	80872	$ 1,400.00	16-4200	$ 1,400.00
0000180320	3157	CARD SERVICES	DUES, ADV, OTHER SERV-ALL DEPT	80873	$ 8,780.74	01-1000	$ 254.53
						01-1100	$ 50.00
						01-1300	$ 3,289.99
						01-1350	$ 125.00
						01-1400	$ 87.52
						01-1500	$ 245.21
						01-1600	$ 229.65
						01-1900	$ 47.75
						05-3200	$ 29.95
						06-3300	$ 1,549.50
						20-4500	$ 107.41
						26-5050	$ 63.00
						30-5100	$ 5.00
						30-5200	$ 454.90
						40-6100	$ 344.37
						40-6200	$ 1,314.15
						40-6300	$ 160.84
						50-7000	$ 70.94
						70-7100	$ 351.03

0000180279	0743	CENTURY BUSINESS SOLUTIONS	PROF SERV-ELEC ADMIN	80874	$	50.00	40-6100	$ 50.00
0000180309	0029	CITY - INSURANCE ACCOUNT	DEDUCTION-P/R 8/16/23	80875	$	1,603.06	37-0000	$ 1,603.06
0000180278	0651	CITY OF EL DORADO	WTR PURCH-WTR PROD	80876	$	37,097.28	30-5200	$ 37,097.28
0000180299	3372	CORE & MAIN LP	WTR REP SUPP, METERS&ACCES	80877	$	36,583.24	30-5200	$ 7,130.24
							34-3410	$ 29,028.00
							40-6300	$ 425.00
0000180277	0966	COX COMMUNICATIONS	MONTHLY SERV	80878	$	27.84	30-5200	$ 27.84
0000180300	0101	D & S AUTO SUPPLY, INC.	VEH MAINT, VEH SUPP, OIL-ALL	80879	$	2,329.95	01-1300	$ 46.37
							01-1400	$ 177.02
							01-1500	$ 287.39
							01-1600	$ 74.57
							01-1800	$ 25.86
							01-1900	$ 50.37
							15-4100	$ 428.84
							20-4500	$ 945.18
							30-5200	$ 241.54
							40-6200	$ 52.81
0000180272	2676	D GERBER COMMERCIAL POOL PRODUCT	CHEMICALS-POOL	80880	$	3,629.69	01-1700	$ 3,629.69
0000180273	4033	DCF-EWAP	REFUND UTILITY OVERPMT	80881	$	420.96	40-0000	$ 420.96
0000180274	3189	DIGITAL OFFICE SYSTEMS	EQUIP LEASING-ADMIN	80882	$	199.81	01-1000	$ 199.81
0000180293	0301	DPC ENTERPRISES, L.P.	CHEMICALWTR PROD	80883	$	2,700.48	30-5200	$ 2,700.48
0000180317	2495	ELLIOTT EQUIPMENT CO	VEH MAINT-SANIT	80884	$	7,902.11	20-4500	$ 7,902.11
0000180304	0168	EMPRISE BANK	FWTH-P/R 8/16/23	80885	$	57,912.85	37-0000	$ 57,912.85
0000180289	0418	GALLS, LLC	PERS SUPP-SFETY	80886	$	231.38	01-1300	$ 231.38
0000180284	4031	GARDEN GATE GARDEN CLUB	OTHER COMM-SP PARKS	80887	$	200.00	06-3300	$ 200.00
0000180291	3826	GODFREY'S INDOOR SHOOTING AND ARC	PERS SUPP-SAFETY	80888	$	84.98	01-1300	$ 84.98
0000180294	0084	GRAINGER	EQUIP MAINT-WTR PROD	80889	$	44.36	30-5200	$ 44.36
0000180271	0302	HAWKS INTER-STATE	BLDG&GRNDS MAINT-ADMI, CD, EL	80890	$	270.28	01-1000	$ 114.76
							01-1200	$ 65.76
							40-6200	$ 89.76
0000180270	3248	HEBB COMPANY LLC	OTHER SERV, EQUIP SUPP-SFL,SPC	80891	$	2,548.45	01-1600	$ 2,198.45
							15-4100	$ 350.00
0000180295	9389	HIGH CALIBER LANDSCAPE, LLC	PROF SERV-WTR PROD	80892	$	2,821.65	30-5200	$ 2,821.65
0000180321	3470	HIGH TOUCH INC	OTHER SERV-ALL DEPTS	80893	$	600.00	01-1000	$ 39.00
							01-1100	$ 33.00
							01-1200	$ 33.00
							01-1300	$ 33.00
							01-1350	$ 33.00
							01-1400	$ 33.00
							01-1500	$ 33.00
							01-1600	$ 33.00
							01-1800	$ 33.00
							01-1900	$ 33.00
							20-4500	$ 33.00
							30-5100	$ 33.00
							30-5200	$ 33.00
							40-6100	$ 33.00
							40-6200	$ 33.00
							40-6300	$ 33.00
							50-7000	$ 33.00
							70-7100	$ 33.00
0000180269	0087	HIZEY SERVICE & SUPPLY, INC.	MACHINERY&EQUIP-WTR PROD	80894	$	2,800.00	30-5200	$ 2,800.00
0000180307	0711	ICMA RETIREMENT TRUST-457	ICMA DEDUCTION-P/R 8/16/23	80895	$	3,496.00	37-0000	$ 3,496.00
0000180290	3183	ISERVE INC	BLDG&GRNDS MAINT-SAFETY	80896	$	958.00	01-1300	$ 958.00
0000180302	0303	K P E R S	KPERS-P/R 8/16/23	80897	$	45,657.15	37-0000	$ 45,657.15
0000180264	3786	KANSAS CORPORATION COMMISSION	PROF SERV-ELEC ADMIN	80898	$	100.00	40-6100	$ 100.00
0000180303	0104	KANSAS EMPLOYMENT SECURITY FUND	DEDUCTION-P/R 8/16/23	80899	$	247.88	09-3600	$ 144.42
							15-4100	$ 4.43
							20-4500	$ 11.80
							30-5100	$ 5.12
							30-5200	$ 16.41
							40-6100	$ 7.95
							40-6200	$ 16.27
							40-6300	$ 27.51
							50-7000	$ 9.78

							70-7100	$ 4.19
0000180324	0277	KANSAS MUNICIPAL UTILITIES INC	EDUCATION-SANIT	80900	$	800.00	20-4500	$ 800.00
0000180310	0813	KANSAS PAYMENT CENTER	CHILD SUPPORT-P/R 8/16/23	80901	$	292.62	37-0000	$ 292.62
0000180265	0463	KANSAS SECRETARY OF STATE	OTHER SERV-SAFETY	80902	$	25.00	01-1300	$ 25.00
0000180316	1693	KEY EQUIPMENT & SUPPLY CO	EQUIP SUPP-SPCC	80903	$	556.20	15-4100	$ 556.20
0000180266	3743	KMEA-MID-STATES	BASE GRANT	80904	$	154,594.00	55-5530	$ 154,594.00
0000180267	0062	KS DEPARTMENT OF REVENUE	JULY SALES TAX	80905	$	39,439.44	20-4500	$ 8.14
							40-6100	$ 247.95
							53-8500	$ 36,865.88
							70-7100	$ 2,317.47
0000180268	0297		USE TAX JULY	80906	$	1,982.46	40-6100	$ 1,982.46
0000180305	0106	KS DEPT OF REVENUE	ST WTH-P/R 8/16/23	80907	$	10,234.00	37-0000	$ 10,234.00
0000180262	0110	LEAGUE OF KS. MUNICIPALITIES	EDUCATION-ELEC ADMIN	80908	$	275.00	40-6100	$ 275.00
0000180312	2548	LEGALSHIELD	DEDUCTION-P/R 8/16/23	80909	$	258.45	37-0000	$ 258.45
0000180263	3890	LILY LAKE 4H CLUB	OTHER COMM-SP PARKS	80910	$	100.00	06-3300	$ 100.00
0000180318	2735	MCCULLOUGH EXCAVATION INC	STRUCT&IMPROVE-WW	80911	$	16,481.25	49-4950	$ 16,481.25
0000180292	3268	NATIONAL SCREENING BUREAU	OTHER SERV-WTR PROD	80912	$	94.70	30-5200	$ 94.70
0000180327	0124	PACE ANALYTICAL	PROF SERV-WW	80913	$	427.40	50-7000	$ 427.40
0000180261	1895	PEREGRINE CORPORATION	OFC SUPP-WTR ADMIN, ELEC ADMIN	80914	$	221.77	30-5100	$ 110.88
							40-6100	$ 110.89
0000180325	0850	QUILL CORPORATION	OFC SUPP-ADMIN, WTR ADMIN	80915	$	72.72	01-1000	$ 28.04
							30-5100	$ 22.34
							40-6100	$ 22.34
0000180257	3876	RAY O'HERRON	PERS SUPP-SAFETY	80916	$	248.54	01-1300	$ 248.54
0000180259	3739	RED EQUIPMENT LLC	EQUIP SUPP-WW	80917	$	1,800.00	50-7000	$ 1,800.00
0000180260	3612	REGIONAL MEDIA CORPORATION	MONTHLY SERV	80918	$	131.67	01-1600	$ 131.67
0000180258	3423	ROCK CONCRETE INC	CONST-WTR PROD,STR SALES TX	80919	$	13,238.00	12-3900	$ 4,225.00
							30-5200	$ 7,878.00
							40-6300	$ 1,135.00
0000180326	3287	ROWLAND CUSTOM LAWN CARE	OTHER SERV-COMM DEV	80920	$	221.00	01-1200	$ 221.00
0000180255	4032	SHANNAN EMOND	OTHER COMM-SP PARKS	80921	$	300.00	06-3300	$ 300.00
0000180288	1192	SIRCHIE FINGER PRINT LABORATORIES	EQUIP SUPP-SAFETY	80922	$	139.62	01-1300	$ 139.62
0000180315	0689	SOUTHWEST BUTLER QUARRY LLC	STR MAINT-ST SALES TAX PJ	80923	$	209.08	12-3900	$ 209.08
0000180314	0657	SOUTHWIND OIL CORP	DIESEL FUEL-ALL DEPTS	80924	$	4,521.31	20-4500	$ 3,393.11
							40-6200	$ 217.03
							40-6300	$ 911.17
0000180322	4037	SPOHN RANCH, INC	CONST-SKATE PARK	80925	$	44,650.00	65-6550	$ 44,650.00
0000180308	3638	STANDARD INSURANCE COMPANY	DEDUCTION-P/R 8/16/23	80926	$	780.45	37-0000	$ 780.45
0000180256	3780	SURVEYING AND MAPPING, LLC	PROF SERV-COMM DEVE	80927	$	150.00	01-1200	$ 150.00
0000180252	4030	TIM JOHNSON	EDUCATION-ELEC PROD	80928	$	176.30	40-6200	$ 176.30
0000180253	3569	TKFAST, INC	IT SERVICES-SAFETY	80929	$	75.00	01-1300	$ 75.00
0000180254	2589	TRANSUNION RISK AND ALTERNATIVE DA	PROF SERV-SAFETY	80930			01-1300	$ 75.00
0000180251	3683	UTILITY SAFETY AND DESIGN INC	GAS UTILITY-ELEC PROD	80931	$	1,330.00	40-6200	$ 1,330.00
0000180296	4036	WATSON MARLOW, INC	EQUIP MAINT-WTR PROD	80932	$	3,636.00	30-5200	$ 3,636.00
0000180250	3185	WEIS FIRE & SAFETY EQUIP CO, INC	TIRES & BATTERIES-SAFETY	80933	$	157.98	01-1300	$ 157.98
0000180328	3721	WHIPPS, INC	EQUIP SUPP-SPCC	80934	$	7,000.00	15-4100	$ 7,000.00
0000180323	2414	WINZER CORPORATION	EQUIP MAINT, EQUIP SUPP-ELEC P	80935	$	358.08	40-6200	$ 358.08
							TOTAL	$ 633,874.53

A/P WARRENT REGISTER SUMMARY BY FUND & DEPT

ORD 8A (08/16/2023) For checks after: 8/3/2023

Fund	Dept	Description	Dept-Amt	Fund Total
01	0000	REVENUE		
01	1000	ADMINISTRATION	$636.14	
01	1100	CITY CLERK	$83.00	
01	1200	INSP	$823.29	
01	1300	SAFETY	$5,728.46	
01	1350	COURT	$158.00	
01	1400	STREET	$297.54	
01	1500	PARKS	$944.01	
01	1600	SANTA FE LAKE	$4,127.76	
01	1700	SWIMMING POOL	$3,925.79	
01	1800	ANIMAL CONTROL	$2,690.86	
01	1900	CEMETERY	$301.12	
				$19,715.97
02	2900	LIBRARY		
04	3100	SPECIAL ALCOHOL FUND		
05	3200	GUEST TAX	$29.95	
				$29.95
06	3300	SPECIAL PARK	$2,349.46	
				$2,349.46
08	3500	LIBR EMPL BENEFIT		
09	3600	EMPLOYEE BENEFIT	$144.42	
				$144.42
11	0000	REVENUE		
11	3800	INTERFUND TRANSFER		
12	3900	STREET SALES TAX	$4,587.02	
				$4,587.02
13	0000	REVENUE		
13	2430	CID APPROPRIATION		
15	4100	SPECIAL CITY/COUNTY	$8,783.81	
				$8,783.81
16	4200	CAPITAL IMPROVEMENTS	$1,504.00	
				$1,504.00
17	4390	E-COMM/API LOANS		
20	4500	REFUSE	$13,207.93	
				$13,207.93
21	2150	OPIOD FUNDS		
23	5000	SANITATION BOND/INT		
24	2440	EMERG COMM (2012)	$378.42	
				$378.42
26	5050	EQUIP RESERVE SAFETY	$63.00	
				$63.00
28	2800	EMERG COMM		
30	5100	WATER ADMINISTRATION	$176.34	
30	5200	WATER PRODUCTION	$65,716.18	
				$65,892.52
31	3250	WATER SALES TAX FUND		
33	5500	WTR BONDS P & I		
34	3410	KDHE WATER LOAN	$29,028.00	
34	3450	WTR SYS IMP BONDS		

A/P WARRENT REGISTER SUMMARY BY FUND & DEPT
For checks after: 8/3/2023

Fund	Dept	Description	Dept-Amt	Fund Total
				$29,028.00
35	3536	STORMWATER PROJECT		
37	0000	REVENUE	$122,249.62	
				$122,249.62
39	3950	EMP HEALTH INSURANCE		
40	0000	REVENUE	$420.96	
40	6100	ELECTRIC ADMINISTRAT	$3,173.96	
40	6200	ELECTRIC PRODUCTION	$5,376.35	
40	6300	ELECTRIC DISTRIBUTIO	$13,272.89	
				$22,244.16
41	6800	ELEC RESERVE		
45	4380	2022B ELECTRIC AMI		
47	4940	WASTEWTR RESERVE		
49	4950	WASTEWTR TREATMENT	$16,481.25	
				$16,481.25
50	7000	WASTEWATER	$4,399.04	
				$4,399.04
53	8500	SALES TAX	$36,865.88	
				$36,865.88
55	5530	BASE GRANT-CAP PROJ	$198,642.66	
				$198,642.66
56	5610	2016 PRIDE&PROGRESS		
60	7500	BOND & INTEREST		
65	6550	SKATE PARK	$44,650.00	
				$44,650.00
70	7100	AUGUSTA AIRPORT	$42,657.42	
				$42,657.42
71	0000	REVENUE		
72	7280	REDBUD TRAIL PROJECT		
74	7400	DAM/SPILLWAY PROJECT		
84	8400	FAA LAND ACQUISITION		
			Total:	$633,874.53

UMB

VISA

Summary of Account Activity

Previous Balance	$15,501.96
Payments/Debits	-$11,248.75
Other Credits	-$0.00
Purchases	+$8,313.41
Cash Advances	+$0.00
Fees Charged	+$0.00
Interest Charged	+$0.00
New Balance	= $12,566.62

Credit Limit	$50,000.00
Available Credit	$37,433.38
Cash Advance Limit	$3,500.00
Available for Cash Advance	$3,500.00
Statement Closing Date	08/01/23
Days in Billing Cycle	31

Payment Information

New Balance	$12,566.62
Minimum Payment Due	$12,566.62
Payment Due Date	08/24/23
Past Due Amount	$4,253.21

Minimum Payment Due includes Past Due Amount and/or Overlimit Amount.

Account Name
CONTROL ACCOUNT
Payment Reference Number
90000005954
Account Number
XXXX XXXX XXXX

Payment Address:

CARD SERVICES
PO BOX 875852
KANSAS CITY MO 64187-5852

Contact Us:

Lost/Stolen and
General Inquiries: 888-494-5141
Alternate Number: 816-843-2000

Telephoning about billing errors will not preserve your rights under federal law.

IMPORTANT - You've missed a payment
Your account is past due. Please submit a payment equal to or greater than the Minimum Amount Due immediately. Disregard this notice if a payment has already been made.

If you are experiencing financial difficulties due to the current health pandemic, please contact us at 888.494.5141 to discuss payment options best suited to your needs. We are here to help.

Late Payment Warning:
If we do not receive your minimum payment by the Payment Due Date, you may have to pay a late fee up to $39.00.

If you are experiencing financial difficulties due to a recent natural disaster, please contact us at 888.494.5141 to discuss payment options best suited to your needs. We are here to help.

Corporate Transaction Information

Transaction Date	Posting Date	Reference Number	Description	Amount
07/21	07/21	74314473202000009912974	CHECK PAYMENT THANK YOU	- 11,248.75

UMB

CARD CENTER
PO BOX 419734
KANSAS CITY MO 64141-6734

Account Number	XXXX XXXX XXXX
New Balance	$12,566.62
Payment Due Date	08/24/23
Past Due Amount	$4,253.21
Minimum Payment	$12,566.62
Amount Enclosed	

CONTROL ACCOUNT
CITY OF AUGUSTA KS
PO BOX 489
AUGUSTA KS 67010-0489

CARD SERVICES
PO BOX 875852
KANSAS CITY MO 64187-5852

900000059544 0001256662 0001256662 9465

Account Name: CONTROL ACCOUNT

Account Number: XXXX XXXX XXXX 0004

Cardholder Transaction Information

Transaction Date	Posting Date	Reference Number	Description	Amount
JOSH SHAW XXXX XXXX XXXX				
06/30	07/02	74657363182000343400274	EMBED SOCIAL PATRICH 01-1000-4265	19.00
07/06	07/07	24493983187286400902327	CLOUD COVER MUSIC WILLIAM.PRIP@CA 05-3200-4265	29.95
07/13	07/14	24692163194100098356580	IN *DISC GOLF DESIGNS 318-3496960 LA 06-3300-4336	1,549.50
07/13	07/14	24001753195083215311717	THE WICHITA EAGLE 800-200-8906 CA 01-1000-4420	48.14
07/19	07/20	74208473200000016106546	VEED.IO PRO LONDON 01-1600-4245	38.00
07/26	07/27	24001753208083023429433	THE WICHITA EAGLE 800-200-8906 CA 01-1000-4420	1.00
07/27	07/28	24011343208000047132726	ZOOM.US 888-799-9666 WWW.ZOOM.US CA 01-1000-4265	81.98
07/30	07/31	74657363212002941780119	EMBED SOCIAL PATRICH 01-1000-4265	19.00
BRANDON GREEN XXXX XXXX XXXX				
07/11	07/12	24137463193001490193175	USPS PO 1905830591 AUGUSTA KS 30-5200-4325	10.55
07/18	07/19	24137463200001518721578	USPS PO 1905830591 AUGUSTA KS	21.90
07/26	07/27	24137463208001472058357	TRACTOR-SUPPLY-CO #0472 WICHITA EAST KS 30-5200-4321	422.45
JAMES SUTTON XXXX XXXX XX).				
07/10	07/12	24445[illegible]0587004820	CASEYS #3995 AUGUSTA KS 40-6200-4317	50.15
07/21	07/23	24492153202894595026257	PAYPAL *AMERICANAED 402-935-7733 FL 40-6200-4256	1,264.00
07/24	07/25	24492153205852720074862	PAYPAL *EBAY US 402-935-7733 CA 01-1500-4320	149.71
			sales tax paid as mechanic could on Fund part on ebay	
DAVID WARNER XXXX XXXX XXXX				
07/05	07/07	24445003187300602369882	CASEYS #3995 AUGUSTA KS 40-6300-4317	38.27
07/12	07/13	24445003194400194343377	WM SUPERCENTER #346 AUGUSTA KS 40-6300-4330	54.22
07/13	07/14	24765013194010000751670	KING BUFFET AUGUSTA KS 40-6300-4335	68.35
RODNEY DAVIS XXXX XXXX XXXX				
07/03	07/05	24733093[illegible]091352000348	ATWOOD 47 ANDOVER ANDOVER KS 01-1600-4316	12.47
07/03	07/05	24733093185091352000942	ATWOOD 47 ANDOVER ANDOVER KS	69.99
07/11	07/13	24789303193092600039381	MCMASTER-CARR 630-834-9600 IL 01-1600-4420	94.80
07/24	07/26	24733093206091354000226	ATWOOD 47 ANDOVER ANDOVER KS	14.39
SHANE NOLAND XXXX XXXX XXX'				
07/05	07/07	24207853187032601000376	SUMMIT CONTROL 972-4746422 TX 50-7000-4201	53.83
07/18	07/19	24622753199200250448171	SPACE STATION STORAGE LLCAUGUSTA KS 50-7000-4335	17.11
PUBLIC SAFETY XXXX XXXX XXXX				
07/31	08/01	24492[illegible]212000033024055	INTHEBAGCLEANERS.COM INTHEBAGCLEANKS 01-1300-4266	20.45
CAELI LEMKE XXXX XXXX XXXX				
07/11	07/12	24431[illegible]192083347080567	SWANK MOTION PICTURES IN 800-876-5445 MO 01-1300-4303	525.00
07/17	07/18	24137463199001505317540	USPS PO 1905830591 AUGUSTA KS 01-1300-4302	5.55
07/20	07/21	24011343201000049041039	SP FORENSICS SOURCE HTTPSFORENSICFL 01-1300-4516	327.99
07/22	07/23	24692163203107657448988	SQ *CG WHOLESALE Dallas TX 01-1300-4305	112.88

Account Name: CONTROL ACCOUNT

Account Number: XXXX XXXX XXXX 0004

Cardholder Transactions Continued

Transaction Date	Posting Date	Reference Number	Description	Amount
JEREMY JOHNSTON XXXX XXXX XXX)				
07/26	07/28	241374632[illegible]2645	OFFICEMAX/OFFICEDEPT#6874800-463-3768 KS 01-1300-4301	109.35
07/27	07/30	24137463209100458357996	OFFICEMAX/OFFICEDEPT#2922800-463-3768 IL 01-1300-4303	1.18
FRANK SORTINI XXXX XXXX XXX)				
07/24	07/25	24943000320688000023286	COSTCO WHSE #1200 WICHITA KS 01-1500-4305-95.50 01-1900-4305-47.75 20-4500-4305-107.41 01-1400-4305-87.52	338.18
RAY SEIF XXXX XXXX XXXX				
07/06	07/07	24055233187083755437557	WALMART.COM 800-966-6546 AR 70-7100-4321	41.78
07/20	07/21	24055233201083341057721	WALMART.COM 800-966-6546 AR 70-7100-4330	47.75
07/27	07/28	24055233208083739286216	WALMART.COM 800-966-6546 AR 70-7100-4316	109.87
TODD ACKERMAN XXXX XXXX XXX				
07/17	07/18	24445003198300590810159	FSP*FBINAA KS WMO CHAPTER913-201-1153 MO 01-1300-4210	175.00
07/17	07/18	24247603198300693107682	C AND G WHOLESALE 214-343-3900 TX 01-1300-4305	819.10
07/26	07/27	24269793207300679716945	AQUATREC SCUBA - LINCOLN LINCOLN NE 20-5050-4415	63.00
07/27	07/28	24492153208894840716227	PAYPAL *BIGSKYPARTY 402-935-7733 KS 01-1300-4265	750.00
07/29	07/30	24943003210722509124086	HYATT REGENCY DENVER CC 8885874589 CO 01-1300-4210	253.49
SHAWNA CORTEZ XXXX XXXX XXXX				
07/10	07/11	24445003192400196147224	WM SUPERCENTER #346 AUGUSTA KS 01-1000-4335	15.92
07/11	07/12	24733093193091489023098	KS.GOV PAYMENT EGOV.COM KS 70-7100-4265	126.08
07/18	07/19	24137463200001518721651	USPS PO 1905830591 AUGUSTA KS 01-1000-4202	21.49
07/26	07/27	24445003207300602210710	DILLONS #0085 ANDOVER KS 40-6100-4336	27.54
07/31	08/01	24055223213091593000114	HIDALGO BAR AND GRILL AUGUSTA KS	245.05
CESARIO RODRIGUEZ XXXX XXXX XXXX				
07/15	07/17	24789303197108300172433	EISENHOWER NATIONAL AIRPOWICHITA KS 01-1000-4210	48.00

Interest Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Interest Charge
PURCHASES	0.00%	$8,313.41	$0.00

(v) = Variable Rate

UMB

VISA

Summary of Account Activity

Previous Balance	$243.10
Payments/Debits	-$4,371.82
Other Credits	-$0.00
Purchases	+$467.33
Cash Advances	+$0.00
Fees Charged	+$0.00
Interest Charged	+$0.00
New Balance	= -$3,661.39

Credit Limit	$5,000.00
Available Credit	$8,661.39
Cash Advance Limit	$1,250.00
Available for Cash Advance	$1,250.00
Statement Closing Date	08/01/23
Days in Billing Cycle	31

Payment Information

New Balance	-$3,661.39
Minimum Payment Due	$0.00
Payment Due Date	08/24/23

Cardholder Name
ERICA JONES
Payment Reference Number
00000606289
Account Number
XXXX XXXX XXX)

Payment Address:

CARD SERVICES
PO BOX 875852
KANSAS CITY MO 64187-5852

Contact Us:

Lost/Stolen and
General Inquiries: 888-494-5141
Alternate Number: 816-843-2000

Telephoning about billing errors will not preserve your rights under federal law.

If you are experiencing financial difficulties due to the current health pandemic, please contact us at 888.494.5141 to discuss payment options best suited to your needs. We are here to help.

Electronic statements will simplify your life, help you become more organized and are good for the environment. Sign up for eStatements today! Visit www.umb.com or use your mobile app, log in, click your credit card account tile, select **Settings** from the menu and then **Statement Preferences**. Set your preference to **Electronic Delivery**. We make up to 18 months of eStatements available to you at no cost. Your electronic **Account Statements** are accessible under the **Services** menu option.

Late Payment Warning:
If we do not receive your minimum payment by the Payment Due Date, you may have to pay a late fee up to $39.00.

If you are experiencing financial difficulties due to a recent natural disaster, please contact us at 888.494.5141 to discuss payment options best suited to your needs. We are here to help.

UMB will begin using text messaging to confirm suspicious transactions for credit cardholders with mobile phone numbers on record. Learn more about how UMB looks out for our customers by visiting UMB.com/fraudalerts.

Transaction Information

Transaction Date	Posting Date	Reference Number	Description			Amount
06/30	07/02	24055223182047770397092	WWW.1AND1.COM	877-461-2631 PA	4/0.6100.4265	35.89
07/05	07/06	24692163186106361319940	TRAVELERS BOND	800-252-2268 VA	01.1300.4265	100.00

UMB

CARD CENTER
PO BOX 419734
KANSAS CITY MO 64141-6734

Please contact your company's program administrator for address changes. If you have any questions please contact 888-494-5141.

Account Number	XXXX XXXX Y
New Balance	-$3,661.39
Payment Due Date	08/24/23
Minimum Payment	$0.00
Amount Enclosed	

ERICA JONES
CITY OF AUGUSTA, KS
CITY OF AUGUSTA KS
PO BOX 489
AUGUSTA KS 67010-0489

CARD SERVICES
PO BOX 875852
KANSAS CITY MO 64187-5852

000006062897 0000000000 0000000000 9465

Cardholder Name: ERICA JONES

Account Number: XXXX XXXX XXX

Transaction Information Continued

Transaction Date	Posting Date	Reference Number	Description	Amount
07/05	07/06	24692163186106361319957	TRAVELERS BOND 800-252-2268 VA 01-1300-4265	90.00
07/07	07/09	24559303188900010602611	KACM 316-4253357 KS 01-1350-4210	125.00
07/08	07/09	24055233190812968624386	AT&T AR56 155338 ANDOVER KS 30-5100-4201	5.00
07/17	07/19	24431063199200587501721	KANSAS TURNPIKE AUTHORIT 316-682-4537 KS 01-1100-4265-5055	75.55
07/21	07/21	74314473202000009912982	CHECK PAYMENT THANK YOU 10-7100-4265-2555	-4,371.82
07/30	07/31	24055223212047783740803	WWW.1AND1.COM 877-461-2631 PA 40-6100-4259	35.89

ebay **eBay Comme...** **– $149.71**
July 24, 2023 · Payment

Paid with

Visa
(VISA Credit Card
x-0343)
You'll see
"PAYPAL
*EBAY US"
on your card
statement.

on July 24, 2023

Ship to

Jim Sutton
231 High
Augusta, KS 67010-1546
United States

Transaction ID

59V45054XM118172F

Need help?

If there's a problem, make sure to contact the seller through PayPal by **January 20, 2024**. You may be **eligible for purchase protection**

Seller info

$149.71 eBay Commerce Inc.

Invoice ID

v2_7f322721-313b-474c-bb43-a8dc98987b46_2_5

Note

Order Number : 17-10325-59576

Purchase details

Purchase amount	$149.71
Total	**$149.71**

PARKS

I certify that the items listed hereon have been received in good order.
Per Frank - see attached email
Department Head/Supervisor
8-11-2023
Date
01-1500-4320
Code for Payment

Jim's VISA

ebay

Order information

Buyer	jlsutto-2
Seller	hd-switch
Placed on	Jul 24, 2023
Payment method	PayPal
Paid on	Jul 24, 2023

Shipping address

Jim Sutton
231 High
Augusta, Kansas 67010-1546
United States

Order total

2 items	$137.98
Shipping	Free
Tax	$11.73
Order total	$149.71

Items bought from hd-switch

Order number: 17-10325-59576

Quantity	Item name	Shipping service	Item price
2	(10 Pack) Front Roller Bearing Fits Toro 3500, 4500 4700 120-3366 108-9017 (114265351175)	USPS Priority Mail Padded Flat Rate Envelope	$137.98

Mechanic could only find part on ebay. & Parks dept had to have it for their piece of equipment.

ITEM NO. G1

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	August 21, 2023
Department:	Administration
Submitted By:	Erica Jones, City Clerk / Director of Finance
Prepared By:	Erica Jones, City Clerk / Director of Finance
Agenda Title:	**Cereal Malt Beverage License Applications**

RECOMMENDED ACTION:

- Approval of a Cereal Malt Beverage License to sell Cereal Malt Beverages (CMB) for on premise consumption Millers 5 Drive In, located at 330 State Street.
- Approval of a Cereal Malt Beverage License to sell Cereal Malt Beverages (CMB) for off premise consumption Millers 5 Drive In, located at 330 State Street.

BACKGROUND:

Under Article 2 of the 2010 Code of the City of Augusta, all persons selling any cereal malt beverages are required to have a license issued by the City of Augusta. Based on the nature of their business and building, it was recommended by the Kansas Alcoholic Beverage Control that the business apply for both on premise and off premise sales.

ANALYSIS:

Staff has confirmed that the applicant submitted the proper applications with the appropriate fee. The application was forwarded to the Director of Public Safety for his review and approval. The applicant has met all license requirements. Staff recommends approval of both CMB licenses.

FISCAL IMPACT/FUNDING SOURCE:

Fees totaling $200 will be credited to the General Fund in the 2023 Budget.

Department Head Approval Date: 8/18/2023
City Manager Approval Date:
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. Applications for License to Sell Cereal Malt Beverages (on premise and off premise).

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

☑ City or ☐ County of Augusta, KS

SECTION 1 – LICENSE TYPE

Check One: ☑ New License ☐ Renew License ☐ Special Event Permit

Check One:
☑ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-800-965584 F[illegible] 01

I have registered as an Alcohol Dealer with the TTB. ☑ Yes (required for new application)

Name of Corporation: Millers 5 Inc	FEIN: 80-0965584		
Corporation Street Address: 330 State St	Corporation City: Augusta	State: KS	Zip Code: 67010
Date of Incorporation: 01/01/2014	Articles of Incorporation are on file with the Secretary of State.	☑ Yes ☐ No	
Resident Agent Name: Lisa Marache	Phone No.: (316) 775-9989		
Residence Street Address: 307 E Manor Rd	City: Andover	State: KS	Zip Code: 67002

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)			Mailing Address (If different from business address)		
DBA Name: Millers 5 Drive-In			Name:		
Business Location Address: 330 State St			Address:		
City: Augusta	State: KS	Zip: 67010	City:	State:	Zip:
Email Address(s) Please separate values with a comma.: millers5drivein@att.net					
Business Phone No.: (316)775-9989			☑ Applicant owns the proposed business location. ☐ Applicant does not own the proposed business location.		
Business Location Owner Name(s): Lisa & Curtis Marache					

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse*, if applicable. Attach additional pages if necessary.

Name: Lisa Marache	Position: President		Date of Birth: 06/15/1967
Residence Street Address: 307 E Manor Rd	City: Andover	State: KS	Zip Code: 67002
Spouse Name: Curtis Marache	Position: Secretary		Date of Birth: 12/14/1969
Residence Street Address: 307 E Manor Rd	City: Andover	State: KS	Zip Code: 67002
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Age
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Age
Residence Street Address	City	State	Zip Code

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)

Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code

SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent.	☑ Yes ☐ No

If yes, provide the following:

Manager/Agent Name	Phone No.	Date of Birth
Lisa Marache	(316)775-9989	06/15/1967
Residence Street Address	**City and State**	**Zip Code**
307 E Manor Rd	Andover, KS	67002

Manager or Agent Spousal Information*

Spouse Name	Phone No.	Date of Birth
Curtis Marache	(316)269-2274	12/14/1969
Residence Street Address	**City and State**	**Zip Code**
307 E Manor Rd	Andover, KS	67002

SECTION 6 – QUALIFICATIONS FOR LICENSURE

Applies to each partner or member of a firm or association AND their spouses*. Enter lowest residency length number**.

Are all persons identified in Sections 4 & 5 Citizens of the United States*?	☑ Yes ☐ No
Is the person identified in Section 5 currently a resident of Kansas*?	☑ Yes ☐ No
All persons identified in Sections 4 & 5 are at least 21 years old*?	☑ Yes ☐ No
All persons in Sections 4 & 5 have been a Kansas resident for at least 50 years prior to submitting this application.**	
Within 2 years immediately preceding the date of this application, have any persons identified in Sections 4 & 5 been convicted of, released from incarceration for or released from probation or parole for any of the following crimes*: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness: (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law?	☐ Yes ☑ No
Does the partnership, firm or association have a manager, officer, director or stockholder owning in the aggregate more than 25% of the stock of a corporation that has had any license issued pursuant to the Kansas Liquor Control Act, Kansas Club and Drinking Establishment Act or Kansas Cereal Malt Beverage Act, revoked for a violation of such acts?	☐ Yes ☑ No
Has the spouse of any partner or member ever been convicted of any of the crimes identified in Section 6 during the time the partner or member held a CMB license?	☐ Yes ☑ No

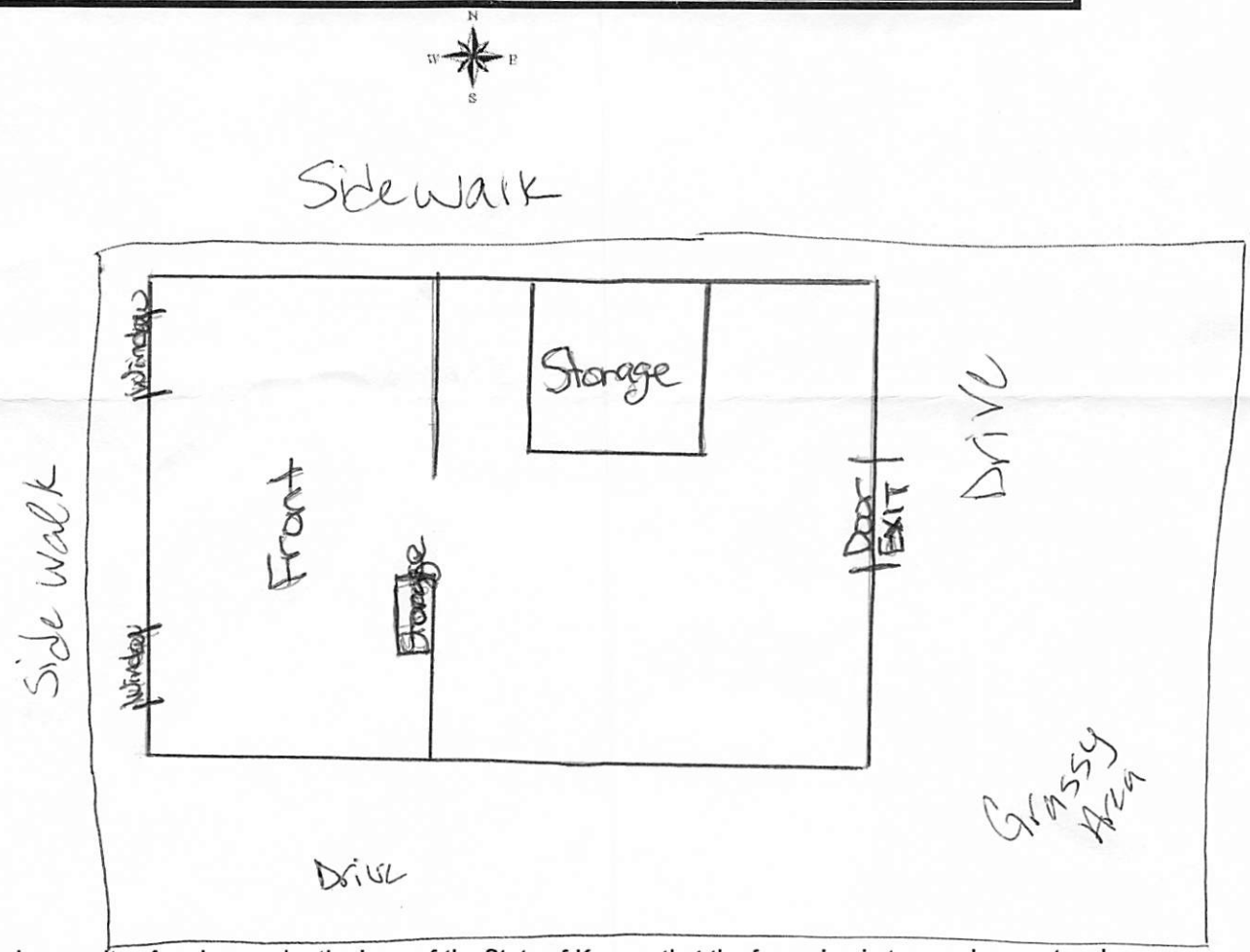
SECTION 7 – DURATION OF SPECIAL EVENT

Start Date	Time	☑ AM ☐ PM
End Date	Time	☐ AM ☐ PM

Proceed to Section 8 on the next page.

SECTION 8 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: ☐ 8 ½" by 11" drawing attached.



I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE Lisa Maracle DATE 8-2-23

FOR CITY/COUNTY OFFICE USE ONLY:

☐ **License Fee Received** Amount $_____ Date _____
($25 - $50 for Off-Premise license or $25-200 On-Premise license)

☐ **$25 CMB Stamp Fee Received** Date _____

☐ **Background Investigation** ☐ Completed Date _____ ☐ Qualified ☐ Disqualified

☐ **Verified applicant has registered with the TTB as an Alcohol Dealer**

☐ **New License Approved** Valid From Date _____ to _____ **By:** _____

☐ **License Renewed** Valid From Date _____ to _____ **By:** _____

☐ **Special Event Permit Approved** Valid From Date _____ to _____ **By:** _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant's spouse is not required to meet citizenship or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

Clear Form

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

☑ City or ☐ County of Augusta, KS

SECTION 1 – LICENSE TYPE

Check One: ☑ New License ☐ Renew License ☐ Special Event Permit

Check One:
☐ License to sell cereal malt beverages for consumption on the premises.
☒ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 0048 0096 5584 F01

I have registered as an Alcohol Dealer with the TTB. ☑ Yes (required for new application)

Name of Corporation: Millers 5 Inc	FEIN: 80-0965584		
Corporation Street Address: 330 State St	Corporation City: Augusta	State: KS	Zip Code: 67010
Date of Incorporation: 01/01/2014	Articles of Incorporation are on file with the Secretary of State.	☑ Yes ☐ No	
Resident Agent Name: Lisa Marache	Phone No.: (316) 775-9989		
Residence Street Address: 307 E Manor Rd	City: Andover	State: KS	Zip Code: 67002

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)			Mailing Address (If different from business address)		
DBA Name: Millers 5 Drive-In			Name:		
Business Location Address: 330 State St			Address:		
City: Augusta	State: KS	Zip: 67010	City:	State:	Zip:
Email Address(s) Please separate values with a comma.: millers5drivein@att.net					
Business Phone No.: (316)775-9989			☑ Applicant owns the proposed business location. ☐ Applicant does not own the proposed business location.		
Business Location Owner Name(s): Lisa & Curtis Marache					

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse, if applicable. Attach additional pages if necessary.

Name: Lisa Marache	Position: President		Date of Birth: 06/15/1967
Residence Street Address: 307 E Manor Rd	City: Andover	State: KS	Zip Code: 67002
Spouse Name: Curtis Marache	Position: Secretary		Date of Birth: 12/14/1969
Residence Street Address: 307 E Manor Rd	City: Andover	State: KS	Zip Code: 67002
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Age
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Age
Residence Street Address	City	State	Zip Code

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)

Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
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Residence Street Address	City	State	Zip Code
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code

SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent.	☑ Yes ☐ No

If yes, provide the following:

Manager/Agent Name	Phone No.	Date of Birth
Lisa Marache	(316)775-9989	06/15/1967
Residence Street Address	**City and State**	**Zip Code**
307 E Manor Rd	Andover, KS	67002

Manager or Agent Spousal Information*

Spouse Name	Phone No.	Date of Birth
Curtis Marache	(316)269-2274	12/14/1969
Residence Street Address	**City and State**	**Zip Code**
307 E Manor Rd	Andover, KS	67002

SECTION 6 – QUALIFICATIONS FOR LICENSURE

*Applies to each partner or member of a firm or association AND their spouses. **Enter lowest residency length number.

Are all persons identified in Sections 4 & 5 Citizens of the United States*?	☑ Yes ☐ No
Is the person identified in Section 5 currently a resident of Kansas*?	☑ Yes ☐ No
All persons identified in Sections 4 & 5 are at least 21 years old*?	☑ Yes ☐ No
All persons in Sections 4 & 5 have been a Kansas resident for at least 50 years prior to submitting this application.**	
Within 2 years immediately preceding the date of this application, have any persons identified in Sections 4 & 5 been convicted of, released from incarceration for or released from probation or parole for any of the following crimes*: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness: (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law?	☐ Yes ☑ No
Does the partnership, firm or association have a manager, officer, director or stockholder owning in the aggregate more than 25% of the stock of a corporation that has had any license issued pursuant to the Kansas Liquor Control Act, Kansas Club and Drinking Establishment Act or Kansas Cereal Malt Beverage Act, revoked for a violation of such acts?	☐ Yes ☑ No
Has the spouse of any partner or member ever been convicted of any of the crimes identified in Section 6 during the time the partner or member held a CMB license?	☐ Yes ☑ No

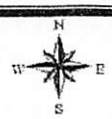
SECTION 7 – DURATION OF SPECIAL EVENT

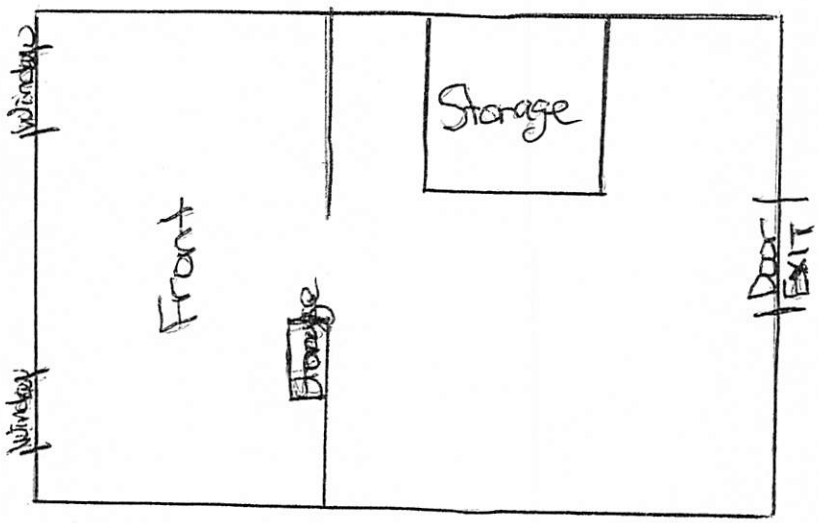
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SIGNATURE Lisa Maraeke DATE 8-2-23

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Clear Form

ITEM NO. G2

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	August 21, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Shawna Cortez, Assistant to the City Manager
Agenda Title:	**Ordinance No. 2225 Regarding Animal Control and Regulation**

RECOMMENDED ACTION:

Consider approval of Ordinance No. 2225 repealing and replacing Chapter 2 of the Code of the City of Augusta, Kansas, relating to animal control and regulation.

BACKGROUND:

On April 10, 2023, City Council met in a work session to discuss revision of Chapter 2 of the Augusta Municipal Code entitled "Animal Control and Regulation". City Council directed staff to prepare an ordinance for consideration at an upcoming meeting that would: 1) eliminate the dog breed ban but retain regulation of vicious animals; 2) allow ownership of up to four chickens with provisions pertaining to the size, placement, and cleanliness of coops; and 3) include a section governing the trap, neuter, vaccination, and return of feral cats.

Chief Ackerman and Assistant to the City Manager Shawna Cortez prepared such an ordinance and met in July with City Planner Rob Cooper to discuss changes to City zoning regulations that would be needed to allow for chicken coops. These changes were heard by the Planning Commission on August 14 and were unanimously rejected.

ANALYSIS:

With respect to the chicken coops and the zoning regulations changes, staff would recommend that the City Council withdraw the text amendment application submitted to the planning commission and authorize staff to draft a new amendment addressing the planning commission's concerns. Staff believes this is the most efficient path forward to create better alignment between the City Council and planning commission on this matter.

To prevent further delay in the approval of the rest of the animal control ordinance, staff has removed components that would have allowed for chickens and recommends consideration of the attached ordinance at this time. An amendment allowing for chickens can be brought for consideration in the future if zoning concerns change.

Vicious Animals

The proposed ordinance eliminates the breed ban but regulates vicious animals, defined as any animal with a known tendency to attack unprovoked, to cause injury or to otherwise endanger the safety of humans or animals; or any animal which attacks a human or animal without provocation; any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting; any animal which is urged by its owner to attack, or whose owner threatens to provoke such animal to attack any public safety officer while such officer is engaged in the performance of official duty. The ordinance prohibits a person to keep a vicious animal within the city and authorizes the animal control officer to impound animals whose owners have been cited for violation; provides for a hearing by the municipal court judge when a complaint has been filed against an owner of an alleged vicious animal; requires impoundment, muzzling, and/or confinement of the animal pending the outcome of the hearing; and requires an animal found by the judge to be vicious to be humanely euthanized.

Limits on Number of Dogs and Cats

The proposed ordinance increases the number of dogs and cats allowed per household from no more than three dogs, three cats, or a combination of three dogs and cats to no more than four dogs, four cats, or a combination of five dogs and cats (age six months or older) per household.

Trap/Neuter/Vaccinate/Return

The proposed ordinance provides that citizens interested in caring for a feral cat colony may apply with the City to do so upon agreeing to: 1) work with the animal control officer to maintain a healthy colony; 2) spay/neuter, vaccinate, and ear tip all cats within the colony; and 3) assist in the resolution of any complaint about the conduct of the colony's cats. The City retains the right to regulate the size of the colony and to remove cats from a colony that have not been vaccinated, show signs of disease, or are creating a nuisance. An animal control or public safety officer is authorized to release any ear-tipped feral cat. And, the registration/tag requirement shall not apply to ear-tipped feral cats.

Registration Fees

Current regulations require a registration fee of $5.00 per dog or cat, regardless of whether spayed or neutered. The proposed ordinance requires a registration fee of $5.00 for each neutered or spayed dog or cat that is microchipped and $10.00 for each dog or cat that is not microchipped, neutered, or spayed. This $5.00 increase will require the approval of a fee schedule resolution.

FISCAL IMPACT/FUNDING SOURCE:

Although it is not known how many animals are registered each year that are not microchipped, neutered, or spayed, it is not anticipated that increasing the registration fee by $5.00 for such animals will significantly increase revenue.

Department Head Approval Date:
City Manager Approval Date: 8/18/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. *Ordinance No. 2225 Relating to Animal Control and Regulation*

THE CITY OF AUGUSTA, KANSAS

ORDINANCE NO. 2225

AN ORDINANCE REPEALING AND REPLACING CHAPTER 2 OF THE CODE OF THE CITY OF AUGUSTA, KANSAS, RELATING TO ANIMAL CONTROL AND REGULATION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS:

SECTION 1. Chapter 2 entitled "Animal Control and Regulation" of the Code of the City of Augusta, Kansas, is repealed and replaced with a new Chapter 2 to read:

"**CHAPTER 2. ANIMAL CONTROL AND REGULATION**

Article 1. General Provisions

2-101. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) Abandon - includes the leaving of an animal by its owner or other person responsible for its care or custody without making effective provisions for its proper care.

(b) Animals - means all vertebrate and invertebrate animals such as but not limited to bovine cattle, horses and other equines, hogs, goats, dogs, cats, rabbits, sheep, chickens, ducks, geese, turkeys, pigeons, and other fowl or wild animals, reptiles, fish, bees or birds that have been tamed, domesticated or captivated.

(c) Animal Control Officer - means any person employed by, contracted with or appointed by the City for the purpose of aiding in the enforcement of this law, or any other law or ordinance relating to the licensing or permitting of animals, control of animals or seizure and impoundment of animals, and includes any state, county or municipal public safety officer or other employee, whose duties in whole or in part include assignments which involve the seizure or taking into custody of any animal.

(d) Animal Shelter - means the facility or facilities operated by the City or its authorized agents for the purpose of impounding or caring for animals under the authority of this chapter or state law.

(e) At-Large - An animal shall be deemed to be at-large if off the premises of its owner and not under the immediate responsive control of a responsible person.

(f) Attack - means violent or aggressive physical contact with a person or domestic animal or violent or aggressive behavior that confines the movement of a person, but not limited to, cornering or circling a person.

(g) Bite - means any actual or suspected abrasion, scratch, puncture, tear, bruise, or piercing of the skin, caused by any animal, which is actually or suspected of being contaminated or inoculated with the saliva from the animal, directly or indirectly, regardless of the health of the animal causing such bite.

(h) Cat - means any member of the species *felis catus*, regardless of sex.

(i) Dog - means any member of the species *canis familiaris*, regardless of sex.

(j) Dog Park - means that portion of a public park or other tract of public property within which a person who owns or is in control of a dog may, in compliance with the provisions of this chapter and subject to the rules and regulations as may be posted by the City from time to time, allow his or her dog to run at large.

(k) Ear Tip – a straight line cutting off the tip of a feral cat's left ear to indicate that it has been sterilized and vaccinated against rabies.

(l) Euthanize - means the humane destruction of an animal, which includes, but is not limited to, the proper injection of a substance that quickly and painlessly terminates the life of an animal or by any of those methods provided in K.S.A. 47-1718.

(m) Exotic Animal - means those animals not indigenous to North America and animals of any species, the majority of whose population is feral.

(n) Feral Cat/Community Cat – a cat that is free roaming and has no apparent owner. Such cats exist in an untamed state, either due to birth or reversion to an untamed state from domestication, the temperament of feral cats range from extreme fear to resistance to physical contact with humans.

(o) Feral Cat Colony – a group of free-roaming cats that congregate, more or less, together as a unit. Although not every cat in a colony may be feral, any non-feral cat that congregates with a colony is considered to be a part of it.

(p) Feral Cat/Community Cat Caregiver – a person who is responsible for caring for feral cats by providing food, water, shelter, and other necessary care, or who otherwise cares for a colony of cats in a managed colony. Such caregivers also provide accommodations and assistance in the trapping and return of feral cats to their previous location as part of TNVR (trap/neuter/vaccinate/return) program. A feral/community cat caregiver cannot be considered an "owner" or "harborer" as defined in this section.

(q) Fowl - means all animals that are included in the zoological class Aves, which shall include, but not limited to, chickens, ducks, geese, turkeys, guineas, and pigeons.

(r) Harborer - means any person who shall allow any animals to habitually remain, lodge, or to be fed within his or her home, store, yard, enclosure or place of business or any other premises where he or she resides or controls. Harborer does not apply to feral cat/community cat caregivers.

(s) Humane Live Animal Trap - means any cage trap that upon activation encloses an animal without placing any physical restraint upon any part of the body of such animal.

(t) Immediate Control - means the regulation and supervision by a competent person so that an animal is unable to run or get loose at will.

(u) Inhumane Treatment - means any treatment to any animal which deprives the animal of necessary sustenance, including food, water and protection from the weather, or any treatment of any animal such as overloading, overworking, tormenting, beating, mutilating, or teasing or other abnormal treatment.

(v) Kennel - means any establishment, commercial or otherwise, maintained for breeding, rearing, grooming, boarding, or otherwise harboring in an enclosure in one location only, more than four dogs, four cats, or more than a combination of five dogs and cats.

(w) Livestock - includes, but is not limited to cattle, horses, goats, sheep, or other animals commonly regarded or used as farm or ranch animals.

(x) Neglect - means to mistreat through intent to abuse or reckless abandon of any animal in a manner that causes or is likely to cause stress or physical injury or as otherwise stated in this chapter.

(y) Neutered - means any male or female cat or dog that has been permanently rendered sterile.

(z) Own - means and includes own, keep, harbor, shelter, manage, possess, or have a part interest in any animal. If a minor owns any such animal subject to the provisions of this chapter, the head of the household of which such minor is a member shall be deemed to own such animal for the purposes of this chapter.

(aa) Owner - means the one who owns, or his or her employee, agent, or other competent person into whose charge an animal has been placed by the actual owner as described in the subsection above. A feral/community cat caregiver is not to be considered an owner.

(ab) Person(s) - means any individual, firm, association, joint stock company, syndicate, partnership, or corporation.

(ac) Picket - means attaching a leash, rope, chain, lead, tether or other similar apparatus or device to the body of an animal and another inanimate or immovable object for the purpose of confining the animal or limiting the movement of the animal.

(ad) Shelter - means all pens, houses, or fenced enclosures, where animals are confined, such as, but not limited to, hutches, cotes, lofts, kennels, warrens, feed lots, barns, stables, or other buildings or enclosures.

(ae) Trap/Neuter/Vaccinate/Return (TNVR) – a program intended to control the reproduction of feral cats through sterilization and to vaccinate them against rabies.

(af) Vaccination - means an injection of a vaccine, approved by the State Board of Public Health and administered by a licensed veterinarian for the purpose of immunizing an animal against rabies.

(ag) Veterinarian - means a Doctor of Veterinary Medicine licensed by the State of Kansas.

(ah) Vicious Animals - means any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or any animal which attacks a human being or domestic animal without provocation; any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting; any animal which is urged by its owner or harborer to attack, or whose owner or harborer threatens to provoke such animal to attack any public safety officer while such officer is engaged in the performance of official duty.

(Ord. 1893, Sec. 1; Code 1991)

2-102. Animal control officer: duty to impound; citation alternative.

(a) There is hereby created the position of animal control officer for the City and such officer shall be charged with the enforcement of this chapter. Any person employed by the City as an animal control officer and commissioned by the City Manager or their designee shall have such powers and authority as allowed by law in the enforcement of this chapter. All animal control officers shall be subject to the supervision and direction of the City Manager or their designee.

(b) Except as provided in subsection, it shall be the duty of the animal control officer to take up and impound all animals found in the city in violation of the provisions of this chapter.

(c) As an alternative to the provisions of this section, any public safety officer or the animal control officer may issue a citation to the owner, harborer or keeper of an animal in violation of this chapter, and the person receiving the citation shall appear in the municipal court of the City to answer the charged violation of this chapter.

(d) It is unlawful for any person to:

(1) Refuse to identify himself or herself and provide verification of his/her correct name, address, date of birth and any other information reasonably necessary to correctly identify such person when asked to do so by an animal control or public safety officer when the officer has probable cause to believe that this person has violated a section of this article.

(2) Interfere with, molest, injure, or prevent the animal control or law enforcement officer in the lawful discharge of their duties.

(Code 1991; Ord. 2165)

2-103. Same; capture/destruction.

When deemed necessary by public safety officers or the animal control officer for the health, safety, and welfare of the residents of Augusta, such officers and/or their agents may:

(a) Place a humane trap on public property or a requesting resident’s property for the purpose of capturing any animal defined in this chapter as creating a nuisance in the city.

(b) Use any tranquilizer guns, humane traps, or other suitable devices to subdue and capture any animal that is deemed by the animal control officer, in his or her discretion, to be of a danger to itself or to the public health and safety.

(c) Use firearms or other suitable weapons to destroy any rabid animal, any vicious animal as defined in section 2-101(ab), or any animal creating a nuisance as defined in section 2-109, where such animal is impossible or impractical to catch, capture or tranquilize.

(Code 1991)

2-104. Same; right of entry; unlawful interference.

(a) The animal control officer or any public safety officer shall have the right of entry upon any private unenclosed lots or lands for the purpose of collecting any animal whose presence thereupon is a violation of this chapter.

(b) It shall be unlawful for any person to interfere with the animal control officer in the exercise of his or her duties.

(Code 1991)

2-105. Municipal pound established.

A municipal pound shall be established to carry out the provisions of this chapter. Such a pound may be operated by a contractor and all services required herein may be provided by a contractor. When so contracted, the pound shall have the following services and facilities as a minimum:

(a) Ability to impound all stray and ownerless dogs and cats and animals otherwise in violation of the provisions of this chapter.

(b) Group holding facilities for stray, ownerless and unvaccinated animals impounded for violation of the provisions of this chapter.

(c) Individual isolation facilities for sick, biting, rabid and suspected rabid animals.

(d) Facilities for the humane destruction of animals.

(Code 1991)

2-106. Breaking pound.

(a) It shall be unlawful for any unauthorized person to open, unlock, break open or attempt to break open the pound, or to take or let out any animal placed therein, or take or attempt to take from an authorized officer of this city any animal taken up by him or her under the provisions of this chapter, or in any manner interfere with or hinder any authorized officer or employee of this City in catching, taking up, or impounding any animal.

(b) It shall be unlawful for any person or persons, other than those duly authorized, to care for, feed, attempt to feed, or interfere in any way with the care of impounded animals.

(Ord. 1467, Sec. 1; Code 1991)

2-107. Keeping animals.

It shall be unlawful for the owner, lessee, occupant, or person in charge of any premises in Augusta to possess and maintain any animal or fowl within the city or permit to be maintained thereon any stable, shed, pen or other place where horses, mules, cattle, sheep, goats or swine, or undomesticated animals are kept. This provision shall not apply to:

(a) The maintaining of a stockyard or sales barn for the loading, unloading, temporary detention and sale of such livestock, if the location of such stockyard or sales barn does not otherwise violate the zoning ordinances of the City.

(b) The maintaining of dogs which are regulated by Article 2 of this chapter;

(c) The maintaining of non-poisonous and non-vicious animals and fowl which are commonly kept as household pets, such as cats, hamsters, rabbits, parakeets, and comparable animals, when kept as household pets and in a safe and sanitary manner in accordance with section 2-110 of this chapter;

(d) The transporting of animals through the city by ordinary and customary means.

(Ord. 1469, Sec. 1; Code 1991)

2-108. Animal traps.

It shall be unlawful for any person to use, place, set out, or deploy any animal trap aboveground, which makes use of a spring gun, spring jaws, clamping devices, cutting or stabbing mechanism or any other devices that will damage or severely injure any animal when caught or trapped by the device or trap; excluding in ground devices; except that nothing herein contained shall prohibit the use of animal traps that are so designed to trap and hold animals without injuring the animals.

(Code 1991)

2-109. Nuisance: animal activities prohibited.

It shall be unlawful for the owner of any animal to keep or maintain such animal in the city to constitute a nuisance. For this section, “nuisance” is defined as any animal which:

(a) Molests or interferes with persons in the public right-of-way.

(b) Damages public or private property other than that of its owner or harborer by its activities or with its excrement.

(c) Scatters refuse that is bagged or otherwise contained.

(d) Causes any condition which threatens or endangers the health or well-being of persons or other animals.

(e) By loud, frequent or habitual barking, howling, yelping or other noise or action, that unreasonably disturbs any person or neighborhood within the corporate limits of the city. It shall be the duty of any person harboring or keeping such loud or noisy animal or animals to abate the condition, and if he/she fails to do so, the City may abate it by taking up, impounding and/or disposing of the animal(s) at the expense of the owner.

If a summons is issued charging a violation of this section, a subpoena shall also be issued to the complainant to testify to the nuisance under oath.

(Ord. 1467, Sec. 1; Code 1991)

2-110. Animal confines; shelters.

(a) It shall be unlawful for any person to keep or maintain any animal in any yard, structure or area that is not clean, dry, and sanitary, free from debris and offensive odors that annoy any neighbor, and devoid of rodents and vermin.

(b) Excrement shall be removed at least once each week from any animal shelter, pen or yard area where animals are kept, or more often if necessary to prevent or control odors, fly breeding, or rodent infestation. If excrement is stored on the premises by any animal owner, it shall be stored in adequate containers with fly-tight lids, and all such stored or accumulated wastes shall be disposed of at least once each week.

(c) All animal shelters, pens and yards shall be so located that adequate drainage is obtained, normal drying occurs, and standing water is not present.

(d) All animal shelters and board fences confining animals shall be maintained in good repair, and all animal shelters and board fences confining animals subject to residential and commercial classification shall be protected from deterioration by painting or comparable treatment.

(e) All premises on which animals are kept shall be subject to inspection by the animal control officer, duly authorized public safety officer, or public health official. If the officer or official determines from such inspection that the premises are not being maintained in a clean and sanitary manner, he or she shall notify the owner of the animals in writing to correct the sanitation deficiencies within 24 hours after notice is served on the owner. Any animal kept under any condition which could endanger the public or animal health or create a health nuisance may be impounded. Animals shall be released after fees are paid and cause for impoundment has been corrected.

(f) Animal Enclosure Regulations. No person shall as owner, lessee, or occupant, maintain any pen or other enclosure where any animals are kept closer than 25 feet to the dwelling house of another, or shall permit the same to remain uncleaned to the annoyance of any citizen of Augusta.

(g) Picketing – it shall be unlawful for any person to attach chains or other tethers, restraints, or implements directly to an animal without the proper use of a collar, harness, or other devices designed for that purpose and made from a material that prevents injury to an animal.

No owner or harborer shall:

(1) Continuously tether an animal for more than an hour at a time without supervision.
(2) Use a tether or any assembly or attachments to tether a pet that is not appropriate for the animal's size and strength.
(3) Tether an animal near stationary objects that may cause harm. An exception is an aerial run. An aerial run allows your dog maximum roaming space while also being humanely secured to minimize dangers (such as getting wrapped around trees) and the track is above the ground minimizing dangers.
(4) Tether an animal without access to shade when sunlight is likely to cause over heating or appropriate shelter to provide insulation and protections against extreme conditions or to tether without securing the animals water supply.
(5) Tether an animal in an unwholesome environment.

(Ord. 1467, Sec. 1; Code 1991)

2-111. Same; stockyards; commercial holding pens.

Animal shelters owned or operated as a stockyard or commercial holding pen shall be adequately maintained and cleaned as often as is necessary, as determined by the health officer, to control fly breeding or to control other conditions adversely affecting the public health including the following:

(a) Collected fecal material and other solid organic waste shall be disposed of at a sanitary landfill, fertilizer processing plant, or by proper dispersal on land used for agricultural purposes.

(b) Grain or protein feed shall be stored in tightly covered rodent-proof metal containers or rodent-proof bins.

(c) Premises subject to the terms of this section shall be maintained free of rodent harborage.

(d) Wherever reasonable, use shall be made of anti-coagulant rodenticides for the control of rodents and organo-phosphorus insecticides for the control of flies or any other effective chemical means for the control of rodents and flies.

(e) Wherever reasonable, use shall be made of soil sterilant and herbicides or other effective means for the control of weeds and grass around structures and buildings.

(f) Enclosures including fences where animals such as horses, cows, sheep, and goats are maintained shall be constructed in a manner, using dimension lumber materials, or other effective means to prevent such animals from breaking out or causing hazard to persons or property.

(g) The solid wastes accumulated from the cleaning of animal shelters and holding pens maintained by persons subject to a residential classification permit as herein provided shall be stored in metal containers, with tight- fitting metal lids, and all such stored or accumulated wastes shall be disposed of at least once each week.

(h) Holding lots, pens and floors of sheds and buildings where animals are held and which are maintained by persons subject to a commercial, industrial or agricultural classification permit according to the terms of this chapter shall be surfaced with concrete or asphaltic materials and that the drainage system of such surfaced areas shall include proper retaining walls and traps to control the waste from draining into watercourses and such drainage system shall be subject to the approval of the health officer. The health officer shall waive this standard for domestic animal holding operations where such animal holding is longer than 24 hours for any domestic animal involved or where dirt lots are more appropriate to the proper care of cattle, horses, or sheep.

(i) Solid wastes accumulated from the cleaning of animal shelters and holding pens maintained by persons subject to a commercial, industrial or agricultural permit according to the terms of this chapter shall be stored on concrete slabs or other facilities, such as dirt lots on which is stockpiled manure with an exposed perimeter as approved by the health officer; provided that all solid waste shall be properly disposed of at least once each week or as may be approved by the health officer.

(Code 1991)

2-112. Death of animals.

(a) All dead animals shall be disposed of by the owner or keepers within 24 hours of the animal's death, by burial, incineration in a facility approved by the animal control officer, by rendering or by other lawful means approved by the animal control officer. No dead animal shall be dumped on any public or private property.

(b) In the event the Animal Control Officer or a Public Safety Officer disposes of the animal, the City shall be reimbursed for all cost incurred in the process.

(K.S.A. 47-1201; Code 1991)

2-113. Vicious animals.

(a) Prohibited: It shall be unlawful for any person to keep, possess or harbor a vicious animal within the city. Impoundment of animals whose owners have been cited for violation of this section shall be at the discretion of the animal control officer. If the animal presents a clear and present danger to the public health or safety, it shall be the duty of the animal control officer or his or her agent to impound such animal.

(b) Complaint: Whenever a sworn complaint is filed in the municipal court against the owner of an animal alleging that such animal is vicious and in violation of this section, the municipal judge shall hold a hearing to determine whether the animal is vicious within the meaning of this section and thereby in violation of this section. The owner of the animal shall be notified in writing of the time and place of the hearing at least one week prior to the hearing. In making a determination, the municipal judge shall consider the following:

(1) The seriousness of the attack or bite.

(2) Past history of attacks or bites.

(3) Likelihood of attacks or bites in the future.

(4) The condition and circumstances under which the animal is kept or confined.

(5) Other factors which may reasonably relate to the determination of whether or not the animal is vicious such as:

a. The person committing a willful trespass or other tort upon the premises occupied by the owner or keeper of the dog;
b. The person was committing or attempting to commit a crime;
c. The person provoked, teased, or injured the dog; or
d. The dog was protecting itself, its owner, its offspring, or another human being.

(c) Impoundment, muzzling and/or confinement of animal. The municipal judge shall order the impoundment, the muzzling in accordance with subsection (d) and/or the confinement of the animal accused of being in violation of this section in a manner and location that will ensure that it is no threat to persons or other animals pending the outcome of the hearing. If such impoundment, muzzling or otherwise safe confinement is not possible or if prior court orders to restrain such animal have gone unheeded, the municipal judge may order the animal to be humanely euthanized.

(d) Vicious Dogs to be Muzzled: It shall be the duty of every owner, keeper or harborer of any dog in the city, which dog is vicious or has been known to bite, chase, or run after any person or animal in the streets, alleys, or any public place in the city, to keep the same muzzled with a good and sufficient wire or leather muzzle, securely fastened so as to wholly prevent such dog from biting any animal or person until such time as a determination has been made by the court as to whether the dog is vicious or not. Any person owning, keeping, or harboring any dog within the city limits contrary to this section shall be guilty of a violation of this code.

(e) Immediate Destruction: Nothing in this chapter shall be construed to prevent the animal control officer or any public safety officer from taking whatever action is reasonably necessary to protect himself or herself or members of the public from injury or danger, including immediate destruction of any vicious animal without notice to the owner.

(f) Court Findings: If a complaint has been filed in the municipal court against the owner of an impounded animal for a charge under this section and has been found guilty, the animal shall not be released except on the order of the municipal judge, who may also direct the owner to pay all impounding fees in addition to any penalties for violation of this chapter.

The municipal judge may, also upon making a finding that an animal is vicious or that it represents a clear and present danger to the citizens or to other animals in the community, order the animal to be euthanized in a humane manner by the animal shelter. Surrender of an animal by the owner thereof to the animal control officer does not relieve or render the owner immune from the decision of the court, nor to the fees and fines which may result from a violation of this section.

(g) Any visiting animal is subject to the same regulations.

(Ord. 1467, Sec. 1; Code 1991)

2-114. Running at large; fine.

(a) It shall be unlawful for any person to willfully allow any animal or fowl under his or her control to be or to run at large within the city. Any animal or fowl found at large shall be impounded as provided in section 2-115.

(b) The owner of any dog or cat impounded for running at large (with or without the tag as required by this chapter) shall be fined in any sum not less than $20.00 nor more than $100.00 for the first offense and any sum not less than $30.00 nor more than $200.00 for the second offense, and any sum not less than $40.00 nor more than $300.00 for any subsequent offenses.

(c) Animals must be secured by a leash or electronic control collar, unless they are in a vehicle or within the property limits of the owner or harborer. If unconfined on the property, animals must be under control of a responsible person and must be obedient to that person’s voice commands; or the property should have adequate fencing or an electronic fencing system and operating components. If an electronic fence is utilized, the animal must be equipped with the necessary equipment required to keep the animal confined.

(c) Feral/community cats are exempt from this section.

(Ord. 1467, Sec. 1; Code 1991)

2-115. Impoundment; fee; notice; record.

(a) The animal control officer or public safety officer shall impound any animal or fowl found at large in the city constituting a nuisance or otherwise in violation of this chapter in a suitable pound or enclosure provided or contracted for by the City. The impounding officer shall make diligent inquiry as to the owner of the animal and shall notify the owner of such impoundment as soon as reasonably possible.

(b) The City shall be entitled to receive from such owner an impoundment fee plus the actual cost of feeding and maintaining the animal while impounded.

(c) In case the identity of the owner of the impounded animal or fowl cannot be ascertained, the animal control officer or public safety officer shall, upon taking any such animal into custody and

impounding the same, make a record thereof, with a description of the animal and the date and place taken into custody and the place of impounding, and shall thereupon immediately post a public notice on a social media platform and city website stating that the animal, describing the same with the date and place of taking, has been taken up, and that unless the charges of impounding the same, together with any license fees due and unpaid, are paid within three business days from the date of the notice, that the animal will be disposed of as provided in this code.

(d) The animal control officer shall submit a report each month to the governing body showing the number of animals impounded and disposed of, and the fees collected pursuant to this article and shall pay those fees to the City Clerk for credit to the general operating fund.

(Code 1991)

2-116. Redemption of impounded animals.

At any time before the disposition of any animal impounded under the provisions of this article, except for animals impounded under sections 2-113 (vicious) and 2-127 (rabid), the owner thereof may redeem the animal by paying the impounding fee and all costs incurred as a result of such impoundment.

(Code 1991)

2-117. Impoundment of rabies suspects.

(a) Any public safety officer or animal control officer may take up, upon private or public property, any animal which has bitten or scratched a person or other animal and impound the animal in the City pound, securely penned and separated from other animals, or in a veterinary hospital or animal care facility for a minimum period of 10 days during which time the animal control officer shall determine whether or not such animal is suffering from a disease and, if not, the animal control officer shall authorize the release of the animal upon payment by the owner of the boarding fee therefore. The animal control officer may authorize the keeping of any such animal on the owner's premises if the owner produces a rabies vaccination certificate showing that the animal has valid rabies vaccination protection. Impoundment costs shall be borne by the owner. If in the opinion of the animal control officer symptoms develop justifying a microscopic examination, then the animal shall be humanely euthanized, and examination made by the state board of health.

(b) In lieu of the provisions of subsection (a), the owner of any such animal may, at his or her own expense, take such animal to any duly qualified and licensed veterinarian in the city for observation. Such veterinarian shall report his or her findings in writing to the animal control officer. If in the opinion of such veterinarian a microscopic examination is justified, then the animal shall be turned over to the animal control officer or any public safety officer to be dispatched by a veterinarian and examination made by the state board of health.

(c) Any animal desired for observation by the animal control officer under this section shall be delivered to the animal control officer or any public safety officer upon demand and shall not be withheld, hidden or harbored. Any person violating this provision shall be guilty of a violation of this code. Upon refusal of any person to so deliver such animal, the municipal judge shall cause a warrant to be issued for the arrest of such person, which warrant shall also provide for the surrender of the animal and shall be lawful authority for the apprehending and forcible taking of such animal.

(Ord. 1467, Sec. 1; Code 1991)

2-118. Animals bitten by rabid animals.

Whenever a dog, cat or other animal is bitten by a rabid animal or an animal later proved to have been rabid, it shall be the duty of the owner of the animal that is bitten to report that fact to the Department of Public Safety. It shall also be the duty of the owner of the bitten animal to either destroy or have his or her bitten animal destroyed unless:

(a) The animal which was bitten had been vaccinated against rabies at least three weeks before being bitten and has a current vaccination; and

(b) If the bitten animal has a current vaccination, it shall be confined for a minimum of-10 days; and

(c) The bitten animal shall be released from confinement only upon written order from a certified veterinarian, who declares the animal to be free of rabies; and

(d) If the animal is found to have contracted rabies during confinement, it shall be humanely euthanized.

(Code 1991)

2-119. Vehicular accidents involving animals.

Any person who as the operator of a motor vehicle strikes any animal shall stop at once and shall immediately report such injury or death to the owner of such animal, or in the event that the owner cannot be ascertained, and located, the operator shall at once report the accident to the animal control officer or any public safety officer.

(Code 1991)

2-120. Emergency; proclamation.

The mayor is hereby authorized whenever in his or her opinion the danger to the public safety from rabid animals is made imminent, to issue a proclamation ordering all persons owning any animal in the city to confine the animal in a good and sufficient enclosure from which the animal cannot escape, or fasten such animal by means of a chain on the premises where the owner may reside, for such time as may be specified in such proclamation. Any animal not confined during such time may be disposed of wherever found by any public safety officer, or the animal control officer of the City. The owner of such animal shall be prosecuted for such violation thereof.

(Ord. 1467, Sec. 1; Code 1991)

2-121. Muzzling.

Whenever the mayor shall deem it necessary for the protection and welfare of the inhabitants of the city, he/she shall issue an order requiring all dogs or cats kept within the city to be effectively muzzled for such length of time as may be specified in the order, to prevent them from biting or injuring persons or animals. Such order shall be published in the official newspaper of the City for such period of time as the mayor may deem necessary.

(Code 2010)

2-122. Kennels; permit requirements.

Any person maintaining or operating a kennel within the city must obtain a permit as herein provided. Written application shall be made to the City Clerk or his or her designated agent, which shall include name and address of applicant, description, sex and type of all animals kept or harbored on one premises for a period of longer than three months during the permit period. Permits will not be required for veterinary hospitals, animal clinics, grooming establishments, or public animal shelters.

(Ord. 1467, Sec. 1)

2-123. Permit period and issuance.

(a) Permit period shall begin January 1 and end December 31 of the same year. Applications for permits may be made 30 days prior to and up to 60 days after the beginning of the permit period. Upon receipt of the permit application, the City Clerk shall direct the animal control officer to inspect the premises, enclosures and/or equipment of the applicant for compliance with provisions of this chapter and other applicable laws. Following approval by the animal control officer and payment of the applicable fee hereinafter set out, a permit shall be issued.

(b) Annual Permit Fees:

(1) Class 1 Kennel (authorized to house less than eight dogs or cats or combination of) - $20.00.

(2) Class 2 Kennel (authorized to house eight or more dogs or cats or combination of) - $50.00.

(Ord. 1467, Sec. 1)

2-124. Kennels regulated.

Any person(s) operating a kennel within the city shall comply with all other sections of this chapter, including but not limited to, animals at large; licensing requirements; and cruelty to animals. Provided, kennels may only be located in those areas as the zoning ordinances of the City allow kennels to be maintained.

(Ord. 1467, Sec. 1)

2-125. Revocation.

The City Clerk may revoke a permit or license if the person holding such permit or license refuses or fails to comply with this chapter or any law governing the protection and keeping of animals. Any person whose permit or license is revoked shall, within 10 days thereafter, humanely dispose of all animals owned, kept or harbored by such person and no part of the permit or license fee shall be refunded. No person who has been convicted of cruelty to animals shall be issued a kennel permit. Any person having been denied a permit may not re-apply for a period of 30 days. Each re-application shall be accompanied by a $5 fee.

(Ord. 1467, Sec. 1)

2-126. Animal waste.

The owner of every animal shall be responsible for the removal of any excreta deposited by his or her animal(s) on public rights-of-way, public property, or private property. The owner of any animal shall not

allow animal waste to gather and remain on the premises of the owner in such quantities which create unsanitary conditions or objectionable odors.

(a) It is unlawful for the owner or person in control of an animal to intentionally, knowingly, recklessly or with criminal negligence allow or permit such animal to defecate on any public property or improved private property other than that of the owner or person in control of the animal. The fact that the animal was at large at the time it defecated on any property shall constitute prima facia evidence that the owner or person in control of the animal allowed or permitted the animal to so act.

(b) It is an exception to the application of this section that:

(1) The owner or person in control of the animal immediately removed and cleaned up such animal's feces from public or private property; or

(2) That the owner or person in control of an animal has a physical disability or visual impairment and the animal is a service animal trained by an accredited institution to provide assistance to physically disabled and/or visually impaired persons.

(c) Violation of this section shall be punishable by a fine of not less than $10.00, plus applicable court costs. The Municipal Judge shall have authority to order community service in lieu of a fine and/or costs and to suspend the fine and/or costs or any portion thereof.

(Ord. 1467, Sec. 1; Ord. 2136; Code 2020)

2-127. Neglectful Care of Animals.

It is unlawful for any person to fail, refuse or neglect to provide any animal in his or her charge or custody, or otherwise, with proper food, water, shade, adequate shelter, or veterinary care when needed to prevent suffering or grooming, when lack thereof would adversely affect the health of the animal, or with humane care and treatment.

(a) To provide "adequate shelter" for a dog or cat the following standards must be met:

(1) The shelter must provide protection from the weather, i.e., sun, wind, precipitation (in whatever form), or other inclement weather conditions.

(2) If there are no artificial heat sources, the structure shall be small enough to allow the dog or cat to warm the interior of the structure and maintain its body heat, but large enough to permit normal postural adjustments, or standing.

(3) Plastic air shipping containers and/or pet carriers shall not be used as outdoor shelters.

2-128. Designation of Dog Parks

Dogs may be allowed to run at large only in dog parks designated as such by the City. Designation of dog parks shall be made by the City Council upon recommendation of the City Manager.

Conditions on use of dog park – suspension or revocation of dog park privileges

(b) Any person using a dog park shall be:

(1) Responsible for injuries and property damage caused by their dog to other persons and shall hold the City of Augusta harmless for any such damage; and

(2) Deemed to have assumed all risk of loss or injury to themselves or their dog(s), resulting from activities within the dog park.

In addition to other penalties established for violations of this chapter, any person violating posted rules or regulations governing use of dog park(s) may be removed from the dog park and his or her privileges for future use thereof suspended or revoked.

2-129. Cruelty to animals.

Defined. For purposes of this article, cruelty to animals means:

(a) Intentionally and maliciously killing, injuring, maiming, torturing, or mutilating any animal, or setting an animal upon another animal for the purpose causing physical harm to one (1) or more animals.

(b) Having physical custody of any animal and failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal.

(c) Intentionally or recklessly causing physical injury for the purpose of sport, contest, practice, or entertainment

(d) Promote, stage, hold, manage, incite, or in any way conduct any game, exhibition, contest, or fight in which one (1) or more animals are engaged for the purpose of injuring or killing themselves or any other animal; or

(e) Exceptions. The provisions of this section shall not apply to:

(1) Normal or accepted veterinary practices.

(2) The humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, local or state health officer or licensed veterinarian three (3) business days following the receipt of any such animal at such society, shelter or pound;

(State Law reference — Similar provisions, K.S.A. 21-6412.)

2-130. Authority to take custody of an animal that shows signs of cruelty or neglect

(a) Any code enforcement officer, public health officer, animal control officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, upon probable cause of cruelty or neglect to animals. Such officer, agent or veterinarian may inspect, care for, or treat such animal or place such animal in the care of a duly

incorporated shelter or licensed veterinarian for treatment, boarding or other care, or, if an officer of such humane society or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing.

(b) The owner, custodian or harborer of an animal killed pursuant to subsection (a) of this section shall not be entitled to recover damages for the killing of such animal unless the owner proves that such killing was unwarranted.

(c) Expenses incurred for the care, treatment or boarding of any animal taken into custody pursuant to subsection (a), pending prosecution of the owner, custodian or harborer of such animal for the violation of cruelty or neglect to animals, shall be assessed to the owner, custodian or harborer as a cost of the case if the owner, custodian or harborer is adjudicated guilty or pleads guilty or nolo contendere.

(d) If the owner, custodian or harborer is found guilty by the court of committing cruelty or neglect to any animal, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such violation, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for ~~sale or other~~ disposition.

(State Law reference — Similar provisions, K.S.A. 21-6412.)

2-131. Inhumane treatment of animals is prohibited.

Defined. Inhumane treatment means any treatment to any animal which constitutes a material deviation from the standard of care which a reasonable person would observe under the same circumstances and which:

(a) Deprives the animal of necessary sustenance, including but not limited to, a sufficient supply of food and fresh, potable water supplied in a sanitary manner and at reasonable intervals.
(b) Deprives the animal of proper shelter.
(c) Deprives the animal of exercise appropriate to the animal's species except for normal and customary husbandry practices; or
(d) Causes the animal to be kept in an unsanitary condition or tethered in such a manner as to cause injury, strangulation, or entanglement of the animal.
(e) *Violation.* It shall be a violation of this chapter for any person to treat any animal in an inhumane manner or to provide inhumane treatment to any animal.

(Ord. 1467, Sec. 1; Code 1991)

Article 2. Dogs and Cats

2-201. Registration and vaccination required, fee.

(a) Every owner of any dog or cat over six months of age shall annually register with the City Clerk his or her name and address with the name, sex and description of each dog or cat owned and kept within the city. It shall be unlawful for the owner of any newly acquired dog or cat or any dog or cat brought into the city to fail to register such animal within 30 days from acquisition or bringing the dog or cat into the

city. It shall be unlawful for the owner of any previously registered dog or cat to fail to maintain current registration of such dog or cat.

(b) Upon registration, the animal's owner shall present a current, completed certificate of immunization against rabies. No registration shall follow without evidence of this document, and it shall be unlawful for the owner of any dog or cat over six months of age to fail to maintain effective rabies immunization of such dog or cat.

(c) Upon registration, the City Clerk shall collect an annual registration fee of $10.00 for each dog or cat or $5.00 for each dog or cat for which a certificate or receipt from an accredited veterinarian is provided showing that a male dog or cat has been neutered or a female dog or cat has been spayed and that the dog or cat has been microchipped.

(d) The registration shall be valid for one year from the date of registration; provided that, vaccination may not be required if the owner of such dog or cat shall exhibit a statement from a veterinarian certifying that such vaccination would be injurious to such dog or cat due to its health.

(Ord. 1714, Sec. 1; Code 2010)

2-202. Dog or cat tags.

It shall be the duty of the City Clerk or designated agent, upon a showing of current rabies immunization and receipt of the registration fee herein before required, to keep in a book suitable for the registration of dogs or cats, the time of the registration, the name of the owner or keeper, the number of the registration and the amount paid therefor, and shall deliver to the owner or keeper of the dog or cat a certificate in writing, stating that the person has registered the dog or cat and the number by which the dog or cat is registered, and shall also deliver to the owner or keeper of the dog or cat a tag with the registration number and the registration year thereon, which shall be, by the owner or keeper, attached to the collar to be used on the dog or cat so registered. When any tag has become lost during a registration period, the owner of the dog or cat may request a duplicate tag for the remainder of the registration period. When so requested, the City Clerk shall, upon presentation of the registration certificate, issue a duplicate of such tag upon the payment of $2.00 fee. It shall be unlawful for any person to take off or remove the City registration tag from any dog or cat belonging to another or remove the strap or collar on which the same is fastened.

(Ord. 1467, Sec. 1; Code 1991)

2-203. Same; counterfeit tag.

It shall be unlawful for any person to place on any dog or cat a tag issued for any other dog or cat or to make or use any false, forged, or counterfeited tag or imitation thereof.

(Ord. 1467, Sec. 1; Code 1991)

2-204. Evidence of vaccination.

It shall be unlawful for the owner of any dog or cat kept within the city to fail to present a current certificate of immunization against rabies issued by an accredited veterinarian evidencing the vaccination of such dog or cat, when requested by the animal control officer or any public safety officer.

(Ord. 1467, Sec. 1; Code 1991)

2-205. Exceptions; visiting dogs or cats; seeing eye dogs.

(a) The provisions of this article with respect to registration shall not apply to any dog or cat owned by any person visiting or temporarily remaining within Augusta for less than 30 days. However, such dogs or cats shall be always kept under restraint by the owner thereof.

(b) License fees shall not be required for seeing eye dogs or governmental public safety dogs.

(Ord. 1467, Sec. 1; Code 1991)

2-206. Impoundment; record; notice; redemption; minimum fee.

(a) Any dog or cat found in violation of the provisions of this article shall be subject to impoundment by the City.

(b) A record of all dogs or cats impounded shall be kept by the City containing the following information: color, sex, weight, height, identifying marks, registration number (if any) and the date of impoundment.

(c) If the dog or cat impounded has a current registration tag attached to its collar or if the impounding officer knows the identity of the dog or cat's owner, the owner of such dog or cat, as shown by the records of the City Clerk shall be notified in writing as soon as possible or at least 24 hours before such dog or cat is disposed of by destruction or sale. If, at the end of five days the City Clerk has been unable to locate the owner, or the owner, upon having been located, refuses to claim, or redeem said the dog or cat, then the dog or cat may be adopted, humanely euthanized, or otherwise disposed of.

(d) If the dog or cat impounded has no current registration tag and the identity of the animal's owner is unknown to the animal control officer or the impounding public safety officer then such impounding officer shall, upon taking any such animal into custody and impounding the same, make a record thereof, with a description of the animal and the date and place taken into custody and the place of impounding, and shall thereupon immediately post a public notice on a social media platform and City website stating that the animal, describing the same with the date and place of taking, has been taken up, and that unless the charges of impounding the same, together with any license fees due and unpaid, are paid within three business days from the date of the notice, that the animal will be disposed of as provided in this code. If within three full business days the owner does not appear to claim the dog or cat, then the dog or cat may be adopted, humanely euthanized, or otherwise disposed of.

(e) If at any time before the sale or destruction of any dog or cat impounded under the provisions of this article, the owner of an impounded dog or cat does appear and redeem the dog or cat, it shall be turned over to the person claiming it upon payment of any impoundment fees or penalties plus the actual costs of impoundment, and upon compliance with the registration provisions of this article. This subsection shall not apply to any dog or cat alleged as being vicious under section 2-113 or suspected of rabies under section 2-117 of this code.

(f) Any dog or cat impounded may not be released without a current rabies vaccination.

(g) Impoundment shall not preclude any court from imposing and executing any fine which might otherwise be levied under this article for violation of any of the provisions thereof; nor shall impoundment be a defense in any prosecution commenced hereunder.

(h) The redemption of any dog or cat impounded for a violation of any provision of this chapter shall be prima facie evidence of the violation of such provision by the person redeeming the dog or cat.

(Ord. 1467, Sec. 1; Code 1991)

2-207. Disposition of unclaimed dogs or cats.

(a) Any unclaimed dog or cat may be humanely euthanized. If any dog or cat is not redeemed by its owner or harborer within the time allowed for redemption as specified in section 2-206 thereof, the animal control officer, any authorized public safety officer, any authorized veterinarian, or any duly authorized pound personnel may euthanize such dog or cat, or it may be adopted (fee applicable).

(b) Adoption of Unclaimed Dogs or Cats. Any person who desires to adopt an animal remaining unclaimed after the three-day holding period shall pay the adoption fee, and in addition shall comply with section 2-201, concerning obtaining a current license for the adopted animal.

(Ord. 1467, Sec. 1; Code 1991)

2-208. Confinement of dogs or cats in heat.

Any unspayed female dog or cat in the stage of estrus (heat) shall be confined during such period in a house, building or secure enclosure, and the area of enclosure shall be so constructed that no other dog or cat or dogs or cats may gain voluntary access to the confined animal except for purposes of planned breeding. Any animal that is in the state of estrus (heat) and that is not properly confined, or any such animal that is creating a neighborhood nuisance, shall be removed to a boarding kennel, to a veterinary hospital or to the animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. The owner of animals removed to the animal shelter shall be charged at the rate established from time to time by the animal shelter for routine confinement.

(Ord. 1467, Sec. 1; Code 1991)

2-209. Impounding animals without licenses.

It shall be the duty of the public safety officers of the City, or the animal control officer or designated agent, to take into custody and impound all dogs or cats found in the city, not provided with, or wearing a current license tag or other approved identification, as provided in section 2-201 of this article.

a) Exception: feral/community cats displaying a tipped left ear.

(Ord. 1714, Sec. 2; Code 2010)

2-210. Limits on dogs and cats.

Within the city limits of Augusta, Kansas, each household is allowed to maintain no more than four dogs, four cats, or no more than a combination of five dogs and cats, of the age of six months or older.

(Code 2010)

2-211 Trap/Neuter/Vaccinate/Return (TNVR).

In order to control, stabilize, and ultimately reduce the population of feral cats within the city and to protect animals and citizens against the spread of rabies, the City recognizes TNVR for feral/ community cats.

(a) Citizens interested in caring for a feral cat colony may apply with the City to serve in such capacity so long as they agree to comply with the following responsibilities:

(1) Work with animal control officer as needed to maintain a healthy colony;

(2) Agree to spay/neuter, vaccinate, and ear tip all cats within the colony and under his/her care; and

(3) Assist in the resolution of any complaint over the conduct of cats within colony.

(4) Caretakers will not be penalized under any provision of this ordinance for providing food, water, shelter, and other care to feral/community cats.

(b) Feral/Community Cat Assistance and Enforcement – the City retains the right to:

(1) Seize or remove cats from a colony that have not been vaccinated or that demonstrate signs of disease.

(2) Seize or remove cats from a colony that is creating a nuisance, if after a 15-day warning period to the colony caretaker, appropriate action to resolve the issue has not been accomplished.

(3) Regulate the size of the colony.

(4) Animal control or a public safety officer is authorized to release at the point of capture any feral cat exhibiting the designated ear tip.

(5) The registration/tag requirement shall not apply to ear-tipped feral cats.

Article 3. Other Animals

2-301. Exotic animals.

(a) It shall be unlawful for any person, firm or corporation to keep, maintain or have in his or her possession or under his or her control within Augusta any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous animal or any other animal or reptile of wild, vicious or dangerous propensities.

(b) It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the city any of the following animals:

(1) All poisonous animals including rear-fang snakes.

(2) Apes: Chimpanzees; gibbons; gorillas, orangutans; and siamangs.

(3) Baboons.

(4) Badgers.

(5) Bears.

(6) Bison.

(7) Bobcats.

(8) Cheetahs.

(9) Crocodilians, 30 inches in length or more.

(10) Constrictor snakes, six feet in length or more.

(11) Coyotes.

(12) Deer; includes all members of the deer family, for example, white-tailed deer, elk, antelope and moose.

(13) Elephants.

(14) Foxes.

(15) Game cocks and other fighting birds.

(16) Hippopotami.

(17) Hyenas.

(18) Iguanas.

(19) Jaguars.

(20) Leopards.

(21) Lions.

(22) Lynxes.

(23) Monkeys.

(24) Ostriches.

(25) Pumas; also known as cougars, mountain lions and panthers.

(26) Raccoons.

(27) Rhinoceroses.

(28) Skunks.

(29) Swine.

(30) Tigers.

(31) Wolves.

(c) The prohibitions of this section shall not apply to bona fide zoos, circuses, carnivals, educational institutions, or medical institutions, if:

(1) Their location conforms to the provisions of the zoning regulations of the City.

(2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.

(3) Animals are maintained in quarters so constructed as to prevent their escape.

(d) The municipal judge shall have the authority to order any animal deemed vicious confined, euthanized, or removed from the city.

(Ord. 1467, Sec. 1; Code 1991, 2-301)"

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

SECTION 3. This ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the Governing Body this 21st day of August, 2023.

Approved by the Mayor this 21st day of August, 2023.

_____

MIKE L. RAWLINGS, MAYOR

SEAL

ATTEST:

_____

ERICA L. JONES, CITY CLERK

ITEM NO. G3

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date: August 21, 2023

Department: Administration

Submitted By: Josh Shaw, City Manager

Prepared By: Shawna Cortez, Assistant to the City Manager

Agenda Title: **Fee Schedule Resolution No. 2023-12 Amending Animal Control Fees**

RECOMMENDED ACTION:

Consider approval of Fee Schedule Resolution No. 2023-12 amending Animal Control fees pursuant to Ordinance No. 2225.

BACKGROUND:

If City Council approves Ordinance No. 2225 pertaining to animal control and regulation, the following changes to the Fee Schedule are necessary to reflect changes in the revised ordinance:

Animal Control	Current Fee	Proposed Fee
Animal Impound Fee (per day)	$9.50	varies
Animal Impound Redemption Fee	$5.00	varies
Animal Disposal Fee (varies based on size of animal)	varies	varies
Dog/Cat Annual Registration Fee (If Spayed/Neutered & Microchipped)	$5.00	$5.00
Dog/Cat Annual Registration Fee (If NOT Spayed/Neutered & Microchipped)	$5.00	$10.00
Dangerous Dog Registration Fee	50.00	Deleted
Dangerous Dog Annual Renewal	25.00	Deleted
Kennel (Class 1) Annual Permit Fee	$20.00	$20.00
Kennel (Class 2) Annual Permit Fee	$50.00	$50.00

ANALYSIS:

The Animal Impound Fee (per day) and Animal Impound Redemption Fee that are listed in our current fee schedule are not specified in the current Code of Ordinances or in Ordinance 2225 and should be changed to “varies”. The Dog/Cat Annual Registration Fee for spayed, neutered, and microchipped fee stays the same, but the fee for animals that are not spayed/neutered and

microchipped is increased by $5.00 per year. Ordinance 2225 deletes the Dangerous Dog section and corresponding fees should be removed from the Code. Kennel Fees remain unchanged.

FISCAL IMPACT/FUNDING SOURCE:

The fiscal impact is nominal as most fees remain unchanged, were increased, or rarely utilized.

Department Head Approval Date:
City Manager Approval Date: 8/18/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. *Proposed Fee Schedule Resolution No. 2023-12*

RESOLUTION NO. 2023-12
CITY OF AUGUSTA, KANSAS
FEE SCHEDULE

The Governing Body of the City of Augusta, Kansas does hereby establish the following schedule of fees:

WHEREAS, The City of Augusta must assess fees for certain services that it provides as authorized by the governing body of the City of Augusta, Kansas; and

WHEREAS, The City of Augusta needs to review as necessary and adjust said fees in order to cover the expense of providing the services.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the City of Augusta, that this fee schedule be set.

	Proposed Fee		Revenue Fund
ADMINISTRATIVE SERVICES DEPARTMENT			
Copies (per page)	$	0.25	General Fund
Fax-local (per page)	$	0.20	General Fund
Fax-long distance (per page)	$	0.30	General Fund
Research (per half hour - 1 half hour minimum charge)	$	12.50	General Fund
City Clerk Division			
Returned Check	$	30.00	Fund Originally Receiving Revenue
Cereal Malt Beverage License			
General Retailer (annual fee)	$	100.00	General Fund
Limited Retailer (annual fee)	$	50.00	General Fund
Cereal Malt Beverage License Relocation Fee	$	25.00	General Fund
Alcoholic Liquor Occupational Tax (annual fee)	$	150.00	General Fund
Alcoholic Liquor Occupational Tax (two-year fee)	$	300.00	General Fund
Alcoholic Liquor Distributor's License (annual fee)	$	300.00	General Fund
Alcoholic Liquor Distributor's License (two-year fee)	$	600.00	General Fund
Beer Distributor's License (annual fee)	$	50.00	General Fund
Class A Club License (annual fee)	$	100.00	General Fund
Class A Club License (two-year fee)	$	200.00	General Fund
Class B Club License (annual fee)	$	250.00	General Fund
Class B Club License (two-year fee)	$	500.00	General Fund
Drinking Establishment License (annual fee)	$	250.00	General Fund
Drinking Establishment License (two-year fee)	$	500.00	General Fund
Caterer's Alcoholic Liquor License (annual fee)	$	250.00	General Fund
Temporary Permit to Serve Alcoholic Liquor	$	25.00	General Fund
Fireworks			
Permit for Manufacturing, Storage and Sale of Fireworks	$	5,500.00	General Fund
Security Deposit	$	2,500.00	General Fund
General Business License			
One-day license	$	25.00	General Fund
12 month license	$	100.00	General Fund
Horse & Carriage License (Annual Fee)			General Fund
12 month license per carriage	$	100.00	
12 month license per driver applicant	$	15.00	
Pawnbroker or Precious Metal Dealer Annual Fee	$	50.00	General Fund
Adult Entertainment Establishment Annual Fee	$	400.00	General Fund
Escort Service Annual License Fee	$	400.00	General Fund
Escort/Escort Service Runner Annual License Fee	$	250.00	General Fund
Budget Document	$	25.00	General Fund
Notary Fee			
City Business	$	-	General Fund
Non-City Business (Augusta resident)	$	-	General Fund
Non-City Business (non-Augusta resident)	$	5.00	General Fund
Utility Division			
Electric Utility new connection fee	$	25.00	Electric Fund
Water Utility new connection fee	$	25.00	Water Fund
Electric Utility transfer to new address	$	10.00	Electric Fund

Water Utility transfer to new address	$	10.00	Water Fund
Utility Disconnect fee (assessed at 9 a.m. on shut off day)	$	20.00	Electric/Water Funds
Reconnect utilities - after hours	$	30.00	Electric/Water Funds
Utility Disconnect fee - if meter pulled/cut	$	40.00	Electric/Water Funds
Unauthorized tampering / illegal connection fee	$	100.00	Electric/Water Funds
Returned Check	$	30.00	Electric/Water Funds
Water Meter Testing Fee	$	50.00	Water Fund
Electric Meter Testing Fee	$	50.00	Electric Fund
Mercury Vapor Light Rental			
under 250 watt (monthly rental fee)	$	5.00	Electric Fund
250 watt or more (monthly rental fee)	$	10.00	Electric Fund
Replacement Cost for Poly Cart due to theft or improper use	$	50.00	Solid Waste Fund
Water Rates	Refer to Ordinance		Water Fund
Sewer Rates	Refer to Ordinance		Wastewater Fund
Electric Rates	Refer to Ordinance		Electric Fund
Refuse Rates	Refer to Ordinance		Solid Waste Fund
COMMUNITY DEVELOPMENT DEPARTMENT			
AIRPORT DIVISION			
Community Hangar - Daily - Single	$	50.00	Airport Fund
Community Hangar - Daily - Large - Twin	$	100.00	Airport Fund
Community Hangar - Daily - Large - Jet	$	150.00	Airport Fund
Community Hangar - Monthly - Single	$	188.00	Airport Fund
Community Hangar - Monthly - Light - Twin	$	200.00	Airport Fund
Community Hangar - Monthly - Large - Twin	$	250.00	Airport Fund
Community Hangar - Monthly - Jet	$	400.00	Airport Fund
Hangar Lease - Monthly	$	188.00	Airport Fund
Hangar Lease - Daily	$	25.00	Airport Fund
Tie Down - Monthly	$	30.00	Airport Fund
Tie Down - Weekly (2 weeks or less can be waived with fuel purchase)	$	25.00	Airport Fund
Storage Unit - Monthly	$	30.00	Airport Fund
Office Space - Monthly (per square foot per month for aeronautical business)	$	0.50	Airport Fund
Office Space - Monthly (per square foot per month for non-aeronautical business)	$	1.00	Airport Fund
Preheat - All Aircraft	$25 per 30 minutes, $25 minimum		Airport Fund
After Hours Call Outs (per hour, 2 hr minimum)	$	35.00	Airport Fund
Returned Check/ACH	$	30.00	Airport Fund
MRO Temporary Permit Application (Service **not** offered by on-field shop)			
One (1) Day Permit	$	75.00	Airport Fund
Seven (7) Day Permit	$	150.00	Airport Fund
Sixty (60) Day Permit	$	250.00	Airport Fund
MRO Temporary Permit Application (Service offered by on-field shop)			
One (1) Day Permit	$	100.00	Airport Fund
Seven (7) Day Permit	$	375.00	Airport Fund
Sixty (60) Day Permit	$	750.00	Airport Fund
INSPECTION DIVISION			
Building Inspection			
Sewer Tap			
Assembly, Commercial, Residential	$	500.00	Wastewater Fund
Industrial, Outside city limits	$	750.00	Wastewater Fund
Water Meter Service Connection Fees			
Three-fourths inch to five-eighths inch meter	$	900.00	Water Fund
One inch meter	$	1,000.00	Water Fund
One and one-half inch meter thru four inch meter	materials & installation		Water Fund
Temporary installation	$	250.00	Water Fund
Electric Transformer & Connection Fees			
New Development			
Overhead Service - Single Phase - 100/200 amps	$	710.00	Electric Fund
Overhead Service - Single Phase - 320 amps	$	1,145.00	Electric Fund
Overhead Service - Single Phase - 400 amps	$	1,718.00	Electric Fund
Underground Service - Single Phase - 100/200 amps	$	1,105.00	Electric Fund
Underground Service - Single Phase - 320 amps	$	1,725.00	Electric Fund
Underground Service - Single Phase - 400 amps	$	2,115.00	Electric Fund
Existing Electrical Service Upgrade			
Overhead Service - Single Phase - 100 amps	$	135.00	Electric Fund
Overhead Service - Single Phase - 200 amps	$	150.00	Electric Fund
Overhead Service - Single Phase - 320 amps	$	455.00	Electric Fund
Overhead Service - Single Phase - 400 amps	$	862.00	Electric Fund
Interconnection Application Fee (Solar)	$	250.00	Electric Fund
Boring - Street/Driveway	$	500.00	General Fund
Street Cut	$	1,200.00	General Fund

Backflow Prevention Device Testing	$	10.00	General Fund
Building Permit Fees			
Valuation			General Fund
$1 to $500	$	30.00	General Fund
$501 to $2,000	$30.00 plus $1.50 per $100		General Fund
$2,001 to $25,000	$52.50 plus $6.50 per $1,000		General Fund
$25,001 to $50,000	$202.00 plus $4.75 per $1,000		General Fund
$50,001 to $100,000	$320.75 plus $3.25 per $1,000		General Fund
$100,001 to $500,000	$483.25 plus $2.75 per $1,000		General Fund
$500,001 to $1,000,000	$1,583.25 plus $2.25 per $1,000		General Fund
$1,000,000 and up	$2,708.25 plus $1.50 per $1,000		General Fund
Other Inspection Fees (per hour)	$	21.00	General Fund
Plumbing Permit Fees			
Issuing Permit	$	30.00	General Fund
Supplemental Permit	$	5.00	General Fund
Backflow 2"	$	10.00	General Fund
Backflow 2+"	$	20.00	General Fund
Fixture	$	5.50	General Fund
Gas Piping	$	5.00	General Fund
Lawn Sprinkler	$	10.00	General Fund
Private Sewer	$	50.00	General Fund
Rain Drain	$	5.50	General Fund
Sewer	$	15.00	General Fund
Vacuum Breakers	$	10.00	General Fund
Waste Interceptor	$	15.00	General Fund
Water Heater	$	7.50	General Fund
Water Piping	$	5.00	General Fund
Electrical Permit Fees			
Issuing Permit	$	30.00	General Fund
Supplemental Permit	$	5.00	General Fund
Multifamily (per sq ft)	$	0.035	General Fund
1 & 2 Family (per sq ft)	$	0.045	General Fund
Temporary Power	$	15.00	General Fund
Services--200 amp	$	15.00	General Fund
Services--200+ amp	$	50.00	General Fund
Services--3 phase	$	100.00	General Fund
Recetacle, etc	$	0.25	General Fund
Pools	$	25.00	General Fund
Appliances 220 volt	$	3.50	General Fund
Busways per 100 feet	$	4.50	General Fund
Signs	$	15.00	General Fund
Power 1 hp	$	3.50	General Fund
Power 10 hp	$	7.50	General Fund
Power 50 hp	$	15.00	General Fund
Power 100 hp	$	30.00	General Fund
Power 100 + hp	$	40.00	General Fund
Circuit 120 Amp	$	2.00	General Fund
Circuit 200+ Amp	$	2.25	General Fund
Hot tub	$	15.00	General Fund
Special power feeder circuit	$	10.00	General Fund
Solar	$	15.00	General Fund
Mechanical Permit Fees			
Issuing Permit	$	30.00	General Fund
Supplemental Permit	$	5.00	General Fund
100,000 BTU Furnace	$	10.00	General Fund
100,000 + BTU Furnace	$	20.00	General Fund
3 hp Compressor	$	10.00	General Fund
15 hp Compressor	$	15.00	General Fund
30 hp Compressor	$	20.00	General Fund
50 hp Compressor	$	30.00	General Fund
50 + hp Compressor	$	50.00	General Fund
Gas Piping	$	5.00	General Fund
Evaporative Cooler	$	10.00	General Fund
Ventilation Fan	$	5.00	General Fund
Commercial Hood	$	25.00	General Fund
Commercial Incinerator	$	50.00	General Fund
Vent Replacement	$	5.00	General Fund
Miscellaneous Permit Fees			
Building/Structure Moving Permit Fee	$	25.00	General Fund
Chainlink or Open Design Fence	$	10.00	General Fund

Wood or Chainlink Privacy Fence	$ 20.00		General Fund
Subdivision Masonry Fence	$ 50.00		General Fund
Temporary Sign	$ 15.00		General Fund
Permanent Sign (standard permit fee of $15, plus $6 for	$ 21.00		General Fund
signs up to ten sq ft in gross area. Addt'l charge of $1 per			
sq ft for each sq ft greater than 10 sq ft.)			
Permanent or Temporary Signs requiring a special use	$ 10.00		General Fund
permit (in addition to standard fees)			
Contractor License Fees			
Class A (General Building Contractor)	$ 300.00		General Fund
Class B (Building Contractor)	$ 300.00		General Fund
Class C (Residential Contractor)	$ 225.00		General Fund
Class D (Specialty Contractor) - *Includes House Moving Contractor, Roofing Contractor, Siding Contractor, Fence Contractor, Swimming Pool Contractor, Lawn Sprinkler Contractor, Sign Contractor, Demolition Contractor and Solar Contractor*	$ 75.00		General Fund
Employing Contractor	$ 100.00		General Fund
Master - Electrical, Mechanical, Plumbing	$ 100.00		General Fund
Journeyman - Electrical, Mechanical, Plumbing	$ 35.00		General Fund
Helper - Electrical, Mechanical, Plumbing	$ 15.00		General Fund
Examination Sponsor Fee - all trades	$ 25.00		General Fund
Environmental Inspection			
Mowing Assessment (City Abatement)			General Fund
Administrative Fee	$ 50.00		General Fund
All Properties	$200 per hour (minimum 1 hour), then $50 per 1/4 hour billed to the next 1/4 hour.		General Fund
Debris Removal	$50 per hour (minimum 1 hour)		General Fund
Mowing Assessment (Contractor Abatement)			General Fund
Administrative Fee	$ 50.00		General Fund
All Properties	Contractor Invoice		General Fund
Debris Removal	Contractor Invoice		General Fund
Condemnation Assessment			General Fund
Demolition / Site Work	Contractor Invoice		General Fund
Administrative Fee	$ 75.00		General Fund
Publications	Invoice Cost		General Fund
Ownership & Encumbrance Report	Invoice Cost		General Fund
Structural Engineer's Report	Invoice Cost		General Fund
Postage (for all required mailings)	Certified Mailing Fees		General Fund
Nuisance Abatement Assessment			General Fund
Administrative Fee	$ 50.00		General Fund
Nuisance Abatement	Contractor Invoice		General Fund
Postage (for all required mailings)	Mailing Fees		General Fund
Publications	Invoice Cost		General Fund
PARKS & RECREATION DIVISION			
Shryock Park - Shelter (Residents)			
Five (5) hours or less	$ 20.00		General Fund
More than Five (5) hours	$ 30.00		General Fund
Shryock Park - Shelter (Non-Residents)			
Five (5) hours or less	$ 50.00		General Fund
More than Five (5) hours	$ 75.00		General Fund
Garvin Park Stage			General Fund
Five (5) hours or less	$ 35.00		
More than Five (5) hours	$ 75.00		General Fund
Fishing Permits			
Augusta City Residents (annual)	$ 15.00		Special Parks Fund
Butler County Residents age 16 to 65 (daily)	$ 10.00		Special Parks Fund
Butler County Residents age 16 to 65 (annual)	$ 50.00		Special Parks Fund
Non-Butler County Residents age 16 to 65 (daily)	$ 30.00		Special Parks Fund
Non-Butler County Residents age 16 to 65 (annual)	$ 100.00		Special Parks Fund
Vessels Requiring State Registration			
Augusta City Residents (annual)	$ 30.00		Special Parks Fund
Augusta City Residents >9.9 HP motor (annual) limit first 35	$ 100.00		Special Parks Fund
Butler County Residents (outside Augusta city limits) limit first 25	$ 100.00		Special Parks Fund
No Valid Boating and/or Fishing Permit Fee (plus applicable permit fees)	$ 50.00		Special Parks Fund
Elmwood Cemetery			
Grave Spaces			
Resident	$ 400.00		General Fund / Cemetery Endow Fund
Non-Resident	$ 800.00		General Fund / Cemetery Endow Fund

Opening/Closing Fee (Adult/Child)			
Resident	$	500.00	General Fund / Cemetery Endow Fund
Non-Resident	$	750.00	General Fund / Cemetery Endow Fund
Opening/Closing Fee (Cremations - Adult/Child)			
Resident	$	250.00	General Fund / Cemetery Endow Fund
Non-Resident	$	375.00	General Fund / Cemetery Endow Fund
Surcharges			
Graveside service concluding after 3:00pm (Weekdays)	$	200.00	General Fund / Cemetery Endow Fund
Graveside service concluding after 12:00pm (Saturday)	$	200.00	General Fund / Cemetery Endow Fund
Saturday Service	$	200.00	General Fund / Cemetery Endow Fund
Opening/Closing Fee (Infant 0-24 mo.)			
Resident	$	-	General Fund / Cemetery Endow Fund
Non-Resident	$	100.00	General Fund / Cemetery Endow Fund
Disinterment of Casket Burial			
Resident	$	1,000.00	General Fund / Cemetery Endow Fund
Non-Resident	$	1,500.00	General Fund / Cemetery Endow Fund
Reinterment of Casket Bural			
Resident	$	500.00	General Fund / Cemetery Endow Fund
Non-Resident	$	750.00	General Fund / Cemetery Endow Fund
Disinterment of Cremation Burial			
Resident	$	500.00	General Fund / Cemetery Endow Fund
Non-Resident	$	750.00	General Fund / Cemetery Endow Fund
Reinterment of Cremation Burial			
Resident	$	250.00	General Fund / Cemetery Endow Fund
Non-Resident	$	375.00	General Fund / Cemetery Endow Fund
Monument/Headstone/Marker Fee			
Single/Double	$	50.00	General Fund / Cemetery Endow Fund
Columbarium Cremation Headstone (includes Recording Fee)	$	100.00	General Fund / Cemetery Endow Fund
Reflag Fee			
After 7 days	$	50.00	General Fund / Cemetery Endow Fund
Shepherd's Hook	$	10.00	General Fund / Cemetery Endow Fund
Santa Fe Lake			
Recreation			
Daily	$	10.00	General Fund
Daily - Weekends and Holidays (May - September)	$	12.00	General Fund
Annual - Augusta resident	$	21.00	General Fund
Annual - Non-Augusta resident	$	55.00	General Fund
Annual - With purchase of next year's primary season pass at the same time (August - November)	Half Price		General Fund
Vessels Requiring State Registration			
Daily	$	20.00	General Fund
Annual - Augusta resident	$	30.00	General Fund
Annual - Non-Augusta resident	$	60.00	General Fund
Campsite			
Primitive - South Side (Daily Rate w/ Annual Permit Purchased)	$	11.00	General Fund
Primitive - North Side (Daily Rate w/ Annual Permit Purchased)	$	22.00	General Fund
w/Electric Hookup (Daily Rate w/ Annual Permit Purchased)	$	18.00	General Fund
w/Electric Hookup - Holiday (Daily Rate w/ Annual Permit Purchased)	$	23.00	General Fund
Primitive - South Side (Daily Rate)	$	22.00	General Fund
Primitive - North Side (Daily Rate)	$	44.00	General Fund
w/Electric Hookup (Daily Rate)	$	36.00	General Fund
w/Electric Hookup - Holiday (Daily Rate)	$	46.00	General Fund
Extra vehicle permit (per vehicle) (Augusta resident)	$	10.00	General Fund
Extra vehicle permit (per vehicle) (Non-Augusta resident)	$	20.00	General Fund
No Valid Permit Fee (plus applicable permit fees)	$	50.00	General Fund
Group or special use (non-profit)			
Five (5) hours or less	$	30.00	General Fund
More than Five (5) hours	$	50.00	General Fund
Late Check-Out Fee	$	10.00	General Fund
Group Rate for Nonprofit Organizations	$3 per person Mininum $100 for daytime functions		General Fund
Mountain Bike Rentals			
Adult Bike Rental	$20 for first two (2) hours; $10 each additional hour		General Fund
Kid's Bike Rental	$15 for first two (2) hours; $8 each additional hour		General Fund
Family Bike Rental	1st bike full price; each additional bike $5.00 off to minimum of $5.00		General Fund

Additional Adult or Child Rider on One Rental	$10 for first two (2) hours		General Fund
Swimming Pool			
Age 0-5 Daily Pass	$	-	General Fund
Age 6-12 Daily Pass (Child)	$	3.00	General Fund
Age 13+ Daily Pass (Adult)	$	5.00	General Fund
Punch Card Pass (24x)	$	40.00	General Fund
Swimming Lessons			
1st Child (30 minute session)	$	30.00	General Fund
2nd Child (30 minute session)	$	25.00	General Fund
Private - one child (30 minute session)	$	40.00	General Fund
Private Parties			
0-29 swimmers	$	175.00	General Fund
30-59 swimmers	$	200.00	General Fund
60-99 swimmers	$	225.00	General Fund
100+ swimmers	$	250.00	General Fund
Water Aerobics (T/Th 12:00pm-12:45pm)	$	5.00	General Fund
PLANNING & ZONING DIVISION			
Zoning Regulations	$	25.00	General Fund
Subdivision Regulations	$	25.00	General Fund
Change of District Classification / Conditional Use Permit / Variance / Appeal of the Zoning Administrator Decision / Temporary Use Permit			
Agricultural and Residential Districts	$	350.00	General Fund
Mixed-Use, Commercial, Industrial Districts	$	500.00	General Fund
Subdivision Development Plan	$	500.00	General Fund
Site Plan	$	500.00	General Fund
Preliminary Plat	$	500.00	General Fund
Final Plat	No Additional Fee		General Fund
One-Step Final Plat	$	500.00	
Master Drainage Plan	$	500.00	General Fund
Lot Split	$	250.00	General Fund
Plat copies			
Regular Paper	$	10.00	General Fund
Home Occupation Permit	$	10.00	General Fund
SOLID WASTE DIVISION			
Commercial Compost/Limb Site Permit	$	300.00	General Fund
Bulky Item Pickup	$	20.00	Solid Waste Fund
Roll Off Containers			Solid Waste Fund
10-yard (Landfill fees included)	$	225.00	Solid Waste Fund
20-yard (Landfill fees included)	$	275.00	Solid Waste Fund
30-yard (Landfill fees included)	$	325.00	Solid Waste Fund
40-yard (Landfill fees included)	$	375.00	Solid Waste Fund
without Compactor	$300 plus all landfill costs		Solid Waste Fund
with Compactor	7.25 per month		Solid Waste Fund
Trip Charge	$25.00 per day		Solid Waste Fund
Second Solid Waste poly cart	No Additional Fee		Solid Waste Fund
Third Solid Waste poly cart	50% of Monthly Solid Waste Rate set by Ordinance		Solid Waste Fund
Refuse Collection - Walkup Service w/out waiver (in addition to reg mo fee)	$	7.25	Solid Waste Fund
Extra Refuse/Recycle Cart Pickup	$	14.50	Solid Waste Fund
Additional Dumpster Pickup			
4 yard or smaller	$	50.00	Solid Waste Fund
6 yard or larger	$	90.00	Solid Waste Fund
Temporary Dumpster Rentals (2 and 3 yd only)			Solid Waste Fund
Trip Charge (one time fee per rental)	$	25.00	
Same tier structure as commerical dumpster rates set by ordinance (prorated weekly)			
PUBLIC SAFETY DEPARTMENT			
Accident Reports	$	20.00	General Fund
Incident Pages			
First 20 pages	$	7.50	General Fund
each additional page	$	0.25	General Fund
Photos on CD,VHS,CD,DVD (plus shipping costs)	$	25.00	General Fund
Inspection fee for "fix-it" tickets (each)	$	-	General Fund
Controlled Burn Permit	$	-	General Fund
Bicycle License Fee	$	1.00	General Fund
Bicycle License Transfer Fee	$	1.00	General Fund
Fingerprinting Fee (Criminal Booking)	$	15.00	General Fund
Fingerprinting Fee (resides within USD 402)	$10.00 for two fingerprint cards $5.00 for each additional card		General Fund

Fingerprinting Fee (resides outside of USD 402)	$50.00 for two fingerprint cards $10.00 for each additional card		General Fund
Patrol Division			
Municipal Court			
Certified Copies	$	7.50	General Fund
DUI Diversion filing fee	$	100.00	General Fund
General Diversion fee	$	100.00	General Fund
Returned Check	$	30.00	General Fund
Animal Control			
Animal Impound Fee (per day)		varies	General Fund
Animal Impound Redemption Fee		varies	General Fund
Animal Disposal Fee (varies based on size of animal)		varies	General Fund
Dog/Cat Annual Registration Fee (If Spayed/Neutered & Microchipped)	$	5.00	General Fund
Dog/Cat Annual Registration Fee (If NOT Spayed/Neutered & Microchipped)	$	10.00	General Fund
Kennel (Class 1) Annual Permit Fee	$	20.00	General Fund
Kennel (Class 2) Annual Permit Fee	$	50.00	General Fund
PUBLIC UTILITIES DEPARTMENT			
Water Division			
Bulk Water (same tier structure as Residential/Commercial Water rates as set by ordinance)			Water Fund
Waste Water Division			
Commercial Sewage Dump fee (per 1,000 gallons)	$	75.00	Wastewater Fund
RV Sewage Dump fee	$	50.00	Wastewater Fund

BE IT FURTHER RESOLVED, that this fee schedule will take effect on August 22, 2023. Dated this 21st day of August, 2023.

CITY OF AUGUSTA

(SEAL)

Mike L. Rawlings, Mayor

ATTEST:

Erica L. Jones, City Clerk

ITEM NO. J1

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	August 21, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Josh Shaw, City Manager
Agenda Title:	**Executive Session**

RECOMMENDED ACTION:

Staff recommends that the Council go into executive session to discuss matters deemed privileged in the attorney-client relationship.

The proper motion to go into executive session would be as follows:

"I move to go into executive session for 60 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 City Manager Josh Shaw and City Attorney Andrew Marino. The open meeting will resume in the City Council chambers at _____ p.m.

Department Head Approval Date:
City Manager Approval Date: 8/18/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

ITEM NO. I

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	August 21, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Josh Shaw, City Manager
Agenda Title:	**Informational Memorandum**

A. CURRENT JOB RECRUITMENTS (as of 6/12/2023)

1. Parks Technician
2. Season Parks Technician – SFL
3. Wastewater Operator 1

B. CITY MANAGER OFFICE ACTIVITIES:

1. Attended Go! Augusta Board Meeting
2. Attended Skatepark groundbreaking event.
3. Pre-Construction meeting with Spohn Ranch (Skatepark)
4. Conference call with consultant regarding FEMA grants for flood mitigation.
5. Meeting with downtown group on common consumption ordinance.
6. Meeting with Kansas Gas Service regarding potential donations to Castle Park project.
7. Met with disc golf tournament directors about temporary course at Augusta Country Club for potential future event.
8. Registered for Housing Conference in Overland Park.
9. Responded to (1) Public Requests for Information
    - Tree trimming
10. Responded to (0) Council Requests for Information
11. City Manager Update Email
    - 8/17/2023 - Miscellaneous
    - 8/9/2023 – Miscellaneous

C. AIRPORT FUEL SALES ACTIVITY:

Total Fuel Gallons Sold- January 1, 2023- July 31, 2023								
	Jan	Feb	Mar	April	May	June	July	TOTAL
100LL	3954.63	4320.1	3303.5	3346.82	3598.53	4158.53	4760.54	27442.65
Jet-A	0	331	0	0	235	535	0	1101
MoGas	187.3	248.9	178.2	132.4	197.5	317.9	431.2	1693.4
Total	**4141.93**	**4900**	**3481.7**	**3479.22**	**4031.03**	**5011.43**	**5191.74**	**30237.05**

Gross fuel sales for July 2023		
	Gallons	Gross Revenue
100LL	4760.5	$25,516.45
Jet-A	0.0	$0.00
MoGas	431.2	$1,876.34
Total	**5,191.7**	**$27,392.79**

D. ATTACHMENTS:

1. Public Utilities Report
2. July Month End Financial Report
3. Code Enforcement Summary Report
4. Mutual Aid Thank You Letter – City of Ottawa, KS

ITEM NO. _____

Date: August 21, 2023
Department: Public Utilities
Prepared By: Tim Johnson, Public Utilities Director

The preliminary plat for the SW Substation site is underway. However, delays in completing the survey and forwarding it to the engineer have pushed consideration of the plat by the planning commission from late August to sometime in September. Staff met with the Shadow Ridge developer and sketched out next steps. They are wrapping up design of the streets/drainage, water and wastewater infrastructure and will be submitting plans for the city engineer to review in the next few weeks. Everyone involved hopes to see construction begin before the end of the year.

ELECTRIC PRODUCTION

Work on the Worthington cooling tower replacement continues. The contractor has poured the basin and the forms have been removed. The concrete must cure for at least two weeks before installation of the new tower can begin. Air Intake #1 preparation is complete. Used oil was transferred out and primer has been applied. The cooling tower fans for Unit C-3 reversed direction causing a heating issue that operators solved by reversing the fans' rotation. Oil and water separators were drained at both power plants and fresh water was added to the north plant separator. Engine maintenance activities included repairing the air washer intake sprayer and removing and cleaning the oil strainer for Unit M-4. The filters for this unit are not washable like those for the other generators. Cleaning the oil strainer is a temporary fix while awaiting delivery of new filters.

Units C-3 and M-4 were called on by Southwest Power Pool multiple days, and WPG-8 (Water Treatment Plant) was brought online by staff as an emergency response during this reporting period. Combined, the three units generated 479,404kWh of electricity, and consumed 2,055 gallons of fuel and 50 gallons of lubricant.

Sunday, August 6, just after midnight, Plant Operators and the Distribution Division began receiving reports of outages throughout the community. At Power Plant #2 a lightning strike took out Transformer Tie #2 (69kV) along with a 15kV transformer due to a Sudden Pressure Release (SPR trip). The interplant tie was also severed. Most of these faults were quickly repaired, but the loss of the interplant tie caused the emergency generator at the water plant (WPG-8) to start up. It took about 20 minutes to repair the tie between the plants and shut down the generator. Another lighting strike at Power Plant #2 on August 9 damaged Feeder #7. Staff had KMEA Mid-States assess the damage to the feeder and tie. The feeder is repaired, but repairs to a Bus Bar will

have to be scheduled for Autumn as the entire city grid will have to be shut down for a time to complete them. The repair likely will be scheduled for the middle of the night to minimize the impact on consumers. More information will be shared, and a communication plan will be developed with city hall to minimize the inconvenience for everyone.

Plant staff continued to assist the Water Division with installation of AMI transmitting units by modifying water meter lids to accommodate the new transmitters. In the administrative sphere, staff conducted two follow up interviews and plant tours with candidates for a position at Power Plant #2, and two operators worked on continuing education credits. Finally, the plant grounds were mowed, and monthly readings and equipment logs were updated.

ELECTRIC DISTRIBUTION

Work continues on the BASE Grant electric projects: Southwest substation; Feeder 8; 69kV line. Poles for the 69kV line have been installed along the hike/bike path through downtown. Substation design is nearing completion, staff have received the survey of the site and the plat is being drawn. Storms, locally and in other communities, kept linemen busy the past two weeks. One crew spent three nights assisting the City of Ottawa August 1-3. That crew was then sent to Winfield August 5-7. The utility also dispatched a mini excavator to help Wellington recover from the storms.

Pole replacements/transformer relocates/streetlights/service connections include:

- 3 Kimberly Ct – Set new pole and transferred phases
- 1201 Money – Installed new light and repaired riser on pole
- 106 ½ 5th – Hung new transformer and rerouted service for apartments
- 1131 Ohio – Cut tree out of secondary service to replace weather head
- 224 Broadway – Replaced AMI meter that had overheated
- Lift station – Checked voltage and fixed issue that caused crimps to make contact
- 1154 School – Hung temporary service
- Cron and Shirley – Trimmed tree out of junction pole
- Dearborn and Gregg – Removed street light from pole that was hit by a semi driver (AT&T pole); disconnected power at 1426 Dearborn due to house being torn down
- 1224 Starkey – Report of downed line was found to be cable
- 1426 Dearborn – Reconnected service that was torn off the house
- Dearborn and Gregg – Rehung street light on new pole
- Installed AMI meters on 100 – 300 block of Main St
- Unloaded substation material with digger truck
- David and Ohio – Removed old secondary service wire
- 205 Main – Removed meter and cut power due to lug burning up
- Take 5 Car Wash – Installed new temp service that was moved due to road construction
- 207 Walnut – Built new riser; pulled in underground; hung transformer for new service
- 205 Main – Reconnected power and installed new AMI meter

- Kelly and Park Ln – Trimmed and chipped trees
- Lincoln School Park – Gazebo out of power; secondary neutral repaired; power restored
- Wastewater Plant – Installed antenna for shop
- Around Town – Turned on and programed school zone lights
- 1200 School – Temporary service installed for construction

Callouts & Outages:

- Park Ln, West Kelly, Sunset and Westwood – Trees on Primary, cleared trees from problematic area while the primary was dead
- SW Tie and Circuit 7 – Storm, wind and lightning took out both circuits. Power plant put them back in
- 1715 Cron – Old style fuse box failed and was replaced
- 1303 Money Lot 22 – No voltage, voltage at bottom side of the meter was good, problem on customer side
- Feeder 5 – Lost power due to trees during storm and wind
- SW Tie – Went out during wind/rain storm caused by trees
- 400 block of Broadway - Primary underground was chewed on by wildlife and was replaced to restore power
- Kelly Ct. – Delayed call by safety, power was already restored
- 1116 State – Burnt secondary in tree that took out power to house repaired and tree trimmed
- 1200 block of Hooper – Tree was broken over in primary burning, Fuse pulled, and tree was trimmed out. Fuse thrown back in to restore power
- 1057 State – Tree limb broke and burned the primary phase in half, phase was repaired and rehung

Line Clearance Team:

- Assisted in trimming and cleaning West Kelly and Park Ln outage
- Started clearing 1200 block of Harrington
- Continued clearing 1200 block alley between Henry and Bobbie

Staff performed 23 locates, and 5 emergency locates during this reporting period.

SOLID WASTE

Friday August 4 the Street/Solid Waste Superintendent was involved in a motor vehicle accident. While traveling westbound from the landfill to Augusta on SW 40th just past Hopkins Switch, a City of Augusta trash truck was struck by another trash truck from another company, as the two trucks attempted to pass each other traveling in opposite directions. Both trucks received damage,

and everyone appeared to be okay. The city of Augusta truck has been transported to Doonan for a repair estimate.

- All routes ran normal
- Delivered dumpsters and carts for the annual car show downtown
- Delivered carts for movie in the park
- Assisted Street Division installing drainage tubes as slides for movie in the park event

STREETS

Daily Operations:

- Began prep work for upcoming micro-surfacing by grinding crosswalks on Cron and Sunflower
- Prepped and placed concrete at #2 Kimberly Ct. to fix a buckling section of road
- Prepped and placed concrete at 604 Stone Lake Cir. to fix a buckling section of the road
- Prepped and placed concrete in front of 207 Walnut for Water Division

Project Status:

- 2023 Pavement Preservation Program – Patching completed; waiting for the contractor to begin applying the micro-surface
- SFL Chipseal – Project has been pushed back to September by Butler County
- CCLIP – Final Paperwork been submitted; awaiting reimbursement

Callouts:

- 1304 Dearborn – Limb in the road blocking traffic
- 7th and Lulu – Crews set a 4-way stop at the intersection due to traffic lights outage caused by lightning

Citizen Requests

- Garvin Park – Resident called in about a safety concern with chunks of concrete missing along the walking path in Garvin Park; path was patched

Events:

- WFO Car Show Aug 5 – Crews swept downtown the day prior and set barricades for the event

- Movie in the Park Aug 12 – Crews delivered a trailer of cones and barricades to the Police Dept. the day prior; also installed two large plastic culverts to be used as slides for the event
- Skate Park Groundbreaking – Staff attended the groundbreaking for the skate park

Meetings:

- Street Foreman attended a zoom meeting on the skate park to discuss the clearing and grubbing that the city will perform for the project

WASTEWATER

The bare earth area around Simmons Lift Station will be sodded once the weather cools in October. Staff have the Brightly work order platform up and running and have worked out the kinks. Everything is working well. Repairs to the water reuse system that was damaged months ago during shipment to the plant are complete and the system has been returned, the controls have been installed. The next step will be final wiring by an electrician.

A little more than 10 dry tons of sludge were produced, and 32 dry tons were hauled to farm fields for application. Staff cleaned 603 feet of trouble lines this period. Staff responded to one callout at 102 Dearborn – C362 to C242; 725 feet cleaned; no blockages.

Routine work included installing new belts on the grit motor, cleaning and greasing the bar screen, and cleaning and replacing UV treatment bulbs. The flow meter was calibrated, storm pumps primed, and fire extinguishers inspected. The plant backup generator was inspected and cleaned and weeds in the generator area were treated. Finally, three staff members continued their preparations to test for their next level of wastewater operator certification later this month.

WATER

The city's annual free burn and fire hydrant flushing routine is complete. The free burn began July 10 and ended August 7. During this time, the water plant shut off the ammonia and used free chlorine. This is done annually as part of routine maintenance of the distribution system. During the free chlorine burn, the water disinfection process is changed from chloramines to free chlorine, which is a stronger and faster-acting disinfectant. Free chlorine burns also reduce the potential for coliform or other types of bacteria in the system. While out of service, the ammonia tank was cleaned, refilled, and made ready to be placed back in service once the free burn is completed. Fire hydrants have also been exercised to flush the distribution system, help remove sediment from pipes, and distribute the chlorine. Following the free chlorine burn, standard disinfection chemicals were reintroduced to the system.

The division performed 20 locates during the two weeks ending August 12. Eighty fire hydrants

were flushed. Forty feet of new 4-inch water main was installed in Johnson St, and a 2-inch main leak in that street was repaired. The Johnson Street water main replacement is being done in short sections to minimize the amount of time residents must be without water service at their homes. A frost-free hydrant was installed at the cemetery. A new service line upgrade was bored under the street at 207 Walnut, and a new service line was bored at Santa Fe Lake.

Maintenance activities included replacing a check valve on Pump #2 at the Mulvane pump house, mounting a new tire on the backhoe, a new wheel on the boring machine trailer, installing a new spindle on the Toro mower, and mowing the lot to the south of the Water Treatment Facility. Door trigger wires were also installed at the plant to connect the entrances to the SCADA system for security purposes. Administrative activities included end of month paperwork and meter reads, and five Bacti samples. Finally, ACES continues working on the SCADA upgrade. Work on this project is nearing completion.

Monthly Financial Report

July 2023

Prepared by Director of Finance Erica Jones

REVENUE OVERVIEW

Property Tax Ad Valorem tax revenues come from taxes levied on real property, personal property and state assessed utilities. Ad Valorem taxes are the main source of revenue for the General, Library, Library Empl Benefits, Empl Benefits, and Bond & Interest Funds. Total property tax collections for 2023 to date are $4,227,351.90, which is a 17% increase over the 2022 collections of $3,640,912.11 for the same time period.

Sales Tax The City of Augusta receives a 2.0% sales tax. Of the first 1.0%; 50% of is applied to the maintenance, repair and improvements to streets, 20% applied to capital improvement projects, 20% applied to reduce ad valorem property taxes and 10% applied to enhance the general fund. The 1.0% sales tax for streets was reaffirmed by voters in 2016. Of the second 1.0%; 90% applied to the costs of public water system improvements and 10% applied to the general fund. Total sales tax collections for 2023 to date are $1,964,055.89 which is up 3% compared to 2022 collections of $1,905,637.14 for the same time period. The second 1.0% became effective 4/1/2013.

Sanitation Fees Customers are charged a monthly fee for sanitation services. Sanitation fees are up 3% in 2023 with collections of $598,673.68, compared to 2022 collections of $582,392.90 for the same time period. The last rate change occurred January 1, 2023.

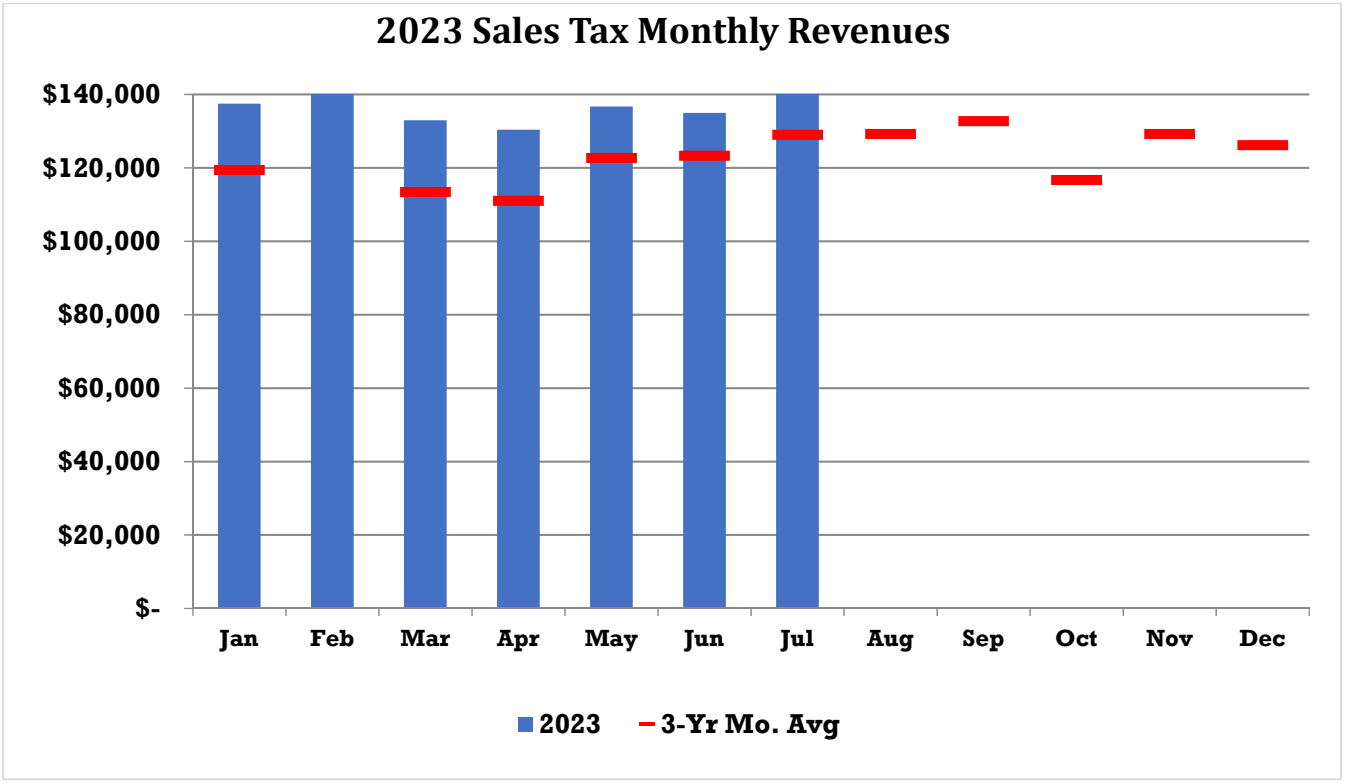
Water Fees Customers are charged a monthly fee for water services. Water fees are up 7% in 2023 with collections of $1,025,735.97, compared to 2022 collections of $966,389.42 for the same time period. The last rate change occurred January 1, 2023.

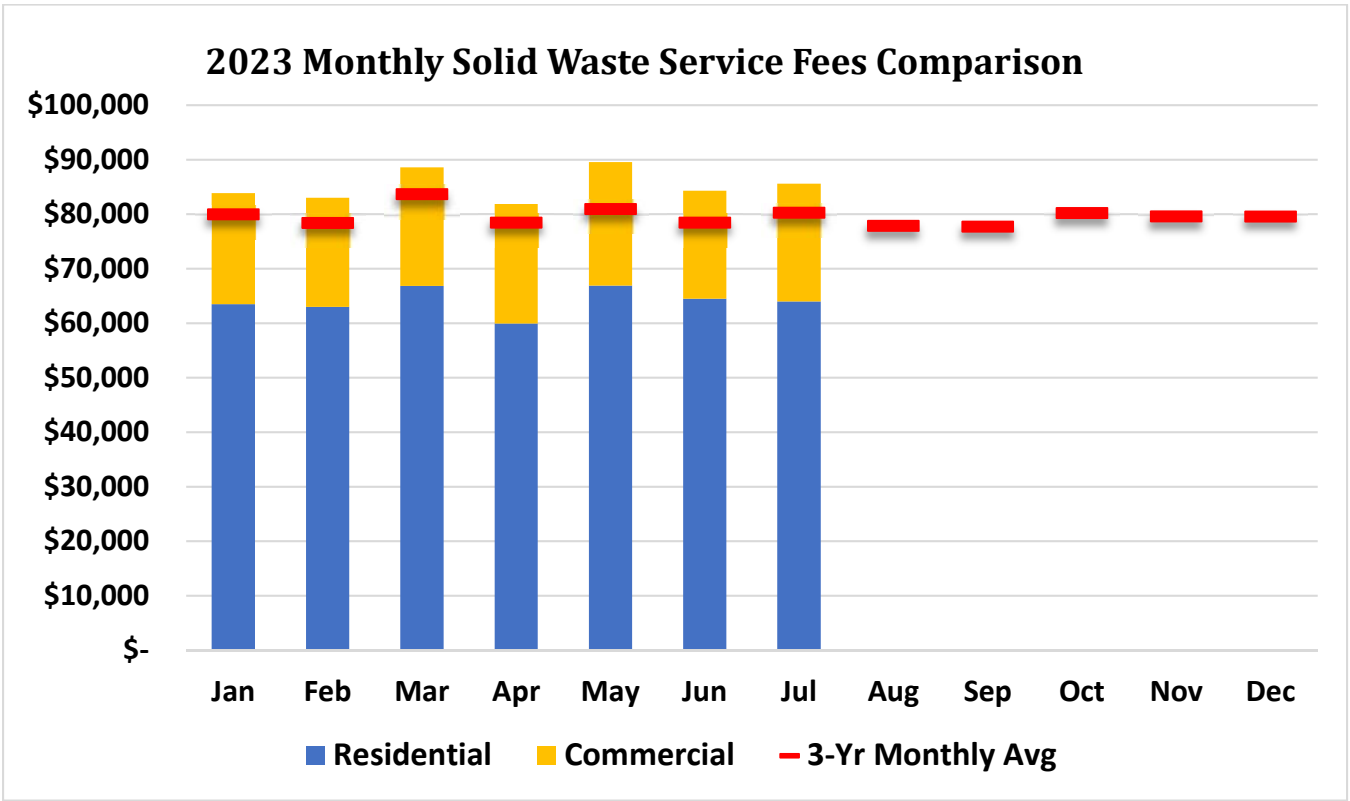
Electric Fees Customers are charged a monthly fee for electric services. Electric fees are up 1% in 2023 with collections of $4,972,549.59, compared to 2022 collections of $4,934,873.44. The last rate change occurred January 2, 2007.

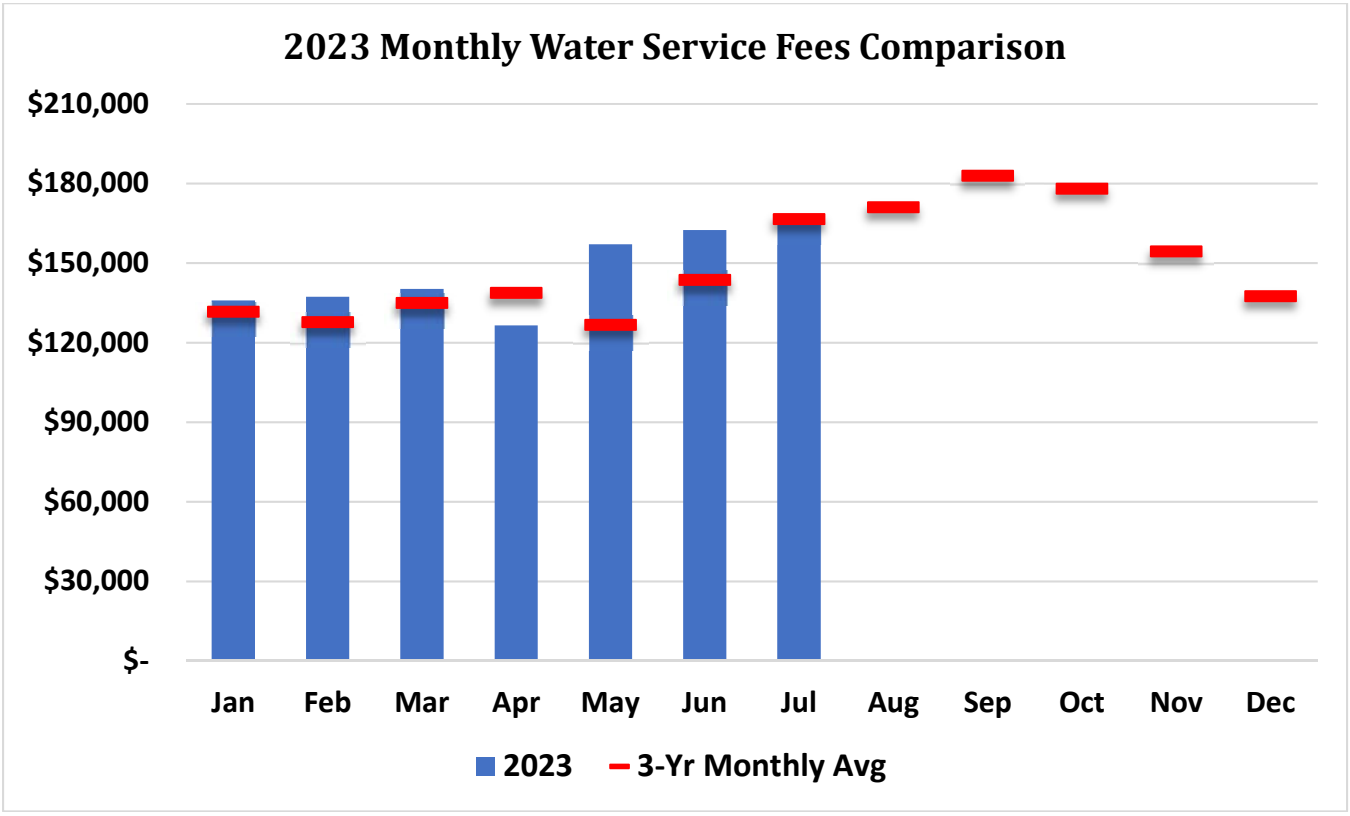
Sewer Fees Customers are charged a monthly fee for sewer services. Sewer fee are up 30% in 2023 with collections of $622,495.87, compared to 2022 collections of $481,695.97 for the same time period. This is a result of the rate structure change between the sewer and wastewater fees. The last rate change occurred January 1, 2023.

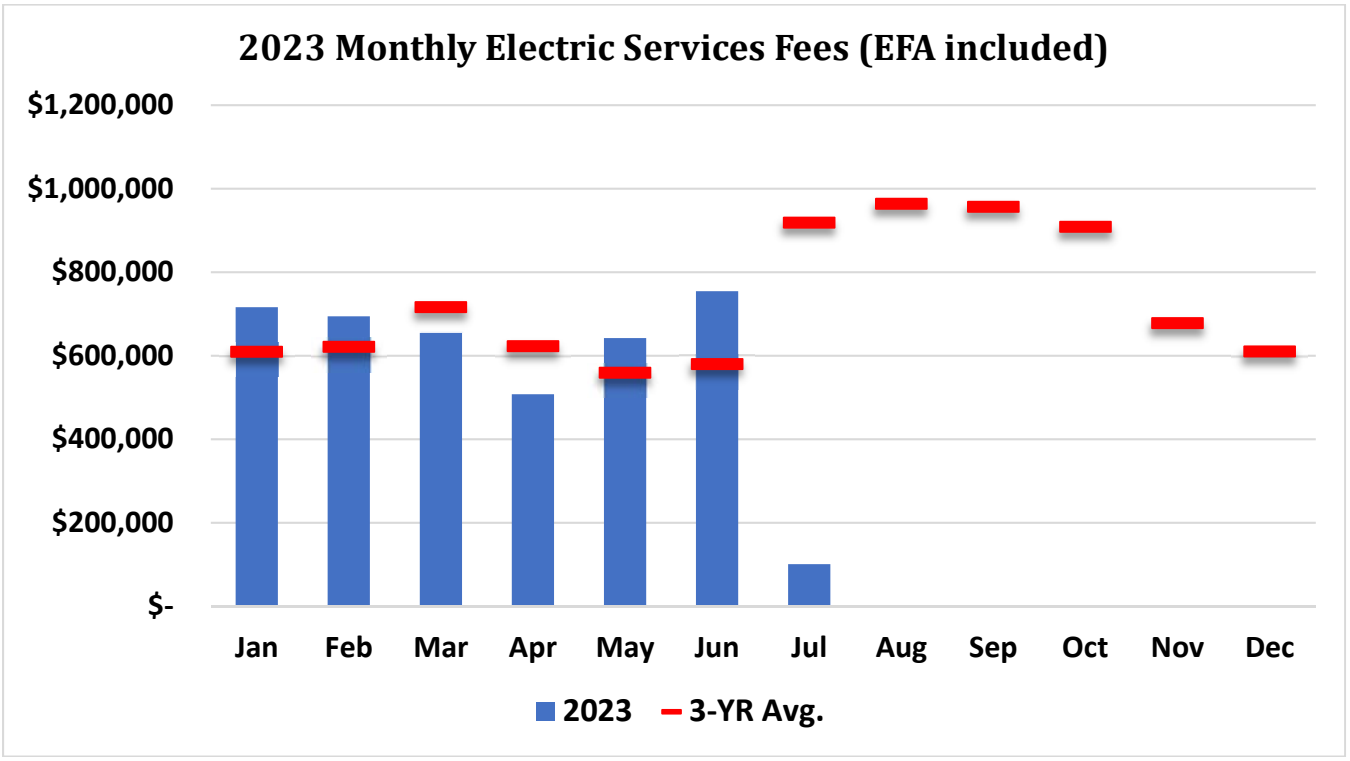
WWP Fees Customers are charged a monthly fee to pay the debt for the Wastewater Plant. WWP fees are down 37% in 2023 with collections of $213,821.03, compared to 2022 collections of $343,307.79 for the same time period. This is a result of the rate structure change between the sewer and wastewater fees. The last rate change occurred January 1, 2023.

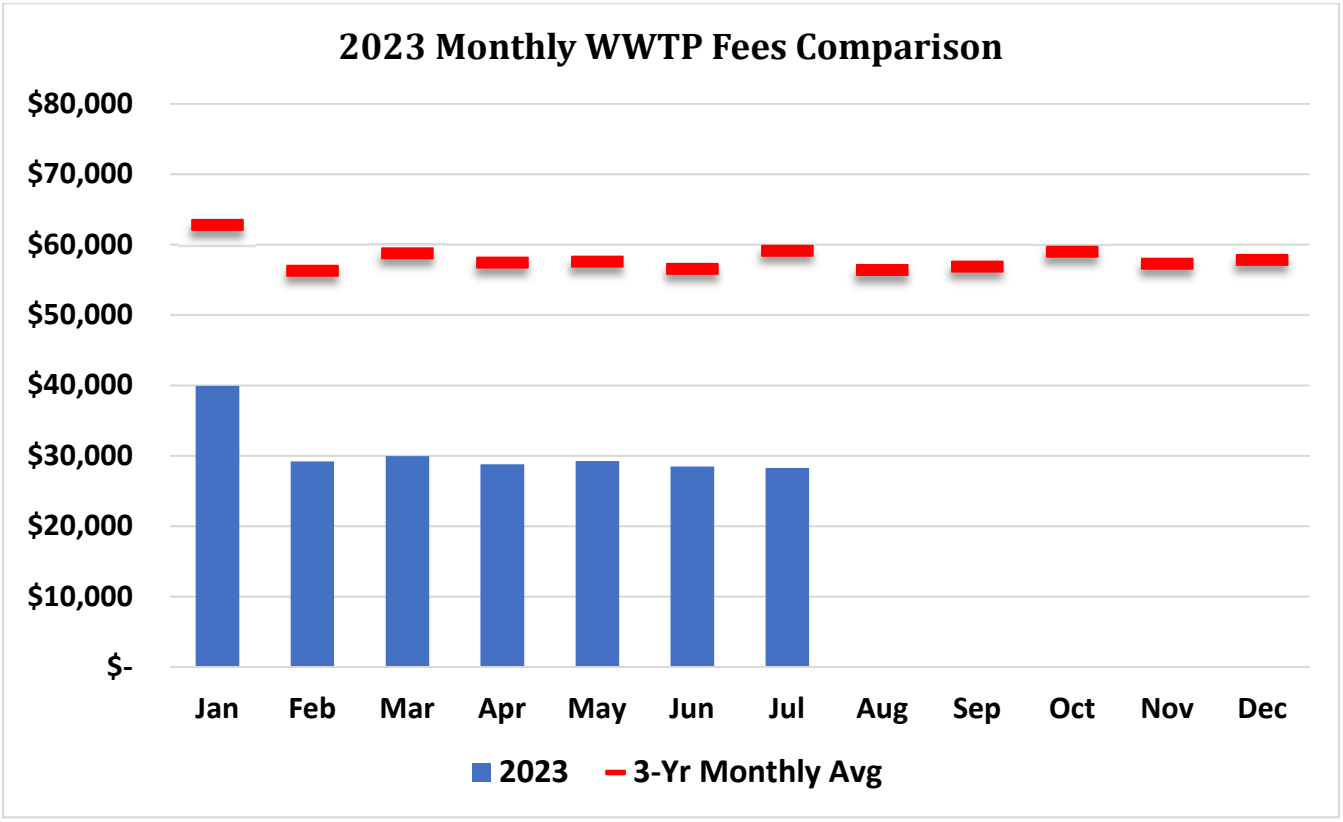
2023 Monthly Financial Report - Through July 31, 2023						
Fund		2023 YTD Actual	2023 Budget	% of 2023 Budget	2022 YTD Actual	% of Prior Year YTD
01	General Revenue	5,426,233	6,585,500	82.40%	5,057,579	107.29%
	General Expense	4,310,106	7,882,345	54.68%	4,228,186	101.94%
02	Library Revenue	337,196	377,150	89.41%	278,508	121.07%
	Library Expense	337,196	377,150	89.41%	278,508	121.07%
04	Special Alcohol Revenue	6,364	18,400	34.58%	5,244	121.35%
	Special Alcohol Expense	13,500	21,290	63.41%	23,539	57.35%
05	CTB Revenue	14,183	17,000	83.43%	11,358	124.86%
	CTB Expense	5,323	25,000	21.29%	5,633	94.49%
06	Special Parks Revenue	37,780	50,900	74.22%	78,484	48.14%
	Special Parks Expense	67,466	98,700	68.35%	54,743	123.24%
08	Library Emp Benefit Revenue	78,691	88,600	88.82%	80,156	98.17%
	Library Emp Benefit Expense	78,691	98,050	80.26%	80,156	98.17%
09	Employee Benefit Revenue	1,605,199	1,796,600	89.35%	1,318,466	121.75%
	Employee Benefit Expense	1,126,950	1,796,600	62.73%	1,070,431	105.28%
11	Cemetery Endowment Revenue	4,600	7,500	61.33%	10,428	44.11%
	Cemetery Endowment Expense	18,000	23,000	78.26%	9,587	187.75%
12	Street Sales Tax Revenue	791,014	700,000	113.00%	2,144,315	36.89%
	Street Sales Tax Expense	550,503	1,474,150	37.34%	79,702	690.70%
14	Ind Development Revenue	3,191	0		61,836	5.16%
	Ind Development Expense	0	282,025	0.00%	0	
15	Special C/C Hwy Revenue	226,349	292,000	77.52%	219,005	103.35%
	Special C/C Hwy Expense	185,550	321,975	57.63%	193,213	96.03%
16	Capital Improv Revenue	493,637	635,000	77.74%	504,479	97.85%
	Capital Improv Expense	626,757	904,000	69.33%	493,562	126.99%
20	Sanitation Revenue	626,923	1,041,600	60.19%	611,242	102.57%
	Sanitation Expense	696,313	1,126,470	61.81%	574,065	121.30%
23	Solid Waste P & I Revenue	130,000	130,000	100.00%	130,000	100.00%
	Solid Waste P & I Expense	3,771	127,000	2.97%	5,950	63.38%
24	Emergency Comm Revenue	33,883	36,000	94.12%	26,975	125.61%
	Emergency Comm Expense	26,260	49,500	53.05%	26,613	98.68%
26	Equipment Reserve	151,755	200,000	75.88%	152,000	99.84%
	Equipment Reserve	55,224	469,000	11.77%	7,026	786.00%
28	Emergency Comm (old) Revenue	612	0		0	
	Emergency Comm (old) Expense	0	20,082	0.00%	0	
30	Water Revenue	1,236,146	2,158,450	57.27%	1,167,026	105.92%
	Water Expense	1,190,705	2,658,070	44.80%	1,188,071	100.22%
31	Water Sales Tax Revenue	883,825	1,260,000	70.14%	857,537	103.07%
	Water Sales Tax Expense	438,560	3,550,000	12.35%	350,000	125.30%
33	Water Bond P & I Revenue	590,268	591,500	99.79%	620,268	95.16%
	Water Bond P & I Expense	97,834	583,000	16.78%	114,704	85.29%
35	Water Revenue	0	125,000	0.00%	0	
	Water Expense	108	125,000	0.09%	0	
40	Electric Revenue	5,658,918	10,268,300	55.11%	5,583,346	101.35%
	Electric Expense	5,307,980	10,191,969	52.08%	6,764,672	78.47%
41	Electric Reserve Revenue	100,000	100,000	100.00%	536,000	18.66%
	Electric Reserve Expense	53,939	398,000	13.55%	44,086	122.35%
45	Electric Bond P & I Revenue	221,000	221,000	100.00%	0	
	Electric Bond P & I Expense	40,922	221,000	18.52%	0	
47	Wastewater Reserve Revenue	150,000	150,000	100.00%	25,000	600.00%
	Wastewater Reserve Expense	8,095	12,000	67.46%	0	
49	WWTP Revenue	213,821	380,000	56.27%	343,308	62.28%
	WWTP Expense	771,934	303,000	254.76%	91,400	844.57%
50	Wastewater Revenue	633,155	1,031,600	61.38%	491,315	128.87%
	Wastewater Expense	544,983	1,031,270	52.85%	486,369	112.05%
60	Bond & Interest Revenue	358,408	397,500	90.17%	340,932	105.13%
	Bond & Interest Expense	47,811	416,240	11.49%	51,834	92.24%
70	Airport Revenue	379,132	508,900	74.50%	358,738	105.68%
	Airport Expense	292,795	609,680	48.02%	338,696	86.45%

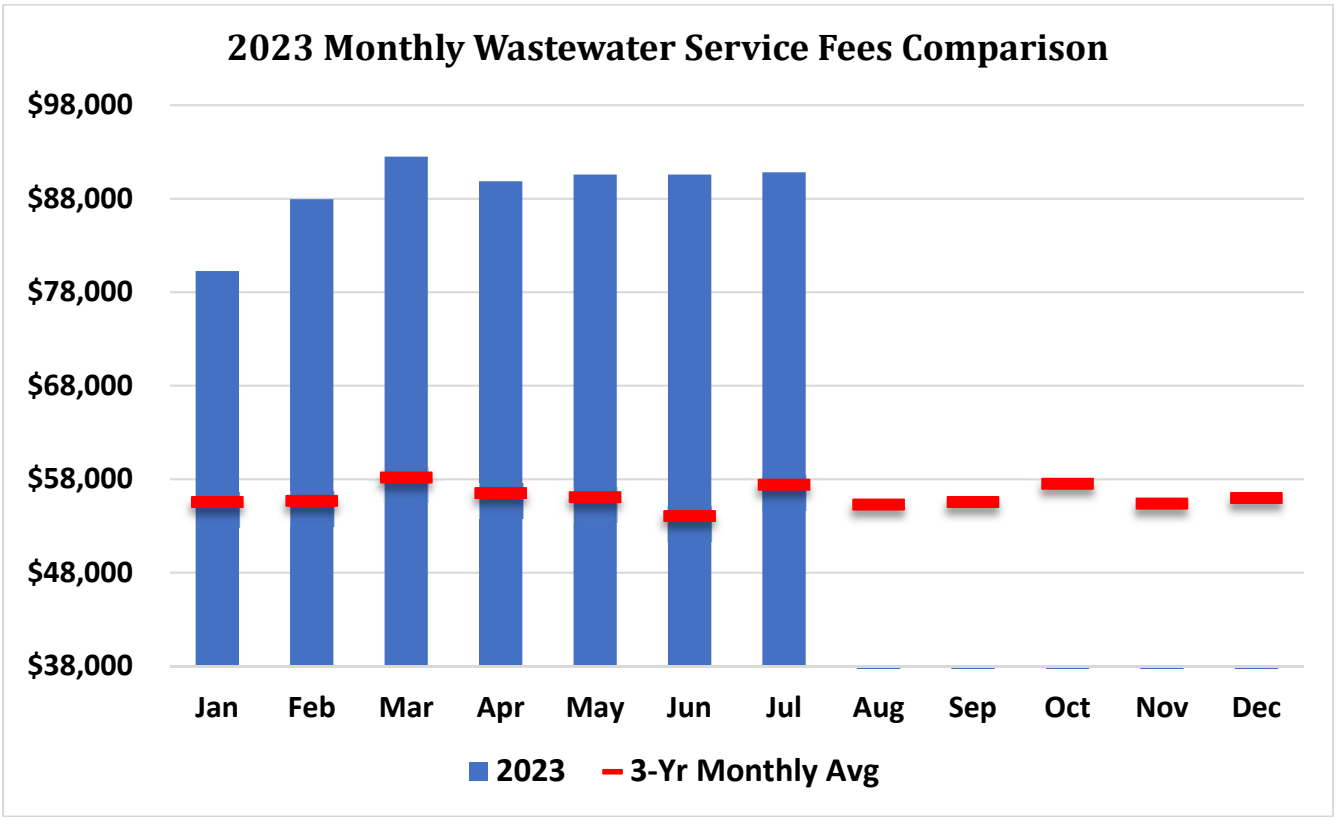

2023 Sales Tax Monthly Revenues
$140,000
$120,000
$100,000
$80,000
$60,000
$40,000
$20,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2023
3-Yr Mo. Avg


2023 Monthly Solid Waste Service Fees Comparison
$100,000
$90,000
$80,000
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
Residential
Commercial
3-Yr Monthly Avg


2023 Monthly Water Service Fees Comparison
$210,000
$180,000
$150,000
$120,000
$90,000
$60,000
$30,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2023
3-Yr Monthly Avg


2023 Monthly Electric Services Fees (EFA included)
$1,200,000
$1,000,000
$800,000
$600,000
$400,000
$200,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2023
3-YR Avg.


2023 Monthly WWTP Fees Comparison
$80,000
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2023
3-Yr Monthly Avg


2023 Monthly Wastewater Service Fees Comparison
$98,000
$88,000
$78,000
$68,000
$58,000
$48,000
$38,000
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2023
3-Yr Monthly Avg

Code Enforcement Completed Cases Late May 2023 through End of July 2023

Address	Case Type	Start date	Notes	
231 E Summit	tall grass	6/26/2023	vacant lot - recently demo'd house- mailed on 6/26/23	7/5/2023
244 E Wiley	tall grass	6/26/2023	report from community unmowed alley access	7/3/2023
1300 N State	tall grass	6/14/2023	work order generated on 6/27/23; abated on 7/6/23	6/24/2023
531 N Osage	tall grass	5/8/2023	work order generated on 6/27/23; abated on 7/6/23	
519 N Osage	abandoned car	5/24/2023	email from citizen regarding abandoned car at this address; owner works out of town, made contact with his mother (231 Larry St) and was informed the car will be moved this coming weekend.; updated - 5/30/23 car was not moved; provided the complaintant with information regarding "criminal tresspass from KSA 8-1102" complaintant will contact public safety and then follow up with R/O accordingly; R/O was driving past this adress and observed the vehicle parked in the alley; APD contacted	5/30/2023
120 E Main	tall grass	6/27/2023	report	7/3/2023
128 1/2 E Main	tall grass/junk	6/27/2023	report from neighboring property; observed tall grass thru fence and mattress by house	7/3/2023
749 W Clark	tall grass	6/26/2023	report from community regarding overgrowth between lots	7/3/2023
1404 Kelly Ct	vacant/vandalized property	5/15/2023	property owner is seeking bids, but will be mid May before contractor will remove; spoke to owner on 5/17/23 stated bids are too high and will demo property himself in the next 2 weeks, is in process of renting necessary equipment; dumpster onsite as of 5.23.23/demo has began as of 5/29/23; follow up on 7/10/23 mobile home has been removed	5/15/2023
234 E Broadway	tall grass	4 week rotation	2nd abatement on 7/6/23	
400 E Clark	tall grass	4 week rotation	2nd abatement on 7/6/23	
915 Wirth	tall grass	6/26/2023	Vacant - posted property on 6/26/23; work order submitted 7/5/23; partially mowed by contractor on 7/6/23 could not fit mower thru access gate, will return with push mower to complete	7/5/2023
1303 N Money #3	No utilities	4/27/2023	waiting for authorization from supervisor 23-000007; posted with tenant on 5/4/23; rec'd call from individual that USPS mistakenly delivered certified mail to him instead of property owner, instructed to shred and dispose of letter; new letter sent to property owner on 5/16/23; individual has now moved and case is closed -new tenant at the property and services have been restored	When contacted
1325 N Money	1617e Nuisance	5/8/2023	10 days notice is 5/18/23; coucil date will be June 1st if not complied; new maintenance crew onsite; on 7/11/23 R/O observed a 40yd roll off dumpster that was overloaded along with several mattresses placed next to the roll off; all of these items appear to include what has been illegally dumped at the city trash dumpsters provided by City of Augusta for trash service; R/O will continue to monitor for final removal	5/18/2023
1145 N Ohio	tall grass	6/20/2023		6/27/2023
1208 N School	tall grass	7/6/2023		7/13/2023
0000 E Kelly Ave	tall grass	7/6/2023	report from community regarding tall grass in neighboring field	7/16/2023
1406 Kelly Ct	1617e/trash	5/2/2023	prior case from mygov 23-000010	5/15/2023
135 E 12th	tall grass	7/11/2023		7/18/2023
333 E Kelly Ave.	overgrown grass/weeds in alley	7/14/2023		7/21/2023
330 E Gregg Ave	tall grass/trash in alley/fence	6/16/2023	letter sent 6/19/23; mowed all but alley; rec'd call from neighboring property owner that the fence had fallen down again and alley still not mowed; work order generated on 7/14/23; abatement completed on 7/19/23	6/29/2023
926 Lulu	tall grass	6/13/2023	letter was sent 5/11/23 mowed by owner on 5/17/23 hasn't been mowed since; abated on 6/26/23; workorder generated on 7/14/23; abatement completed on 7/19/23	6/17/2023
1238 N Dearborn	tall grass	7/17/2023		7/24/2023
1525 Washington Ln	junk	7/6/2023	2 piles of debris in back yard reported by neighbor; as of 7/10/23 it appears that 1 pile has been removed	7/16/2023
1615 Moyle	tall grass/junk/alley	7/11/2023	tall grass in backyard, junk in front yard, overgrown alley	7/18/2023
233 Larry	tall grass	7/20/2023		7/27/2023
520 E 12th	tall grass	7/20/2023		7/27/2023
1423 Dearborn	tall grass	7/20/2023		7/27/2023
1141 Ada	tall grass	7/20/2023		7/28/2023
1208 N School	tall grass	7/18/2023	report from neighboring property that back yard has not been mowed	7/28/2023
1205 Henry	tall grass	7/20/2023		7/28/2023
1235 N Osage	junk in yard from remodel	7/24/2023		7/31/2023
1134 N School	tall grass	7/10/2023		7/17/2023
2 Kimberly Ct.	vehicle parked on evergy easment	7/10/2023	reported by City staff to Comm Dev office	7/17/2023
816 N State	couch	7/5/2023		7/12/2023
1408 Golf	tall grass in utility easement	7/20/2023		7/27/2023
408 E 15th	tall grass/weeds	7/25/2023	vacant house; rec'd call on 7/26/23 property has been mowed	8/2/2023
26 Huntington	tall grass/weeds	7/25/2023		8/2/2023
1210 Money	tall grass/weeds	7/25/2023		8/5/2023
522 Edgewood	tall grass	7/28/2023	spoke to property owner via doorbell camera, was informed they had been out of town and will mow the area over the weekend	8/5/2023

Code Enforcement Open/Active Cases through End of July 2023

Address	Case Type	Start date	Due by	Notes
116 E Broadway	tree limbs/trash	7/14/2023	7/21/2023	Spoke to property contact on 7/24/23 claims that the street dept was going to come back and remove the limbs from a storm that occurred on 6/18/23. Instructed her to follow up with the street dept and attempt to find out whom she talked to to see if they would return and remove the limbs and follow up with this office on 7/29/23
350 E Broadway	dead tree limbs	7/14/2023		will provide property owner list of tree services on 7/14/23; permission from owner to place list in mailbox; rec'd call from property owner on 7/20/23 she is waiting on 2 estimates and 1 more on 7/23/23
1150 Money Ave	tall grass/junk/alley	7/14/2023	7/24/2023	dual case 23-000042 (1617e) and 23-000043 (grass); update 7/24/23 trash bags from backyard have been removed, front yard mowed, 1/2 of backyard mowed
1159 Ada St	RV parked in ROW/Easement	7/17/2023	monitoring	contacted reporting party via email; suggested to contact APD regarding parking and traffic ordinances
1207 Leckliter	tall grass/junk/alley	7/19/2023	7/29/2023	section of fence down due to overgrowth
700 Lakewood	tall grass	7/20/2023	7/28/2023	tall weeds in middle of gravel yard
1155 N Osage	junk in alley/limbs in yard	7/25/2023	7/31/2023	
0000 N Ohio	tall grass/weeds	7/25/2023	7/31/2023	contacted realty company to reach out to owner out of state on 7/25/23
930 Money	tall grass/weeds	7/25/2023	8/5/2023	
119 W Clark	overgrown trees in alleyway	7/26/2023	8/3/2023	
622 Santa Fe	tall grass/junk	7/26/2023	8/2/2023	
1728 N Dearborn	tall grass	7/28/2023	8/4/2023	vacant house

CITY OF
OTTAWA
KANSAS

City of Ottawa

101 S. Hickory
Ottawa, KS 66067

785.229.3600

www.ottawaks.gov

August 7, 2023

City of Augusta
113 E. 6th
Augusta, KS 67010

Dear City of Augusta,

We hope this message finds your community well. It is with a heart full of gratitude that we write to you, your employees, and your citizens today.

On the evening of July 30, 2023, our city experienced a significant storm event that resulted in substantial damage to our municipal electric utility's distribution grid and arboreal population. The effects of this event were felt throughout Ottawa, and it necessitated an extraordinary recovery effort to restore electricity and get our community back on its feet.

In the midst of this crisis, it was the assistance we received through the Kansas Municipal Utilities Association's Mutual Aid Program that truly made a difference. Your community, along with others, responded to our call for help with exceptional speed, providing us not only with resources and expertise but also with a spirit of unity and resilience that emboldened our own recovery efforts.

We would like to extend our deepest appreciation to you, your team, and the citizens of your community for your support. Your response serves as a reminder of the power of solidarity and the strength that can be found in mutual aid. Your community's tireless work, dedication, and patience have not only helped restore our city's utilities but also provided comfort to our citizens during this challenging time.

Going forward, we remain committed to participating actively in the mutual aid program, ready to provide assistance whenever a fellow community might face a similar crisis. Our recent experiences have only strengthened our resolve to contribute and uphold the spirit of the program.

Once again, on behalf of the entire City of Ottawa community, we express our profound gratitude. Your selfless service has truly made a difference and will be remembered in the years to come.

Should there be any opportunity for us to return the favor or assist your community in the future, please do not hesitate to reach out.

CITY OF
OTTAWA
KANSAS

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101 S. Hickory
Ottawa, KS 66067

785.229.3600

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Thank you once more and may our paths of collaboration and mutual aid continue to strengthen.

Yours sincerely,

Eric Crowley, Mayor

Mike Skidmore, Mayor Pro-Tem

Sara Caylor, City Commissioner

Emily Graves, City Commissioner

Zach Clayton, City Commissioner

Brian Silcott, City Manager

Dennis Tharp, Director of Utilities

Michael Haeffele, Director of Public Works