AGENDA
CITY OF AUGUSTA
Council Meeting
Monday, November 6, 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
Father P.J., Saint James Catholic Church

D. MINUTES

1. CITY COUNCIL MEETING MINUTES
Approval of minutes of the October 16, 2023 City Council meeting.

a) Council Motion / Vote

E. APPROPRIATION ORDINANCE

1. ORDINANCE(S)
Consider approval of Appropriation Ordinance No. 10A dated October 25, 2023.

a) Council Motion / Vote

F. PROCLAMATIONS AND VISITORS

1. Proclamation designating December 16, 2023 as National Wreaths Across America Day in Augusta.

2. Kansas Water Environment Association (KWEA) Award recognition for Wastewater Division.

3. **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. **DISCUSSION/DIRECTION REGARDING DRAFT ORDINANCE ESTABLISHING SEWER RATES**
   Discuss and provide direction regarding draft ordinance establishing rates and charges for sewer services of the municipally owned and operated wastewater utility of the City of Augusta, Kansas; classifying the users of such sewer services; providing for the effective date of such rates and charges; and amending Chapter 15, Article 4, Section 442, of the Code of the City of Augusta, Kansas; and repealing Ordinance Number 2207 of the City of Augusta, Kansas.

   a) Staff Report
   b) **Council Discussion / Direction**

2. **DISCUSSION/DIRECTION REGARDING DRAFT COMMON CONSUMPTION ORDINANCE FOR THE RED BRICK SOCIAL DISTRICT**
   Discuss and provide directions regarding the draft ordinance for creation of a common consumption area (CCA) in the downtown area to be known as the Red Brick Social District.

   a) Staff Report
   b) **Council Discussion / Direction**

3. **KPP ENERGY PACE LOAN LETTER OF INTEREST FOR SOLAR INSTALLATIONS**
   Consider submitting letter of support designating the City of Augusta's intention to participate in the KPP Energy Solar Project subject to conditions, including availability of suitable land for development of a small solar farm.

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

4. **KANSAS POWER POOL (KPP ENERGY) VOTING DELEGATE APPOINTMENT**
   Consider appointing Director of Public Utilities Tim Johnson as the City's Voting Delegate and Electric Production Superintendent Jim Sutton as the

Alternate Voting Delegate at the Annual Membership Committee Meeting of the Kansas Power Pool.

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

5. **CHARTER ORDINANCE NO. 20 PETITION**
Consider next steps regarding Charter Ordinance No. 20 after receipt of a valid petition.

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

H. MATTERS FROM/FOR COUNCIL

1. **Bricks for Museum.** Mike Rawlings received a request for 500 bricks from the Augusta Historical Museum.

2. **Special Alcohol Grants Ad Hoc Committee.** Staff requests that the City Council appoint three members to serve on the ad hoc committee to review 2024 Special Alcohol Grant applications and schedule committee meeting.

3. **Utility Abatement Ad Hoc Committee.** Staff requests that the City Council appoint three members to serve on the ad hoc committee to review 2024 Utility Abatement applications and schedule committee meeting.

4. **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 1** – Staff recommends that the City Council go into executive session to discuss matters deemed privileged in the attorney-client relationship.

2. **Attorney-Client Privilege 2** – Staff recommends that the City Council go into executive session to discuss matters deemed privileged in the attorney-client relationship.

K. ADJOURNMENT

DRAFT

CITY COUNCIL
OCTOBER 16, 2023
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on October 16, 2023, with Mayor Mike Rawlings presiding. Council present were Mike Martin, Bob Bailey, Eric Birk, Mike Huddleston, Tom Leffler, Kip Richardson, Jeff Brown and Ron Reavis. Also present: City Attorney Justen Phelps, City Manager Josh Shaw, Assistant City Manager Kamme Sroufe, and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Director of Public Utilities Tim Johnson, Rob Cooper, Shawna Cortez, and Susan Smith. Visitors: Myrna Rogers, Gary Rogers, Connie Thurman, Loy Hoskins, Shawn Davis, Shane Scott, and Buddy Willis.

Pledge of Allegiance

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

Minutes: Huddleston stated that comments that were left out of page three in the minutes that he believes are important to be noted that Mr. Cowan was asked some direct questions regarding the charter ordinance and to have his answers and have his it recorded what his answers to these questions were. Huddleston read the following comments and asked that they be made part of the agenda record.

Huddleston asked, "it appears as though the charter ordinance cuts voters out of getting approval for the debt?" Mr. Cowan responded, "correct." Huddleston asked, "what is the election requirement?" Mr. Cowan responded that to use the statute to issue bonds, you have to have a successful election. Huddleston asked, "under the charter ordinance, where is voter participation?" Mr. Cowan responded that there is not an election requirement, it is intuit, publication, protest period, and then perhaps a petition. Huddleston asked, "so approval is put after the fact in the charter ordinance?" and Cowan said, "correct". Huddleston asked, "under the state statute it's previous and the charter ordinance approval is required first". Cowan said, "that is correct."

Huddleston stated that he wants it to be understood that there were answers from Mr. Cowan to direct questions and not just Huddleston's opinion presented and would like to see that correction made and entered into the minutes.

Richardson made a motion to approve the minutes from the October 2, 2023 City Council meeting. Leffler seconded the motion. Motion failed with Huddleston, Birk, Reavis, Brown, and Martin voting in opposition.

Reavis made a motion to approve the minutes from the October 2, 2023 City Council meeting amended to include the comments with Huddleston corrections. Brown seconded the motion. Motion carried with Richardson and Bailey voting in opposition.

Ordinance: Reavis made a motion to approve Ordinance #10 dated October 11, 2023. Richardson seconded the motion. Motion carried without opposition.

Business:

Drainage & Utility Easement Vacation: Councilmembers Brown and Bailey abstained from the discussion due to a conflict of interest. Leffler made a motion to approve Ordinance 2228 declaring the

vacation of an 80' drainage & utility easement located on W. 5th Avenue between Oak Street and the alley as recommended by the Planning Commission. Huddleston seconded the motion. Roll Call: Huddleston Yes, Birk Yes, Reavis Yes, Richardson Yes, Leffler Yes, Martin Yes. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

City Manager: City Manager Shaw reported on the various City projects and upcoming business items for future City Council meetings.

Ohio Project: Shaw stated the City is still working with Kansas paving to finalize the construction project that is not complete. He stated that they are scheduled to be out this week to do work on a couple of flumes in low spots holding water. Shaw stated the work on the actual roadway includes asphalt work and repair to a private drive entrance, and that asphalt work is scheduled to start next week. Shaw stated they will also work on the far north end of the project where the City road and County road blends and there is a big hump. He stated they will be using mill and overlay to smooth that out and they will use flaggers to take it down to one lane during that part of the project. Shaw stated that the City has given them a deadline of October 31st to complete this work.

Dam Construction Project: Shaw provided an update on the Dam Construction Project. He stated the contract has been signed and provides for 85 days starting either October 23rd or October 30th. He stated that they have identified a haul route to be utilized for the project. He stated they will be coming up Dike Road through Loomis Land and then coming down through Garvin Park Road with the staging area for the rock/rip rap along the City Lake roadway. Shaw stated that the City got an agreement put together with the township regarding Dike Road. He stated when this project is done we will do an evaluation of our City roads and plan whatever project we need to repair any damage that has occurred to those and we are going to partner with the township to get a chip seal placed on Dike Road. Shaw stated the chip seal will have a variety of benefits to the Township but the City as well with improving ingress/egress for folks in our community to get in and out in emergency situations, having a more reliable alternative route for future projects, and will improve the dust issue.

Garvin Park Holiday Light Display: Shaw stated that Alternative Electric is updating the electric system in the park to work with Ignite Augusta to return the holiday light display. He stated they are close to wrapping up their work and putting final touches on it based on the map for the displays. Shaw stated that Ignite Augusta had some theft and damage to their displays and wiring. He stated they are looking at doing a smaller display this year and are fundraising for replacement and repair of displays for future years.

Skate Park Project: Shaw stated that the Skate Park is nearing completion. He stated that the ramps and features are in and now they just have the flat surfaces to complete. He stated that there has been a camera taking a time lapse video of the entire progression of that process that we will get to view when it is complete.

Airport Runway Project: Shaw stated that there was a preconstruction meeting for the Airport Runway project earlier this month. He stated this project is 15 years in the making. The contractor is scheduled to be on site October 19th through mid-December for the earthwork, which involves the closure of 110th street, shaping and filling in pond area, getting all of the dirt from onsite. He stated the project will shut down over the winter to give earth time to settle and resume the earth work and paving in April to October. Shaw stated the FAA approved all the grants so it is 90% funded and the City's 10% share was acquired from the 2016 Pride & Progress project.

Redbud Bridge Crossing: Shaw stated that the field check plans have been submitted and he will provide more detailed information in the future.

Shadow Ridge Subdivision: Shaw stated the Shadow Ridge Subdivision project includes a total of 36 new housing units for moderate income housing. He stated the City created a Rural Housing Incentive District (RHID), securing funding through the Moderate Income Housing (MIH) grant, and the developers obtained additional funding through tax credits through a separate program that the Kansas Housing Resource Commission has available. Shaw stated the purpose was to get these homes built at a moderate income level and offer those homes without any special assessments on them. He stated the developer is paying for the infrastructure by using grants and tax credits. He stated they are close, if they have not already done so, to pull the permit for the first home. Tim Johnson stated the waterline is in and ready to be tested and by next week that line could be pressurized and ready to tap in to. He stated he was on site today and all the sanitary sewer is installed as well. He stated we have enough electric transformers available to take care of 6-12 homes right away with others on order.

Base Grant: Shaw stated he will have to provide a report on the Base Grant to State of Kansas in the next couple weeks. He stated the Base Grant consists of the new substation, 69KV transmission line, industrial park feeder and have moved any assistance we can get on the cooling towers at the electric plant. Shaw stated that the Base Grant project was one we were looking at having to issue debt for because we were capped out in our system and we formed a partnership with DJ Engineering to obtain a $4 million grant that pays for those projects 100% without any funds coming from our citizens or tax payers.

Common Consumption Ordinance: Shaw stated that he received feedback from our insurance carrier that was not as flexible as he expected it to be. He stated they have concerns and are putting requirements on us and he wants to make sure how that will impact our businesses before bringing that before the Council.

Martin: Martin stated there is a small pothole in the north lane going west on the overpass that needs to be fixed.

Leffler: Leffler thanked Shaw for the update on the projects.

Bailey: Bailey inquired about the mobile home in the front yard. Shaw stated that it is in the court system and will be heard in court on October 31st.

Richardson: Richardson thanked the Department of Public Safety for the Faith in Blue event. He stated it was a good event to build rapport with the public.

Reavis: Reavis stated he was on north Ohio and there was a cattle hauler and an officer had them pulled over. He stated we have been good with signage coming in to town from the north, but the only signage on 7th and Osage a small sign on the crossbar of the traffic signal. Ackerman stated his staff took pictures of all the signs, he stated there are more signs than that but they are hard to read. He stated that staff has ordered new signs.

Reavis stated there was a child hit last week in Maize at a crosswalk similar to the new crosswalk at Fanny and Ohio. He said as a pedestrian you push the button and the lights start flashing so you think it is safe to cross, but the flashing yellow lights do not tell drivers to stop, and he is afraid

there will be an accident here too and inquired about our options there. Ackerman stated we would have to change the lights out again to a stop sign. He stated his staff has also noticed that people do not stop at the flashing light. Shaw stated we are in a partnership with the school district on a project through KDOT about the entire corridor on Ohio Street including that crosswalk. He stated the study was funded and they have done traffic counts and analysis of that area and have been tasked with lane configurations and traffic movements. He stated they are responsible for making recommendations for that entire corridor. Brown asked if we could put additional signage up or improve the signage at the crosswalk.

Huddleston: Huddleston wanted to be clear on an item tonight because he has had some people ask him about the type of rock that will be put on the dam. He stated that we are using limestone and he wants to be comfortable in his own mind that limestone is a good product to be putting on there for rip rap. Shaw stated he sent out a summary to the Council from the engineer. He stated in addition to the permitting we had to get through with the Division of Water Resources and the Corps of Engineers, KDHE had a review process and they required a water quality control plan to be created. He stated in specific response to this question, the engineer asked KDHE about the concerns regarding the rock. Shaw stated this rock is a rock that has been specified and meets KDOT specifications for embankments and streams. He said they specifically asked KDHE if they saw any issues with the use of the limestone rock and they wrote back that they did not. Shaw stated there was more detail in the email that he sent to the Council so if anyone has those questions you can tell them we have specifically asked the engineer to verify that information. Huddleston stated that Shaw has spoken to the water quality but asked if the water will have an effect on the rock. Shaw stated that they have a specification for the rock that is approved for these types of uses. He stated there are different types of limestones, types of granite, river rocks and other sorts of things that can be used, and this is a rock that the engineer indicated that is specified by KDOT and used in embankments, stream work, and other stuff they do. Huddleston asked if it has been used in dams. Shaw stated it submitted in the permit process to DWR and they review and approved the plans and he provided all of that in his response to the Council. Huddleston stated he wants to make sure we get it right this time and he would hate for the Council to be sitting 15 years from now asking why they have to replace all the rock on the dam we just did 15 years ago. Shaw stated that long term there will be maintenance on the dam of some type and it may be rock but it is not going to be the type of maintenance you have now on the earthen berm. Rawlings stated the email Shaw referenced was sent to the Council on October 6th and item #2 said KDOT specification for the rip rap per the project specifications, limestone is one of the types of stone that is allowed. Huddleston stated so was the cloth that was put on a few years ago. Brown asked if there is a suggestion being made. Huddleston stated he was just asking the question to make sure this limestone was the solution and if so then he is fine with that. Martin stated he wants to know how far down in the water the rock will be. Rawlings stated it is shown on the diagram. Shaw stated it will be somewhere in the 6-7 feet depth of water but it would be dependent on the water level at the time. He stated it is supposed to sit where the wave action will be.

Adjourn: At 8:37 p.m., Reavis made a motion to adjourn. Martin seconded the motion. Motion carried without opposition.

City Clerk

City of Augusta

A/P Warrant Register

ORDINANCE #10A(10/25/2023) For checks after:10/12/2023

PO Number	Vendor Nu	Claimant Name	PO Description	Warrant Nu	Warrant Amt	Fund	Fund Amt
0000180732	3889	ACC BUSINESS	MONTHLY SERV	81419	$ 236.84	24-2440	$ 236.84
0000180757	0702	ALAN'S EXCAVATING, INC	ELEC REPAIR SUP-ELEC DIST	81420	$ 98.95	40-6300	$ 98.95
0000180773	3708	ALTERNATIVE ELECTRIC, LLC	CAP PROJECTS,STRUCT&IMPROVE	81421	$ 32,700.00	01-1000	$ 12,750.00
						05-3200	$ 7,200.00
						16-4200	$ 12,750.00
0000180800	3899	AMAZON CAPITAL SERVICES INC	EQUIP SUPP, OFC SUPP-ALL DEPTS	81422	$ 1,153.20	01-1200	$ 130.03
						01-1300	$ 508.48
						01-1500	$ 277.38
						40-6200	$ 237.31
0000180792	1622	AMERICAN CONTROL & ENGINEERING SR	PROF SERV-WTR PROD	81423	$ 2,031.64	30-5200	$ 2,031.64
0000180764	0334	AMERICAN FAMILY	AFLAC DEDUCTION-P/R 10/25/23	81424	$ 1,911.04	37-0000	$ 1,911.04
0000180731	2369	ASCENT AVIATION GROUP, INC	FUEL-AP	81425	$ 32,975.03	70-7100	$ 32,975.03
0000180774	1682	AT&T LONG DISTANCE	OTHER SERV--E911	81426	$ 61.21	24-2440	$ 61.21
0000180775	0866	AT&T MOBILITY	MONTHLY SERV	81427	$ 1,553.60	01-1000	$ 40.63
						01-1200	$ 101.98
						01-1400	$ 23.24
						01-1500	$ 46.48
						01-1600	$ 78.74
						01-1800	$ 23.24
						20-4500	$ 69.72
						24-2440	$ 688.11
						30-5200	$ 64.52
						40-6100	$ 209.16
						40-6200	$ 111.00
						40-6300	$ 32.26
						50-7000	$ 64.52
0000180805	0019	AUGUSTA PUBLIC LIBRARY	APPROPRIATION	81428	$ 6,423.95	02-2900	$ 5,017.37
						08-3500	$ 1,406.58
0000180799	0773	AUGUSTA RENTAL	BLDG&GRNDS MAINT-SFL	81429	$ 1,060.00	01-1600	$ 1,060.00
0000180776	0024	AUGUSTA SAW & MOWER	EQUIP SUPP, TOOLS-ALL DEPTS	81430	$ 314.67	01-1500	$ 66.94
						15-4100	$ 57.85
						40-6300	$ 121.93
						70-7100	$ 67.95
0000180758	1825	BNSF RAILWAY COMPANY	OTHER SERV-WW	81431	$ 1,266.78	50-7000	$ 1,266.78
0000180753	3993	BRIGHTLY SOFTWARE INC	OTHER SERV-COMM DEVE	81432	$ 1,192.56	01-1200	$ 1,192.56
0000180769	9598	BRUCE & LEHMAN, LLC	GARNISHMENT-P/R 10/25/23	81433	$ 38.66	37-0000	$ 38.66
0000180733	0310	CAMI R. BAKER, P.A.	PROF SERV-COURT	81434	$ 800.00	01-1350	$ 800.00
0000180767	0029	CITY - INSURANCE ACCOUNT	DEDUCTION-P/R 10/25/23	81435	$ 1,485.75	37-0000	$ 1,485.75
0000180791	0888	COMMUNICATIONS TECHNOLOGY	MONTHLY SERV	81436	$ 45.00	01-1300	$ 45.00
0000180771	0966	COX COMMUNICATIONS		81437	$ 4,309.49	01-1000	$ 449.75
						01-1100	$ 87.75
						01-1200	$ 258.13
						01-1300	$ 699.72
						01-1400	$ 52.86
						01-1500	$ 116.20
						01-1600	$ 20.75
						01-1700	$ 31.00
						01-1800	$ 25.00
						01-1900	$ 116.20
						15-4100	$ 23.97
						20-4500	$ 98.98
						30-5100	$ 102.88
						30-5200	$ 376.29
						40-6100	$ 619.08
						40-6200	$ 248.61
						40-6300	$ 70.50
						50-7000	$ 309.12
						70-7100	$ 602.70
0000180751	4115	CURTIS MORGAN	REFUND UTILITY OVERPMT	81438	$ 117.16	40-0000	$ 117.16

0000180734	3607	DAVE'S TOWING LLC	VEH MAINT-SANIT	81439	$	450.00	20-4500	$ 450.00
0000180803	0682	DELTA DENTAL PLAN OF KANSAS	DENTAL INS	81440	$	6,015.20	09-3600	$ 3,497.30
							15-4100	$ 120.18
							20-4500	$ 191.96
							30-5100	$ 84.41
							30-5200	$ 536.86
							40-6100	$ 306.65
							40-6200	$ 494.42
							40-6300	$ 295.20
							50-7000	$ 385.57
							70-7100	$ 102.65
0000180735	3845	EASY ICE, LLC	EQUIP MAINT-ELEC PROD	81441	$	610.28	40-6200	$ 610.28
0000180756	0324	EMC INSURANCE COMPANIES	INSURANCE-ALL DEPTS	81442	$	39,537.74	01-1000	$ 1,562.69
							01-1100	$ 37.97
							01-1200	$ 362.50
							01-1300	$ 4,105.53
							01-1350	$ 37.97
							01-1400	$ 405.11
							01-1500	$ 986.69
							01-1600	$ 304.80
							01-1700	$ 519.05
							01-1800	$ 130.86
							01-1900	$ 544.79
							05-3200	$ 328.58
							15-4100	$ 1,330.03
							20-4500	$ 2,243.53
							30-5100	$ 1,152.64
							30-5200	$ 2,888.00
							40-6100	$ 7,369.13
							40-6200	$ 10,144.64
							40-6300	$ 2,216.92
							50-7000	$ 1,956.09
							70-7100	$ 910.22
0000180761	0168	EMPRISE BANK	FWTH-P/R 10/25/23	81443	$	53,331.98	37-0000	$ 53,331.98
0000180772	4044	ENTERPRISE FLEET MANAGEMENT, INC	VEHICLE LEASE	81444	$	3,362.88	25-2510	$ 3,362.88
0000180793	3706	EVERGY	MONTHLY SERV	81445	$	4,649.18	01-1600	$ 274.98
							30-5200	$ 4,374.20
0000180789	1239	FORD HALL COMPANY	EQUIP SUPP-WW	81446	$	657.04	50-7000	$ 657.04
0000180736	3775	FRISCO SHOPS, LLC	BLDG RENT-SP PARKS	81447	$	600.00	06-3300	$ 600.00
0000180752	4116	GEOTAB USA, INC	SAFETY EQUIP-ELEC ADMIN	81448	$	15.00	40-6100	$ 15.00
0000180806	3429	GIBSON WATSON MARINO LLC	PROF SERV-ADMIN, COURT	81449	$	5,621.71	01-1000	$ 2,728.48
							01-1350	$ 2,893.23
0000180744	0084	GRAINGER	BLDG&GRNDS SUPP-WW	81450	$	142.02	50-7000	$ 142.02
0000180795	0931	HICKMAN ENVIRONMENTAL SERVICE	STRUCT&IMPROVE-WW	81451	$	29,900.00	50-7000	$ 29,900.00
0000180743	9389	HIGH CALIBER LANDSCAPE, LLC	SEWER REP SUPP-WW	81452	$	3,488.00	50-7000	$ 3,488.00
0000180788	2828	HMS LLC	BLDG&GRNDS SUPP-PARKS	81453	$	353.94	01-1500	$ 353.94
0000180765	0711	ICMA RETIREMENT TRUST-457	ICMA DEDUCTION-P/R 10/25/23	81454	$	4,987.68	37-0000	$ 4,987.68
0000180754	1459	ITRON	IT SERV-WTR ADMIN, ELEC ADMIN	81455	$	941.15	30-5100	$ 470.57
							40-6100	$ 470.58
0000180748	3212	JOHN DEERE FINANCIAL	EQUIP LEASING-AP	81456	$	724.00	70-7100	$ 724.00
0000180762	0303	K P E R S	KPERS-P/R 10/25/23	81457	$	44,355.93	37-0000	$ 44,355.93
0000180760	0104	KANSAS EMPLOYMENT SECURITY FUND	DEDUCTION-P/R 10/25/23	81458	$	225.31	09-3600	$ 129.69
							15-4100	$ 4.28
							20-4500	$ 10.08
							30-5100	$ 5.54
							30-5200	$ 16.00
							40-6100	$ 7.97
							40-6200	$ 16.31
							40-6300	$ 21.57
							50-7000	$ 9.28
							70-7100	$ 4.59
0000180801	0074	KANSAS GAS SERVICE	MONTHLY SERV	81459	$	888.60	01-1000	$ 147.97
							01-1200	$ 43.22
							01-1400	$ 206.27
							01-1500	$ 43.22

						01-1800	$	188.87
						40-6200	$	153.64
						40-6300	$	105.41
0000180790	0277	KANSAS MUNICIPAL UTILITIES INC	EDUCATION-ELEC DIST	81460	$ 800.00	40-6300	$	800.00
0000180768	0813	KANSAS PAYMENT CENTER	CHILD SUPPORT-P/R 10/25/23	81461	$ 292.62	37-0000	$	292.62
0000180742	4093	KANSAS POWER POOL	ELEC PURCH-ELEC PROD	81462	$ 454,134.61	40-6200	$	454,134.61
0000180763	0106	KS DEPT OF REVENUE	ST WTH-P/R 10/25/23	81463	$ 9,506.00	37-0000	$	9,506.00
0000180770	2548	LEGALSHIELD	DEDUCTION-P/R 10/25/23	81464	$ 247.40	37-0000	$	247.40
0000180794	1596	LIFESAVER LEARNING, INC.	EDUCATION, OTHER SERV-ALL DEPT	81465	$ 2,380.00	01-1000	$	70.00
						01-1200	$	70.00
						01-1400	$	350.00
						01-1500	$	210.00
						01-1900	$	140.00
						20-4500	$	210.00
						40-6200	$	420.00
						40-6300	$	630.00
						50-7000	$	140.00
						70-7100	$	140.00
0000180783	3273	MARTENS COMPANIES INC	PROF SERV-AP	81466	$ 3,000.00	70-7100	$	3,000.00
0000180750	4114	MCDONALDS	REFUND UTILITY OVERPMT	81467	$ 10,527.74	40-0000	$	10,527.74
0000180809	2811	MERITAIN HEALTH INC	HEALTH INS	81468	$ 86,660.23	39-3950	$	86,660.23
0000180749	3857	MID AMERICA EXTERIORS LLC	MACHINERY & EQUIP-WTR PROD	81469	$ 9,000.00	30-5200	$	9,000.00
0000180782	3904	MIKE JOHNSON SALES, INC	PRINTING&ADV-SAFETY, COM DEVE	81470	$ 1,004.12	01-1200	$	61.24
						01-1300	$	518.94
						01-1700	$	296.80
						40-6100	$	127.14
0000180741	3823	NAVIGATE WELLNESS, LLC	WELLNESS	81471	$ 1,208.34	09-3600	$	1,208.34
0000180796	0124	PACE ANALYTICAL	PROF SERV-WW	81472	$ 427.40	50-7000	$	427.40
0000180779	2782	PROFESSIONAL TURF PRODUCTS, LP	EQUIP MAINT-PARKS	81473	$ 179.39	01-1500	$	179.39
0000180740	1683	PROTECTIVE EQUIPMENT TESTING	PROF SERV-ELEC DIST	81474	$ 1,166.00	40-6300	$	1,166.00
0000180778	1103	QA BALANCE SERVICES INC.	PROF SERV-WW	81475	$ 539.00	50-7000	$	539.00
0000180797	0850	QUILL CORPORATION	OFC SUPP-ALL DEPTS	81476	$ 263.13	01-1100	$	41.64
						30-5100	$	110.74
						40-6100	$	110.75
0000180759	1729	RAILROAD MANAGEMENT CO III, LLC	PROF SERV-WW	81477	$ 1,301.09	50-7000	$	1,301.09
0000180739	0883	RECORDS RETRIEVAL SYSTEMS, INC	OFC SUPP-SAFETY	81478	$ 92.40	01-1300	$	92.40
0000180784	2785	SCHWAB EATON, PA	ENGINEER FEES, PROF SERV	81479	$ 11,629.00	01-1000	$	855.00
						12-3900	$	3,974.00
						31-3250	$	6,800.00
0000180787	2731	SHRED-IT USA LLC	OTHER SERV-ADMIN	81480	$ 45.07	40-6100	$	45.07
0000180738	2858	SITEONE LANDSCAPE SUPPLY	BLDG&GRNDS SUPP-PARKS	81481	$ 92.68	01-1500	$	92.68
0000180786	0657	SOUTHWIND OIL CORP	FUEL-AP	81482	$ 7,472.32	01-1200	$	90.17
						01-1500	$	445.79
						01-1900	$	208.86
						15-4100	$	1,054.40
						20-4500	$	1,271.21
						30-5100	$	154.05
						30-5200	$	791.40
						40-6100	$	154.05
						50-7000	$	1,238.39
						70-7100	$	2,064.00
0000180807	4037	SPOHN RANCH, INC	CONST-SKATE PARK	81483	$ 136,726.19	65-6550	$	136,726.19
0000180804	3647	STANDARD INSURANCE CO-BASIC	LIFE INS	81484	$ 388.00	09-3600	$	212.00
						15-4100	$	8.00
						20-4500	$	28.00
						30-5100	$	8.00
						30-5200	$	28.00
						40-6100	$	16.00
						40-6200	$	24.00
						40-6300	$	40.00
						50-7000	$	16.00
						70-7100	$	8.00
0000180766	3638	STANDARD INSURANCE COMPANY	DEDUCTION--P/R 10/25/23	81485	$ 742.59	37-0000	$	742.59
0000180808	1166	STATE TREASURER	BOND PAYMENT	81486	$ 2,044,626.26	12-3900	$	435,140.00
						23-5000	$	123,771.00

							33-5500	$ 497,834.00
							45-4380	$ 161,820.00
							56-5610	$ 463,250.00
							60-7500	$ 362,811.26
0000180781	4048	STEPHENS FENCE SERVICE	STRUCT&IMPROVE-WTR PROD	81487	$	9,513.90	30-5200	$ 9,513.90
0000180785	3819	SUBSURFACE SOLUTIONS LLC	TOOLS-ELEC DIST	81488	$	271.00	40-6300	$ 271.00
0000180745	2681	SUPERIOR VISION	VISION INS	81489	$	2,949.55	09-3600	$ 1,629.65
							15-4100	$ 79.36
							20-4500	$ 145.34
							30-5100	$ 39.68
							30-5200	$ 253.46
							40-6100	$ 209.32
							40-6200	$ 229.16
							40-6300	$ 165.18
							50-7000	$ 158.72
							70-7100	$ 39.68
0000180802	3471	TIRE DEALER'S WAREHOUSE	TIRES-SANIT, ELEC PROD, ELEC D	81490	$	4,272.50	20-4500	$ 3,673.32
							40-6200	$ 216.56
							40-6300	$ 265.54
							70-7100	$ 117.08
0000180747	2118	TRUGREEN #5620	BLDG&GRNDS MAINT-CEMETERY	81491	$	2,152.50	11-3800	$ 2,152.50
0000180755	3520	TRUNORTH DYNAMICS	IT SERV-ELEC ADMIN	81492	$	92.50	40-6100	$ 92.50
0000180746	0699	USA BLUE BOOK	CHEMICALS-WTR PROD	81493	$	850.41	30-5200	$ 850.41
0000180798	3761	WALMART COMMUNITY/CAPITAL ONE	OFC SUPP, PERS SUPP-ALL DEPTS	81494	$	1,068.00	01-1300	$ 198.58
							01-1400	$ 634.70
							01-1500	$ 27.06
							01-1600	$ 37.13
							01-1800	$ 10.88
							50-7000	$ 159.65
0000180777	4036	WATSON MARLOW, INC	EQUIP MAINT-WTR PROD	81495	$	113.43	30-5200	$ 113.43
0000180780	0102	WILLIAMSON PLUMBING, INC	BLDG&GRNDS MAINT-ADMIN	81496	$	155.89	01-1000	$ 155.89
0000180737	3201	YMCA	YMCA FEES	81497	$	200.04	09-3600	$ 150.03
							40-6300	$ 33.34
							70-7100	$ 16.67
							TOTAL	$ 3,096,724.47

A/P WARRENT REGISTER SUMMARY BY FUND & DEPT
For checks after: 10/12/2023

ORD 10A (10/25/2023)

Fund	Dept	Description	Dept-Amt	Fund Total
01	0000	REVENUE		
01	1000	ADMINISTRATION	$18,760.41	
01	1100	CITY CLERK	$167.36	
01	1200	INSP	$2,309.83	
01	1300	SAFETY	$6,168.65	
01	1350	COURT	$3,731.20	
01	1400	STREET	$1,672.18	
01	1500	PARKS	$2,845.77	
01	1600	SANTA FE LAKE	$1,776.40	
01	1700	SWIMMING POOL	$846.85	
01	1800	ANIMAL CONTROL	$378.85	
01	1900	CEMETERY	$1,009.85	
				$39,667.35
02	2900	LIBRARY	$5,017.37	
				$5,017.37
04	3100	SPECIAL ALCOHOL FUND		
05	3200	GUEST TAX	$7,528.58	
				$7,528.58
06	3300	SPECIAL PARK	$600.00	
				$600.00
08	3500	LIBR EMPL BENEFIT	$1,406.58	
				$1,406.58
09	3600	EMPLOYEE BENEFIT	$6,827.01	
				$6,827.01
11	0000	REVENUE		
11	3800	INTERFUND TRANSFER	$2,152.50	
				$2,152.50
12	3900	STREET SALES TAX	$439,114.00	
				$439,114.00
13	0000	REVENUE		
13	2430	CID APPROPRIATION		
15	4100	SPECIAL CITY/COUNTY	$2,678.07	
				$2,678.07
16	4200	CAPITAL IMPROVEMENTS	$12,750.00	
				$12,750.00
17	4390	E-COMM/API LOANS		
20	4500	REFUSE	$8,392.14	
				$8,392.14
21	2150	OPIOD FUNDS		
23	5000	SANITATION BOND/INT	$123,771.00	
				$123,771.00
24	2440	EMERG COMM (2012)	$986.16	
				$986.16
25	2510	VEHICLE RESERVE	$3,362.88	
				$3,362.88
26	5050	EQUIP RESERVE SAFETY		
27	2710	LEASED VEHICLES		
28	2800	EMERG COMM		
30	5100	WATER ADMINISTRATION	$2,128.51	
30	5200	WATER PRODUCTION	$30,838.11	
				$32,966.62
31	3250	WATER SALES TAX FUND	$6,800.00	
				$6,800.00

A/P WARRENT REGISTER SUMMARY BY FUND & DEPT
For checks after: 10/12/2023

Fund	Dept	Description	Dept-Amt	Fund Total
33	5500	WTR BONDS P & I	$497,834.00	$497,834.00
34	3410	KDHE WATER LOAN		
34	3450	WTR SYS IMP BONDS		
35	3536	STORMWATER PROJECT		
37	0000	REVENUE	$116,899.65	$116,899.65
39	3950	EMP HEALTH INSURANCE	$86,660.23	$86,660.23
40	0000	REVENUE	$10,644.90	
40	6100	ELECTRIC ADMINISTRAT	$9,752.40	
40	6200	ELECTRIC PRODUCTION	$467,040.54	
40	6300	ELECTRIC DISTRIBUTIO	$6,333.80	$493,771.64
41	6800	ELEC RESERVE		
45	4380	2022B ELECTRIC AMI	$161,820.00	$161,820.00
47	4940	WASTEWTR RESERVE		
49	4950	WASTEWTR TREATMENT		
50	7000	WASTEWATER	$42,158.67	$42,158.67
53	8500	SALES TAX		
55	5530	BASE GRANT-CAP PROJ		
56	5610	2016 PRIDE&PROGRESS	$463,250.00	$463,250.00
60	7500	BOND & INTEREST	$362,811.26	$362,811.26
65	6550	SKATE PARK	$136,726.19	$136,726.19
68	6820	CASTLE PARK		
70	7100	AIRPORT	$40,772.57	$40,772.57
71	0000	REVENUE		
72	7280	REDBUD TRAIL PROJECT		
74	7400	DAM/SPILLWAY PROJECT		
84	8400	FAA LAND ACQUISITION		
			Total:	$3,096,724.47

WREATHS
across
AMERICA

PROCLAMATION

Designating December 16, 2023 – National Wreaths Across America Day

WHEREAS, Wreaths Across America is a national nonprofit organization founded in 2007 to continue and expand the annual wreath-laying ceremony at Arlington National Cemetery begun by Maine businessman Morrill Worcester in 1992.

WHEREAS, Wreaths Across America's mission is to REMEMBER the fallen, HONOR those who serve, and TEACH the next generation about the true cost of freedom.

WHEREAS, Wreaths Across America is made up of more than 3,700 participating locations across the country run by dedicated volunteers looking to share the mission to Remember, Honor, Teach, through annual wreath laying ceremonies each December and awareness and education events throughout the year.

NOW, THEREFORE, I, Mike Rawlings, Mayor of Augusta, Kansas, do hereby proclaim December 16, 2023 as **NATIONAL WREATHS ACROSS AMERICA DAY** in the city of Augusta, Kansas and extend thanks and appreciation to our veterans and Gold Star Families for their service and sacrifice and to Wreaths Across America for bringing this honor to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Mayor, City of Augusta, Kansas.

_____

Mike Rawlings, Mayor

ITEM NO. F2

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 2023
Department:	Public Utilities – Wastewater Division
Submitted By:	Tim Johnson, Public Utilities Director
Prepared By:	Tim Johnson, Public Utilities Director
Agenda Title:	**Kansas Water Environment Association (KWEA) Award**

I would like to recognize and congratulate the staff of the City of Augusta Wastewater Division – Mike Boston, Anthony Cabrales, Jerry Kindler, and Superintendent Shane Noland. Shane and his team have been working to improve the quality of the operations and maintenance of the wastewater plant and collection system and the utility's record keeping for the past two years. The governing body has seen the results of some of these efforts as the utility has been aggressive in maintaining and improving those elements of the plant and collection system that have become unreliable or obsolescent. Other efforts have focused on professional development, record keeping and compliance with State and Federal rules and procedures. Examples of these include wastewater technical training and certifications, environmental management certifications, phosphorous measurement and control protocols, stormwater management permitting and procedures, and an emergency management manual.

Their efforts have recently been recognized by their industry peers. On August 29, at the annual Kansas Water Environment Association (KWEA) and American Water Works Association (AWWA) joint conference in Wichita, KWEA awarded the City of Augusta Wastewater Division its 2023 Wastewater Collection System Award in Category II, systems with 125 to 500 miles of collection lines.

The collection systems award is presented to a collection system individual or municipality for an outstanding and significant contribution in the area of wastewater collection. The criteria for this award include:

- Excellence in operations and maintenance, safety and training, improvements, innovative ideas, planning and design, and service
- Documentation and supporting information detailing the contribution
- Recommendation made by the KWEA Collection Systems Awards Committee

Some of the details the Awards Committee considers are:

- Maximum peak daily flow in millions of gallons
- Average daily flow in millions of gallons
- Total miles of sewer maintained (estimated)
- Date original collection system was constructed
- Date of latest collection system improvements
- Total number of manholes (estimated)
- Total number of lift stations
- Number of collection system employees (including supervisor)
- Number of collection system employees who are KWEA members
- Number of personnel with ABC collection systems certification
- Average number, per employee, of training hours and/or seminars for collection systems personnel
- Number of reported system overflow discharge(s)
- Does organization have a comprehensive plan for I&I and capacity issues?
- Does organization have a collection system maintenance program?
- Collection system O&M budget in dollars
- Number of backups that were the responsibility of the municipality
- Number of man hours lost due to injuries and/or accidents

There are three categories of municipal collections systems awards based on the size of system. Below are the categories and the most recent award recipients for each category.

- Category I: 0 – 125 miles of collection lines
  2022 – No recipient
  2021 – No recipient
  2019 – City of Auburn, KS

- Category II: 125 – 500 miles of collection lines
  2022 – City of Ottawa, KS
  2021 – City of Ottawa, KS
  2019 – City of El Dorado, KS

- Category III: 500+ miles of collection lines
  2022 – Johnson County Wastewater District
  2021 – Johnson County Wastewater District
  2019 – No recipient

ITEM NO. G1

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Shawna Cortez, Assistant to the City Manager
Agenda Title:	**Discussion/Direction Regarding Draft Ordinance Establishing Sewer Rates**

RECOMMENDED ACTION:

Discuss and provide direction regarding draft ordinance establishing rates and charges for sewer services of the municipally owned and operated wastewater utility of the City of Augusta, Kansas; classifying the users of such sewer services; providing for the effective date of such rates and charges; and amending Chapter 15, Article 4, Section 442, of the Code of the City of Augusta, Kansas; and repealing Ordinance Number 2207 of the City of Augusta, Kansas.

BACKGROUND:

As Council is aware, the city's sewer fee structure is divided between two components: 1) a sewer base rate and per 1,000 gallon usage; and a 2) sewer capital fee (also known as the WWTP fee) based on usage. The capital fee was established in the early 2000s to help provide funding toward *"retirement of the debt for the wastewater treatment plant, annual costs related to inflow and infiltration maintenance and repairs within the sewer collection system, sewer collection system equipment and a wastewater system capital reserve fund."*

At the June 12, 2023 budget work session, staff presented a proposal for the elimination of the separate WWTP Fund 49 sewer impact fee (sewer capital fee) as a standalone fee (see attached model). Reasons for eliminating the standalone fee included:

- ***Ratepayer Expectations.*** Although "sunset" language regarding expiration of the fee once the WWTP debt was paid was not included in the original ordinance, some ratepayers had this expectation. The proposed ordinance eliminates the separate fee from the utility bill by combining it into the regular service fee and base charge.

- ***Simplified Fund Structure Budget.*** The City currently uses three separate funds in the budget to track sewer expenditures: Operating Fund 50, Reserve Fund 47, and WWTP Fund 49. The Operating Fund and WWTP Fund both make annual transfers to the Reserve Fund.

WWTP Fund 49 is only used for some capital purchases, capital projects, construction-related expenditures, and debt service on a KDHE revolving loan, all of which could also be paid by Operating Fund 50. There are duplicate line items for the same expenditures in both funds. Combining them would simplify our budget into a single operating fund and a reserve fund for capital equipment/expenditures.

- ***Financial Flexibility.*** The WWTP was established by ordinance, and the use of the funds is restricted by that ordinance to the retirement of the debt for the wastewater treatment plant, annual costs related to inflow and infiltration maintenance and repairs within the sewer collection system, sewer collection system equipment, and a wastewater system capital reserve fund. The proposed ordinance would maximize flexibility to utilize the funding for any sewer utility needs.

ANALYSIS:

The proposed ordinance combines the previous two fee structures (base and WWTP fee) into a single, six-tier base rate (minimum charge) structure. Since the goal of this rate ordinance is to simplify the fee structure, this change is designed to be as close to budget neutral as possible. Given the new higher base rate at all tiers, the annual 3% base escalator would generate more revenue from customers than it did historically. Accordingly, the annual base rate escalator has been adjusted down from 3% to 2.23%.

As shown in the attached model, under this revised fee structure, 3,067 of 3,658 (84%) customers in the lowest tier usage will see a slight reduction in their wastewater bill. This lower tier covers most of our residential customers. The cost difference is made up in the higher tiers, which are made up of large residential users and bigger commercial customers. These slight revenue increases for Tiers 2-6 combined with the losses from Tier 1, result in a projected ending difference of $592.88 over a seven (7) year period.

In summary, the revised rate structure should be budget neutral for the sewer utility until the year 2030. However, it reduces rates slightly for most residential customers, simplifies the utility billing, and provides budget flexibility.

FISCAL IMPACT/FUNDING SOURCE:

The annual budget impact is roughly budget neutral over the forecasted seven-year period.

Department Head Approval Date:
City Manager Approval Date: 10/31/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. *Proposed Ordinance No. XXXX*
2. *Current Sewer Utility Ordinance*
3. *Elimination of WWTP Plant Fee Conceptual Model*

ORDINANCE NO. 2229

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR SEWER SERVICES OF THE MUNICIPALLY OWNED AND OPERATED WASTEWATER UTILITY OF THE CITY OF AUGUSTA, KANSAS; CLASSIFYING THE USERS OF SUCH SEWER SERVICES; PROVIDING FOR THE EFFECTIVE DATE FOR SUCH RATES AND CHARGES; AND AMENDING CHAPTER 15, ARTICLE 4, SECTION 442, OF THE CODE OF THE CITY OF AUGUSTA, KANSAS; AND REPEALING ORDINANCE NUMBER 2207 OF THE CITY OF AUGUSTA, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS AS FOLLOWS:

Section 1. Section 442 of Article 4, Chapter 15 of the Code of the City of Augusta, Kansas shall be amended to read as follows:

SEWER SERVICE RATES. The monthly sewer charge for service connections to the public sanitary sewer system of the City shall be based upon the average monthly water usage during the months of December, January and February as rounded to the nearest 1,000 gallons, herein after referred to as the average winter water usage and calculated using the following rates:

A. Inside the City

1. Minimum charge for all individual residential, commercial and industrial billing units contributing sewage to the system shall be based upon the average winter water usage

a.	Tier One	0 to 5,000 gallons	$ 27.24
b.	Tier Two	5,001 to 10,000 gallons	$ 37.47
c.	Tier Three	10,001 to 20,000 gallons	$ 63.02
d.	Tier Four	20,001 to 50,000 gallons	$ 88.58
e.	Tier Five	50,001 to 100,000 gallons	$134.59
f.	Tier Six	Over 100,000 gallons	$195.92

2. Based upon the average winter water usage each billing unit shall pay the following commodity charges per 1,000 gallons per month:

a.	First 10,000 gallons	$0.61 per 1,000 gallons
b.	Next 40,000 gallons	$0.72 per 1,000 gallons
c.	Next 50,000 gallons	$0.77 per 1,000 gallons
d.	Over 100,000 gallons	$0.88 per 1,000 gallons

3. For calculating the monthly sewer service rates for a building with multiple billing units which share a common water meter and sewer connection:

    a. Where one customer is billed for all water and sewer service to that building, the rate shall include a base charge of $11.61 for each billing unit within the facility and the commodity charge per 1,000 gallon usage based on the average winter water usage.
    b. Where the billing units not paying for the water service are billed for the sewer service to that building, the City will use an average of 3,000 gallons per month for the purpose of calculating the commodity charge.

4. For the purpose of calculating the commodity charge for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established average winter water usage, the City will use an average of 6,000 gallons per month.

5. The average winter water usage from which the service fees are based will be adjusted annually on the April utility billing.

6. The base charge for all individual residential, commercial, industrial and multiple billing units will be increased annually on January 1st, beginning in 2025, by 2.23%.

B. Outside the City

1. The minimum charge and commodity charges for all individual residential, commercial and industrial billing units outside of the city limits that contribute sewage to the system shall be billed at 125% of the "Inside the City" rates.

Section 2. EFFECTIVE DATE. That rates and charges, including the minimum charges set forth above, shall become effective and apply to all sewer system services billed on or after January 1, 2024.

Section 3. AMENDMENTS. All provisions of Article 4 of Chapter 15 of the Code of the City of Augusta, Kansas shall be amended only insofar as to reflect the above changes.

Section 4. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 5. PUBLICATION. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and publication in the official newspaper of the City.

PASSED, ADOPTED and APPROVED by majority vote of the governing body of the City of Augusta, Kansas this 2nd day of October, 2023.

CITY OF AUGUSTA, KANSAS

[seal]

By_____
Mike L. Rawlings, Mayor

ATTEST:

By_____
Erica L. Jones, City Clerk

15-442. Sewer service rates.

The monthly sewer charge for service connections to the public sanitary sewer system of the City shall be based upon the average monthly water usage during the months of December, January and February as rounded to the nearest 1,000 gallons, herein after referred to as the average winter water usage and calculated using the following rates:

(a) Inside the City

(1) Minimum charge for all individual residential, commercial and industrial billing units contributing sewage to the system shall be $21.02 per month.

(2) Based upon the average winter water usage each billing unit shall pay the following commodity charges per 1,000 gallons per month:

(A) First 10,000 gallons - $0.61 per 1,000 gallons

(B) Next 40,000 gallons - $0.72 per 1,000 gallons

(C) Next 50,000 gallons - $0.77 per 1,000 gallons

(D) Over 100,000 gallons - $0.88 per 1,000 gallons

(3) For calculating the monthly sewer service rates for a building with multiple billing units which share a common water meter and sewer connection:

(A) Where one customer is billed for all water and sewer service to that building, the rate shall include a base charge of $11.02 for each billing unit within the facility and the commodity charge per 1,000 gallon usage based up the average winter water usage.

(B) Where the billing units not paying for the water service are billed for the sewer service to that building, the City will use an average of 3,000 gallons per month for the purpose of calculating the commodity charge.

(4) For the purpose of calculating the commodity charge for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established average winter water usage, the City will use an average of 6,000 gallons per month.

(5) The average winter water usage from which the service fees are based will be adjusted annually on the April utility billing.

(6) The base charge for all individual residential, commercial, industrial and multiple billing units will be increased annually on January 1st, beginning in 2023, by three percent (3%).

(b) Sewer Capital Fee – Inside the City

(1) Each residential, commercial and industrial billing unit with service connections contributing sewage to the system shall pay a monthly sewer capital fee that is to be used toward the retirement of the debt for the wastewater treatment plant, annual costs related to inflow and infiltration maintenance and repairs within the sewer collection system, sewer collection system equipment and a wastewater system capital reserve fund. This monthly fee is in addition to the regular monthly sewer service charges as identified in Section 15-442(a).

(2) The monthly sewer capital fee shall be based upon the average winter water usage as rounded to the nearest even 1,000 gallons. For calculating this monthly fee for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established water usage, the City shall use the average of 6,000 gallons per month.

(3) Upon determining the average winter water usage, each sewer customer shall be placed within a user class tier and pay the monthly sewer capital fee for that usage tier. The average winter water usage used to determine the sewer capital fee will be reviewed annually and adjusted at the same time the average winter water usage is adjusted for the regular monthly sewer commodity charges.

(4) Based upon the average winter water usage, each sewer customer shall pay the following sewer capital fee:

(A) Tier One	0 to 5,000 gallons	$5.00
(B) Tier Two	5,001 to 10,000 gallons	$15.00
(C) Tier Three	10,001 to 20,000 gallons	$40.00
(D) Tier Four	20,001 to 50,000 gallons	$65.00
(E) Tier Five	50,001 to 100,000 gallons	$110.00
(F) Tier Six	Over 100,000 gallons	$170.00

(5) For calculating the sewer capital fee for a building with multiple billing units which share a common water meter and sewer connection:

(A) Where one customer is billed for all water and sewer service to that building, the average winter water usage will be used to determine the sewer capital fee.

(B) Where the billing units not paying for the water service are billed for the sewer service to that building, the City will use an average of 3,000 gallons per month for the purpose of calculating the sewer capital fee.

(c) Outside the City

(1) Minimum charge for all individual residential, commercial and industrial billing units contributing sewage to the system shall be $22.75 per month.

(2) Based upon the average winter water usage each billing unit shall pay the following commodity charges per 1,000 gallons per month:

(A) First 10,000 gallons	$0.72 per 1,000 gallons
(B) Next 40,000 gallons	$0.83 per 1,000 gallons
(C) Next 50,000 gallons	$0.88 per 1,000 gallons
(D) Over 100,000 gallons	$0.99 per 1,000 gallons

(3) For calculating the monthly sewer service rates for a building with multiple billing units which share a common water meter and sewer connection:

(A) Where one customer is billed for all water and sewer service to that building, the rate shall include a base charge of $17.75 for each billing unit within the facility and the commodity charge per 1,000 gallon usage based up the average winter water usage.

(B) Where the billing units not paying for the water service are billed for the sewer service to that building, the City will use an average of 3,000 gallons per month for the purpose of calculating the commodity charge.

(4) For the purpose of calculating the commodity charge for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established average winter water

usage, the City will use an average of 6,000 gallons per month.

(5) The average winter water usage from which the service fees are based will be adjusted annually on the April utility billing.

(6) The base charge for all individual residential, commercial, industrial and multiple billing units will be increased annually on January 1st, beginning in 2023, by three percent (3%).

(d) Sewer Capital Fee – Outside the City

(1) Each residential, commercial and industrial billing unit with service connections contributing sewage to the system shall pay a monthly sewer capital fee that is to be used toward the retirement of the debt for the wastewater treatment plant, annual costs related to inflow and infiltration maintenance and repairs within the sewer collection system, sewer collection system equipment and a wastewater system capital reserve fund. This monthly fee is in addition to the regular monthly sewer service charges as identified in Section 15-442(c).

(2) The monthly sewer capital fee shall be based upon the average winter water usage as rounded to the nearest even 1,000 gallons. For calculating this monthly fee for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established water usage, the City shall use the average of 6,000 gallons per month.

(3) Upon determining the average winter water usage, each sewer customer shall be placed within a user class tier and pay the monthly sewer capital fee for that usage tier. The average winter water usage used to determine the sewer capital fee will be reviewed annually and adjusted at the same time the average winter water usage is adjusted for the regular monthly sewer commodity charges.

(4) Based upon the average winter water usage, each sewer customer shall pay the following sewer capital fee:

(A) Tier One	0 to 5,000 gallons	$8.00
(B) Tier Two	5,001 to 10,000 gallons	$20.00
(C) Tier Three	10,001 to 20,000 gallons	$50.00
(D) Tier Four	20,001 to 50,000 gallons	$80.00
(E) Tier Five	50,001 to 100,000 gallons	$135.00
(F) Tier Six	Over 100,000 gallons	$205.00

(5) For calculating the sewer capital fee for a building with multiple billing units which share a common water meter and sewer connection:

(A) Where one customer is billed for all water and sewer service to that building, the average winter water usage will be used to determine the sewer capital fee.

(B) Where the billing units not paying for the water service are billed for the sewer service to that building, the City will use an average of 3,000 gallons per month for the purpose of calculating the sewer capital fee.

(Ord. 1986, Sec. 1; Code 2010; Ord. 2044; Ord. 2123; Code 2020; Ord. 2184; Ord. 2207)

Elimination of WWTP Plant Fee Conceptual Model

# Customers	Tiers
3067	Tier 1 - 0 to 5,000 gallons
486	Tier 2 - 5,001 to 10,000 gallons
57	Tier 3 - 10,001 to 20,000 gallons
30	Tier 4 - 20,001 to 50,000 gallons
18	Tier 5 - 50,001 to 100,000 gallons
0	Tier 6 - Over 100,000 gallons

3.00%	Old Base Escalator
2.23%	New Base Escalator

Monthly Customer Bills for Sewer

		2023	2024	2025	2026	2027	2028	2029	2030	7-YR Budget Impact
Tier 1	Old Rates	26.65	27.30	27.97	28.66	29.37	30.10	30.85	31.63	
	New Rates	26.65	27.24	27.85	28.47	29.11	29.76	30.42	31.10	
	Annual Budget Impact		($2,031.76)	($4,292.90)	($6,794.04)	($9,546.23)	($12,560.93)	($15,850.01)	($19,425.82)	($51,075.88)
Tier 2	Old Rates	36.65	37.30	37.97	38.66	39.37	40.10	40.85	41.63	
	New Rates	36.65	37.47	38.30	39.16	40.03	40.92	41.84	42.77	
	Annual Budget Impact		$978.58	$1,949.82	$2,912.67	$3,866.05	$4,808.82	$5,739.79	$6,657.70	$20,255.73
Tier 3	Old Rates	61.65	62.30	62.97	63.66	64.37	65.10	65.85	66.63	
	New Rates	61.65	63.02	64.43	65.87	67.34	68.84	70.37	71.94	
	Annual Budget Impact		$496.10	$999.85	$1,511.30	$2,030.53	$2,557.60	$3,092.58	$3,635.52	$10,687.96
Tier 4	Old Rates	86.65	87.30	87.97	88.66	89.37	90.10	90.85	91.63	
	New Rates	86.65	88.58	90.56	92.58	94.64	96.75	98.91	101.12	
	Annual Budget Impact		$461.81	$932.11	$1,411.05	$1,898.76	$2,395.37	$2,901.04	$3,415.89	$10,000.13
Tier 5	Old Rates	131.65	132.30	132.97	133.66	134.37	135.10	135.85	136.63	
	New Rates	131.65	134.59	137.59	140.66	143.79	147.00	150.28	153.63	
	Annual Budget Impact		$493.84	$997.61	$1,511.51	$2,035.71	$2,570.43	$3,115.85	$3,672.19	$10,724.95
Tier 6	Old Rates	191.65	192.30	192.97	193.66	194.37	195.10	195.85	196.63	
	New Rates	191.65	195.92	200.29	204.76	209.33	213.99	218.77	223.64	
	Annual Budget Impact		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$0.00
	Total Budget Impact		$398.56	$586.48	$552.48	$284.82	($228.70)	($1,000.76)	($2,044.52)	$592.88

ITEM NO. G2

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Josh Shaw, City Manager
Agenda Title:	**Discussion/Direction Regarding Draft Common Consumption Ordinance for the Red Brick Social District**

RECOMMENDED ACTION:

Discuss and provide directions regarding the draft ordinance for creation of a common consumption area (CCA) in the downtown area to be known as the Red Brick Social District.

BACKGROUND:

At the August 7th, 2023 regular meeting, Jayme Chapin from Go! Augusta made a presentation to the City Council regarding the desire of downtown businesses to create a common consumption area downtown to encourage more economic activity. In July 2023, the state legislature made changes to common consumption laws that opened the potential for such downtown districts to be created without the need for physical barriers to close off the area. City Council provided direction for staff to work on drafting an ordinance for consideration. We are still awaiting final determination of insurance requirements from our insurance carrier, but we have completed a draft ordinance for discussion. Staff requests feedback from the City Council regarding the ordinance provisions and the rules and regulations that have been outlined with the plan to finalize the ordinance and application materials for approval by the City Council at the November 20th meeting.

ANALYSIS:

The ordinance was compiled after review of various ordinances for similar districts out of Georgia with provisions that align with the newly created state statute for Kansas. First, the ordinance designates the boundary of the CCA as the traditional main street area using the alleyways on the east and west side of State Street as end points and 2nd Street and the Redbud Trail corridor as end points on the north and south. These boundaries must be clearly demarcated with signage and markings indicating when patrons are entering or leaving the CCA. Staff will work with Go! Augusta to develop concepts for signage for presentation at the

upcoming meeting. The district only exists between the hours of 11:00 a.m. and 10:00 p.m. on Thursdays, Fridays, and Saturdays.

Businesses who wish to participate must receive approval from the state to be licensed to allow alcohol to leave their premises. This alcohol may only be served in a maximum size 16 oz paper or plastic cup with a clear logo identifying the business where it originated. This is a single serve container and cannot be refilled at any location, including the originating licensed premises. Each patron is also limited to a single container when they leave the location serving the alcohol. Alcohol may only be carried or consumed on the sidewalks and in the crosswalks, but the streets and parking areas are off-limits unless the street itself has been closed to vehicular traffic for an event authorized by the City Council. The ordinance includes requirements for participating businesses to post signage on their exits alerting patrons they are entering the common consumption area and providing guidance on rules and regulations. The ordinance also allows for the City Council to approve special event permits to provide flexibility to allow special variations in the general rules of the district.

FISCAL IMPACT/FUNDING SOURCE:

There is a $100 fee that must be paid to the State of Kansas for the application to create the CCA. Signage may cost up to $2,000 depending on the type of signage and the quantity required. The City and Go! Augusta need to determine who will pay these costs.

It is not clear yet if there will be any ongoing cost implications on the city's insurance premiums, but there may potentially be added risk due to the nature of the activity. Creation of the district has a potential impact on demand for police presence in the downtown area, but the need for additional policing has been observed to be minimal in other states where these districts already exist. Trash cans in the downtown area will also need to be emptied more frequently due to the additional trash generated through use of single serve cups.

Department Head Approval Date:
City Manager Approval Date: 10/31/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. *Draft Ordinance No. XXXX*
2. *House Bill Enabling Legislation (Highlighted) – July 2023*
3. *Copy of Main Street USA Presentation on CCA Districts*

ORDINANCE NO. _____

AN ORDINANCE PERTAINING TO ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE; AMENDING CHAPTER 3, ARTICLE 1, SECTIONS 3-104 AND 3-105 OF THE CODE OF THE CITY OF AUGUSTA, KANSAS; ADDING A NEW "ARTICLE 8. COMMON CONSUMPTION AREA" TO "CHAPTER 3. BEVERAGES" OF THE CODE; ESTABLISHING THE RED BRICK SOCIAL DISTRICT COMMON CONSUMPTION AREA; AND AUTHORIZING THE POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE WITHIN ITS BOUNDARIES.

WHEREAS, K.S.A. 41-2659 permits a city to establish, by ordinance or resolution, one or more common consumption areas within the limits of the city, and to authorize the possession and consumption of alcoholic liquor or cereal malt beverage within the common consumption area; and

WHEREAS, Subsection (g)(1) of K.S.A. 41-2659 states that "common consumption area" means a defined indoor or outdoor area not otherwise subject to a license issued pursuant to the Kansas liquor control act or the club and drinking establishment act where the possession and consumption of alcoholic liquor or cereal malt beverage is allowed pursuant to a common consumption area permit.

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

SECTION ONE: Chapter 3, Article 1, Sections 3-104 and 3-105 of the Augusta Municipal Code are hereby amended to read as follows:

"**3-104. Consumption on public property.**

Except as provided herein (e.g., Section 3-108 and Chapter 3, Article 8), no person shall drink or consume any alcoholic liquor or cereal malt beverage on City-owned public property.

(K.S.A. Supp. 41-719; K.S.A. K.S.A. 41-2659; Ord. 1784; Sec. 1; Code 2010)

3-105. Public sale; consumption.

Except as provided herein (e.g., Section 3-108 and Chapter 3, Article 8):

(a) It shall be unlawful for any person to sell, serve or dispense any cereal malt beverage or alcoholic beverage in any public place not licensed to sell, serve or dispense such beverage at such public place within or under the jurisdiction of the City.

(b) It shall be unlawful for any person to drink or consume any cereal malt beverage or alcoholic beverage in any public place not licensed to sell and serve such beverage for public consumption at such public place within or under the jurisdiction of the City.

(c) For purposes of this section, the term "public place" shall include upon any street, public thoroughfare, public parking lot or any privately owned parking area made available to the public generally, within any parked or driven motor vehicle situated in any of the aforesaid places or upon any property owned by the state or any governmental subdivision thereof unless such property is leased to others under K.S.A. 12-1740 et seq. if the property is being used for hotel or motel purposes or purposes incidental thereto or is owned or operated by an airport authority created pursuant to Chapter 27 of the Kansas Statutes Annotated.

(K.S.A. 41-719; K.S.A. 41-2659; Code 1991)"

SECTION TWO: Chapter 3, Article 8 is hereby added to the Augusta Municipal Code to read as follows:

"3-801. Common Consumption Area established.

(a) **Establishment.** In accordance with K.S.A. 41-2659, and amendments thereto, the Governing Body hereby establishes the Red Brick Social District Common Consumption Area ("CCA") located in the Designated Main Street area (encompassed by the following boundaries: on the north by the old railroad right of way; on the south by Second Avenue; on the west by the north-south alley between Walnut Street and State Street; and on the east by the north-south alley between State Street and School Street), provided that a common consumption area permit has been issued by the Director of the Kansas Department of Revenue Division of Alcoholic Beverage Control ("Director").

(b) **Boundary Identification.** The boundaries of the CCA must be clearly marked using a physical barrier or any apparent line of demarcation. Every CCA shall have signs conspicuously posted identifying the boundaries of such area, and such signs must be in a size and manner that provides notice to persons entering or leaving the area.

(c) **Hours.** The possession and consumption of alcoholic liquor or cereal malt beverage in the CCA is authorized between the hours of 11:00 AM until 10:00 PM only on Thursday, Friday, and Saturday. An exception may be made for a change in day or time if prior approval is granted via a special event permit approved by the Governing Body.

3-802. Common Consumption Area - Rules of Conduct.

(a) **Sales Conditions.** CCA permits are for possession and consumption of alcoholic liquor or cereal malt beverage only. No sales of alcoholic liquor or cereal malt beverage may occur on premises covered by the CCA permit unless the sales are conducted by a caterer licensed in accordance with all City requirements for a catered event, a separate special event permit has been issued for that specific area, or a drinking establishment has been authorized in writing by the City Clerk or designee to operate a noncontiguous service area in accordance with K.S.A. 41-2659(e)(2).

(b) **Consumption Areas**. Alcoholic liquor or cereal malt beverage drinks may be consumed on public property within the CCA including sidewalks and crosswalks but shall not be consumed in public parking lots, street parking stalls, or the public thoroughfare ("street") unless the street has been closed to vehicular traffic for a special event approved by the Governing Body.

(c) **Purchases Outside of the CCA.** The possession and consumption of alcoholic liquor or cereal malt beverage purchased outside of the CCA and its participating licensees shall not be permitted inside the boundaries of the CCA without prior approval of a special event permit by the Governing Body.

(d) **Removal of Purchases from Within the CCA.** No open container of alcoholic liquor or cereal malt beverage purchased within the CCA shall be removed from the boundaries of the CCA.

(e) **Containers and One-Drink per-person on-street limit.** All alcoholic liquor and cereal malt beverage removed from a licensed premises or otherwise sold within the CCA shall be served in a paper or plastic cup no larger than sixteen (16) fluid ounces that displays the licensee's

trade name or logo or other identifying mark that is unique to the licensee. No establishment participating in the CCA shall allow any person to leave their premises and enter the CCA with more than one such alcoholic beverage at a time. Paper or plastic cups shall be single serve and not be refilled by the licensee identified on the cup or by any other licensed establishment participating in the CCA.

(f) **Conduct.** All persons within the CCA shall follow all laws and ordinances concerning the purchase, sale, and consumption of alcohol or cereal malt beverage. Any person acting in a way that violates any provisions of the Municipal Code, State or Federal laws, including but not limited to any offenses against person, property, the public peace, the public safety, or public morals, will be removed from the CCA.

(g) **Licensed Premises.** Any licensee of a licensed premises located within or immediately adjacent to the CCA may request permission from the Kansas Alcoholic and Beverage Control Director to participate in the CCA upon forms prescribed by the Director.

(1) **Removal of Alcohol from Licensed Premises.** Any licensee of a licensed premises who has requested and received permission to participate in the CCA may allow its legal patrons to remove one alcoholic liquor or cereal malt beverage purchased from the licensee per person into the premises described by the CCA permit.

(2) **Noncontiguous Sales.** In addition to their licensed premises, one or more licensees that have requested and received permission to participate in the CCA may offer for sale, sell, and serve alcoholic liquor or cereal malt beverage for consumption from one noncontiguous service area within the CCA, as designated and approved by the CCA permit holder. The licensee shall prominently display a copy of its drinking establishment license and the approval of the CCA permit holder at its noncontiguous service area.

(3) **Compliance with Applicable Laws**. Each licensee within the CCA shall comply with all City ordinances, Federal and State laws regulating the purchase, sale and consumption of alcoholic liquor or cereal malt beverage. Any violations of the common consumption area restrictions, City ordinances, or State or Federal laws may result in revocation of the licensee's participation in the CCA. Each licensee within the CCA shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor or cereal malt beverage that occur on the licensee's premises.

(4) **Signage.** Any licensed establishment that allows patrons to leave the establishment with an alcoholic beverage in an open container as provided in this Article shall maintain posted inside all exit doors for clear public view a map of the current boundaries of the entertainment district and a sign of at least eleven (11) inches by eight and one-half (8.5) inches that states the following:

"All patrons leaving this establishment with an alcoholic beverage in an open container do hereby assume full responsibility to consume such alcoholic beverage only if it has been served in a paper or plastic cup not to exceed 16 ounces in size and obtained from an establishment licensed to sell alcoholic beverages within the common consumption area (CCA) outlined on the map below. Any individual who leaves the CCA with an alcoholic beverage in an open container is in violation of the Augusta, KS Code of Ordinances and may be subject to a citation, arrest, incarceration, and/or fine."

(4) **Liability.** Each licensee within a CCA shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor or cereal malt beverage that occur on the licensee's premises. Licensee shall provide any insurance coverage or proof of

coverage as may be required by the Governing Body as a condition of participating in the CCA.

3-803 Common Consumption Area - Notification.

Upon passage of an ordinance or resolution establishing a CCA, the City shall immediately notify the Director of the Kansas Alcoholic Beverage Control Division of the establishment of the CCA and submit a copy of the ordinance or resolution along with such notice."

SECTION THREE: 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 FOUR: This Ordinance shall become effective upon passage and publication of the Ordinance summary as provided by law.

Passed by the City Council on this __ day of _____, 2023.

Signed by the Mayor this __ day of _____, 2023.

_____

MIKE L. RAWLINGS, MAYOR

ATTEST:

_____

ERICA L. JONES, CITY CLERK

DRAFT

41-2659. Common consumption areas; cities and counties; permits; duties and liabilities. (a) (1) A city or a county may establish one or more common consumption areas within the limits of the city or within the unincorporated portion of the county, as applicable, by ordinance or resolution, respectively, and authorize the possession and consumption of alcoholic liquor or cereal malt beverage within the common consumption area. The ordinance or resolution shall designate the boundaries of any common consumption area and prescribe the times during which alcoholic liquor or cereal malt beverage may be consumed therein. The ordinance or resolution shall require that any public street or roadway that lies within a common consumption area shall be blocked from motorized traffic during the hours in which alcoholic liquor or cereal malt beverage is consumed.

(2) The city or county shall immediately notify the director of the division of alcoholic beverage control of the establishment of a common consumption area and submit a copy of the ordinance or resolution along with such notice.

(b) A common consumption area permit shall allow the consumption of alcoholic liquor or cereal malt beverage in any area designated by such permit. The director may issue common consumption area permits to the city or county or any one person who shall be a resident of Kansas or an organization that has its principal place of business in Kansas and that has been approved by the respective city or county, in accordance with rules and regulations adopted by the secretary of revenue.

(c) Applications for common consumption area permits shall be submitted to the director, subject to the following:

(1) A copy of any ordinance or resolution promulgated in accordance with subsection (a) shall accompany any application for a common consumption area permit.

(2) Each application shall be accompanied by a non-refundable permit fee of $100. All permit fees collected by the director pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(3) A common consumption area permit shall be issued for a period of not to exceed one year. A common consumption area permit shall not be transferable or assignable.

(d) Any licensee immediately adjacent to, or located within a common consumption area may request that the licensee's licensed premises participate in the common consumption area for the duration of the common consumption area permit. Such a request shall be made upon forms prescribed by the director.

(e) (1) Any licensee who has requested and received permission to participate in the common consumption area may allow its legal patrons to remove alcoholic liquor or cereal malt beverage purchased from the licensee into the premises described by the common consumption area permit. All alcoholic liquor and cereal malt beverage removed from a licensed premises in such fashion shall be served in a container that displays the licensee's trade name or logo or other identifying mark that is unique to the licensee.

(2) In addition to their licensed premises, one or more licensees that have requested and received permission to participate in a common consumption area may offer for sale, sell and serve alcoholic liquor or cereal malt beverage for consumption from one non-contiguous service area within the common consumption area, as designated and approved by the common consumption area permit holder. The licensee shall prominently display a copy of its drinking establishment license and the approval of the common consumption area permit holder at its non-contiguous service area.

(f) (1) Each licensee within a common consumption area shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor or cereal malt beverage that occur on the licensee's premises.

(2) Each common consumption area permit holder shall be liable for violations that occur off the licensee's premises, but within the common consumption area identified in the permit. No permit holder shall permit any person to remove any open container of alcoholic liquor or cereal malt beverage from the boundaries of the common consumption area.

(g) For the purposes of this section, "common consumption area" means a defined indoor or outdoor area not otherwise subject to a license issued pursuant to the Kansas liquor control act or the club and drinking establishment act where the possession and consumption of alcoholic liquor or cereal malt beverage is allowed pursuant to a common consumption area permit. The boundaries of any common consumption area must be clearly marked using a physical barrier or any apparent line of demarcation.

(h) The secretary shall adopt rules and regulations to implement this section.

(i) This section shall be a part of and supplemental to the club and drinking establishment act.

History: L. 2017, ch. 85, § 1; L. 2019, ch. 57, § 29; L. 2021, ch. 107, § 35; May 27.

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2059

By Committee on Federal and State Affairs

1-18

AN ACT concerning alcoholic beverages; ***{exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act;}*** relating to spirits, wine and beer ***distributors; regulating samples;*** amending the common consumption area law to permit rather than require roads be blocked and allowing designation of such areas by signage; amending K.S.A. ***{41-104, }41-306, 41-306a, 41-307 and*** 41-2659 and repealing the existing ~~section~~ ***sections***.

Be it enacted by the Legislature of the State of Kansas:

{Section 1. On and after July 1, 2023, K.S.A. 41-104 is hereby amended to read as follows: 41-104. *(a)* ***No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish or possess any alcoholic liquor for beverage purposes, except as specifically provided in this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, except that nothing contained in*** ~~this act~~ *such acts* ***shall prevent:***

~~(a)~~*(1)* ***The possession and transportation of alcoholic liquor for the personal use of the possessor, the possessor's family and guests except that the provisions of K.S.A. 41-407, and amendments thereto, shall be applicable to all persons;***

~~(b)~~*(2)* ***the making of wine, cider or beer by a person from fruits, vegetables or grains, or the product thereof, by simple fermentation and without distillation, if it is made solely for the use of the maker, the maker's family, guests and judges at a contest or competition of such beverages, provided, the maker receives no compensation for producing such beverages or for allowing the consumption thereof;***

~~(c)~~*(3)* ***any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of the medical or dental profession;***

~~(d)~~*(4)* ***any hospital or other institution caring for sick and diseased***

persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or institution;

~~(e)~~*(5)* ***any drugstore employing a licensed pharmacist from possessing and using alcoholic liquor in the compounding of prescriptions of duly licensed physicians;***

~~(f)~~*(6)* ***the possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church;***

~~(g)~~*(7)* ***the sale of wine to a consumer in this state by a person which holds a valid license authorizing the manufacture of wine in this or another state and the shipment of such wine directly to such consumer, subject to the following:***

~~(1)~~*(A)* ***The consumer must be at least 21 years of age;***

~~(2)~~*(B)* ***the consumer must purchase the wine while physically present on the premises of the wine manufacturer;***

~~(3)~~*(C)* ***the wine must be for the consumer's personal consumption and not for resale; and***

~~(4)~~*(D)* ***the consumer shall comply with the provisions of K.S.A. 41-407, and amendments thereto, by payment of all applicable taxes within such time after purchase of the wine as prescribed by rules and regulations adopted by the secretary;***

~~(h)~~*(8)* ***the serving of complimentary alcoholic liquor or cereal malt beverages at fund raising activities of charitable organizations as defined by K.S.A. 17-1760, and amendments thereto, and as qualified pursuant to 26*** ~~U.S.C.A.~~ *U.S.C. § 501(c) and by committees formed pursuant to K.S.A. 25-4142 et seq., and amendments thereto. The serving of such alcoholic liquor at such fund raising activities shall not constitute a sale pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto. Any such fund raising activity shall not be required to obtain a license or a temporary permit pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto;* ~~or~~

~~(i)~~*(9)* ***the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the governing body of the city, county or township wherein the event will take place and whereby the director of the alcoholic beverage control has been notified thereof no less than 10 days in advance****; or*

(10) the provision of alcoholic liquor or cereal malt beverage as a

prize for a charitable raffle conducted in accordance with K.S.A. 75-5171 et seq., and amendments thereto, except that no such prize shall be provided to any person under 21 years of age.

~~(j)~~*(b)* ***For purposes of subsection*** ~~(b)~~ *(a)(2),* ***the term "guest" means a natural person who is known to the host and receives a personal invitation to an event conducted by the host. The term "guest"*** ~~shall~~ *does* ***not mean a natural person who receives an invitation to an event conducted by the host when such invitation has been made available to the general public.}***

~~Section 1.~~ ***{Sec. 2.} K.S.A. 41-306 is hereby amended to read as follows: 41-306. A spirits distributor's license, shall allow:***

(a) The wholesale purchase, importation and storage of spirits, but all such spirits so purchased or imported which are manufactured in the United States shall be purchased from the primary American source of supply or from another licensed spirits distributor, except that a licensed spirits distributor may purchase confiscated spirits at a sheriff's sale.

(b) The sale of spirits to:

(1) Spirits distributors licensed in this state;

(2) retailers licensed in this state, except that such distributor shall sell a brand of spirits only to those retailers whose licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(3) such persons located outside such territory or outside this state as permitted by law.

(c) The purchase of spirits in barrels, casks or other bulk containers and the bottling thereof before resale, but all bottles or containers filled with such spirits shall be sealed, labeled and otherwise made to comply with all laws and rules and regulations governing the preparation and bottling of spirits by manufacturers and with all federal rules, regulations and laws.

(d) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(e) The storage and delivery to a public venue licensed under the club and drinking establishment act of alcoholic liquor purchased by the public venue licensee from a retailer authorized by law to sell such alcoholic liquor to such public venue licensee.

(f) The withdrawal of spirits from such licensee's inventory for use as samples in the course of the business of the distributor or at industry seminars. Samples may only be provided to persons licensed as a distributor or a retailer under the Kansas liquor control act, and such person's employees *or to persons licensed under the club and drinking establishment act and such persons' employees****. Samples may be served on the licensed premises of the licensee, or on the premises of a licensed retailer,*** ~~provided~~ *except that* ***no sample shall be served on that portion of the premises of a licensed retailer that is open to the public and where sales of alcoholic liquor at retail are made.*** *Only products that have not been purchased from the distributor licensee by the retailer or club and drinking establishment act licensee within the previous 12 months may be provided for sampling pursuant to this subsection.* ***No sample shall be provided to any minor. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises. The withdrawal of spirits shall be subject to the tax imposed by K.S.A. 79-4101 et seq., and amendments thereto, based on the applicable current posted bottle or case price. For purposes of*** ~~providing samples pursuant to this subsection other than at industry seminars or to the licensee's employees, the term "sample" shall have the same meaning as that term is defined in K.S.A. 41-2601, and amendments thereto~~ *this subsection, "sample" means not more than three liters of distilled spirits.*

Sec. ~~2.~~ ***{3.} K.S.A. 41-306a is hereby amended to read as follows: 41-306a. A wine distributor's license shall allow:***

(a) The wholesale purchase, importation and storage of wine, but all wine so purchased or imported which is manufactured in the United States shall be purchased from the primary American source of supply or from another licensed wine distributor, except that a licensed wine distributor may purchase confiscated wine at a sheriff's sale.

(b) The sale of wine to:

(1) Wine distributors licensed in this state;

(2) retailers licensed in this state, except that such distributor shall sell a brand of wine only to those retailers whose licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(3) such persons located outside such territory or outside this state as permitted by law.

(c) The sale of wine, but only in barrels, casks and other bulk containers, to:

(1) Licensed caterers; and

(2) public venues, clubs and drinking establishments licensed in

this state, except that such distributor shall sell a brand of wine only to such public venues, clubs and drinking establishments the licensed premises of which are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto.

(d) The purchase of wine in barrels, casks or other bulk containers and the bottling thereof before resale, but all bottles or containers filled with such wine shall be sealed, labeled and otherwise made to comply with all laws and rules and regulations governing the preparation and bottling of wine by manufacturers and with all federal rules, regulations and laws.

(e) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(f) The withdrawal of wine from such licensee's inventory for use as samples in the course of the business of the distributor or at industry seminars. Samples may only be provided to persons licensed as a distributor or a retailer under the Kansas liquor control act, and such person's employees, or to persons licensed under the club and drinking establishment act, and such person's employees. Samples may be served on the licensed premises of the licensee, or on the premises of a licensed retailer, provided no sample shall be served on that portion of the premises of a licensed retailer that is open to the public and where sales of alcoholic liquor at retail are made. Samples may be served on the premises of a licensee holding a license issued under the club and drinking establishment act, provided no sample shall be served on that portion of the premises that is open to the public and where sales of alcoholic liquor are made. *Only products that have not been purchased from the distributor licensee by the retailer or club and drinking establishment licensee within the previous 12 months may be provided for sampling pursuant to this subsection.* ***No sample shall be provided to any minor. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises. The withdrawal of wine shall be subject to the tax imposed by K.S.A. 79-4101 et seq., and amendments thereto, based on the applicable current posted bottle or case price. For purposes*** ~~of providing samples pursuant to this subsection other than at industry seminars or to the licensee's employees, the term~~ *of this subsection,* ***"sample"*** ~~shall have the same~~

~~meaning as that term is defined in K.S.A. 41-2601, and amendments thereto~~ *means not more than three liters of any brand of wine.*

(g) This section shall be** a **part of and supplemental to the Kansas liquor control act.

Sec.** ~~3.~~ **{4.} K.S.A. 41-307 is hereby amended to read as follows: 41-307. A beer distributor's license shall allow:

(a) The wholesale purchase, importation and storage of beer.

(b) The sale of beer to:

(1) Licensed caterers;

(2) beer distributors licensed in this state;

(3) retailers, public venues, clubs and drinking establishments, licensed in this state, except that such distributor shall sell a brand of beer only to those retailers, public venues, clubs and drinking establishments of which the licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(4) such persons located outside such territory or outside this state as permitted by law.

(c) The sale of cereal malt beverage to:

(1) Beer distributors licensed in this state;

(2) clubs and drinking establishments, licensed in this state, and retailers licensed under K.S.A. 41-2702, and amendments thereto, except that such distributor shall sell a brand of cereal malt beverage only to those such clubs, drinking establishments and retailers of which the licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto;

(3) retailers; and

(4) such persons located outside such territory or outside this state as permitted by law.

(d) The sale of beer containing not more than 6% alcohol by volume to cereal malt beverage retailers licensed pursuant to K.S.A. 41-2702, and amendments thereto.

(e) The purchase of cereal malt beverage in kegs or other bulk containers and the bottling or canning thereof in accordance with law.

(f) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other

distributor and approved by the director.

(g) The storage and delivery, with proper invoicing in accordance with rules and regulations adopted by the secretary, on the premises of a public venue licensee, of beer sold to or available for purchase by the public venue during an event.

(h) The withdrawal of beer or cereal malt beverage from such licensee's inventory for use as samples in the course of the business of the distributor or at industry seminars. Samples may only be provided to persons licensed as a distributor or a retailer under the Kansas liquor control act, and such person's employees, or to persons licensed under the club and drinking establishment act, and such person's employees. Samples may be served on the licensed premises of the licensee, or on the premises of a licensed retailer, provided no sample shall be served on that portion of the premises of a licensed retailer that is open to the public and where sales of alcoholic liquor at retail are made. Samples may be served on the premises of a licensee holding a license issued under the club and drinking establishment act, provided no sample shall be served on that portion of the premises that is open to the public and where sales of alcoholic liquor are made. *Only products that have not been purchased from the distributor licensee by the retailer or club and drinking establishment act licensee within the previous 12 months may be provided for sampling pursuant to this subsection.* ***No sample shall be provided to any minor. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises. The withdrawal of beer or cereal malt beverage shall be subject to the tax imposed by K.S.A. 79-4101 et seq., and amendments thereto, based on the applicable current posted bottle or case price. For purposes of*** ~~providing samples pursuant to this subsection other than at industry seminars or to the licensee's employees, the term~~ *this subsection,* ***"sample"*** ~~shall have the same meaning as that term is defined in K.S.A. 41-2601, and amendments thereto~~ *means not more than three gallons of any brand of beer or cereal malt beverage.*

~~Section 1.~~ ***Sec.*** ~~***4.***~~ ***{5.} On and after July 1, 2023,*** K.S.A. 41-2659 is hereby amended to read as follows: 41-2659. (a) (1) A city or a county may establish one or more common consumption areas within the limits of the city or within the unincorporated portion of the county, as applicable, by ordinance or resolution, respectively, and authorize the possession and consumption of alcoholic liquor or cereal malt beverage within the common consumption area. The ordinance or resolution shall designate the boundaries of any common consumption area and prescribe the times during which alcoholic liquor or cereal malt beverage may be consumed therein. The ordinance or resolution ~~shall~~ *may* require that any public street or roadway that lies within a common consumption area ~~shall~~ be blocked

from motorized traffic during the hours in which alcoholic liquor or cereal malt beverage is consumed.

(2) The city or county shall immediately notify the director of the division of alcoholic beverage control of the establishment of a common consumption area and submit a copy of the ordinance or resolution along with such notice.

(b) A common consumption area permit shall allow the consumption of alcoholic liquor or cereal malt beverage in any area designated by such permit. The director may issue common consumption area permits to the city or county or any one person who shall be a resident of Kansas or an organization that has its principal place of business in Kansas and that has been approved by the respective city or county, in accordance with rules and regulations adopted by the secretary of revenue.

(c) Applications for common consumption area permits shall be submitted to the director, subject to the following:

(1) A copy of any ordinance or resolution promulgated in accordance with subsection (a) shall accompany any application for a common consumption area permit.

(2) Each application shall be accompanied by a non-refundable permit fee of $100. All permit fees collected by the director pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(3) A common consumption area permit shall be issued for a period of not to exceed one year. A common consumption area permit shall not be transferable or assignable.

(d) Any licensee immediately adjacent to, or located within a common consumption area may request that the licensee's licensed premises participate in the common consumption area for the duration of the common consumption area permit. Such a request shall be made upon forms prescribed by the director.

(e) (1) Any licensee who has requested and received permission to participate in the common consumption area may allow its legal patrons to remove alcoholic liquor or cereal malt beverage purchased from the licensee into the premises described by the common consumption area permit. All alcoholic liquor and cereal malt beverage removed from a licensed premises in such fashion shall be served in a container that displays the licensee's trade name or logo or other identifying mark that is unique to the licensee.

(2) In addition to their licensed premises, one or more licensees that have requested and received permission to participate in a common consumption area may offer for sale, sell and serve alcoholic liquor or

cereal malt beverage for consumption from one non-contiguous service area within the common consumption area, as designated and approved by the common consumption area permit holder. The licensee shall prominently display a copy of its drinking establishment license and the approval of the common consumption area permit holder at its non-contiguous service area.

(f) (1) Each licensee within a common consumption area shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor or cereal malt beverage that occur on the licensee's premises.

(2) Each common consumption area permit holder shall be liable for violations that occur off the licensee's premises, but within the common consumption area identified in the permit. No permit holder shall permit any person to remove any open container of alcoholic liquor or cereal malt beverage from the boundaries of the common consumption area.

(g) **(1)** For the purposes of this section, "common consumption area" means a defined indoor or outdoor area not otherwise subject to a license issued pursuant to the Kansas liquor control act or the club and drinking establishment act where the possession and consumption of alcoholic liquor or cereal malt beverage is allowed pursuant to a common consumption area permit.

(2) The boundaries of any common consumption area must be clearly marked using a physical barrier ~~or,~~ **or** any apparent line of demarcation ~~or other appropriate signage~~. **Every common consumption area shall have signs conspicuously posted identifying the boundaries of such area in a size and manner that provides notice to persons entering or leaving the area.**

(h) The secretary shall adopt rules and regulations to implement this section.

(i) This section shall be a part of and supplemental to the club and drinking establishment act.

Sec. ~~5.~~ {6.} K.S.A. 41-306, 41-306a and 41-307 are hereby repealed.

Sec. ~~2. 6.~~ ***{7.} On and after July 1, 2023,*** K.S.A. ***{41-104 and}*** 41-2659 ~~is~~ ***{are}*** hereby repealed.

Sec. ~~3. 7.~~ ***{8.}*** This act shall take effect and be in force from and after its publication in the ~~statute book~~ ***Kansas register***.

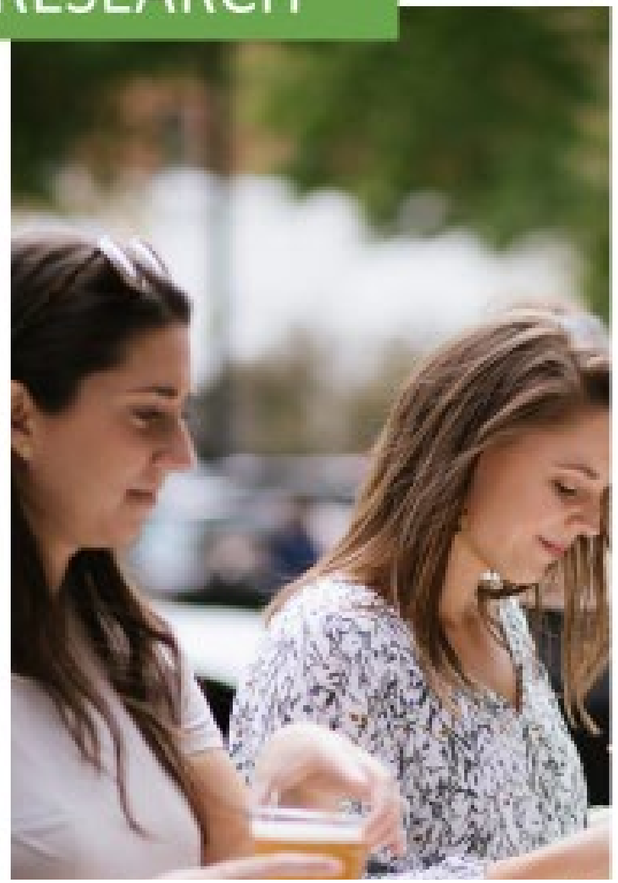

BOSTON
MAIN STREET 2023 Now
A City of Main Streets

Downtown Rome, Georgia

- Great American Main Street
- GEMS
- 229 Residential Units
- City population: 38,000+
- 300+ Businesses



RESEARCH



Go! Augusta spent numerous hours over several months researching other states' Common Consumption laws as well as the current cities in Kansas that already have a Common Consumption ordinance in place. We met in person with other communities, as well as the Director of the Augusta Safety Department to get their feedback.

FEEDBACK

Go! Augusta Board Vice President visited with businesses in the Red Brick Social District to see how they felt about the ordinance with either a YES, NO, or I don't care.

44 Businesses Downton

34 Were a YES

10 Could not get ahold of (yet).



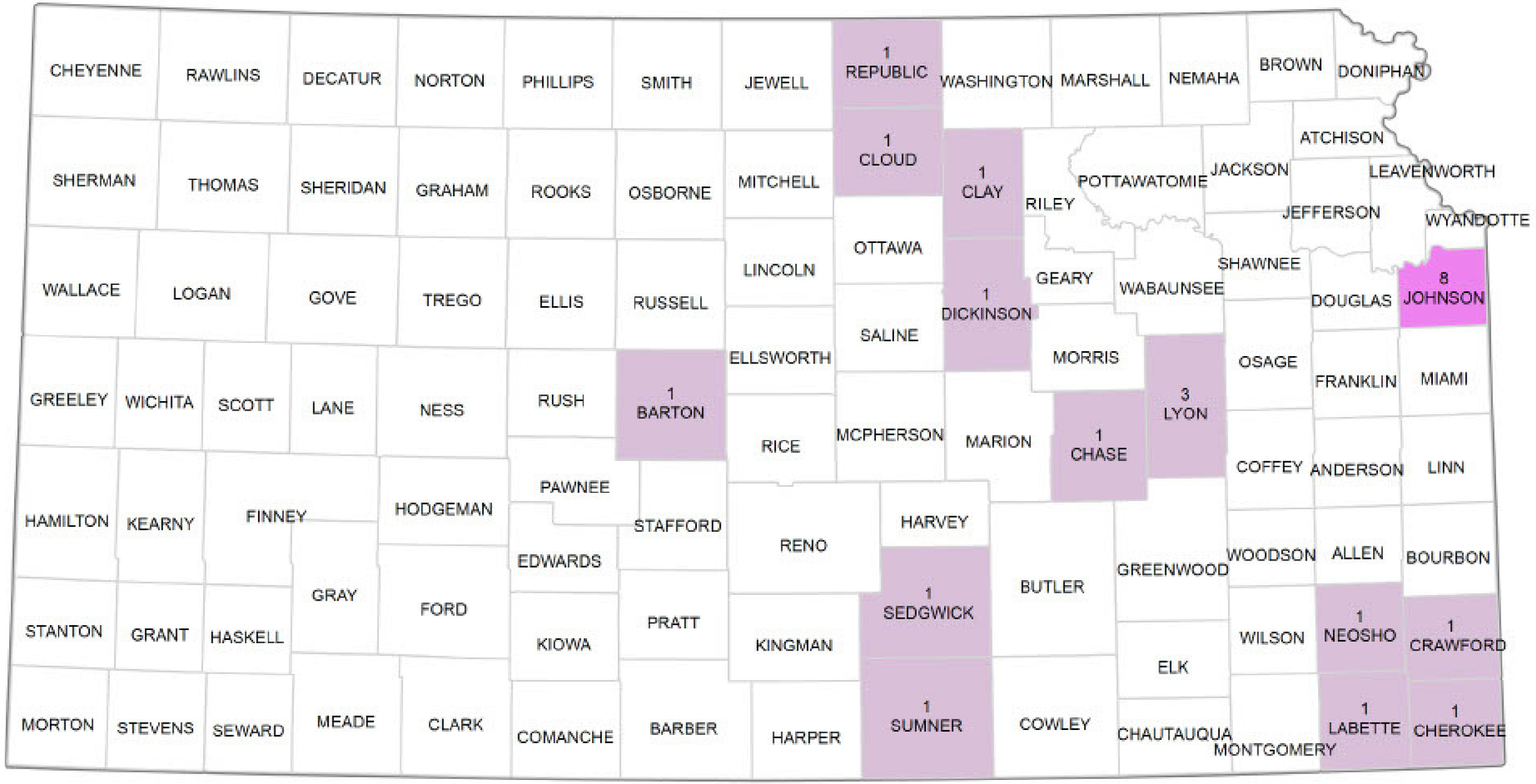
EDUCATION



Go! Augusta plans on working with the participating businesses so that everyone knows how the ordinance will work. Businesses and Go! Augusta will help to inform the community of the changes as well.

MAIN STREET 2023 Now

Kansas Common Consumption Area Permits



The data used for this map was derived from the Kansas Department of Revenue, Alcoholic Beverage Control Division, Liquor Licensing Database.

# of Counties	# of Permits
(13)	1 to 4
(1)	5 to 9

Total: 23 Common Consumption Permits

Kansas Department of Revenue
Alcoholic Beverage Control

February 27, 2023

Currently - there are 23 Kansas Cities that utilize the Common Consumption area.

With Wichita having only one for Octoberfest - the next closest is 50 miles away in Wellington, KS

This ordinance change will let us be on the forefront of change and offer a unique experience for residents and visitors alike.

Joel Richards, Police Chief Carrollton, GA

- **Had open container 24/7** Proposed for Augusta - Thursday, Friday and Saturday Only
- **Reduced hours to 2AM** Proposed for Augusta - 11:00 am - 10:00 pm
- **Warnings for a few weeks, no issues** Participating business owners will help to "police" the new ordinance to make sure everyone is following the rules



We wanted to be proactive in avoiding potential problems and learning from others, we fashioned the ordinance to meet the needs of our community while keeping public safety in mind.

Public Safety

BUSTING THE MYTH

Since we relaxed our alcohol ordinance, alcohol-related arrests have gone down from 2.25/month to 1.25/month

Current Main Street District and Proposed Common Consumption area referred to as the Red Brick Social District

Brian Stockton, Director of Economic Development, Woodstock, GA

(Population approximately 37,000)

- Slightly more litter
- Added part time weekend grounds crews
- Been in place since 2016
- No records of increased tickets or police interactions

"OVERALL, OURS HAS BEEN GREAT. NO MAJOR ISSUES WITH ANYTHING EXCEPT THAT IT DOES SEEM LIKE IT PRODUCES MORE LITTER THAT WE HAVE ADDRESSED WITH ADDITIONAL TRASH CANS AND WEEKEND PART TIME GROUNDS CREWS (WHICH LIKELY WOULD HAVE BEEN NEEDED WITH OR WITHOUT OPEN CONTAINER). OURS HAS BEEN IN PLACE SINCE 2016 AND THERE ARE NO RECORDS OF INCREASED TICKETS OR POLICE INTERACTIONS SINCE IMPLEMENTATION."



The participating businesses will help to ensure the cleanliness of the Red Brick Social District. If additional help is needed - we will form a volunteer cleaning crew through our organization

Mayor John Howard, Monroe, GA

Population - Approximately 15,000



“Our downtown sales during the first quarter of the year beat our local Walmart.”

"I can't give you one single ordinance change that has had a more positive benefit to our downtown vibe. When people exercise their freedoms in Monroe, they tend to more fully support our businesses while fully enjoying themselves. In fact, our downtown sales during the first quarter of the year beat our local Walmart. As Mayors and Council Members, it is incumbent upon all of us to have a healthy downtown local business community. We will do everything in our power to help our restaurants succeed which in turns helps the neighboring businesses flourish. Finally, due to our relaxing of open containers within our entertainment district, we have not had one negative issue with law enforcement"

Trial Results



Retailer A –

28% increase over LY

Retailer B –

95% increase over LY

2022-2023

- Restaurant A: 30% increase
- Restaurant B: 51% increase (food sales) and 29% increase (alcohol sales) over LY
- Retail A: 400% increase over LY
- Retail B: 33% increase over LY

FAQ's

Q: Can people bring their own beverages from home or keep a stash in their trunk?

A: No

Alcohol will only be allowed in the plastic containers provided by the licensed retailer. No other open containers, bottles or cans are allowed



Q: Can minors partake in open container?

A: No

Licensed retailers will be responsible for checking ID's at their point of sale.

21+

What if a business does not want people coming in with alcohol?

Businesses can decide for themselves whether they want alcohol being brought into their stores or not. Go! Augusta will provide window stickers to each business stating that they participate - or that it is not allowed in their store.

What if I bring my Yeti cup downtown? Can I drink out of that?

No outside containers of any sort will be allowed. Only drinks in provided plastic disposable cups with the name of the establishment where it was purchased will be allowed. No cans, bottles or cups not specifically labeled from the licensed retailers are allowed.

How will this be enforced?

The main policing of the ordinance will be done by the downtown businesses. Making sure that people know what the rules are and abiding by them. We have several business owners and members that will be keeping an eye out for bad behaviors.



What are we asking of the City of Augusta?

There is no monetary ask from the city. Insurance, fees and applications will be paid for by Go! Augusta. We would like a resolution from council for trial period for the remainder of the calendar year 2023. The application from the state would then be completed.

Can an approved cup be reused or refilled?

No. Cups will not be able to be refilled. Each location will provide a disposable cup with their information only for each purchase - cups may not be re-used.

How will I know the boundaries of the Red Brick Social District?

The Red Brick Social district will be clearly and boldly marked on the sidewalks and streets at the beginning and end of the social district.

FAQ'S



Example provided by Shawnee Kansas

Are there any additional Questions I can answer for you?



Thank you to Mayor Rawlings, City Council Members and City Staff for your consideration of this request.

ITEM NO. G3

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Josh Shaw, City Manager
Agenda Title:	**KPP Energy PACE Loan Letter of Interest for Solar Installations**

RECOMMENDED ACTION:

Approve submission of a letter of support designating the City of Augusta's intention to participate in the KPP Energy Solar Project subject to conditions, including availability of suitable land for development of a small solar farm.

BACKGROUND:

Over the past year, the City of Augusta and KPP Energy have been in preliminary discussions regarding potential development of a solar farm on the Williams Refinery property. While it appears that Williams' interest has shifted to privately owned solar as opposed to a municipal power pool like KPP Energy, the power pool's interest in solar development has not waned. KPP Energy is actively pursuing loan funding from the Rural Utilities Service (RUS) of the U.S. Department of Agriculture (USDA) to install an estimated 20 megawatts (MW) of solar energy arrays in qualifying member communities. Augusta is one of the potential communities under consideration.

ANALYSIS:

Attached is a letter from KPP Energy inviting the City of Augusta to participate in the solar project. If constructed, the facilities would be KPP Energy assets and the pool would be responsible for constructing, managing, and maintaining the facilities. Augusta's array would be allowed to generate up to three (3) megawatts of power, which will require an estimated 18-21 acres of land. Staff proposes use of farm fields near the wastewater treatment plant as potential locations since we do not have any other large tracts of acreage within our control that would be suitable for development. These fields will have to be studied by KPP to determine if they are suitable for solar applications given the proximity of floodplain. The city currently uses these fields for sludge land application, so staff will potentially have to identify alternative locations for sludge disposal if the fields are determine to be feasible for solar development.

FISCAL IMPACT/FUNDING SOURCE:

There is limited financial impact from participation in this letter of interest. KPP will have to determine whether our site(s) are feasible for development before any real costs or benefits are incurred. If the sites are suitable and the project moves forward, KPP forecasts this solar energy to be cheaper than any other power we could purchase through the pool's existing portfolio. KPP expects the need for additional capacity around the year 2025 until the new generation plant in Winfield is brought online. KPP believes this solar project can provide the needed capacity at the lowest cost to pool members.

Department Head Approval Date: 10/31/23
City Manager Approval Date: 10/31/23
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. *Solar Conditions Letter*
2. *Lightning Round Newsletter*

City of Augusta

Accept/Decline	Accept
Location/Address	11007 SW HW 77 - Fields Adjoining Wastewater Treatment Plant
Acreage Available	up to 19 acres
Conditions	- Engineering verification that fields are suitable for solar development due to floodplain - Identification of alternative locations for sludge application to replace lost acreage - Agreement between the City of Augusta and KPP Energy regarding compensation for usage of city property (easement/lease/sale) - Agreement between the City of Augusta and KPP Energy regarding the city's role in and compensation for for any operating and maintenance requirements at the facility - The City of Augusta agrees to work with KPP Energy to resolve any zoning considerations

ATTEST: I affirm that the information provided reflects the action taken by the city's governing body to designate the intention and conditions (if any) to participate in the KPP Energy Solar Project

City: _____

Mayor: _____

City Clerk: _____ Date: _____

KPP ENERGY

October 25, 2023

City of Augusta
Mayor Rawlings & City Council
113 East 6th Street
Augusta, KS 67010

Re: Invitation to Participate in KPP Energy Solar Project

Dear Mayor Rawlings & City Council:

KPP Energy submitted a Letter of Interest under the Powering Affordable Clean Energy (PACE) program with Rural Utilities Services and USDA to install approximately 20MW of Solar generation in nine KPP Energy cities. We have been invited to submit a full application, which is due by December 4th.

KPP Energy staff have performed a system analysis on each of the 24 KPP Energy communities and have determined that the City of Augusta would qualify to participate in this project. The energy produced from these solar resources will be shared by the whole KPP Energy membership pool and provide an inexpensive renewable energy resource in the KPP Energy portfolio. The solar facility constructed on each site would be a KPP Energy asset, which KPP Energy will construct, manage, and maintain.

The maximum amount of additional generation that would be allowable behind the meter in Augusta has been determined to be 3 megawatts (MW). Solar generation requires approximately 6-7 acres per MW. If Augusta is agreeable to participating, we ask the City Council to determine the location of the required acreage and any terms or conditions that would be desired. Once, we receive all the answers from the invitees, KPP Energy staff will determine the next steps.

We invite the City of Augusta to participate in this project. Please indicate your intention to participate and state any conditions on the following page. Due to the very compressed timeframe needed to submit the PACE application, we must receive your answer by November 10th.

Respectfully,

Colin Hansen, CEO & General Manager

KPP LIGHTNING ROUND

October 2023

KPP Pursues PACE Loan for Member Solar Installations

KPP Energy is pursuing loan funding from the Rural Utilities Service (RUS) of the U.S. Department of Agriculture (USDA) to install an estimated 20 megawatts (MW) of solar energy arrays in member communities. Should KPP receive the funding, either 20 or 40 percent of the loan would be forgiven. Additional direct pay tax credits would also be applied.

A letter of interest (LOI) applying for the Powering Affordable Clean Energy (PACE) Program was submitted to RUS on July 10th. KPP issued the LOI jointly with KMEA and utilized the services of the Beneficial Electrification League (BEL) in drafting the proposal. The joint project includes $35 million in potential loan funds for KPP Energy and $65 million for KMEA. Joint applications with higher price tags are thought to be beneficial in pursuing federal grant dollars. On October 4th, KPP was formally invited to submit a full application.

The initial KPP proposal included the construction of nine potential solar sites, ranging from 1 MW to 5 MW. Sites were carefully selected based on several factors. The first key factor is the minimum daytime load of the member community. The size of the solar array must remain below this minimum daytime load to avoid being placed in the Southwest Power Pool (SPP) generation interconnection queue, a move that would likely delay the project for four or more years. In addition, a minimum solar installation of 1 MW was determined for the project to remain economic. Due to the speed with which this project must be developed, the second key factor is readily available and “shovel-ready” land for a solar installation.

KPP Energy staff is now working diligently to identify locations and prepare the full PACE loan application due on December 4th. If you have any questions or would like additional information about this project, please contact Colin Hansen at chansen@kpp.agency.

IN THIS ISSUE

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- Erie Crowned KPP Public Power Week Champion
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- KPP 2023 Conference Showcases Industry Trends
- October Board Meeting Review
- KPP Resources by Fuel Source
- KCC Announces Notice of Funding Opportunity to Improve the Resilience of the Electric Grid
- Hansen Tours Idaho National Laboratory with Senator Roger Marshall
- 2023 Events Calendar



Erie Crowned KPP Public Power Week Champion

HILLSBORO TAKES SECOND PLACE, AUGUSTA FINISHES THIRD

Public Power Week, celebrated annually across the nation, honors the contributions of community-owned electric utilities, and highlights their pivotal role in powering local economies and enhancing the quality of life for residents. KPP Energy encourages and supports its members in celebrating this special week by offering a KPP Energy Public Power Week Championship.

A detailed point system is distributed to members with items such as:

- adopting the Public Power Week Proclamation
- doing community service events
- hosting educational events at schools
- unique community-based ideas



Above: Erie Mayor Darrell Bauer (seated) & Erie City Council

Every year, KPP Members get more and more creative, and the championship has become extremely competitive. This year, the cities of Erie and Hillsboro scored the exact number of total points and the championship came down to an official coin-flip.

KPP Energy is proud to announce the City of Erie as this year's winner. This is the first championship for Erie, a recognition of the city's unwavering commitment to providing reliable, affordable, and sustainable energy solutions to its residents and businesses. To celebrate their electric utility, Erie adopted the Public Power Week Proclamation, hosted a food drive, held an open house at the power plant for grade school students, provided a staff appreciation luncheon, participated in the homecoming parade, held an EV event for students, distributed educational materials, provided energy efficiency information to customers, and much more.



Above: Erie's Jake Tromsness provides a tour of the Erie Power Plant to schoolchildren.

KPP Energy staff presented the city with the Grand Public Power Week Trophy – designed and created by the City of Augusta – along with a donation of $500 at the city's October 23rd Council meeting.

As previously noted, the City of Hillsboro came in second place. Third place was claimed by the City of Augusta. Thank you to all of our members that participated in Public Power Week – the response was outstanding and we look forward to another great competition next year.



Above: Erie Mayor Darrell Bauer & City Clerk Jamie Janssen Receiving the KPP Public Power Week Champion Traveling Trophy from KPP's Vickie Matney and Colin Hansen.

Public Power Week (continued from page 2)



Above: Hillsboro City Staff



Above: Burlington City Staff



Above: Burlington's Alan Schneider provides a presentation to grade school students.



Above: Haven City Staff



Above: City of Marion Food Drive for Public Power Week.



Above: Erie Electric Vehicle (EV) Event for Local Students.

PUBLIC POWER WEEK
COMMUNITY OWNED POWER

Atherton Joins KPP Energy Team



KPP Energy is proud to announce that Leslie Atherton is joining the KPP staff as Administrative Manager. Atherton comes to KPP with over a decade of experience as City Clerk for her hometown, the KPP-member city of Haven, Kansas. Atherton holds a B.S. in Justice Studies from Fort Hays State University, where she graduated Cum Laude, Clerk Certification through Wichita State University, and the Certified Municipal Clerk distinction from the International Institute of Municipal Clerks.

When she's not working in municipal government, Leslie devotes her time to her family. Her family includes husband, Shannon, principal of Yoder Charter School and Haven Middle School, three daughters, Brylie (17), Mayzie (15), Posie (7), and one son, Mason (12).

KPP Testifies at Special Legislative Committee Hearing







KPP CEO & General Manager Colin Hansen testified on a municipal utility and rural electric cooperative panel before the 2023 Special Committee on Energy & Utilities on Oct. 17th. The panel was asked to comment on resource adequacy, integrated resource plans and load forecasts.

The 2023 Special Committee on Energy and Utilities is an interim committee of the Kansas Legislature made up of both Senators and Representatives. The committee is focusing on a number of utility issues during four days of meeting this fall, including electric transmission cost allocation, right of first refusal (ROFR), integrated resources plans, and use of eminent domain in siting transmission.

Joining Hansen on the panel for public power were Jeremy Ash, Chief Operations Officer for the Kansas City Board of Public Utilities (BPU)and Paul Mahlberg, General Manager for the Kansas Municipal Energy Agency (KMEA).

The panel also included representatives from Midwest Energy, Sunflower and KEPCo discussing issues of concern to the rural electric cooperatives.

KPP 2023 Conference Showcases Industry Trends

The KPP 2023 Conference was held on September 28 & 29 at the Wichita Hyatt Regency and provided conference participants with two days of educational and entertaining sessions with industry experts and leaders.

The conference was kicked off by Kansas Speaker of the House Dan Hawkins who welcomed KPP members to Wichita and discussed several pressing energy issues to be considered during the 2024 Legislative Session. The keynote session also featured new American Public Power Association (APPA) President & CEO Scott Corwin and former Bonneville Power Authority Administrator Steve Wright discussing the importance of public service.

Conference participants learned more about KPP's planned Walnut Energy Center from representatives from Burns & McDonnell and Wärtsilä North America. Other sessions included a discussion of the current trend towards electrification by Alex Hofmann from the Beneficial Electrification League and a very insightful and entertaining session by Troy Tabor, the Director of the Center for Entrepreneurship at Wichita State University, on the application of artificial intelligence (AI). Member showcases were provided by Jason Newberry (Wellington), Tim Johnson (Augusta), and Mayor Stan Luke (Burlington). In addition, conference attendees enjoyed a social networking event at TopGolf.



Conference Speakers Included:

- **Scott Corwin, President & CEO**
  American Public Power Association
- **Representative Dan Hawkins**
  Kansas Speaker of the House
- **Steve Wright, CEO, Inspired Public Service**
  Former Bonneville Power Authority Administrator
- **Alex Hofmann, Chief Strategy Officer**
  Beneficial Electrification League



Above: Kansas Speaker of the House Dan Hawkins



Above: APPA President & CEO Scott Corwin

KPP 2023 Conference (continued)





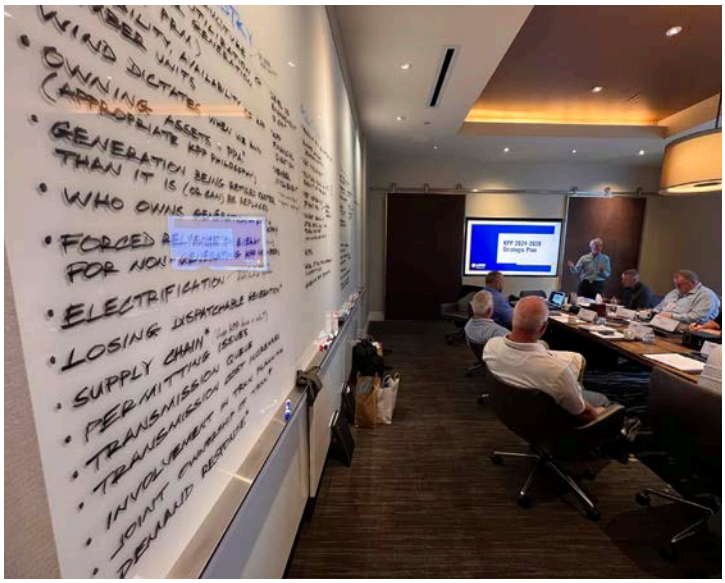
Above: Steve Wright discusses inspired public service.



Above: APPA's Scott Corwin & KPP's Colin Hansen



Above: Troy Tabor presents AI applications.





Far Left: Whiteboard notes from the two-day KPP Strategic Planning Retreat.

Left: Barry Hodges (Minneapolis) demonstrates superior TopGolf skills.

October Board Meeting Review

COLIN HANSEN, CEO / GENERAL MANAGER

The KPP Energy Board of Directors held their regular monthly meeting on October 19, 2023 at the KPP offices in Wichita. A summary of meeting highlights is provided here.

September 2023 ECA Analysis

KPP Assistant General Manager of Operations Larry Holloway presented the monthly update relating to the September 2023 ECA calculation. Total cost was below budget $1,080,343. Energy costs were below budget $895,299, transmission costs were below budget $179,187, and capacity costs were above budget $4,886. Energy sales were below budget by three percent. The actual September ECA was a negative 1.17 cents per kilowatt-hour (kWh) vs. the budget estimate of a positive 0.069 cents per kWh. So far in calendar year 2023, the ECA has only been positive in one out of nine months.

August 2023 Financial Statements

Vickie Matney, KPP Controller, presented the financial statements for the period ending August 31, 2023. Matney then provided a PowerPoint presentation to the Board entitled "Credit Rating Agency Overview" based on a presentation made by Moody's and Fitch representatives at the APPA Business & Financial Conference in September. She noted that drivers of a stable outlook by Moody's now include a fixed obligation charge coverage (FOCC) of 1.8x and 200 days cash on hand. Fitch believes that the outlook for public power is deteriorating due to sustained cost pressures and slower economic growth.

Joint Prosecution and Defense Agreement

The KPP Board approved (with modifications) a new Joint Prosecution and Defense Agreement to be executed with KEPCo and KMEA that relate to joint efforts to obtain remedies related to Evergy's Open Access Transmission Tariff and Generation Formula Rate.



PACE Grant Update

KPP Director of Member Services Brooke Carroll provided a PowerPoint presentation to the Board entitled "KPP Energy USDA PACE LOI" in which she provided an update regarding KPP's application for a PACE loan for small utility-scale solar photovoltaic electrical energy generating systems for energy improvement in rural or remote areas.

KPP listed nine potential solar sites ranging from one megawatt (MW) to five MW for a total of 20 MW in the original letter of interest (LOI). The agency received notice of formal invitation to submit a full application on October 4, 2023. The deadline to submit the full application is December 4, 2023. The Board discussed the proposal in detail, including cost estimates generated by KPP Energy staff.

Open KPP Board of Directors Position

Scott Glaves announced that Colin Hansen had provided a list of potential KPP Energy Board of Directors candidates to Board members. Hansen noted that the list was generated based on interest that had been expressed to him by numerous KPP member representatives and

(continued on page 8)

October Board Meeting Review (continued from page 9)

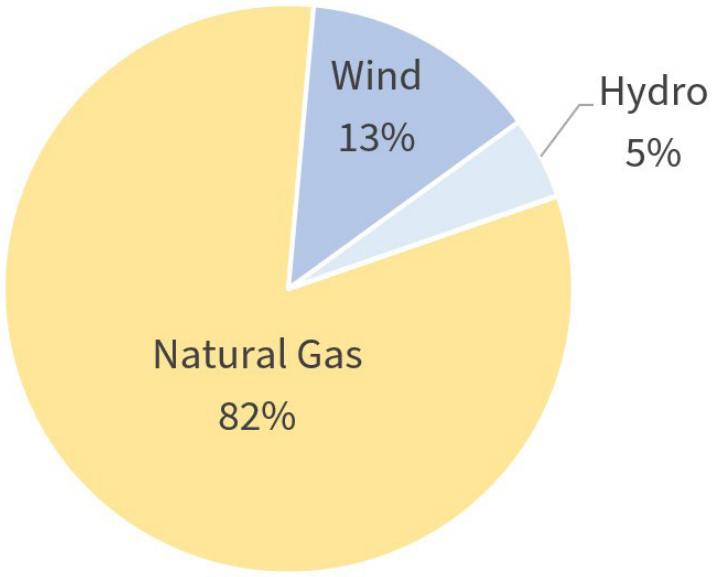
that appointment of the new Board member was very competitive and interest in the seat is very encouraging.

As KPP President, Scott Glaves nominated Stacy Barnes of Greensburg for the open Board position. The nomination was motioned and seconded by the Board. After discussion, the Board voted unanimously in favor of the nomination. Glaves thanked those interested in the Board position for their interest and encouraged them to remain involved with the agency.



KPP Resources by Fuel Source

SEPTEMBER 2023



KCC Announces Notice of Funding Opportunity For Subgrants to Eligible Entities to Improve the Resilience of the Electric Grid

The Kansas Corporation Commission (KCC) has announced a Notice of Funding Opportunity to eligible entities to improve the resilience of the state's electric grid. The notice stems from a $13.3 million grant awarded to the state of Kansas to modernize electrical grid infrastructure. The investment from the U.S. Department of Energy is provided through its Grid Resilience State and Tribal Formula Grants program. Kansas was one of nine states and three tribal nations to receive a combined total of $207.6 million in grants in this third round of funding.

The funds, which will be administered by the Kansas Corporation Commission (KCC), will be used to promote projects that strengthen and modernize the power grid against natural disasters while advancing projects that attract, train, and retain a skilled Kansas workforce.

The purpose of the KCC Notice of Funding Opportunity is to provide guidance to eligible entities (electric grid operators, electricity storage operators, electricity generators, transmission owners or operators, distribution provider and fuel suppliers or other entities determined by the DOE) for preparation of subgrant applications. KPP member communities are eligible entities and encouraged to apply.

Under the Program, the Department of Energy (DOE) provides grants to States to improve the resilience of their electric grid against disruptive events. A disruptive event, as defined by the program, is "an event in which operations of the electric grid are disrupted, preventively shut off, or cannot operate safely due to extreme weather, wildfire, or a natural disaster."

The primary goals of the program are to demonstrate measurable improvements in energy resilience, with a focus to necessary and supporting grid modernization investments in rural, underserved and disadvantaged communities, to invest in modernized grid infrastructure and to create good-paying jobs.

The KCC's allocation from the DOE totals $13,313,126 for fiscal years 2022 and 2023. The allocation for each fiscal year thereafter, for the next three fiscal years, is expected to be approximately $6,647,000.

The KCC is now seeking applications from eligible entities. Links to the Fund Application Guidance, an informational webinar, and reference materials can be found at https://www.kcc.ks.gov/kansas-energy-office/formula-grant-for-preventing-outages-and-enhancing-the-resilience-of-the-electric-grid.

For more information or to discuss projects that might qualify for the KCC program, please contact KPP Director of Member Services Brooke Carroll at bcarroll@kpp.agency.



Hansen Tours Nuclear Facilities at Idaho National Laboratory with U.S. Senator Roger Marshall

KPP Energy CEO and General Manager Colin Hansen toured the Idaho National Laboratory (INL) in Idaho Falls, Idaho at the invitation of Senator Roger Marshall. Hansen was invited to participate in the tour by Senator Marshall who, for many years, has expressed an interest in nuclear energy. In particular, Senator Marshall is interested in new Small Modular Reactor (SMR) nuclear technologies.



INL is the leading laboratory in the United States for basic and applied nuclear and radiological science research and applications. The lab is home to the Advanced Test Reactor and associated assets for post-irradiation examination, fuel fabrication, materials testing, and development assets. INL has more than 70 years of experience in nuclear reactor plant design, operations and decommissioning, and nuclear materials processing.

KPP Energy thanks the Senator for the invitation and the Idaho National Laboratory staff for the informative tour.

Event Calendar

2023 DATES TO REMEMBER

NOVEMBER 3, 2023
KPP Rate Forum
McPherson, Kansas

NOVEMBER 14-15, 2023
GridEx VII
McPherson, Kansas

NOVEMBER 16, 2023
KPP Board Meeting

DECEMBER 8, 2023
KPP Annual Members Meeting & Board Meeting
McPherson, Kansas

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100 N BROADWAY, SUITE L110 WICHITA, KS 67202
316.264.3166 | INFO@KPP.AGENCY

UNSUBSCRIBE FROM KPP LIGHTNING ROUND NEWSLETTER

KPP ENERGY

October 26, 2023

Dear KPP Members:

Thank you for taking the time to attend the meeting we held today to discuss the various components of the KPP Energy PACE USDA Application. As you can see, KPP Energy needs your willingness to participate to make this project a success. We truly appreciate the feedback and want to work with each of you to determine the best path.

During the meeting, KPP Staff was directed to follow-up with answers to questions that could be used to explain and inform each member's governing body.

1. **What are the operation and maintenance requirements by the City?** – KPP Energy will prepare an agreement between each participating city and KPP Energy that will compensate for the time a city employee has to perform any tasks called upon. It is our understanding there will be a minimal amount of maintenance required and KPP Energy will also enter into a maintenance agreement with the solar developer to manage the operational and long-term maintenance requirements. However, there may be a time that a city is called upon to do a certain task relating to the solar facility and we will compensate for these instances.

2. **What are the costs incurred by the City?** – In order to take advantage of the PACE loan program, the solar facility being constructed in each community will be considered a KPP Energy asset. We will take care of any costs associated with this project, including site prep, upgrades, equipment, etc. We do not anticipate for the city to cover any of the costs of the project.

3. **Will there be zoning considerations?** – It may be possible, that the site you have selected would need to go through the proper channels for appropriate zoning in your community. We may ask each participate for assistance with this step. If there are any tax implications due to zoning changes, due to increases in valuations, KPP Energy will intend to cover those costs of increase of taxes.

4. **Will the City be compensated for the use of the land at the solar facility?** – During the meeting, there were various ideas on how to compensate a city fairly and the tax implications of doing various methods. KPP Energy is interested in compensating fairly and evenly among the participating members. KPP Energy is most interested in securing an easement on these sites and paying an annual amount (to be determined) as a credit on the KPP Energy billing.

5. **What are the benefits of having a KPP Energy solar facility in my community?**

   - This is an opportunity to bring a renewable energy resource into your community. We are finding that industrial customers are asking about the portfolio mix of KPP Energy and how much renewable resources we have. This is a very positive optic for those who find clean energy appealing. Also, KPP Energy will assist with the educational element among the community relating to the solar facility.

   - This is also an opportunity to bring online – very affordable power. The rates we have estimated that will be charged to the members are much lower than if KPP Energy went out and purchased paper capacity. Everyone in the pool will benefit from these facilities. In 2025, KPP Energy may be looking to fill a capacity gap and these facilities will allow us to fill that gap until the Walnut Energy Center is online.

   - It is reasonable to say, that after the installation of the facilities in a community, it could solve problems of providing an offset to load and helping a system in need from time to time. This information will become more evident after a feasibility study has been completed.

Again, we want to thank you for your time and consideration. As we have mentioned, we need to move quickly to submit our Application by December 4th. We look forward to hearing your reply by November 10th. If you have any other questions in the meantime, please let us know.

Respectfully,

Colin Hansen, CEO & General Manager

ITEM NO. G4

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 2023
Department:	Administration
Submitted By:	Erica Jones, City Clerk / Director of Finance
Prepared By:	Erica Jones, City Clerk / Director of Finance
Agenda Title:	**Kansas Power Pool (KPP) Voting Delegate Appointments**

RECOMMENDED ACTION:

Appoint Director of Public Utilities Tim Johnson as the City's Voting Delegate and Electric Production Superintendent Jim Sutton as the Alternate Voting Delegate at the Annual Membership Committee Meeting of the Kansas Power Pool.

BACKGROUND:

In order for the City to have voting rights at the Kansas Power Pool Annual Membership Committee Meeting, the governing body must annually designate the City's voting delegate(s). The City can appoint a voting delegate and up to two alternate delegates.

FISCAL IMPACT/FUNDING SOURCE:

None

Department Head Approval Date: 10/17/2023
City Manager Approval Date: 10/31/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

1. *Letter from Kansas Power Pool requiring designation of voting delegates*

Council Action Advised by November 30, 2023

To: Mayors, City Managers, and City Clerks

Re: DESIGNATION OF REPRESENTATIVE AND ALTERNATES
KPP Energy Annual Member's Meeting – December 8, 2023

To vote at the KPP Energy Annual Member's Meeting, each member city must designate a representative, and one or more alternates authorized to act in the absence of the designated representative, to serve on the KPP Energy's Membership Committee ("Committee"). Each member city's designated representative to the Committee is considered a "voting member." By virtue of a member city designating a representative on the attached Voting Delegate Form, a member city is directly selecting said representative and alternate(s) to serve on the Committee, with the understanding that the KPP Energy's Board of Directors are selected from this Committee pursuant to K.S.A. 12-891, and as specified in the KPP Energy's First Amendment to the Agreement Creating. Designated representatives and alternate(s) who might serve on the Board are therefore selected by a member city and subject to removal from the Board of Directors by a member city's governing body (unless they are an elected member of said governing body). Each member city has only one voting member for purposes of actions taken by the Committee. Furthermore, each voting member is entitled to one vote of equal weight through its representative or alternate in any vote of the Committee.

The following procedures are intended to ensure the integrity of the voting process at the Annual Member's Meeting. Please complete the attached Voting Delegate form and return it to the KPP Energy office no later than November 30, 2023. This will allow us time to establish voting delegate/alternate records prior to the Annual Member's Meeting.

1. Action by City Council Required. Consistent with the KPP Energy's Operating Agreement, each member city must designate a representative, and one or more alternates, to represent the member city. ***The governing body of each member city must appoint their representative and alternate(s).*** Appointment of the member city's representative and alternate(s) cannot be accomplished by individual action of the mayor or city administrator. The member city's city clerk or mayor must sign the Voting Delegate form attesting that the city's representative and alternate(s) were properly selected by the member city's governing body.

2. Annual Member's Meeting Registration Required. The representative and alternate(s) must register for the Annual Member's Meeting. To register, go to the KPP Energy Website at www.kpp.agency. Registration will open in October. In order to cast a vote, at least one voter must be present at the Annual Member's

Meeting and in possession of the voting delegate card. Voting delegate cards will be issued at the registration desk on the day of the meeting.

3. Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may only be transferred freely between the member city's designated representative and alternate(s). If a member city's designated representative and alternate(s) find themselves unable to attend the Annual Member's Meeting, they may not transfer the voting card to another city official.

Once again, thank you for completing the Voting Delegate form and returning it to the KPP Energy office by November 30, 2023. If you have questions, please contact Brooke Carroll at bcarroll@kpp.agency.

VOTING DELEGATE FORM

Please complete this form and return it to the KPP Energy office by **November 30, 2023**. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located at the Annual Member's Meeting Registration Area. **Each member city's governing body may designate one representative and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly) and serve on the Membership Committee (thereby being eligible to serve on the KPP Energy's Board of Directors), a member city's representative and alternate(s) must be directly selected by the member city's governing body. **The city clerk or mayor must sign below to affirm that the city's representative and alternate(s) were properly selected by the member city's governing body.**

1. REPRESENTATIVE – VOTING DELEGATE

Name:

Title:

2. ALTERNATE

Name:

Title:

3. ALTERNATE (Optional)

Name:

Title:

ATTEST: I affirm that the information provided reflects the action taken by the city's governing body to designate the above-named persons.

City: _____

Name: _____ Email: _____

Mayor or City Clerk: _____ Date: _____
(circle one) (signature)

KPP Energy
Attn: Brooke Carroll
100 North Broadway, Suite L110
Wichita, KS 67202
bcarroll@kpp.agency

ITEM NO. G5

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 2023
Department:	Administration
Submitted By:	Josh Shaw, City Manager
Prepared By:	Josh Shaw, City Manager
Agenda Title:	**Charter Ordinance No. 20 Petition**

RECOMMENDED ACTION:

Consider next steps regarding Charter Ordinance No. 20 after receipt of a valid petition.

BACKGROUND:

At the August 7th, 2023 regular meeting, the City Council approved Charter Ordinance No. 20 exempting the City of Augusta, Kansas, 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. Pursuant to the charter ordinance, there was a 60-day protest period allowing for a petition to be filed preventing the ordinance from taking effect unless submitted to the electorate and voted on by a majority. The city clerk's office is in receipt of a petition apparently with sufficient signatures and verified by Butler County.

ANALYSIS:

According to the Charter Ordinance, there are three possible ways to proceed:

1) Take no action and the charter ordinance simply does not take effect.
2) Make an affirmative motion indicating a withdrawal of the charter ordinance from consideration.
3) Direct staff to proceed with scheduling an election for a public vote on the charter ordinance.

As staff and bond counsel previously discussed with the City Council on multiple occasions, the charter ordinance is not critical for the projects included in the planned bond issuance and was only recommended as a potential tool in the toolbox for minimizing the impact of those projects on the city's overall debt limit. Accordingly, the charter ordinance is not critical procedurally for those projects to proceed if the City Council wishes to move forward by taking no action or

taking an affirmative vote to withdraw the charter ordinance. The alternative would be to schedule an election (either in-person or mail-in) which would involve additional time and cost and delay the planned projects.

FISCAL IMPACT/FUNDING SOURCE:

There is no direct fiscal impact to options 1 and 2 regarding withdrawal or taking no action on the charter ordinance. Option 3 would require the city to pay for the costs of an election, which we would have to verify with Butler County (estimates varied in previous years from $10,000 to $15,000, varying depending on whether the election is conducted in person or by mail in ballot).

Department Head Approval Date:
City Manager Approval Date: 10/31/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

ITEM NO. I

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 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 11/1/2023)

1. Communications Specialist (911 Dispatcher)
2. Water Operator / Trainee
3. Solid Waste Truck Operator
4. Wastewater Operator I

B. CITY MANAGER OFFICE ACTIVITIES:

1. Attended monthly Augusta Progress, Inc. meeting.
2. Attended Skatepark walkthrough with contractor.
3. Attended 2024 Health Insurance open enrollment meeting for City employees.
4. Attended airport runway project progress meeting.
5. Attended Kansas Municipal Utilities (KMU) south central regional meeting.
6. Completed and submitted quarterly BASE grant report.
7. Conference call with financial advisor regarding bond issuance timing/planning.
8. Conference call with industrial park customer about stormwater.
9. Attended skatepark ribbon cutting event.
10. ACM completed request for qualifications for city engineering services and notice of the solicitation was published and sent to six firms thus far.
11. Assisted Mid-American Region college disc golf tournament in Garvin Park, consisting of 82 players from 10 colleges across Kansas and Oklahoma.
12. Responded to (1) Public Requests for Information.
    - Utility bill for industrial customer
13. Responded to (3) Council Requests for Information.
    - Miscellaneous
    - Traffic light
    - Charter Ordinance
14. City Manager Update Email
    - 10/27/2023 – Miscellaneous

- 10/19/2023 – Miscellaneous

C. ATTACHMENTS:

1. Public Safety Monthly Report
2. Public Utilities Monthly Report
3. Monthly Financial Report - September
4. Event Form – Christmas Parade 2023

Integrity is the basis for community trust

Memo

TO: **Josh Shaw, City Manager**
FROM: **Todd Ackerman, Director of Public Safety**
SUBJECT: **Monthly Report, September 2023**
DATE: **October 25, 2023**

I. Accomplishments / Highlights

A. Officer Smith, along with Officer Cosby, responded to a past physical disturbance. During the investigation, it was found the victim had been physically abused, along with being choked by the suspect. The suspect had left the residence prior to the officer's arrival. The suspect was eventually found a short time later, where he was arrested for Aggravated Domestic Battery. The suspect was processed and then transported to the Butler County Jail on the felony charge.

B. Officer Brown and Johnson were dispatched to the report of a disturbance. Officers arrived at the scene, where contact was made with the victim. The victim informed officers he had been attacked by the female suspect. The victim also informed officers there was a no-contact order between the victim and the suspect. Officer located the female suspect, and she was arrested for violating the no-contact order.

C. Officers responded to a deceased individual in the 1700 block of Robbins. Upon investigation, the death was determined to be a homicide.

D. Detective Scheuber took the lead role in investigating a homicide which occurred in the first week of September. The complex investigation is ongoing.

E. Officer Johnson saw a Ford pickup pull out of Casey's in front of a tractor-trailer, nearly causing an accident. The pickup continued down the street with no headlamps and turned in front of another vehicle, nearly causing a second accident. The driver was stopped and subsequently arrested for driving under the influence.

F. Officer Coffman was dispatched to a reckless driver, reported to have run a red light and possibly impaired. Officer Coffman located the vehicle and attempted to make a traffic stop. The driver attempted to elude Officer Coffman, committing multiple traffic violations. He was stopped and arrested for felony flee and elude and suspended license.

G. Lieutenant Johnston and KLEAP Accreditation Manager Amanda Cole have been working with the rest of the KLEAP implementation group in completely rewriting the ADPS policy manual to meet KLEAP standards. As of the end of September, approximately 51% has been completed.

H. SRO Sergeant Meckel assisted in implementing the Faith and Blue weekend by meeting with key members of the ADPS and coordinating efforts to make the event a success.

I. Officers worked on a burglary case, involving stolen catalytic converters. Officers gathered information on the suspect. Officers applied for a search warrant, which was granted, and the warrant recovered three catalytic converters.

J. Officers worked two sex offense cases where the victim and the suspect were individuals with special needs. The case has been completed and will be turned over to the county attorney.

K. Officer Smith and Officer Hatcher stopped a vehicle for a traffic infraction. During the stop, the driver was found to be impaired. Officer Smith conducted standardized field sobriety testing on the driver. It was determined the driver was impaired and was arrested. While

processing the suspect, it was found he was in possession of Methamphetamine. The suspect was transported to the Butler County Jail for possession of Methamphetamine and driving under the influence.

L. Officer Hatcher conducted surveillance in the area of 1300 block of Money. Officer Hatcher saw a vehicle leaving the area and knew the driver was suspended. After the traffic stop, the suspect's father found stolen items in the vehicle, which were turned in to officers and identified as items taken during a burglary in the city of Augusta. These items were seized. The recovery of these items was used to obtain a search warrant.

M. Animal control worked with two rescues to rehome four animals.

II. Problem Areas

A. **None.**

III. Chief's Activities

- Weekly meetings via Zoom with the FBI National Academy training event committee. We are hosting the FBI National Conference in Kansas City next year.
- Attended the local IMT meeting at the Butler County EOC.
- Attended via Zoom a Human Trafficking Law Enforcement Committee meeting. We will be proposing new trafficking laws this year.
- Met with Cesario and the Networks Plus representative about the IT contracts with the city.
- Held a meeting with the Sheriff and the EMS director to create protocols for response to accidents.
- The Department hosted a Glock Armorer's class. Approximately 20 people from around the state and Oklahoma attended. We supplied morning coffee and doughnuts.
- Chief attended the FBI-National Academy training in Osage Beach, MO, at Margaritaville Resort. This is a yearly training event.
- We have several safety officers in training for several weeks at night doing an EMT class for certifications.
- We hosted a TAC Medic class. Approximately 20 officers from around Kansas, Oklahoma, and Missouri attended the certification training. We supplied coffee and snacks.

By hosting these classes onsite at the DPS we save large amounts of money as we usually get free seats for doing it. Most of the time, we only need to provide coffee and snacks and sometimes lunch. As a reminder, each officer must have a minimum of 40 hours of training a year to keep certified for the State of Kansas. We also train dispatchers and admin assistants in their fields respectively.

Todd R. Ackerman, Director

Police Division
2023 Monthly Report

	Jan/23	Jan/22	Feb/23	Feb/22	Mar/23	Mar/22	Apr/23	Apr/22	May/23	May/22	June/23	June/22	July/23	July/22	Aug/23	Aug/22	Sept/23	Sept/22	Oct/23	Oct/22	Nov/23	Nov/22	Dec/23	Dec/22	2022 YTD	2023 YTD
TOTAL CALLS	**939**	**1,130**	**810**	**960**	**949**	**1,124**	**859**	**1,574**	**802**	**1,587**	**840**	**1,159**	**942**	**1,058**	**1,149**	**1,079**	**1,108**	**1,126**	**0**	**1,185**	**0**	**1,032**		**935**	**13,949**	**8,398**
Dispatched	459	524	340	439	473	449	484	665	1,068	699	490	618	558	527	542	584	628	522	0	601	0	449		473	6,550	5,042
Self Initiated	480	606	470	521	476	675	375	909	355	888	350	541	384	531	607	495	480	604	0	584	0	583		462	7,399	3,977
TOTAL CASES	**165**	**146**	**157**	**133**	**201**	**157**	**141**	**165**	**156**	**163**	**134**	**180**	**179**	**156**	**155**	**159**	**163**	**144**	**0**	**178**	**0**	**183**		**156**	**1,920**	**1,451**
Dispatched	139	119	121	111	159	135	114	138	120	141	115	156	155	127	125	125	121	108	0	145	0	150		135	1,590	1,169
Self Initiated	26	27	36	22	42	22	27	27	36	22	22	24	24	29	30	34	42	36	0	33	0	33		21	330	285
Cases Cleared	105	107	79	93	124	112	82	123	116	114	93	107	122	95	114	70	105	95	0	131	0	110		101	1,258	940
TOTAL REPORTS	**226**	**179**	**208**	**1,674**	**265**	**202**	**199**	**213**	**204**	**209**	**189**	**240**	**212**	**198**	**218**	**194**	**196**	**192**	**0**	**222**	**0**	**241**		**212**	**3,976**	**1,917**
Preliminary	165	138	157	131	200	156	140	162	155	163	136	180	158	156	155	160	161	124	0	173	0	182		157	1,882	1,427
Supplemental	61	41	51	33	65	46	59	51	49	46	53	60	54	42	63	34	34	68	0	49	0	39		55	564	489
TOTAL CITATIONS	**117**	**108**	**96**	**75**	**115**	**100**	**88**	**88**	**64**	**114**	**51**	**103**	**51**	**201**	**123**	**131**	**95**	**201**	**0**	**162**	**0**	**172**		**117**	**1,572**	**800**
Moving	102	86	87	56	100	77	79	75	62	105	55	89	47	169	94	115	75	180	0	146	0	161		106	1,365	701
Defect	15	22	9	19	15	23	9	13	5	9	5	14	13	32	33	16	20	21	0	16	0	11		11	207	124
Parking	1	1	1	1	0	1	0	2	0	1	4	5	3	1	2	1	5	3	0	1	0	0		0	17	16
Animal Control	0	0	1	0	0	0	0	2	0	4	0	2	0	0	2	0	1	0	0	0	0	0		0	8	4
Tobacco Violation	1	0	6	2	3	0	2	5	6	1	1	0	0	1	1	0	1	2	0	4	0	2		1	18	21
Traffic Warning									16		20		11		22		16									
ARRESTS (Persons)	**37**	**35**	**40**	**19**	**57**	**42**	**46**	**27**	**44**	**34**	**37**	**32**	**40**	**33**	**28**	**35**	**34**	**28**	**0**	**33**	**0**	**95**		**28**	**441**	**363**
ARRESTS (Charges)	**50**	**38**	**53**	**29**	**64**	**49**	**61**	**39**	**73**	**46**	**52**	**43**	**53**	**40**	**44**	**49**	**47**	**38**	**0**	**43**	**0**	**47**		**50**	**511**	**497**
Felony	5	1	4	4	6	7	5	0	3	2	2	5	4	4	6	6	11	5	0	6	0	5		5	50	46
Misdemeanor	32	34	36	25	51	35	41	27	41	32	35	27	36	29	22	30	23	23	0	27	0	28		23	340	317
Warrants	8	9	7	11	19	13	4	2	12	9	2	4	9	9	10	11	5	1	0	3	0	5		4	81	76
DUI	0	2	1	0	2	1	1	2	0	1	1	3	1	0	1	1	2	0	0	2	0	2		0	14	9
DOMESTIC VIOLENCE																										
Cases	1	3	2	3	8	1	5	3	1	7	3	1	2	3	3	3	2	1	0	0	0	2		3	30	27
Male Arrests	1	1	1	2	5	1	4	1	0	4	1	0	2	3	2	1	0	0	0	0	0	2		2	17	16
Female Arrests	0	2	1	0	1	0	1	0	1	2	2	1	1	0	0	0	0	1	0	0	0	0		1	7	7
Dual Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	0	0
Time Spent on DV Calls	60	0	250	433	705	250	683	375	120	560	455	51	290	253	210	262	180	120	0	0	0	220		213	2,737	2,953
Dispatched Minutes	11,111	11,237	8,996	6,610	10,956	14,129	9,463	16,064	10,051	40,086	5,562	14,971	8,778	12,188	13,995	13,759	15,184	13,059	0	13,442	0	9,055		11,382	175,982	94,096
Self-Initiated Minutes	12,588	26,700	13,436	19,005	12,952	29,868	7,646	43,413	8,211	35,389	6,788	24,034	7,455	15,698	10,629	15,474	12,293	17,251	0	13,717	0	13,968		14,790	269,307	91,998
Back-up Minutes	1,867	1,157	1,169	1,029	992	759	1,649	1,045	1,390	1,289	717	899	2,171	1,169	1,276	1,423	2,471	1,498	0	1,364	0	1,490		1,517	14,639	13,702
Mileage	6,818	30,969	5,192	8,195	4,960	7,565	6,199	6,406	6,015	7,140	4,575	6,535	5,322	9,201	7,412	6,873	7,514	7,155	0	6,034	0	6,999		7,432	110,504	54,007
COMMUNITY RELATIONS																										
Police and Fire Programs		0	4	3	3	0	1	0	2	0	0	1	0	3	2	8	1	1		12		12		2	42	
Attendance		0	84	51	500	0	300	0	40	0	0	6	0	600	1,040	1,564	25	30		1,141		462		50	3,904	

MONTH: September, 2023

	NUMBER OF CASES	NUMBER OF CASES CLEARED	CASE CLEAR PCT	NUMBER OF ARRESTS	ADULT ARRESTS	JUVENILE ARRESTS	MALE ARRESTS	FEMALE ARRESTS	TOTAL DOLLAR LOSS	TOTAL DOLLAR RECOVERY
Part I Offenses										
Murder	1	0	0%	0	0	0	0	0	$0.00	$0.00
Rape	3	0	0%	0	0	0	0	0	$0.00	$0.00
Robbery	0	0	0%	0	0	0	0	0	$0.00	$0.00
Agg. Assault (fel.)										
Agg. Battery	1	1	100%	1	1	0	1	0	$0.00	$0.00
Agg. Assault	0	0	0%	0	0	0	0	0	$0.00	$0.00
Burglary										
Residence	0	0	0%	0	0	0	0	0	$0.00	$0.00
Non-Residence	1	0	0%	0	0	0	0	0	$6,500.00	$0.00
Other (ie. Auto)	0	0	0%	0	0	0	0	0	$0.00	$0.00
Larceny										
A (over $1,500)	0	0	0%	0	0	0	0	0	$0.00	$0.00
B (under $1,500)	21	4	19%	4	4	0	4	0	$4,872.00	$2,170.00
Auto Theft	2	0	0%	0	0	0	0	0	$7,000.00	$4,000.00
Arson	0	0	0%	0	0	0	0	0	$0.00	$0.00
Part II Offenses										
Other Assaults (misd.)										
Battery	8	3	38%	3	2	1	2	1	$0.00	$0.00
Assault	0	0	0%	0	0	0	0	0	$0.00	$0.00
Forgery/Counterfeiting	0	0	0%	0	0	0	0	0	$0.00	$0.00
Fraud	4	0	0%	0	0	0	0	0	$116.00	$0.00
Embezzlement	0	0	0%	0	0	0	0	0	$0.00	$0.00
Stolen Property	1	1	100%	1	1	0	1	0	$0.00	$5.00
Vandalism	2	0	0%	0	0	0	0	0	$1,650.00	$0.00
Weapons Violations	0	0	0%	0	0	0	0	0	$0.00	$0.00
Sex Offenses	1	0	0%	0	0	0	0	0	$0.00	$0.00
Drug Law Violations	6	7	117%	7	6	1	7	0	$0.00	$0.00
Off. Against Fam/Child	0	0	0%	0	0	0	0	0	$0.00	$0.00
DUI	3	3	100%	3	3	0	2	1	$0.00	$0.00
Liquor Law Violations	1	0	0%	0	0	0	0	0	$0.00	$0.00
Disorderly Conduct	4	1	25%	1	1	0	1	0	$0.00	$0.00
Misc. Offenses	15	14	93%	14	12	2	13	1	$0.00	$0.00
Curfew/Loitering	0	0	0%	0	0	0	0	0	$0.00	$0.00
Runaways	1	1	100%	n/a	0	0	0	0	$0.00	$0.00
All Other Misc.	74	74	100%	3	3	0	2	1	$0.00	$0.00
Traffic Offenses	11	6	55%	6	6	0	6	0	$0.00	$0.00
Traffic Acc. Reports	11	11	100%	n/a	0	0	0	0	$51,350.00	$0.00
Fire Reports	92	92	100%	n/a	0	0	0	0	$357,000.00	$0.00
TOTAL	**263**	**218**	**83%**	**43**	**39**	**4**	**39**	**4**	**$428,488.00**	**$6,175.00**

Year To Date Totals

as of: September 30, 2023

	NUMBER OF CASES	NUMBER OF CASES CLEARED	CASE CLEAR PCT	NUMBER OF ARRESTS	ADULT ARRESTS	JUVENILE ARRESTS	MALE ARRESTS	FEMALE ARRESTS	TOTAL DOLLAR LOSS	TOTAL DOLLAR RECOVERY
Part I Offenses										
Murder	2	0	0%	0	0	0	0	0	$0.00	$0.00
Rape	6	1	17%	0	0	0	0	0	$0.00	$0.00
Robbery	0	0	0%	0	0	0	0	0	$0.00	$0.00
Agg. Assault (fel.)										
Agg. Battery	7	6	86%	6	6	0	6	0	$0.00	$0.00
Agg. Assault	4	3	75%	5	4	1	5	0	$0.00	$0.00
Burglary										
Residence	15	1	7%	1	0	1	1	0	$13,976.00	$4,000.00
Non-Residence	20	1	5%	0	0	0	0	0	$34,258.00	$1,795.00
Other (ie. Auto)	0	0	0%	0	0	0	0	0	$0.00	$0.00
Larceny										
A (over $1,500)	14	1	7%	0	0	0	0	0	$225,658.00	$34,000.00
B (under $1,500)	183	23	13%	25	25	0	16	9	$46,295.00	$12,069.00
Auto Theft	14	2	14%	2	2	0	2	0	$62,805.00	$28,800.00
Arson	0	0	0%	0	0	0	0	0	$0.00	$0.00
Part II Offenses										
Other Assaults (misd.)										
Battery	70	32	46%	30	28	2	16	13	$0.00	$0.00
Assault	1	0	0%	0	0	0	0	0	$0.00	$0.00
Forgery/Counterfeiting	11	2	18%	3	3	0	3	0	$0.00	$0.00
Fraud	14	0	0%	0	0	0	0	0	$813.00	$0.00
Embezzlement	0	0	0%	0	0	0	0	0	$0.00	$0.00
Stolen Property	3	2	67%	2	2	0	1	1	$0.00	$5.00
Vandalism	76	5	7%	4	4	0	4	0	$27,090.00	$0.00
Weapons Violations	1	1	100%	1	1	0	1	0	$0.00	$0.00
Sex Offenses	17	0	0%	0	0	0	0	0	$0.00	$0.00
Drug Law Violations	76	63	83%	78	64	14	51	23	$0.00	$0.00
Off. Against Fam/Child	4	3	75%	3	3	0	3	0	$0.00	$0.00
DUI	14	13	93%	13	13	0	10	4	$0.00	$0.00
Liquor Law Violations	3	2	67%	2	1	1	2	0	$0.00	$0.00
Disorderly Conduct	62	7	11%	7	7	0	5	2	$0.00	$0.00
Misc. Offenses	134	97	72%	112	96	16	69	33	$0.00	$0.00
Curfew/Loitering	4	4	100%	9	0	9	7	2	$0.00	$0.00
Runaways	5	3	60%	n/a	n/a	n/a	n/a	n/a	$0.00	$0.00
All Other Misc.	549	549	100%	23	23	0	18	6	$0.00	$0.00
Traffic Offenses	83	52	63%	44	42	2	38	14	$0.00	$0.00
Traffic Acc. Reports	102	102	100%	n/a	n/a	n/a	n/a	n/a	$418,201.00	$0.00
Fire Reports	550	550	100%	n/a	n/a	n/a	n/a	n/a	$1,705,500.00	$0.00
TOTAL	**2044**	**1525**	**75%**	**370**	**324**	**46**	**258**	**107**	**$2,534,596.00**	**$80,669.00**

2022 / 2023 COMPARISON

Month	CRIM. CASES	TRAFF. ACC. CASES	ALL OTHER MISC. CASES	FIRE CASES	TOTAL CASES	CRIM. CASES CLEARED	CRIM. CASE PCT	TOTAL CASES CLEARED	TOTAL CASE PCT	ARRESTS	MOV. NTAs	DEF. NTAs	PARK NTAs	A.C. NTAs	TOB NTAs	WARN NTAs
January, 2022	72	13	63	36	184	40	56%	152	83%	43	81	24	2	0	5	0
February, 2022	69	12	55	24	160	26	38%	117	73%	29	56	19	1	5	2	0
March, 2022	88	8	64	45	205	40	45%	157	77%	37	81	23	1	0	0	0
April, 2022	88	16	64	74	242	37	42%	191	79%	41	69	12	2	1	5	0
May, 2022	85	19	67	21	192	31	36%	138	72%	33	138	11	0	0	0	0
June, 2022	106	7	77	31	221	31	29%	146	66%	34	89	14	5	0	0	0
July, 2022	104	12	46	32	194	39	38%	129	66%	42	172	33	1	0	0	0
August, 2022	83	10	70	34	197	22	27%	136	69%	27	115	16	1	0	0	0
September, 2022	73	17	62	38	190	23	32%	140	74%	30	198	25	7	0	0	0
October, 2022	105	9	71	40	225	37	35%	157	70%	7	148	25	3	0	4	0
November, 2022	111	14	68	26	219	42	38%	150	68%	36	108	5	0	0	2	0
December, 2022	74	14	71	32	191	28	38%	145	76%	28	106	11	0	0	1	0
2022 TOTALS	**1058**	**151**	**778**	**433**	**2420**	**396**	**37%**	**1758**	**73%**	**387**	**1361**	**218**	**23**	**6**	**19**	**0**
January, 2023	104	12	51	19	186	35	34%	117	63%	37	106	15	1	0	1	0
February, 2023	93	15	53	36	197	39	42%	143	73%	40	89	9	1	1	6	0
March, 2023	122	9	70	50	251	53	43%	182	73%	59	103	15	0	0	0	0
April, 2023	84	12	48	54	198	43	51%	157	79%	43	82	9	0	0	2	0
May, 2023	92	9	68	58	227	42	46%	177	78%	44	67	6	0	0	6	24
June, 2023	80	10	59	77	226	26	33%	172	76%	36	57	5	4	0	0	20
July, 2023	101	9	61	83	254	38	38%	191	75%	39	47	13	3	0	0	12
August, 2023	78	15	65	83	241	29	37%	192	80%	36	98	33	2	3	1	22
September, 2023	86	11	74	84	255	42	49%	211	83%	43	75	20	5	1	1	16
October, 2023					0		0%	0	0%							
November, 2023					0		0%	0	0%							
December, 2023					0		0%	0	0%							
2023 TOTALS	**840**	**102**	**549**	**544**	**2035**	**347**	**41%**	**1542**	**76%**	**377**	**724**	**125**	**16**	**5**	**17**	**94**

Fire Division 2023

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Totals
Fire Alarms	20	36	50	53	61	76	82	83	92				**553**
City	7	11	25	19	43	57	62	57	66				**347**
Dist #2	8	19	20	18	12	15	15	16	15				**138**
Mutual Aid From Us	3	5	3	7	2	3	2	3	7				**35**
Rescue Calls	2	1	2	9	4	1	3	7	4				**33**
Mutual Aid To Us	0	1	3	3	0	0	1	0	0				**8**
Fire Ignitions	9	14	20	18	5	5	10	7	9				**97**
City	2	2	8	9	1	2	5	2	2				**33**
Dist #2	4	9	10	11	2	1	5	4	2				**48**
Mutual Aid Fires	3	2	2	7	2	2	0	1	5				**24**
Property Involved City	0	0	221,000	121,500	0	150,000	60,000	50,000	110,000				**$712,500.00**
Damage Amount	0	0	50000	25,000	0	50,000	30,000	20,000	15,000				**$190,000.00**
District #2	0	101,000	142,000	10,000	0	0	260,000	100,000	116,000				**$729,000.00**
Damage Amount	0	101,000	87,000	10,000	0	0	110,000	20,000	116,000				**$444,000.00**
Fire Investigations	20	36	50	53	61	76	82	83	92				**553**
Fire Case Cleared	20	33	50	53	61	75	82	83	92				**549**
Ruled Arson	0	0	0	0	0	1	0	0	0				**1**
Ruled Suspicious	0	0	0	0	0	0	0	0	0				**0**
Ruled Unknown	0	3	0	0	0	0	0	0	0				**3**
Ruled Accidental	20	33	50	53	0	5	82	83	92				**418**
Fire Injuries	0	0	1	0	1	0	0	0	0				**2**
Civilian	0	0	0	0	1	0	0	0	0				**1**
Fire Fighters	0	0	1	0	0	0	0	0	0				**1**
Inspection	2	1	0	0	0	6	1	2	0				**12**
Violation Found	0	0	0	0	0	4	0	3	0				**7**
Corrections	0	0	0	0	0	0	0	0	0				**0**
Hydrants Tested	3	0	0	0	0	0	0	0	0				**3**
Pre-Plans	0	0	0	0	0	0	0	0	0				**0**
Burn Permit City	0	0	0	0	1	0	0	0	0				**1**
Burn Permit Dist #2	25	35	51	12	95	45	29	20	33				**345**
Re-Inspections	0	0	0	0	0	0	0	0	0				**0**
OVERTIME COUNTY	$2,813.68	$3,105.06	$2,961.81	$4,846.44	$2,753.34	$1,111.40	$1,558.23	$1,656.50	$2,779.12				**$23,585.58**

Communication Stats

911

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Totals
InBound	240	193	266	255	266	327	287	250	288				**2372**
Abandoned	35	27	28	41	42	44	38	29	21				**305**
911 Calls Total	275	220	294	296	308	371	325	279	309	0	0	0	**2677**
Daily Fishing	$0.00	$0.00	$0.00	$95.00	$20.00	$15.00	$0.00	$70.00	$0.00				**$200.00**
Annual Fishing	$170.00	$140.00	$870.00	$850.00	$420.00	$270.00	$255.00	$30.00	$15.00				**$3,020.00**
Accident Reports	$67.50	$180.00	$220.00	$60.00	$60.00	$60.00	$40.00	$140.00	$141.50				**$969.00**
FingerPrints	$880.00	$930.00	$420.00	$890.00	$1,050.00	$1,080.00	$790.00	$850.00	$320.00				**$7,210.00**
Boat Permits	$130.00	$100.00	$100.00	$0.00	$30.00	$30.00	$30.00	$0.00	$0.00				**$420.00**
Bicycle Registration	$0.00	$0.00	$0.00	$3.00	$1.00	$5.00	$0.00	$4.00	$2.00				**$15.00**
Vehicle	$950.00	$1,150.00	$600.00	$700.00	$1,200.00	$700.00	$300.00	$300.00	$300.00				**$6,200.00**
Misc. Reports	$91.75	$134.75	$132.25	$52.50	$156.50	$420.25	$426.00	$295.75	$104.50				**$1,814.25**
Revenue Total	$2,289.25	$2,634.75	$2,342.25	$2,650.50	$2,937.50	$2,580.25	$1,841.00	$1,689.75	$883.00	$0.00	$0.00	$0.00	**$19,848.25**
Daily Fishing	0	0	0	5	2	2		3	0				**12**
Annual Fishing	7	7	31	36	28	18	10	2	1				**140**
Accident Reports	4	9	11	3	3	3	1	7	7				**48**
FingerPrints	24	25	10	21	29	32	23	33	8				**205**
Boat Permits	2	1	1	0	1	1	1	0	0				**7**
Bicycle Registration	0	0	0	3	1	5	0	4	2				**15**
Vehicle	18	21	6	7	12	7	3	3	3				**80**
Misc. Reports	5	10	7	7	8	13	11	8	7				**76**
Total Issued	60	73	66	82	84	81	49	60	28	0	0	0	**583**

EOM STATS **MONTH: September** **ACO**

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	TOTALS
Dispatched	5				0	4	5	4			1	5	1	3	1			5	3	5	8	6			2	5	3	3	1			**70**
Self Initiated	0				1	1	1	4			0	1	0	0	1			0	1	0	1	0			0	0	1	0	0			**12**
ANIMAL CALLS	5	0	0	0	1	5	6	8	0	0	1	6	1	3	2	0	0	5	4	5	9	6	0	0	2	5	4	3	1	0	0	**82**
CASES																																**0**
TOTAL CITATIONS								1																								**1**
ANIMALS P/U	1					1	3	2				1			1				1	4	1	3			1	1	3					**23**
ANIMALS RETURNED							1																				1					**2**
IMPOUNDED	1					1														2						1	1					**6**
DEAD ANIMALS P/U							2	2				1			1				1		1	2					1					**11**
WILD ANIMALS																				2		1			1							**4**

ANIMAL CLINIC		
Total Bill	$2,681.00	
Animals Redeemed	10	1
Animals Adopted	0	2
Animals Euthanized	1	3
Misc. Animals	4	4

1= animals taken home by owner
2= animals that get a new owner
3= animals that are humanely put down
4= animals that die of natural causes, to rescue, etc.

Augusta Department of Public Safety
Fuel Account Summary Report

2023	Gallons						Invoice						Average					
Month		Purchased					Amount							Cost				
	2023	2022	2021	2020	2019	2018	2023	2022	2021	2020	2019	2018	2023	2022	2021	2020	2019	2018
January	878.43	935.58	935.56	918.50	1009.41	1297.70	2448.15	2508.58	1683.73	2060.98	1962.21	2975.42	2.98	2.79	1.80	2.24	1.94	2.29
February	758.52	770.53	695.23	867.65	809.57	944.42	2193.26	2502.68	1438.61	1863.15	1666.44	2298.07	3.08	3.25	2.07	2.15	2.06	2.43
March	990.14	952.29	770.67	758.96	880.21	1143.12	2858.68	3376.94	2011.21	1530.11	2061.38	2669.31	3.07	3.55	2.61	2.02	2.34	2.34
April	872.05	866.19	766.59	980.56	861.96	1061.90	2735.01	3252.55	1925.79	1611.32	2246.33	2603.35	3.32	3.76	2.51	1.64	2.61	2.45
May	843.14	811.34	858.92	942.09	1079.37	1120.04	2541.23	3116.91	2455.56	1450.32	2796.89	2931.92	3.17	4.03	2.86	1.54	2.59	2.62
June	857.66	923.35	879.43	867.22	963.39	1085.02	2543.66	4156.48	2539.43	1580.69	2316.36	2919.38	3.15	4.50	2.89	1.82	2.40	2.69
July	873.57	960.98	920.40	733.09	1039.94	1012.91	2726.54	4058.59	2694.79	1444.91	2556.22	2577.24	3.31	4.22	2.93	1.97	2.46	2.54
August	962.33	989.44	820.00	827.80	1034.94	1051.18	3384.05	3501.49	2213.88	1657.64	2353.92	2737.06	3.70	3.54	2.70	2.00	2.27	2.60
September	1036.41	848.51	867.62	804.52	958.30	1032.45	3709.27	2799.28	2717.09	1605.62	2178.50	2610.34	3.77	3.49	3.13	2.00	2.27	2.53
October		866.47	859.10	792.18	1032.84	1047.93		2866.77	2598.79	1577.23	2414.62	2776.92		3.50	3.03	1.99	2.34	2.65
November		784.96	723.48	760.48	927.24	895.92		2418.17	2231.19	1541.91	2108.04	2145.03		3.27	3.08	2.03	2.27	2.39
December		866.02	831.77	747.36	832.24	779.08		2318.64	2493.47	1548.12	1884.53	1546.21		2.87	3.00	2.07	2.26	1.98

MILEAGE

Unit #	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
40 Trip	109270	110488	110984		112626			116061	116116				
07-15 Lt. Fire	128536	129082	129287	129963	130234	130576	131278	131595	131928	132487			
41 Sgt. CID	36107	36785	36969	37741	38107	38615	39116		39862	40546			
35 Trip	63846	64601	64603	64750	64756	64773	64773	64785	64784				
12-15- ACO	36268	37400	37690	38386	38903	39717	40212	40832	41417	42219			
44 Patrol	63924		65683		66753	67214	64980	68300	68557	68847			
45 Patrol	76266	79335	80402	83290	84249	85702	87198		87973				
46 Patrol	86485	86485	86485	87854	89054	91170	93837	95368	95731	9158			
47 Patrol	64586	71484	72196	73770	75356	78153	81302	83244	84984	85174			
48 Patrtol	72216	75663	76966	80178	80958	80958	82727	84092	86087	86606			
49 Lt. CID	6761		7393	7842	8358	8647		9417		9576			
50 Chief	10769	12005	12431		14477	15392	16077		16687	17296			
51 Major	379	3142	3858	6007	8400	8544	10723		13279	15003			
52 Patrol									1908	4255			
53 Patrol									209	2617			
54 Chief									1782	2921			
Fire E-1	19564	19580	19598	19729	19756	19809	19900	19970	20007	20106			
Fire AP-1	9156	9162	9173	9198	9200	9205	9216	9249	9329	9360			
Fire E-4	14948	14953	14959	14982	14985	14990	15011	15056	15058	15074			

Unit #	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
40 Trip		1218	496		112626			116061	55				
07-15 Major		546	205	676	271	342	702	317	333	559			
41 Sgt. CID		678	184	772	366	508	501		39862	684			
35 Trip		755	2	147	6	17	0	12					
12-15 ACO		1132	290	696	517	814	495	620	585	802			
44 Patrol			65683		66753	461		3320	257	290			
45 Patrol		3069	1067	2888	959	1453	1496		87973				
46 Patrol		0	0	1369	1200	2116	2667	1531	363				
47 Patrol		6898	712	1574	1586	2797	3149	1942	1740	190			
48 Patrol		3447	1303	3212	780	0	1769	1365	1995	519			
49 Lt. CID			7393	449	516	289		9417		9576			

Vehicle/Equipment Asset Inventory Listing

Augusta Department of Public Safety

Unit	*Make*	*Model*	*Year*	*VIN*	*In Service*	*Assigned*
40-17	Ford	Escape	2017	1FMCU9G90**HUD44261**	May-21	Trip Car
7-15	Ford	F-150	2015	1FTFX1EF8**FKD84289**	Jul-15	Highbarger
41-14	Ford	Interceptor	2016	1FM5K8AR7**GGC73137**	Apr-16	Scheuber
35-11	Ford	Crown Victoria	2011	2FABP7BVX**BX155624**	May-11	Trip Car
44-18	Ford	Interceptor	2018	1FM5K8AR0**JGC74721**	Oct-18	Patrol
45-18	Ford	Interceptor	2018	1FM5K8AR2**JGC74722**	Oct-18	Patrol
46-20	Ford	Interceptor	2020	1FM5K8AC8**LGA18732**	Dec-20	Patrol
47-20	Ford	Interceptor	2020	1FM5K8AC8**LGA18731**	Jan-20	Patrol
48-20	Ford	Interceptor	2020	1FM5K8AC5**LGC94848**	Oct-20	Patrol
49-21	Ford	Interceptor	2021	1FM5K8ABX**MGB64606**	Aug-21	Johnston
50-21	Ford	Interceptor	2021	1FM5K8AB1**MGB64607**	Sep-21	Chief
51-22	Ford	F-150	2022	1FTFW1P84**NKE90030**	Dec-23	Marbut
52-23	Dodge	Durango	2023	1C4SDJFT9**PC626711**	Aug-23	Patrol
53-23	Dodge	Durango	2023	1C4SDJFT0**PC626712**	Sep-23	Patrol
54-23	Ford	Expedition	2023	1FMJU1J80**PEA18798**	Aug-23	Chief
ENGINE 1	FREIGHTLINER	F80	2000	1FV6JLCB7**YHB53517**	May-00	Fire
AP#1	Sutphen	SP70	2010	1S9A3LLE6**92003191**	May-10	Fire
ENGINE 4	Ford	C8000	1980	1FDYD80U4**BVJ12274**	80	Fire
Revised 09-2023						

ITEM NO. _____

Date: November 6, 2023
Department: Public Utilities
Prepared By: Tim Johnson, Public Utilities Director

Construction of public improvements for the new Shadow Ridge subdivision is well underway. Nowak Construction is the general contractor on the project. Pearson Construction will build the streets, and Alan's Excavating is performing the dirt work. The first building permit for a new house at 2701 Mainsgate Dr. was issued the week of October 23.

The utilities director attended a KPP Energy meeting October 25 to learn about the possibility of KPP accepting a Powering Affordable Clean Energy (PACE) Program loan for constructing small utility-scale solar power generating systems in several member communities, including Augusta. PACE is part of the Inflation Reduction Act (IRA), which represents the largest investment in rural electrification since President Franklin Delano Roosevelt signed the Rural Electrification Act into law in 1936. The City will not be asked to make a financial commitment the project; however, Augusta may wish to participate by providing ground upon which to construct one of the systems and contract for some, but not all, maintenance of the facility. The project will be funded and owned by KPP Energy. More information will be forthcoming on what, if any, role the City of Augusta may play in this project.

ELECTRIC PRODUCTION

Electric Production staff members attended various training events for professional development. Production Operator Marc Cain attended small, unmanned aircraft systems remote pilot training at Kansas State University's Salina campus. This training is necessary to be able to legally operate the city's Skydio X2 Drone. New Operator Trainee Dylan Bennet attended Kansas Municipal Utilities' CDL/ELDT Theory Class October 17, practice tested for the CDL written test, and scheduled his test for November 1. Operators Marc Cain and Cody Warner attended Kansas Municipal Utilities Leadership Training October 19. Operator Trainee Tyler Patten started the next quarter of the KMU Power Plant Technology Program.

Progress on the Worthington Cooling Tower Project continues. Staff have installed guard rails, ladder, motor mounts, antivortex plates, four valves, placed motors, rerouted conduit, backfilled the north and east sides of the towers, and removed a tank refill line. Steel has been ordered to fabricate piping and screens. Staff completed ground maintenance at Electric Plants 1 and 2, Armory Substation, Kelly Substation, and Southwest Substation. The grass at the Southwest Substation is now mowed back to the tree line. Kansas 811 was scheduled to have the area

located preparatory to resetting the BASE Grant project sign. The water systems for units C-3 and M-4 were tested. Oil samples were taken on Units EU-7, WPG-8, W-1, W-2, C-3, and M-4. A pilot injector was rebuilt on M-4 and blast doors on M-4 were temporarily removed for inspection.

The division encountered an issue with Unit M-4's splash oil monitoring system October 13 during normal exercise. This resulted in the unit being forced into outage until noon Monday, October 16. The unit was called to run for SPP three days later and performed well. Unit C-3 was exercised the next day. Finally, Unit M-4 was successfully exercised the following day. During this reporting period, most runtime was for SPP power generation purposes; less than half was for training and exercising of the engines. Units C3 and M4 were operated for a total of 18 hours, producing 89,705 kWh using 248 gallons of diesel fuel.

On the administrative front, Production Operator Cody Warner developed an agenda for monthly safety meetings through 2024 and safety meeting PowerPoint presentations were created for October, November, and December of this year. The remainder of this year's safety meetings will cover Personal Protective Equipment, Slips, Trips and Falls, and Electrical Safety. The programs are based on both OSHA standards and guidelines from the American Public Power Association safety manual. Staff also attended a supervisor training workshop about different forms of communication and communication techniques at the Kansas Municipal Utilities training center. Finally, a tour of the power plant was scheduled with Garfield Elementary for 16 students who are winners of the Public Power Week coloring page contest. The tour is scheduled for November 2.

ELECTRIC DISTRIBUTION

Work continues on the BASE Grant electric projects: Southwest Substation; Feeder 8; 69kV line. Substation design is complete. Staff have received much of the components for the 69kV line and have installed almost all poles. Staff also continue to replace old electric meters with new AMI meters.

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

- 400 Blk. of 14th – Reported outage; found squirrel and blown fuse; refused and restored power
- 28 Lakeside Dr. – Reported outage; found blown fuse and squirrel; refused and restored power
- 31 Ranchwood – Repaired back yard and filled ruts from past outage; chipped limbs in the easement
- 15 Elm – Underground to shed hit by TMD (Ideatek contractor); owner wanted to disconnect service for new future shed
- 1630 Ohio St. – Hilger's Family Pharmacy underground neutral burnt up at riser; reworked riser and pulled new underground

- Augusta Municipal Airport – Removed streetlight that had bad underground and replaced with solar light
- 1410 Carter – Report of service being too tight; loosened service
- 670 Frisco – Reprogrammed new AMI meter
- 1626 Socony – Ran new service for new shop
- 1005 Custer – Ran new underground service for new home
- 1425 Starkey – Report of flickering lights; repaired bare phase at transformer, trimmed tree
- 1206 Bobbie – Disconnected at meter riser for electrician
- 1423 Meadowlake Dr. – Temp service moved for construction
- Garvin Park – Ran new underground wire and built riser for new services that will be used for Christmas lights
- Arnold Tornado Siren – Confirmed voltage to siren
- Mainsgate Street Area – Mass locate for Ideatek
- Shop – Locater training
- 2605 Mainsgate Dr. – Secondary was hit by contractor; replaced 50kVA pad mount transformer; repaired conduit; pulled new service; replaced customer TV and breaker
- 421 E. 14th Apartment A – Reconnected power
- 1447 Dearborn – Reconnected power
- Citywide – Utility office list of old meters to be replaced with new AMI meters
- 69 kV Line – Set two more poles on the west end of the pole line
- 1201 Money, Lot #103 – Disconnected power
- Lakepoint Area – Mass locate for Ideatek
- 907 Money – Disconnected power
- Golf Water Tower – Water Division reported no power to their monitoring system; found blown fuse and burnt up primary jumper; repaired, refused, and restored power
- 6th & Lulu – Set 70’ pole just outside of new southwest substation
- 1206 Bobbie – Reconnect power for new service
- 421 State St. – Installed new AMI meter for new service
- 6th & Lulu – Removed dirt piles after setting new 70’ poles for 69kV line
- 1249 Hooper – Customer reported outage; found blown fuse from squirrel; refused and restored power
- 5th & Oak – Dug up conduit for riser at DJ Engineering; built riser and prepped for primary wire to be pulled in
- Garvin Park – Pulled in two more services for Ignite Augusta group project and replaced all the parks electric meters with new AMI meters
- 1137 Euclid – Customer reported streetlight wire down; spliced and rehung wire
- 1201 Money, Lot# 44 – Reported outage; found it was on customer side with a tripped breaker
- Feeder 5 – Storm knocked out feeder 5; crew drove out feeder and found nothing wrong; threw feeder back in and it held
- 1154 School St. – Ran permanent service
- 1714 Robbins – Replaced service

- 1202 Euclid – Customer called with concern of service rubbing on garage; rerouted service
- 907 Money – Reconnected service
- Shop – Monthly Safety Meeting
- FEMA Building – Moved more material into storage at building
- 50 Angelina – Repaired streetlight
- FEMA Building – Replaced bad streetlight
- 715 Cliff St. – Customer reported no power; found Utility office shut them off for non-payment using AMI meter
- 1151 Henry – Replaced bad streetlight

Callouts & Outages:

- 1200 Blk. of Dearborn (west side), Summit, Wiley, & Pauline – Customers reported mass outage; found two blown fuses; drove out the lines, found probable cause was wind and tree limbs; refused and restored power
- 474 E. Broadway – Customer reported half power; found broken neutral at riser; repaired and restored full power
- 1225 12th – Emergency locate for Water Division
- 125 E. Broadway – Emergency locate
- 400 Blk. of Loomis & Augusta Ave. – Customers reported outage; found squirrel at bottom of transformer pole; removed three fuses; refused and restored power
- Schneider Feed & Grain – Customer reported half power; found one leg and transformer burnt up; repaired and restored full power
- 125 Harrington – Reconnected service at the pole
- 1210 Bobbie St. – Called about old secondary line laying in back yard; removed line
- Belmont & Ohio – Traffic lights reported not functioning properly; troubleshot and reset system; setup 4-way stop and called Gades in for reprogramming
- Lakepoint Addition – Ideatek called in locates for entire subdivision
- 12th & Ada – Customer called in low hanging line; found it was CATV line
- 315 Clark – Customer reported outage; found it on customer side; main breaker tripped
- 200 & 300 Blk. of Main & Clark – Feeder 3 faulted; drove out lines; found nothing; power plant found the Feeder 3 reclose coil is bad; closed coil manually and it held; coil replacement being scheduled with Mid States
- 302 Woodridge – Customer reported half power; found burnt phase inside of meter can; pulled meter and notified customer to call electrician
- 302 Woodridge – Reconnected power

Line Clearance Team:

- 1713 Ridgewood Dr. – Continued clearing trees from primary on west side of trailer park
- Garvin Park – Removed tree from riser pole for line crew

Staff performed 112 standard locates and 9 emergency locates during this reporting period.

SOLID WASTE

- Street Crew assisted with the solid waste routes
- Picked up automated packer truck from shop to start to diagnose packing unit
- Took rear load packer truck to shop for computer software issues

STREETS

Projects:

- North Ohio – Flagged street for Schwab Eaton while they ran a straight edge test; met with city engineer at Lakepoint and Ohio to discuss fixes to drainage flumes; Kansas Paving was on site to mill and overlay transitions on the north end of the project, pour flumes at Lakepoint and Ohio, repair Slade's driveway and fog seal segregated areas along the project
- Skate Park – Performed final inspection with CM and Schwab Eaton; city staff used available dirt to begin backfilling to final grade; Grand Opening was scheduled for 10/28 but postponed due to weather; city staff will complete project as soon as weather allows
- 2023 Pavement Preservation Program – City staff cleared trees and filled potholes along the routes for micro-surfacing; contractor arrived 10/23 and began work on Fairlane and Stadium bump outs; no work Tuesday or Wednesday due to rain; contractor was able to work on Thursday and Friday but had equipment breakdowns which hindered the amount of work completed
- City Lake Dam Project – Preconstruction meeting took place 10/19; work was scheduled to start 10/23; city crews cleared trees along the designated haul route; work progressed well on 10/23 but weather has caused a delay of several days

Street Division:

- Crews worked with Solid Waste Division due to employee absences
- Crews trimmed Trees
- Crews worked on Skate Park

WASTEWATER

The Division welcomed a new employee, Jerry Kindler, October 16. The division still has an opening and is actively recruiting applicants. Earlier this year staff reported high phosphorous counts in Augusta's effluent, and at other treatment plants statewide, are emerging as an issue with KDHE. The maximum level will likely be around 1.5 mg/liter. All test results through the end of October have been far below the anticipated State standard. Phosphorous and nitrogen are now listed on the City's permit and must be reported, and appropriate levels maintained even though they are not yet federally mandated. That mandate is scheduled to take effect in 2027.

New cranes for the lift stations in 5th Street and Kansas Ave. have been ordered, and a replacement gearbox for the North Clarifier has been installed. Recall that during the budget process staff reported this gearbox was worn out and needing replacement and recommended funding installation of a new gearbox and rebuilding of the old one in 2024. This is NOT the clarifier that was destroyed in late 2019. It is the unit that sits slightly north and east of the one that failed that year. The clarifier was still operating with the original 20-year-old gearbox this Spring, but the box was getting very loud indicating it could fail at any time. When the South Clarifier was rebuilt, the city installed a new gear box in it to save time, money, and reduce the risk of having it out of service. The gearbox that was removed from the damaged clarifier was then rebuilt in anticipation of this need. The governing body directed staff during a budget work session to replace the gearbox and rebuild the old unit instead of waiting until 2024.

Callouts/Line Cleaning

- 31 Woodlane – F61 to F48; 92 feet cleaned; blockage at 88 feet
- 1714 Dearborn – C265 to C264
- 1011 State St. – C206; no clogs
- C92 to C91 – 280 feet cleaned; no clogs
- 1107 Bobbie – C149 to C150; 288 feet cleaned; moderate grit; no clogs
- 1601 Ohio – C268 to C269; 250 feet; clogs at 38 and 50 feet
- 36 Ranchwood – F66 to F68; 290 feet; no clogs
- 1206 Osage – C231 to C233; no clogs
- 1143 Euclid – C349 to C350; 350 feet cleaned; no clogs

Approximately 13.01 dry tons of sludge were produced and about 11,512,000 gallons of wastewater were treated this period. This is a 17% average daily increase in the amount of wastewater treated compared with the last reporting period (last period was 14 days long; this period is 21 days). This increase is in large part due to the rains of late October.

Finally, routine work included mowing the plant grounds, cleaning and greasing the Parkson and bar screens, cleaning the influent basket, and performing safety checks on vehicles 345, 346, 420, and the VacCon truck.

WATER

The Division currently has two openings and is actively recruiting candidates. One staff member was on vacation two weeks, and another welcomed a new baby and has been on leave for one week, so far.

The division performed 74 standard locates during the three weeks ending October 28. Ninety-two new AMI antennas were installed bringing the total number of water meters connected to

AMI to 2,412. A two-inch meter behind the Middle School was removed and serviced, as it had ceased reading. The number of thefts and minor damage to city property has been increasing over the past two years. In response to the increased amount of crime and anticipation of the improvements to be made in the area for the Street, Solid Waste and Parks Divisions, Water Division staff have begun installing fencing on the south and east sides of the plant. The site will not be entirely enclosed right away, but access is being prevented from behind the levee, increasing the chances cameras will capture illicit activities and making it more difficult to remove city property without being caught. Eventually, the plant and new public works facility will be entirely secured behind fencing.

Main Breaks & Service Line Work:

- East Clark – 4-inch main break
- East 12th – 4-inch main break
- Mulvane Line – 18-inch line break
- Bluff St. – 6-inch main break
- East 5th – Abandoned service line and cut off main line
- 1154 School – Relocated service out of where new driveway will be installed

Finally, staff prepared the treatment plant for winter, cleaned all four filters, replaced two thermostats on heaters in the filter room, replaced the air filters on the main air compressor, and took Bacti and TOC samples and forwarded them for lab analysis.

Monthly Financial Report

September 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 $4,529,056.96, which is a 15% increase over the 2022 collections of $3,945,521.29 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 $2,530,189.79 which is up 1% compared to 2022 collections of $2,523,370.36 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 $764,065.96, compared to 2022 collections of $743,754.29 for the same time period. The last rate change occurred January 1, 2023.

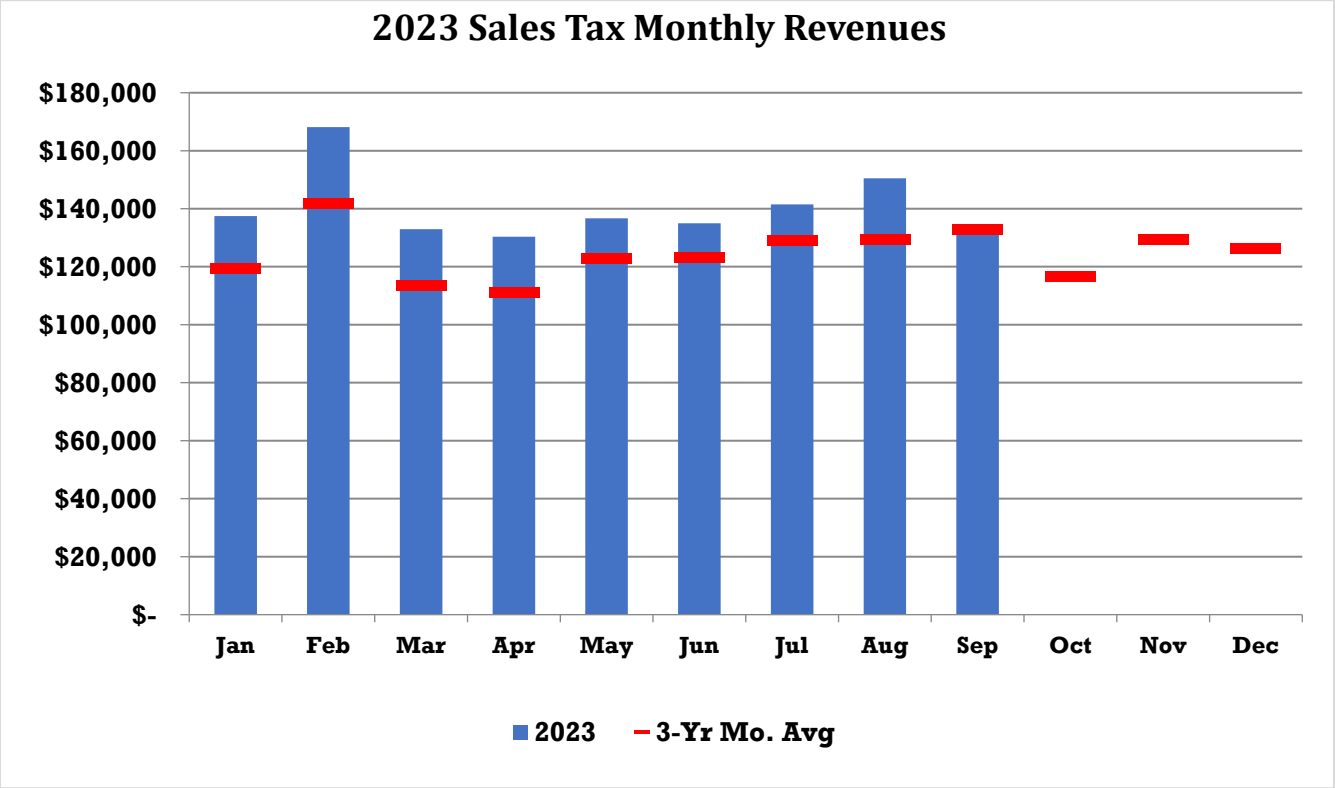
Water Fees Customers are charged a monthly fee for water services. Water fees are up 4% in 2023 with collections of $1,391,495.80, compared to 2022 collections of $1,346,095.97 for the same time period. The last rate change occurred January 1, 2023.

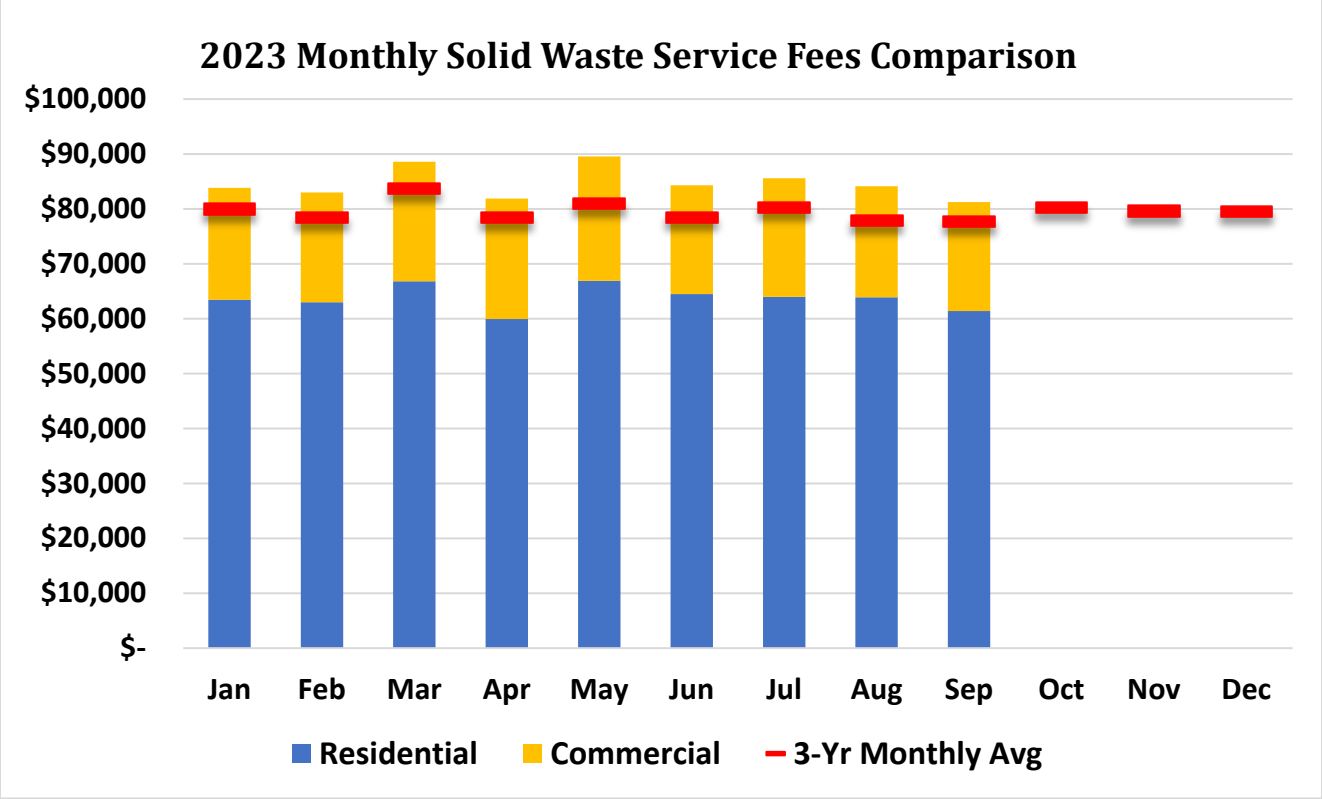
Electric Fees Customers are charged a monthly fee for electric services. Electric fees are up 4% in 2023 with collections of $7,513,686.48, compared to 2022 collections of $7,262,885.27. The last rate change occurred January 2, 2007.

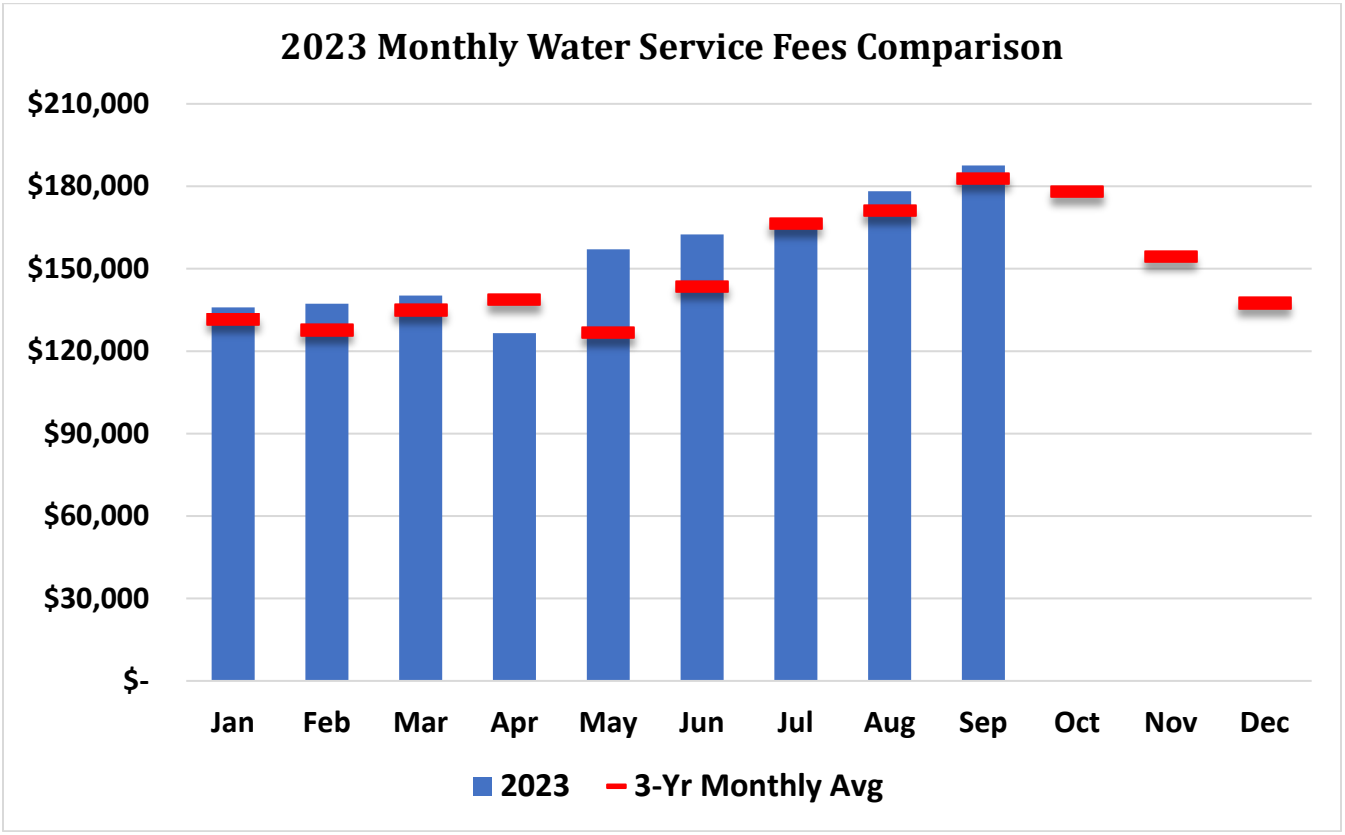
Sewer Fees Customers are charged a monthly fee for sewer services. Sewer fee are up 29% in 2023 with collections of $797,325.81, compared to 2022 collections of $619,850.22 for the same time period. This is a result of the rate structure change between the sewer and wastewater fees. The last rate change occurred January 1, 2023.

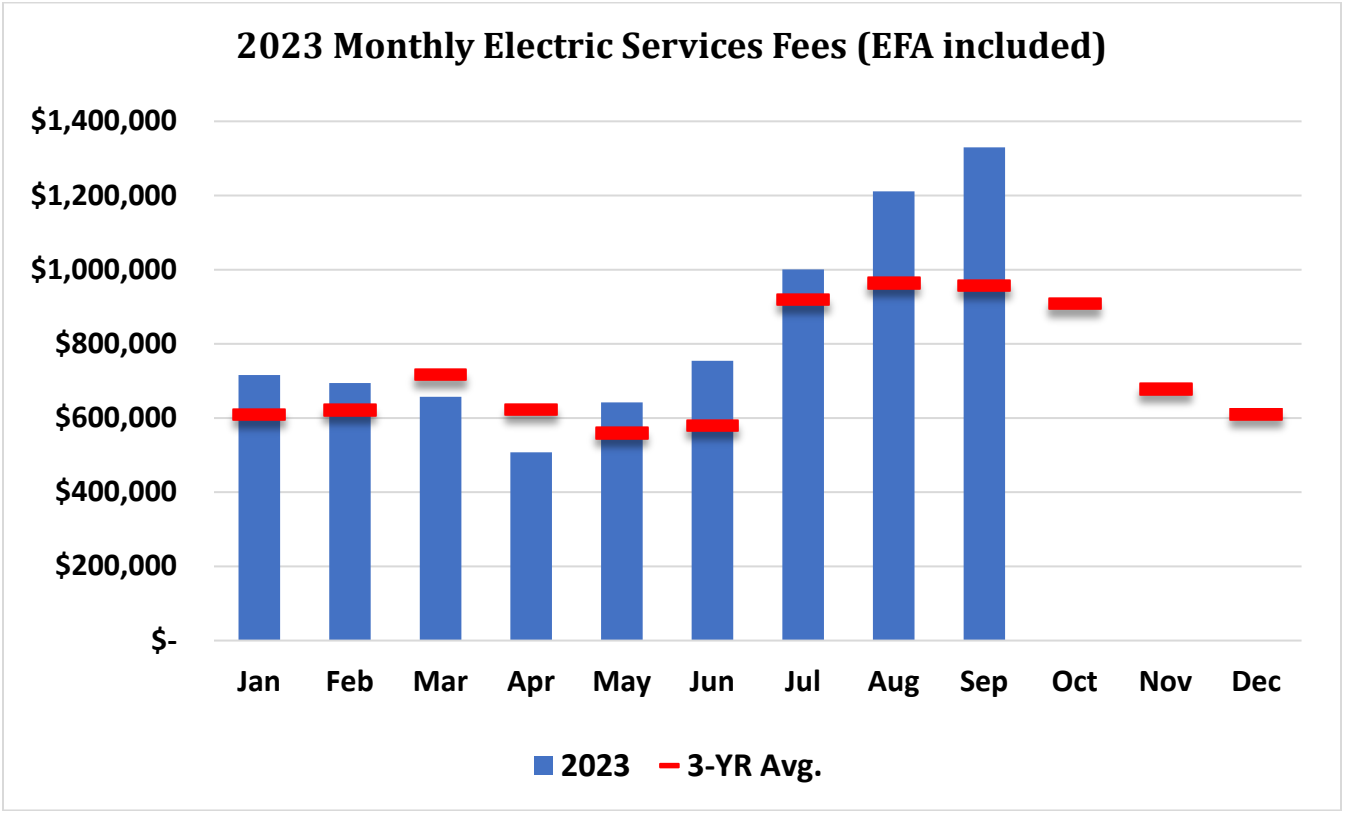
WWP Fees Customers are charged a monthly fee to pay the debt for the Wastewater Plant. WWP fees are down 38% in 2023 with collections of $268,877.37, compared to 2022 collections of $436,406.76 for the same time period. This is a result of the rate structure change between the sewer and wastewater fees. The last rate change occurred January 1, 2023.

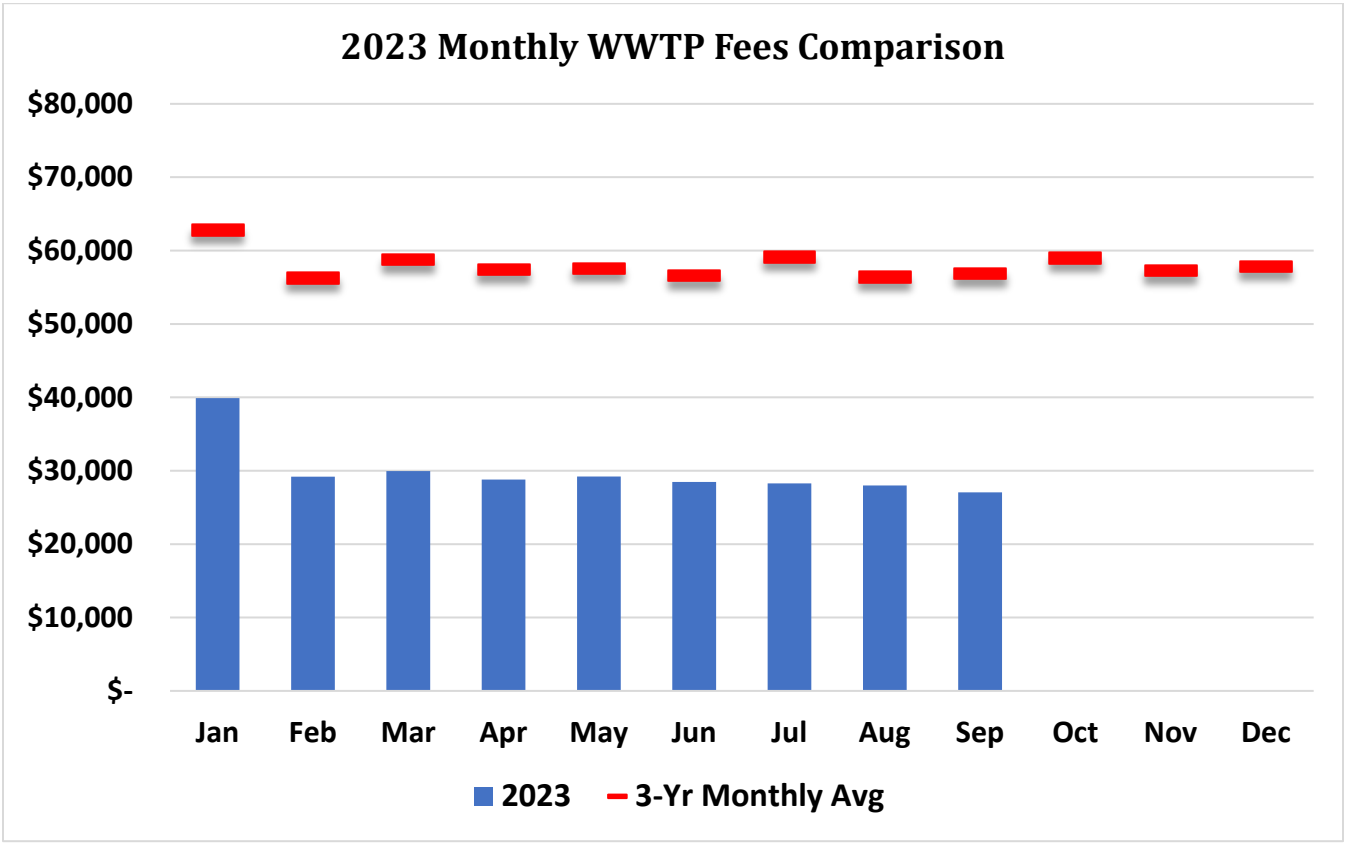
2023 Monthly Financial Report - Through September 30, 2023						
Fund		2023 YTD Actual	2023 Budget	% of 2023 Budget	2022 YTD Actual	% of Prior Year YTD
01	General Revenue	6,222,247	6,585,500	94.48%	5,997,659	103.74%
	General Expense	5,634,962	7,882,345	71.49%	5,482,995	102.77%
02	Library Revenue	360,675	377,150	95.63%	302,390	119.27%
	Library Expense	360,675	377,150	95.63%	302,393	119.27%
04	Special Alcohol Revenue	10,207	18,400	55.47%	8,434	121.03%
	Special Alcohol Expense	13,500	21,290	63.41%	25,539	52.86%
05	CTB Revenue	16,233	17,000	95.49%	15,981	101.58%
	CTB Expense	6,040	25,000	24.16%	5,693	106.09%
06	Special Parks Revenue	43,628	50,900	85.71%	84,186	51.82%
	Special Parks Expense	72,756	98,700	73.71%	75,564	96.28%
08	Library Emp Benefit Revenue	84,895	88,600	95.82%	87,095	97.47%
	Library Emp Benefit Expense	84,895	98,050	86.58%	87,095	97.47%
09	Employee Benefit Revenue	1,713,183	1,796,600	95.36%	1,425,680	120.17%
	Employee Benefit Expense	1,440,056	1,796,600	80.15%	1,373,609	104.84%
11	Cemetery Endowment Revenue	6,400	7,500	85.33%	12,228	52.34%
	Cemetery Endowment Expense	18,000	23,000	78.26%	9,587	187.75%
12	Street Sales Tax Revenue	932,547	700,000	133.22%	2,298,748	40.57%
	Street Sales Tax Expense	1,076,281	1,474,150	73.01%	1,581,394	68.06%
14	Ind Development Revenue	3,191	0		94,453	3.38%
	Ind Development Expense	0	282,025	0.00%	0	
15	Special C/C Hwy Revenue	238,916	292,000	81.82%	230,183	103.79%
	Special C/C Hwy Expense	237,689	321,975	73.82%	251,004	94.70%
16	Capital Improv Revenue	550,251	635,000	86.65%	546,253	100.73%
	Capital Improv Expense	679,125	904,000	75.12%	617,080	110.05%
20	Sanitation Revenue	800,904	1,041,600	76.89%	782,209	102.39%
	Sanitation Expense	839,589	1,126,470	74.53%	722,052	116.28%
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%	126,900	2.97%
24	Emergency Comm Revenue	43,841	36,000	121.78%	36,204	121.10%
	Emergency Comm Expense	27,190	49,500	54.93%	29,106	93.41%
26	Equipment Reserve	152,355	200,000	76.18%	152,500	99.90%
	Equipment Reserve	76,406	469,000	16.29%	13,284	575.17%
28	Emergency Comm (old) Revenue	0	0		0	
	Emergency Comm (old) Expense	612	20,082	3.05%	0	
30	Water Revenue	1,681,984	2,158,450	77.93%	1,662,345	101.18%
	Water Expense	1,598,756	2,658,070	60.15%	1,565,883	102.10%
31	Water Sales Tax Revenue	1,138,585	1,260,000	90.36%	1,135,517	100.27%
	Water Sales Tax Expense	438,560	3,550,000	12.35%	350,000	125.30%
33	Water Bond P & I Revenue	590,346	591,500	99.80%	627,292	94.11%
	Water Bond P & I Expense	97,834	583,000	16.78%	596,538	16.40%
35	Stormwater Revenue	0	125,000	0.00%	0	
	Stormwater Expense	108	125,000	0.09%	0	
40	Electric Revenue	9,507,065	10,268,300	92.59%	8,278,788	114.84%
	Electric Expense	7,068,808	10,191,969	69.36%	9,180,408	77.00%
41	Electric Reserve Revenue	100,000	100,000	100.00%	536,000	18.66%
	Electric Reserve Expense	274,091	398,000	68.87%	74,918	365.85%
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	268,877	380,000	70.76%	436,407	61.61%
	WWTP Expense	924,742	303,000	305.20%	138,778	666.34%
50	Wastewater Revenue	809,235	1,031,600	78.44%	629,532	128.55%
	Wastewater Expense	718,568	1,031,270	69.68%	687,827	104.47%
60	Bond & Interest Revenue	381,058	397,500	95.86%	369,554	103.11%
	Bond & Interest Expense	47,811	416,240	11.49%	413,669	11.56%
70	Airport Revenue	463,900	508,900	91.16%	446,430	103.91%
	Airport Expense	395,408	609,680	64.85%	542,865	72.84%

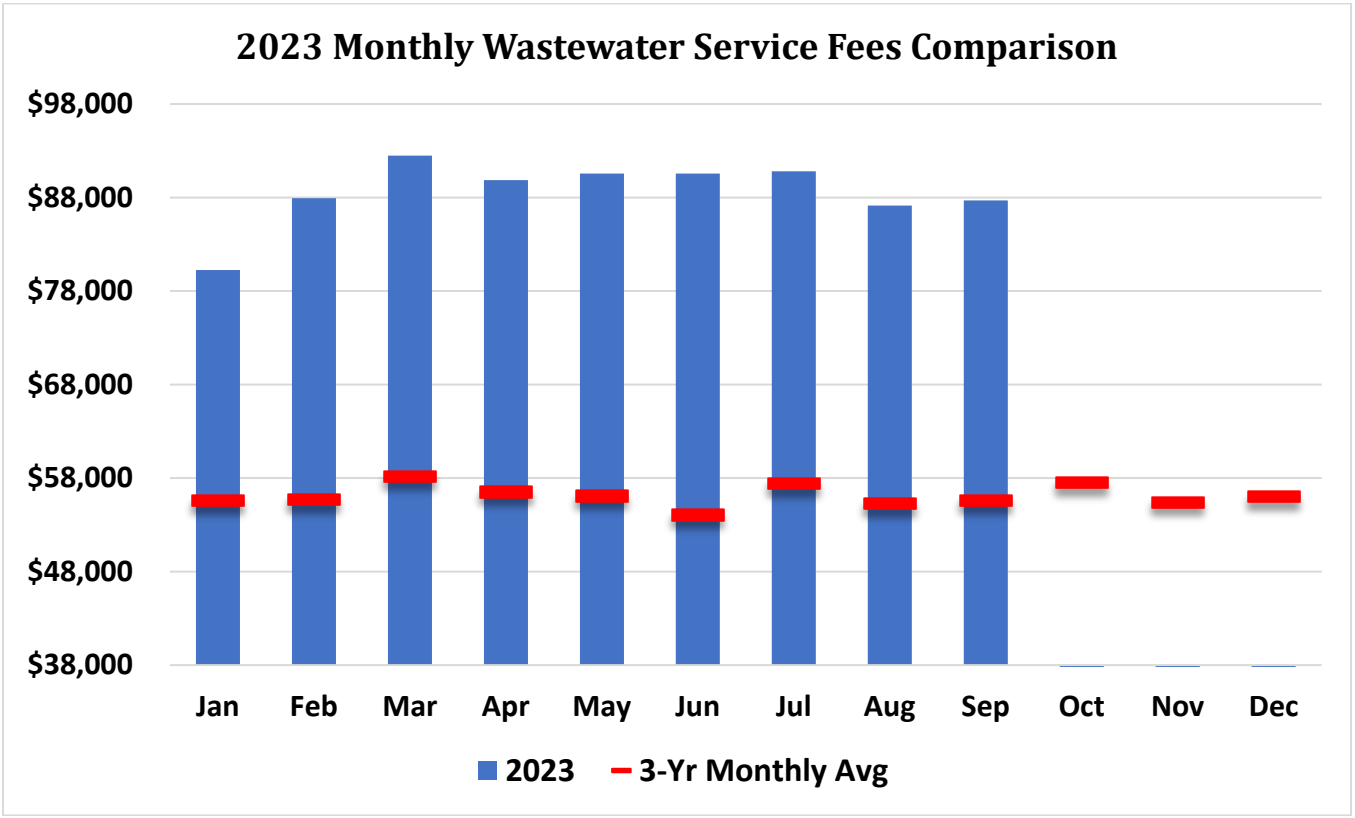

2023 Sales Tax Monthly Revenues
$180,000
$160,000
$140,000
$120,000
$100,000
$80,000
$60,000
$40,000
$20,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2023
3-Yr Mo. Avg


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)
$1,400,000
$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

City Clerk: (316) 775-4510 | City Manager: (316) 775-4510 | Community Development: (316) 775-4505 | Public Safety: (316) 775-4500 | Public Works: (316) 425-4558
City of Augusta | 113 East 6th Avenue | P.O. Box 489 | Augusta, KS 67010

City of Augusta Event Planning Form

This form must be submitted at least 30 days prior to the event for review by City Departments and approval by the Governing Body.

Event Name

Musical Notes and Holiday Floats - The Songs of Christmas - 2023 Lighted Parade

Event Date

11/28/2023

Start/End Times

Start: 6:00 pm - End: 7:30 pm

Location of Event

Downtown Augusta - State Street

Organization or Applicant Name

Go! Augusta

Event Planner / Contact Person

Jayme Chapin

Address

618 State Street

Phone

316-775-4585

Fax

n/a

Contact On-call During Event

Jayme Chapin

Contact's Cell Phone

316-73-6737

What time will event set-up begin?

5:00 pm

What time will tear down be complete?

8:00 pm

Number of Event Staff

4

Number of Spectators/ Attendees

300

Total

304

Please indicate if you are requesting permission to use one of the following city facilities (Some buildings and parks require fees and prior scheduling)

- ☐ Garvin Park
- ☐ Jim Brown Park
- ☐ Bill Reed Park
- ☐ Shryock Park
- ☐ Kerry Unrein Community Stage (Schedule/Fee)
- ☐ Gary W. Dryden Shelter
- ☐ Moyle Field
- ☐ Shryock Park Picnic Area (Schedule/Fee)
- ☐ Augusta Disc Golf Course
- ☐ Garvin Park Baseball Fields
- ☐ Knockwood Disc Golf Course at Santa Fe Lake

Will there be restrictions on parking?	◯ Yes	◯ No
Will your event include food or retail sales?	◯ Yes	◯ No
Will your event include a park or trail?	◯ Yes	◯ No
Will your event include a parade or race?	◯ Yes	◯ No
Will your event use tents/canopies?	◯ Yes	◯ No
Will your event include fireworks or open fires?	◯ Yes	◯ No
Other (Police Escort, Traffic Control, Barricades, Trash/Recycle Containers)	◯ Yes	◯ No

If "Yes" to previous question, please provide details below.

Requesting Barricades only. Barricades needed include - 2 at State and the Depot (parade start)-

STREET CLOSURE

Will your event require street closures? ◯ Yes ◯ No

If "Yes" please list the streets you are requesting to close

State Street will be closed starting at 5:30 pm from the Depot at 618 State Street and ending at the roundabout. Side streets that intersect with state street will be barricaded to prevent traffic from entering State street including 6th, 5th, 4th and 3rd streets on both the east and west sides of the street. 2 Barricades needed at State Street and the depot - parade start, 2 barricades neded at the east entrance to the depot off of School Street - 4 at the city lot directly across from the depot (where the parade line up will be) Two for east entrance - two for west entrance, 2 for each intersections of State and 6th, 5th and 4th and 4 total near 3rd at the Museum.

Have you contacted the residents / businesses affected by the street closure? **If not, you will need to contact them after receiving approval from the Governing Body.** ◯ Yes ◯ No ◯ N/A

Did you have any issues when you contacted the residents / businesses about the street closure? ◯ Yes ◯ No ◯ N/A

If "Yes" please explain

****If you are going to use paint to mark routes for runs/walks/bike rides on City streets, IT MUST be water soluble paint.****

Site Plan or Sketch (please attach to this form): If you plan to have a parade or event involving the closure of streets, please provide a sketch of the parade route or sketch of the streets that you are requesting be closed for your event.

Please provide a detailed description of your event:

We are planning the 2023 Lighted Christmas Parade - Musical Notes and Holiday Floats - The Songs of Christmas. We have put on this event the last two years and it has been a great success. We hope to kick of the holiday season for our community with the arrival of Santa for the season. Besides the parade - several other organizations will be providing snacks and cocoa for the parade goer's as well as the opportunity to visit with Santa, Mrs. Clause and his reindeer directly following the parade. The AMS choir will also provide entertainment at the roundabout while the kiddo's are in line to see Santa at the Histoic Museum.

The City of Augusta will bill race organizers for police officer's overtime rate plus fringe benefits for each additional officer required as a result of an event to be held within the city. If no additional officers are required above normal shift levels, no charges will be assessed.

****The event organizers agree to secure and maintain event liability insurance in a sum not less than $1 million and to provide a certificate of insurance coverage to the City PRIOR to the event. The City of Augusta shall be named as an "Additional Insured" for the event on the certificate.****

*****Under no circumstances are vehicles allowed in any location of any park - except for designated parking areas - without prior consent granted at the time the event is approved by the Governing Body. Failure to abide by this request may result in a loss of privilege to use the park system for future events.*****

I, the undersigned, certify the statements and information included in this event form are true, accurate and complete to the best of my knowledge and belief.

Event Coordinator Signature	Date
Jayme Chapin	10/25/2023

Please return this application and all supporting documents to:

Augusta City Hall
113 East 6th Avenue - P.O. Box 489
Augusta, KS 67010
Fax: (316) 775-4566
E-mail: jshaw@augustagov.org

Approved

Initials	Date

ITEM NO. J1

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 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 ___ 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, Assistant City Manager Kamme Sroufe, 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: 10/31/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**

ITEM NO. J1

CITY OF AUGUSTA
CITY COUNCIL AGENDA REPORT

Meeting Date:	November 6, 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 ___ minutes to discuss issues related to land use and general liability of public officers 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, Assistant City Manager Kamme Sroufe, 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: 10/31/2023
City Attorney Approval Date:
Attachments *(list in packet assembly order)***:**