

**AGENDA-REGULAR MEETING
GODDARD CITY COUNCIL
118 NORTH MAIN
GODDARD, KANSAS
September 21, 2020, 7:00 P.M.**

- A) CALL TO ORDER**
- B) PLEDGE OF ALLEGIANCE AND INVOCATION**
- C) APPROVAL OF THE AGENDA**
- D) CITIZEN COMMENTS**
- E) APPOINTMENTS, PROCLAMATIONS, RECOGNITIONS, & NOMINATIONS**

F) CONSENT AGENDA:

Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, the item will be removed from the Consent Agenda and considered separately.

- 1. Approval of Minutes
 - a. Special Meeting – September 8, 2020
- 2. Accounts Payable
 - a. September 9, 2020 for \$51,179.93
 - b. September 16, 2020 for \$117,256.57
- 3. Receive & File Boards and Commissions
 - a. Library Board – August 10, 2020
 - b. Planning Commission – August 10, 2020

G) UNFINISHED BUSINESS

- 1. None

H) NEW BUSINESS

- 1. Arbor Creek Easement Purchase
- 2. Consider Purchase of New Bulk Water Meters
- 3. Consider Purchase of Splash Pad descaling device
- 4. Approve Standard Traffic Ordinance for 2020
- 5. Approve Uniform Public Offense Code for 2020
- 6. Arbor Creek Construction Agreement Cancellation & Release
- 7. Arbor Creek Bid Award

I) CITY ADMINISTRATOR'S REPORT

J) GOVERNING BODY COMMENTS

K) EXECUTIVE SESSION

L) ADJOURNMENT

Next Assigned Numbers for:
Charter Ordinance No 14
Ordinance No. 856
Resolution 20-14

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:30 and 7:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.



CONSENT AGENDA HIGHLIGHTS

F.1 Approval of September 8, 2020 Special Meeting Minutes

F.2 Review of Accounts Payable

September 9, 2020 for \$51,179.93
September 16, 2020 for \$117,256.57

F.3 Boards and Commissions Receive & File

Library Board (August 10, 2020)
Planning Commission (August 10, 2020)

- \$99,667.94 Kansas Paving: Pay Request #2/Final-Cloverleaf Addition Project 2019-03
- \$30,167.05 Blue Cross Blue Shield of Kansas: September 2020 Employee Health & Dental Premiums
- \$7,565.16 CARD Services-UMB Purchase Card: July 2020 Purchases- Laymon, Farris, Shelite, Herron, Scoggan, Keith, Moddie, Brandenburg, Public Works, Beagley
- \$4,802.67 TranSystems Professional Services Rendered Through 08.28.20-RCUT Project 2020-01
- \$3,073.10 Lubbers Ford, INC. Fleet Vehicle Repair/Maintenance-Public Works 2013 F350
- \$2,703.00 Core & Main Water Parts

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
TUESDAY, SEPTEMBER 8, 2020**

The Goddard City Council met in a Regular Session at Goddard City Hall on Tuesday, September 8 2020. Mayor Larkin called the meeting to order at 4:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were Larry Zimmerman, Sarah Leland, Brent and Michael Proctor. Councilmember Traylor was absent.

Also present were; Brian Silcott, City Administrator; Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Police Chief; Thatcher Moddie, Administrative Fellow; Harlan Foraker, City Engineer; and Brook Brandenburg, Public Works Director; Matt Lawn, City Treasurer and Ryan Peck, City Attorney.

APPROVAL OF THE AGENDA

MOTION: Councilmember *Zimmerman* moved to approve the Agenda as presented. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

Kelli Reid, Candidate for Sedgwick County Clerk, introduced herself to the Governing Body. Reid stated that Cities in the County work directly with the County Clerk's Office and said she wanted to personally introduce herself. Reid stated she has background in education and has worked with various Governing Bodies in non-profit administration and student government leadership. Reid said she has provided training on *Roberts Rules of Order*, and open meeting laws, etc. Reid added that she has been a Real Estate Agent and have owned a few small businesses and feels that she is well prepared for the job. Reid said she wanted to reach out to community leaders in particular to find a solution to how the County Clerks Office can better work with Kansas small towns.

NOMINATIONS FOR COUNCIL PRESIDENT

MOTION: Councilmember *Leland* moved to nominate Councilmember Zimmerman as Council President. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

APPROVAL OF THE CONSENT AGENDA

The following was submitted to the City Council for approval:

Approval of Minutes:

Regular Meeting – August 17, 2020

Accounts Payable:

August 19, 2020 for \$56,224.65

August 26, 2020 for \$310,043.69

August 28, 2020 for \$294,452.84

September 2, 2020 for \$29,446.38

MOTION: Councilmember *Zimmerman* moved to approve the Consent Agenda as presented. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

ACCEPTANCE OF BIDS FOR THE PURCHASE OF GENERAL OBLIGATION BONDS, SERIES 2020-03 DATED SEPTEMBER 30, 2020

The Clerk reported that pursuant to the Notice of Bond Sale heretofore duly given, bids for the purchase of General Obligation Bonds, Series 2020-03 dated September 30, 2020, of the City had been received. A tabulation of said bids is set forth as **Exhibit A** hereto.

The Governing Body reviewed and considered the bids and it was found and determined that the bid of 1.919604% from Central States Capital was the best bid for the bonds, a copy of which is attached hereto as **Exhibit B**.

MOTION: Councilmember *Leland* moved that the bid be accepted and that the Mayor and Clerk be authorized and directed to execute the bid form selling to the best bidder on the basis of the bid and the terms specified in the Notice of Bond Sale. The motion was seconded by Councilmember *Proctor*. The motion carried unanimously.

ORDINANCE AUTHORIZING BOND SALE FOR ST. ANDREWS 4TH WATER AND PAVING

There was presented an Ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2020-3, OF THE CITY OF GODDARD, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

MOTION: Councilmember *Zimmerman* moved waive the reading of the ordinance. The motion was seconded by Councilmember *Leland*. The motion passed unanimously.

MOTION: Councilmember *Zimmerman* moved to adopt said ordinance. The motion was seconded by Councilmember *Leland*.

Roll Call Vote:

Yea: Zimmerman, Leland, Proctor

Nay:

Ordinance #855

RESOLUTION DIRECTING AN AUTHORIZING ST. ANDREWS 4TH WATER AND PAVING GENERAL OBLIGATION BONDS

There was presented a Resolution entitled:

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2020-3, OF THE CITY OF GODDARD, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 855 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

MOTION: Councilmember *Leland* moved to adopt said resolution. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

Resolution #20-13

CONSIDER SALE OF PUBLIC WORKS TRUCK #5

Brooke Brandenburg, Public Works Director, stated that Truck number 5 is a 2006 Ford F150 with 66,096 miles. It has significant body rust and an inoperable transmission. The cost to repair and keep this truck operational exceeds the \$2,000 estimated value of the truck.

Brandenburg recommended the advertisement and sale of truck number 5.

MOTION: Councilmember *Proctor* moved to authorize the advertisement and sale of truck number 5. The motion was seconded by Councilmember *Leland*. The motion passed unanimously.

FARMLAND LEASE AGREEMENT PROPOSAL

Brooke Brandenburg stated as part of the north park land exchange with Tanganyika Wildlife Park, the City received approximately 19 acres of farm ground that lies directly north of the public works facility. The previous owners leased the property to a local farmer on a cash rent basis. Lease terms include an annual fixed fee cash payment of \$765.60 and automatic lease renewal on March 1st for the upcoming year.

The lessee, Mr. Alan Smarsh, approached the City and asked to continue farming the property following the same terms as in prior year leases. Due to a lapse in communication between he and the prior owners, Mr. Smarsh was not aware that the City had taken ownership of the property. As a result, Mr. Smarsh assumed the lease had automatically renewed and began working the ground to prepare for planting a winter wheat crop to be harvested in the summer of 2021. He put a significant amount of work into the property, including tilling the ground three times to work under the prior crop's wheat stubble, and the application of fertilizer.

The City currently has no short-term plans for use of the property beyond planting and maintaining grass.

Continuation of the lease would allow the City to accrue revenue from the property and it will not require City maintenance. Due to the fact the lessee has already prepared the property for planting, it would be in the City's best interest to adhere to the terms existing lease. Lease year is March 1st – February 28th renewals to be reviewed and approved annually by the City Council until a plan is developed for other use of the property.

Brandenburg recommend the City Council allow the City to enter into a cash rent lease agreement with Mr. Alan Smarsh allowing crop production on the City owned farm ground.

MOTION: Councilmember *Zimmerman* moved to authorize staff to enter into a cash rent lease agreement with Alan Smarsh allowing crop production on the City owned farm ground. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

183rd STREET FRONTAGE ROAD BID AWARD

Brian Silcott stated that Thursday, September 3, 2020 the City received five (5) bids from contractors interested in constructing the 183rd Street frontage road. Bids were solicited for asphalt and concrete pavement.

The best bids are as follows:

- Asphalt: Pearson Construction, LLC for \$265,660.45
- Concrete: Prado Construction for \$291,836.00

The City has historically considered concrete as the preferred method when price between asphalt and concrete are comparable.

Silcott stated the cost for the construction of the project is contained within the 2020 Capital Improvement Program and is being financed entirely by the Kansas Department of Transportation (KDOT).

Silcott recommended the City Council: Award the bid to the best bid for the desired pavement

Discussion ensued regarding the difference between the asphalt and concrete maintenance going forward. Harlan Foraker, City Engineer stated that while the asphalt and concrete paving should have an equal life, asphalt will probably need more maintenance, but there are a lot of factors that need to be considered.

Harlan Foraker shared the following comments:

Pearson Construction LLC was low on the asphalt bid and they have recently completed a job in Sedgwick for him and did an excellent job. Foraker added that they also did a concrete job here in Goddard for Goddard Galleria Development about a year ago and so they do have some experience in Goddard.

Prado did a sidewalk project in Goddard, which the first time working in the City, and we feel like they did a good job for the City. Foraker said he also talked with Kevin Yale in Wichita and he said they did a subdivision asphalt job in Cedar Creek in 2019. Prado also did a mile and a half of concrete sidewalk job near McConnell and did a base and repair concrete job for KDOT on K-96/235.

Mayor Larkin asked what Pearson's bid was for concrete. Foraker stated the Pearson's bid for concrete was \$303,660.45 so roughly \$12,000 higher than Prado. Larkin stated that this job is bigger than a sidewalk and said he feels that he would be more comfortable with someone that can manage it themselves.

Harlan Foraker stated that it is his job to present the information and the Council's job to make the decision. Foraker stated that from a personable prospective and for his bid specifications, it

calls for the lowest responsible bidder. Foraker added that there is no reason why he would not consider Prado a responsible bidder, even though they have not done a street concrete job for the City of Goddard. Brian Silcott, City Administrator reiterated that Prado does have experience with concrete work and should qualify as a responsible bidder.

Foraker explained that he did hear back from KDOT and they confirmed that either of the bids submitted would be acceptable to them, however, if you jumped over Prado and went with Pearson for the concrete work, it might be a problem.

Councilmember Proctor stated he would prefer concrete since it is right next to the highway and would match the south frontage road, which is concrete. Proctor also mention Pearson has a strong track record in the area.

MOTION: Councilmember *Proctor* moved to award the concrete bid to Pearson for \$303,660.45 subject to KDOT approval. Councilmember *Leland* seconded the motion. The motion carried unanimously.

CITY ADMINISTRATOR REPORT

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the week of September 8, 2020
Date: September 8, 2020

Below is a brief update on City operations, projects, and future agenda items for the City. The next City Council meeting is scheduled for Monday, September 21.

STAR Bond: Construction of the aquatic center/natatorium continues to make significant progress the construction of the pool roof trusses is complete, and installation of the rooftop is ongoing. After the roof is constructed work on the interior will begin. Further dirt work around the site has also increased in the last two weeks. The open area at the top left-hand side is the aquatic park, which is privately funded and beyond the scope of the City's participation in the project. The picture on the right is looking east at the dirt work for the health club. Almost the entirety of the interior work requires preorder processing. Below is a list of STAR Bond project funds and updated pictures of the development. There have been no new project fund distributions since March.

City Council Minutes
September 8, 2020

Disbursement #	Date	Amount	Developer	Total to Developer
1	09.29.2014	\$ 2,907,966.48	Goddard Destination	\$ 2,907,966.48
2	11.20.2018	\$ 2,131,225.20	Goddard Sports	
3	02.08.2019	\$ 2,552,466.60		
4	04.17.2019	\$ 1,914,790.50		
5	06.06.2019	\$ 2,290,951.80		
6	08.09.2019	\$ 1,839,832.20		
7	10.29.2019	\$ 1,910,912.40		
8	12.20.2019	\$ 2,034,346.14		
9	02.24.2020	\$ 1,791,610.20		
10	03.31.2020	\$ 2,045,210.40		
11	05.20.2020	\$ 1,524,619.26		
12	07.20.2020	\$ 1,230,108.14		
				\$ 21,266,072.84
TOTAL		\$ 24,174,039.32	Tie Line	\$ 24,174,039.32
			\$ -	
	Project Accounty Fund Initial Deposit	\$ 25,400,000.00	% Remaining	% Expended
	Project Balance:	\$ 1,225,960.68	4.83%	95.17%

Arbor Creek Addition: Work continues to on Phase 1 of this this addition, which includes 55 homes, sanitary sewer mains & laterals, and paving the middle of the subdivision’s club house. Total special assessments for this phase is \$2,891,000. The estimated average home value of this addition is \$300,000 each home generating approximately \$1,150 in municipal property tax with Phase 1 generating an estimated \$63,250 annually and \$281,750 annually at full build out. Arbor Creek has 245 lots with 12 lots already sold with 43 phase 1 lots and 233 total lots remaining. The project has issued \$2,939,300 in temporary notes having paid \$1,267,691.08.

Clover Leaf Addition: Work on the water, sanitary sewer, and stormwater is complete, and the installation of paving is underway. Clover Leaf contains 133 total lots. Phase 1 consists of 50 total homes with 22 lots sited along Martens Ct. for duplex units which will increase water and sewer customer count by 44 users. Phase 1 also includes 28 lots for single family residential homes. Clover Leaf Phase 1 has \$2,211,000 in special assessments. Below is an updated picture of the dirt work and recent paving completed for the development. Clover Leaf has \$2,211,000 issued with A-1 rated (AAA equivalent) special temp notes issued and \$1,427,819.33 paid.

UT Project: KDOT has completed its preliminary field plan review. The City Engineer and staff is meeting with TranSystems late this week to review the changes. The project continues to be on pace for a September 24, 2020 bid letting. The approved design budget is \$186,210 with \$59,085.97 being expensed to date. The estimated total cost of construction is \$1,810,000 with KDOT covering the cost of construction. This is project # 2020-01 and KDOT Project #54-87 KA-4362-01.

183rd Street Frontage & Intersection: Thanks to the assistance and shepherding of the City Engineer and his team at Certified Engineering Design, we’ve submitted a request for funding for the intersection improvement at 183rd Street West & US-54/400/Kellogg. On June 9th we submitted the request to advertise for bids on the Kellogg Drive Relocation Project (KDOT Project #87 KA-5215-01). The notice to proceed with the solicitation of bids is anticipated any day. The approved construction budget is \$656,000 with KDOT covering the cost of construction. This is project # 2020-02 and KDOT Project #87 KA-5215-01.

2nd Street Project: The project was approved at the July 6th meeting and was completed the week of July 27th. The project budget is \$16,234 allocated to the Street Fund’s annual Street Maintenance Program

(40-410-8410). As discussed at the July 6th meeting and during the CIP discussion, upon completion the City Engineer & Public Works Director will assess the repair and if successful and approved by the City Council will be applied to the remaining unpaved streets as part of the 2020 road maintenance program. If unsuccessful, staff will present additional options in the autumn as part of the 2020 street maintenance program.

119th Street Water Valve: The water valve installation that was approved at the July 6th meeting and was found to have a non-standard size valve that required a special order briefly delaying the project has been completed. The 8" water valve cost totaled \$6,630.00 and is being allocated to line item 82-620-6150

CDBG COVID Grant: The City's application for the Small Cities Community Development Block Grant (CDBG) Corona Virus Supplement Program funding has been approved for \$132,000. City staff will be reaching out to local businesses over the next several weeks to receive applications for the distribution of funds. Fund distribution must be completed by September 20, 2020 as the unspent funds will be returned to HUD after that date.

St. Andrews 4th Addition Assessment Bonds: Staff will present a bond sale resolution at the August 17th City Council meeting. This resolution will authorize the solicitation of bids for the 20-year General Obligation Bonds. The final action of the City Council on this item will occur at the Tuesday, September 8th City Council meeting where another bond resolution and bond ordinance will be considered to accept the best bid (due at 1100) and finalize the sale of the bonds.

Respectfully Submitted,
Brian W. Silcott,

City Administrator

GOVERNING BODY COMMENTS

Councilmember Zimmerman commented on the number of untagged cars in the City.

Councilmember Leland asked that the Splash Pad stay open as long as possible.

Mayor Larkin thanked everyone for bearing with him for his first meeting as Mayor.

EXECUTIVE SESSION

MOTION: Councilmember *Proctor* moved recess into executive session for 30 minutes to discuss an individual employee's performance pursuant to the Non-Elected Personnel Exception (K.S.A. 75-4319 (b)(1), with the City Attorney and City Administrator to attend; and, for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship (K.S.A. 75-4319(b)(2)). Councilmember *Leland* seconded the motion. The motion carried unanimously.

The City Council recessed into executive session at 5:05 p.m. and reconvened at 5:45 p.m.

Mayor Larkin announced there was no binding action taken in executive session.

ADJOURNMENT

MOTION: Councilmember *Leland* moved to adjourn the regular meeting. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

*Meeting adjourned at 5:42 pm.
Teri Laymon, City Clerk*

CITY OF GODDARD
ACCOUNTS PAYABLE LIST: SEPTEMBER 09, 2020
COUNCIL REVIEW: SEPTEMBER 21, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
ASCENSION VIA CHRISTI OCC MEDICINE	IMMUNIZATION ADMIN, HEP B VACCINE - PUBLIC WORKS	\$ 85.00
BLUE CROSS BLUE SHIELD OF KANSAS	SEPTEMBER 2020 EMPLOYEE HEALTH & DENTAL PREMIUMS	\$ 30,167.05
CANON SOLUTIONS AMERICA	MONTHLY METERED MAINTENANCE FEE - POLICE COPIER	\$ 102.14
CARD SERVICES-UMB PURCHASE CARD	JULY 2020 PURCHASES- BEAGLEY	\$ 508.52
CORE & MAIN	WATER PARTS	\$ 809.04
COX BUSINESS	MONTHLY INTERNET/PHONE SERVICE-CITY HALL	\$ 688.91
DULTMEIER SALES DAVENPORT, INC	STAINLESS STEEL CENTRIFUGAL 3HP/1 PHASE TRANSFER PUMP	\$ 1,370.75
EVERGY	MONTHLY ELECTRICAL SERVICE - STREETLIGHTS	\$ 2,759.91
FIRESTONE COMPLETE AUTO CARE	PURCHASE & INSTALLATION OF (4) NEW TIRES-POLICE UNIT #32	\$ 655.35
FLUID EQUIPMENT	ANNUAL MAG METER CALIBRATION/CERTIFICATION-WWTF	\$ 1,037.50
GALLS	UNIFORM ITEMS-POLICE	\$ 215.40
GILMORE	EMERGENCY TECH SERVICE - POLICE EMAIL ACCESS	\$ 405.00
HACH	CHLORINE RESIDUAL TESTER-WATER	\$ 526.95
LEAGUE OF KANSAS-LKM	(36) HARDCOPIES EACH OF STO & UPOC	\$ 435.56
LUBBERS CHEVROLET	FLEET VEHICLE REPAIR/MAINTENANCE-2018 CHEVY 3500 TRUCK	\$ 222.04
LUBBERS FORD, INC	FLEET VEHICLE REPAIR/MAINTENANCE-PUBLIC WORKS 2013 F350	\$ 3,073.10
MISSOURI FILTER & PROCESS EQUIPMENT CO	POLYMER PUMP PARTS - WWTF	\$ 82.00
QUILL	(2) APC-RBC17 REPLACEMENT BATTERIES FOR BATTERY BACKUPS	\$ 98.98
SEDGWICK COUNTY DEPARTMENT OF FINANCE	AUGUST 2020 INMATE HOUSING FEES	\$ 1,017.45
SEDGWICK COUNTY ELECTRIC COOPERATIVE	MONTHLY ELECTRICAL SERVICE - ELKRIDGE SEWER LIFT STATION, SPRINGHILL STREETLIGHTS, NORTH PARK	\$ 260.03
THE DATA CENTER	PRINT/MAIL (1953) UTILITY BILLS, (369) DELINQUENT BILLS, (1869) NEWSLETTERS. REPLACE POSTAGE FUNDS USED IN AUGUST 2020.	\$ 1,602.62
TRANSYSTEMS	PROFESSIONAL SERVICES RENDERED THROUGH 08.28.20-RCUT PROJECT 2020-01	\$ 4,802.67
VERIZON	MONTHLY CELL PHONE SERVICE-POLICE	\$ 253.96
TOTAL		\$ 51,179.93

CITY OF GODDARD
ACCOUNTS PAYABLE LIST: SEPTEMBER 16, 2020
COUNCIL REVIEW: SEPTEMBER 21, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
BEALL & MITCHELL, LLC	SEPTEMBER 2020 MUNICIPAL JUDGE SERVICES	\$ 1,625.01
CARD SERVICES-UMB PURCHASE CARD	JULY 2020 PURCHASES- LAYMON, FARRIS, SHELITE, HERRON, SCOGGAN, KEITH, MODDIE, BRANDENBURG, PUBLIC WORKS, BEAGLEY	\$ 7,565.16
CERTIFIED ENGINEERING DESIGN	SEPTEMBER 2020 ENGINEERING SERVICES	\$ 1,000.00
CINTAS	STOCK/ORGANIZE FIRST AID CABINET-PUBLIC WORKS/WWTF	\$ 149.61
CORE & MAIN	WATER PARTS	\$ 2,703.00
COX BUSINESS	MONTHLY INTERNET/PHONE SERVICE-WWTF/PUBLIC WORKS	\$ 403.25
CREATIVE AWARDS	(72) PROMOTIONAL BALLCAPS	\$ 723.60
DAVIS-MORE AUTOMOTIVE	FLEET VEHICLE REPAIR/MAINTENANCE- UNIT #30	\$ 972.95
EMC INSURANCE CO	DEDUCTIBLE AMOUNT DUE ON CLAIM #1596960 FOR SEWER BACKUP ON 05.28.20 AT 306 S MAIN ST.	\$ 500.00
FAMILY HEALTH AMERICA	SEPTEMBER 2020 FSA FEES & ANNUAL RENEWAL FEE	\$ 350.00
KANSAS PAVING	PAY REQUEST #2/FINAL-CLOVERLEAF ADDITION PROJECT 2019-03	\$ 99,667.94
KANZA COOPERATIVE ASSOCIATION	RUBY DYED DIESEL FUEL-PUBLIC WORKS	\$ 76.62
KRIER, CHRYSTAL-ATTORNEY AT LAWS	COURT APPOINTED ATTORNEY FEES-201900106, 201900381, 202000121, 202000104	\$ 400.00
LAVEIST, ARLENE-VISION ALLIANCE MARKETING LLC	SEPTEMBER 2020 COURT PROBATION SERVICES	\$ 250.00
LEO ON GUARD, LLC	PRE-EMPLOYMENT CVSA EXAMINATION-POLICE	\$ 469.48
MEL HAMBELTON	FLEET VEHICLE REPAIR/MAINTENANCE- UNIT #37	\$ 99.95
SECURITY 1ST TITLE	TITLE REPORT - NORTH PARK PROJECT 2020-03	\$ 300.00
	TOTAL	\$ 117,256.57

Goddard Public Library Regular Board Meeting Minutes
August 10, 2020 @ 7:05 pm

1. Roll Call: Present: April Hernandez, Vickie Luthi, Lisa Fouts, Frank Petsche, Margo Rakes, Lisa Coyne, Tamara Judd, and Stephanie Mount. Sherry Lauer, Deanna Highfill, and Lisa Stoller attended via Zoom. Paul Hawkins, from the South Central Library System, was present to do Board training via Zoom.
2. Approval of Agenda Sherry made a motion to approve the agenda and Tamara seconded. Motion passed 10 – 0
3. Approval of Minutes of Regular Meeting July 13, 2020 Motion to approve minutes by Lisa S. and seconded by Frank. Motion approved 10 – 0.
4. Citizen Comments: None
5. Correspondence and communications – National Libraries of Medicine grant award - we are supposed to be getting a \$2500 grant to do another story walk and Fitness Fridays. We should be getting \$750 from State Library for programming technology.
6. Director's Report - The End-of-Summer Reading Party had 60 people in attendance to wrap up the summer reading program. The balloon artist was a big hit. Going to try having a STEAM activity weekly and offer tutoring both in person and virtually for school aged kids. We are looking for volunteers to help.
 - a. Circulation - circulation is coming back up. E library has had a lot of use.
7. Financial Report Financial looks really good because of the CARES grant money. We are over \$18,000 under budget. Sherry moved to accept the financial report. Margo seconded. Motion approved 10 - 0
 - a. Summer Reading update – We had good participation of activities in the Community Center. We divided groups up by age with flexibility for families. We were able to social distance and do miniature painting, cook, and other fun things. We also had activity kits that could be picked up from the library and completed at home. Most of the Story Times were outside and several were done remotely at Tanganyika and the Museum of World Treasures.
 - b. Staying in Phase 3 Covid-19 precautions with addition of some programming.
 - c. Amazing Race we had several people come in and take pictures with the dragon. It is over now.
 - d. Council updates- Hunter Larkin is the new mayor of Goddard. We did not get any additional funds from the city.
 - e. Friends/Foundation update – none

9. New Business

a. Board Training

Paul thanked us for our support of safe provision of services during the Covid-19 K 35 years he has been working with the Goddard Library.

There are 72 libraries in the South Central Kansas Library System. Only about a third have a mission and vision statement. He commended us on our work in this area.

He recommended that we may want to set a limit to public comment in either time or have comments submitted in writing.

Training encompassed Kansas Statutes on Board Authority, how libraries differ from nonprofit organizations, insurance considerations, Building Authority, and Board Authority as it pertains to ethics and conduct. He also talked about tax levy and city ordinance and other revenue streams. Last, he covered Kansas Open Records Act (KORA) requirements.

b. Board self-evaluation Board members are supposed to complete the evaluation and get it to Vickie as soon as possible. We are also to sign the Ethics and Code of Conduct forms and keep them in our Board Policy binders.

A motion was made to go into executive session by Lisa C. at 8:36 to discuss matters of personnel and to resume open meeting at 8:46 Lisa F. seconded. Motion carried 10 – 0. No action was taken. Lisa C. moved to end the executive session at 8:46. Tamera seconded. Motion carried 10 – 0.

10. As may be presented

Frank made a motion to adjourn the meeting at 8:48 p.m., Sherry seconded. Motion carried 10 – 0.

*Next meeting is September 14, 2020.

PLEASE CALL THE LIBRARY 794-8771 IF YOU CANNOT ATTEND OR E-MAIL:
director@goddardlibrary.com

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
August 10, 2020**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday August 10, 2020. Chairman VanAmburg called the meeting to order at 6:56 p.m. Chairman VanAmburg led in the Pledge of Allegiance and Commissioner Cline led the Invocation.

Commission members present were:

Justin Parks, Jody Dendurent, Jamie Coyne, Doug VanAmburg, Darren Cline, Shane Grafing, Doug Hall

Commissioners absent were:

None

Also present were: Micah Scoggan, City Planner; Thatcher Moddie Fellowship Intern

APPROVAL OF THE AGENDA

MOTION: Commissioner *Grafing* moved to approve the agenda. Commissioner *Coyne* seconded the motion. The motion carried unanimously.

5-1

Commissioner *Dendurent* voiced opposition to the agenda stating there was an agenda item mentioned in the packet but not listed for voting consideration. Upon review it was shown to be in the City Planner report as a receive and file not to be considered for a vote.

Commissioner *Dendurent* rescinded her opposition vote and the following vote became unanimous.

6-0

APPROVAL OF THE MINUTES

MOTION: Commissioner *Grafing* moved to approve the minutes from July 13, 2020. Commissioner *Cline* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

None

BOARD OF ZONING

F.1 Conditional Use Permit for 1609 E Elk Ridge Ave.

Scoggan introduced the subject. He stated Ryan Sumner is the owner of the property at 1609 E Elk Ridge Ave. He would like to build a detached garage on his lot and this by itself does not require a CUP but his desire is to build one that exceeds 720 Sq ft. Consideration for a Conditional Use Permit must go before the Planning commission if the detached garage exceeds 720. His proposed garage is 40x50 or 2000 square feet.

Scoggan stated A notice was published in the City newspaper to inform anyone who would be interested in this case and letters were sent out to all the property owners within 200 feet of the property. No one has shown concern and most people when they called think the letter they received is about their property.

Under Article 6.100.B.1

Off-street parking and loading space as regulated by Article 5 of these regulations, including detached garages and carports. On lots for single and two-family dwelling units and all types of manufactured and mobile homes such structures may contain incidental space for storage and other uses and are limited to one each per zoning lot not over 720 square feet in gross floor area for a garage and 400 for a carport, unless a conditional use is approved by the Board of Zoning Appeals for a larger structure.

Chair VanAmburg asked if it was two separate buildings or one.

Scoggan replied it was one

Chair VanAmburg asked if the existing garage was already attached.

Scoggan replied it was.

Scoggan stated that the owner was building a detached garage that had slightly better materials to match the house.

Commissioner Parks asked if the lot coverage was okay for that zoning classification.

Scoggan replied it was.

MOTION: *Commissioner Grafing* motioned to approve the Conditional Use Permit for the detached garage at 1609 E Elk Ridge Ave. *Commissioner Cline* seconded the motion.

Motion carried **6-0**

Doug VanAmburg stated that while they were on the subject the 720 square feet for a detached garage seemed inadequate.

Scoggan replied he thought it was reasonable but then he moved to Kansas so perhaps he was right.

Scoggan replied that the Planning Commission could amend the subdivision regulations to include a number that they thought was reasonable.

Commissioner Grafing mentioned that they had spoke about changing it in the past to 1,200 square feet.

Commissioner Parks mentioned that a two-car garage was 620 square feet. He said that was not as important lot coverage.

Commissioner Dendurent asked if lot coverage was considered now.

Scoggan replied it was a current requirement.

Commissioner Dendurent said they would not be seeing it now if it exceeded that coverage.

Scoggan replied they would not.

Commissioner Parks stated the average lot is 1/3 of an acre.

Scoggan replied a quarter acre is average.

Commissioner Parks said thirty five percent of a quarter acre would be around four thousand square feet.

OLD BUSINESS

None

NEW BUSINESS

None

CITY PLANNER REPORT

Scoggan spoke on the Residential growth in the City giving an update on the several subdivisions and how many lots had sold and how many remained.

Scoggan also spoke on the Cedar Addition which was approved on March 11, 2019 and he mentioned that they might be moving forward with the duplexes for the development.

Scoggan also mentioned the upcoming sign variance request for Goddard Outdoor Power as well as the upcoming sign variance request for Clover Leaf Farms

Scoggan also mentioned that the Baptist church located on 2nd street has sold and will need to go through a rezoning request.

PLANNING COMMISSIONER COMMENTS

Commissioner Cline asked if the sign variance was a condition Braums asked for so they could market their business.

Commissioner Grafing said it was and they wanted thirty-five feet.

Commissioner Cline asked what it about the sign was that required a variance.

Commissioner Grafing mentioned the sign was taller than the Wal-Mart sign.

Commissioner Dendurent said the other Braum's sign was not that tall. Did they just want it taller because it was on Kellogg?

Commissioner Park said yes it was.

ADJOURNMENT

MOTION: Commissioner *Coyne* moved to adjourn the regular meeting.

Commissioner *Cline* seconded the motion. The motion carried unanimously.

*Meeting adjourned at 7:28 pm.
Micah Scoggan, City Planner*

City of Goddard
City Council Meeting
September 21, 2020

TO: Mayor and City Council
SUBJECT: Easement Purchase
INITIATED BY: Public Works Director
AGENDA: New Business

Background: Below is a brief history of actions taken by the governing body related to the Arbor Creek sewer utilities.

- February 19, 2019 – Governing body agreed to annex the property for the Arbor Creek project into the Corporate limits of Goddard, KS.
- May 6, 2019 – Petition and Resolutions Authorizing Sanitary Sewer, Streets, Storm Water, and Water System improvements approved.
- June 17, 2019 – Engineering Service Agreement with MKEC for Arbor Creek Improvements & SE Growth Corridor Lift Station approved.

A portion of the sewer infrastructure includes a pressurized or ‘forced’ sewer main that carries waste from the southeast corridor lift station to the gravity sewer system. Initial engineering and designs placed the location of the forced main in the existing utility easement in the north ditch of 23rd street. During the time between the design phase and construction phase of the project a fiber optic cable was installed in the easement in the same location the forced main was to be constructed. The placement of that cable and the other utilities already located in the easement left no room for the construction of the forced main sewer.

To address the issue the city reached out to Dale Miller, the owner of the property situated north of 23rd street regarding the purchase of additional permanent utility easement. The owner agreed to sell the City an additional 20-foot-wide and approximately 1,800-foot-long utility easement to the north of the existing easement.

Analysis: The existing utility easement north of Arbor Creek Development does not have enough area remaining to install the forced sewer main. Additional permanent utility easement is available for purchase from the property owner for \$5,000. The proposed easement will have adequate area for the installation of the forced sewer main as well as any future utilities as needed.

Financial: The \$5,000 expenditure will be allocated to 2019-01 Arbor Creek Phase I

Legal Considerations: Approve as to form

Recommendations/Actions: It is recommended: The City Council approve the purchase of for the amount of \$5,000. (Voice)

Attachments: H.1.a Easement Map (1 page)

0 250 500 Feet



20' Utility Easement (UE)



23rd Street



**City of Goddard
City Council Meeting
September 21, 2020**

TO: Mayor and City Council
SUBJECT: Bulk Water Meter Purchase
INITIATED BY: Public Works Director
AGENDA: New Business

Background: During the August 19th 2019 meeting the City Council approved the transition from the Sensus to Kamstrup water meters. That initial purchase included Water Meters, meter reading software for up to 100 meter points, reading device and offsite data backup. In an effort to address new construction and replace failing meters and Public Works has been purchasing 20 meters each quarter. Due to an increase in development the majority of those are installed at new construction sites leaving few remaining for replacing old worn out meters.

A significant number of the old Sensus meters are reaching the end of their 20-year lifespan and currently there are approximately 130 poorly functioning and inaccurate meters in use. Those meters require additional manhours to read and maintain and may be negatively impacting water revenue due to inaccurate readings.

Public Works is asking to make a bulk purchase of water meters, pit antennas and meter reading software. Details of the request are listed below:

Item	Quantity	Unit cost	Item total
Kamstrup 5/8" - 3/4" Water Meter	125	\$159	\$19,875
Kamstrup 2" Water Meter	8	\$795	\$6,360
Pit antenna	153	\$25	\$3,825
READy Manager Software 101-250 Meter Points	1	\$455	\$455
		Total:	\$30,515

Analysis: Approximately 130 Sensus water meters are old a failing, resulting in increased labor costs and reduced revenue. Public Works is requested to make a bulk water meter purchase to replace 125 5/8"-3/4" meters and 8 2" meters, 153 pit antennas and a 250 meter point software upgrade.

Financial: The \$30,515 expenditure will be allocated to the 82-830-8235 Water Reserve, Collection & Transmission.

Legal Considerations: Approve as to form

Recommendations/Actions: It is recommended: The City Council approve the purchase of for the amount of \$30,515

Attachments: None

**City of Goddard
City Council Meeting
September 21, 2020**

TO: Mayor and City Council
SUBJECT: Splash Pad Descaling/Mineral Control
INITIATED BY: Public Works Director
AGENDA: New Business

Background: In 2017 the City spent approximately \$600,000 constructing the splash pad water feature in Linear Park. This park amenity has proven to be very popular to people in Goddard and surrounding communities. During operating months thousands of gallons of water flow through the splash pads water lines, valves, solenoids and water features. The ‘hardness’ or high level of minerals in local ground water has led to a buildup of mineral scale in and on the various splash pad components. Without adequate measures being taken to reduce the mineral buildup the lifespan of many parts of the splash pad are greatly reduced.

City staff has reviewed several options for reducing and minimizing mineral buildup. One option was the installation of a traditional water softener. That option would require an expensive addition to the existing splash pad building, an industrial type softener and the annual purchase of several hundred pounds of softener salt.

In an effort to find a simpler cheaper solution, Public Works reached out to Revelent Holdings LLC for options. Revelent recommended the installation of 3 Enercat Moulds. The Enercat Moulds use a combination of rare-earth substances to address mineral buildup related to hard water. This technology conditions water rendering aqueous ions unable to stick to hard surfaces of the splash pad. Such technology has been used in industrial and manufacturing application but had never been implemented in a municipality, Revelent allowed a trial period of 30 calendar days for testing of the device prior to purchase. We are currently the end of the 30-day trial period.

Analysis: Preliminary findings of our month-long experiment are promising. Testing has shown an improvement in factors of water quality which attribute to the splash pads hard water issue. First, we conducted a simple visual inspection of water from the splash pad prior to installing the Enercat moulds and compared that with post installation water samples. The second test involved partially cleaning the splash pad water features to determine if the device would diminish existing scale buildup. The third test was a process of dehydration crystallization and analysis that confirmed that crystalline structure had been significantly changed after the Enercat moulds were installed. These improvements diminish the ability for hard water to adhere to the various components of the Splash Pad but are mostly noticeable on the individual play surfaces.

Financial: The \$35,100 expenditure will be allocated to the Capital Improvement Fund 90-670-7350 Other Equipment

Legal Considerations: Approve as to form

Recommendations/Actions: It is recommended: The City Council approve the purchase of three (3) Enercat moulds from Relevant Holdings LLC for the amount not to exceed \$35,100.

Attachments: Exhibit A: Picture of the Enercat Moulds (1 page)



**City of Goddard
City Council Meeting
September 21, 2020**

TO: Mayor and City Council
SUBJECT: Standard Traffic Ordinance 2020 Edition
INITIATED BY: City Administrator
PREPARED BY: Management Fellow
AGENDA: New Business

Background: The City of Goddard annually adopts revisions to the Standard Traffic Ordinance (STO) which is published annually by the League of Kansas Municipalities (LKM). The STO is a uniform code derived from Kansas statutes and includes local amendments pertinent to traffic laws adopted by the City Council each year. The proposed ordinance (*Draft Ordinance attached as Exhibit A*) includes only local amendments previously approved by the governing body. The STO has been reviewed by the City Prosecutor, the Chief of Police, and the City Administrator, and all reviewing persons recommend adoption. The 2019 edition of the STO was adopted in September 2019. The 47th Edition will remain the same, as there are no new changes for 2020.

Analysis: The proposed ordinance would adopt the 2020 Edition of the STO. The amendments included in the proposed ordinance would maintain the City of Goddard's compliance with applicable Kansas statutes while addressing local concerns. No new changes were incorporated into the 2020 Standard Traffic Ordinance. The Police Department is responsible for the enforcement of the STO. The ordinance must be published in the official paper of record as the proposed ordinance amends sections of the STO which have been deemed unnecessary for the City. There must be at least three copies of the STO on file with the City Clerk. Each police officer is issued a copy of the most current STO adopted by the City Council.

Financial Considerations: There is a small publication expense for the adoption of this ordinance.

Legal Considerations: City legal staff has reviewed the proposed ordinance and has approved to content and form. The City is authorized to adopt the STO by reference under the authority of and in accordance with K.S.A. 12-3009 through 12-3012 and K.S.A. 12-3301 and 12-3302.

Recommendations/Actions: It is recommended the City Council adopt the proposed ordinance adopting the 2020 edition of the Standard Traffic Ordinance.

Attachments: Exhibit A: Proposed Ordinance (2 pages); Exhibit B: Excerpt of Minutes (1 page),

THE CITY OF GODDARD, KANSAS

ORDINANCE NO. 856

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GODDARD, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2019, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AND REPEALING ORDINANCE NUMBER 835 AND ALL OTHER CONFLICTING ORDINANCES.

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

Section 1. Incorporating Standard Traffic Ordinance

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Goddard, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2020 prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except certain articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked "Official Copy as adopted by Ordinance No 856 with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this Ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2. Traffic Infractions and Traffic Offenses

(a) A traffic infraction is a violation of any section of this Ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(b) All traffic violations which are included within this Ordinance, and which are not traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines

The fine for violation of an ordinance, traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 or more than \$500.00. A person tried and convicted for violation of an ordinance, traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the Court not to exceed \$500.00. A person tried and convicted for violation of an ordinance, traffic infraction or other traffic offense for which no fine has been established in a schedule of fines shall pay a fine fixed by the Court not to exceed \$2,500.00.

Section 4. Repeal

Ordinance Number 835 is hereby repealed. All other ordinances or parts of other 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 5. Effective Date

This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 21st day of September 2020
Approved by the Mayor this 21st day of September 2020

HUNTER LARKIN, MAYOR

SEAL

ATTEST:

TERI LAYMON, CITY CLERK

**EXCERPT OF MINUTES
2018 STANDARD TRAFFIC ORDINANCE
MINUTES-REGULAR MEETING CITY
OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, September 19, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday September 16, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Sarah Leland, Brent Traylor and Hunter Larkin.

Also present were: Brian Silcott, City Administrator, Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

2019 STANDARD TRAFFIC ORDINANCE

Thereupon, a draft ordinance was presented to the City Council for consideration entitled:

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GODDARD, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2019, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AND REPEALING ORDINANCE NUMBER 814 AND ALL OTHER CONFLICTING ORDINANCES.

The proposed ordinance would adopt the 2017 Edition of the STO. The amendments included in the proposed ordinance would maintain the City of Goddard's compliance with applicable Kansas statutes while addressing local concerns. Several changes have been incorporated into the 2017 Standard Traffic Ordinance, which generally described below. Please note that we have historically included a brief description of changes, which are currently unavailable from the League of Municipalities.

- Section 133
 - Lamps and Other Equipment on Bicycles
- Section 182.1
 - Seat Belts

MOTION: Councilmember *Zimmerman* moved to waive the reading of the Ordinance. Councilmember *Larkin* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Zimmerman* moved to adopt said Ordinance. Councilmember *Leland* seconded the motion.

Roll Call Vote:

Yea: Zimmerman, Leland, Traylor, Larkin
Ordinance # 835

**City of Goddard
City Council Meeting
September 21, 2020**

TO: Mayor and City Council
SUBJECT: Uniform Public Offense Code, 2020 Edition
INITIATED BY: City Administrator
PREPARED BY: Management Fellow
AGENDA: New Business

Background: The City of Goddard annually adopts revisions to the Uniform Public Offense Code (UPOC) which is published annually by the League of Kansas Municipalities (LKM). The UPOC is a uniform code derived from Kansas statutes and includes local amendments adopted by the City Council each year. The proposed ordinance includes only local amendments previously approved by the governing body. *(Please refer to Exhibit A)* The UPOC was reviewed by the City Prosecutor, the Chief of Police, and the City Administrator, and all reviewing persons recommend adoption. The 2019 edition of the UPOC was adopted in August of 2019. *(Please refer to Exhibit B)*

Analysis: The proposed ordinance would adopt the 2020 Edition of the UPOC. The amendments included in the proposed ordinance would maintain the City of Goddard's compliance with applicable Kansas statutes while addressing local concerns. Ordinance 836 adopting the 2019 edition of the UPOC is repealed. Several changes are incorporated into the 2020 Uniform Public Offense Code and include:

The following represents the changes in the UPOC from the 2019 (35th) edition to the 2020 (36th) edition:

- Section 1.1 Definitions.
 - Added: Explosives
- Section 5.7 Selling, Giving or Furnishing Cigarettes or Tobacco Products to a Minor
- Section 6.24 Typo Corrected
- Section 10.1 Criminal Use of Weapons
- Section 10.2 Deleted
- Section 10.3 Deleted
- Section 10.29 Violation of a Public Health Order

The Police Department is responsible for the enforcement of the UPOC. The ordinance must be published in the official paper of record as the proposed ordinance amends sections of the UPOC which have been deemed unnecessary for the City. There must be at least three copies of the UPOC on file with the City Clerk. Each police officer is issued a copy of the most current UPOC adopted by the City Council.

Financial Considerations: There is small publication cost.

Legal Considerations: City legal staff has reviewed the proposed ordinance and has approved to content and form. The City is authorized to adopt the UPOC by reference under the authority of and by K.S.A. 12-3009 through 12-3012 and K.S.A. 12-3301 and 12-3302.

Recommendations/Actions: It is recommended the City Council adopt the proposed ordinance adopting the 2020 edition of the Uniform Public Offense Code.

Attachments: Exhibit A: Proposed ordinance (5 pages); Exhibit B: Excerpt of Minutes (4 pages); Exhibit C: League of Kansas Municipalities Article (1 page)

THE CITY OF GODDARD, KANSAS

ORDINANCE NO. 857

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF GODDARD, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2020, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; AND REPEALING ORDINANCE NUMBER 836, AND ALL OTHER CONFLICTING ORDINANCES.

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

Section 1. Incorporating Uniform Public Offense Code

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Goddard, Kansas, that certain uniform public offense code known as the "Uniform Public Offense Code for Kansas Cities," Edition of 2019, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except certain articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three (3) copies of said Uniform Public Offense Code shall be marked "Official Copy as adopted by Ordinance No 857 with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this Ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the Code shall be supplied, at the cost of the City, such number of official copies of such Uniform Public Offense Code similarly marked, as may be deemed expedient.

Section 2. Additional Offenses

The following offenses are hereby added to the Uniform Public Offense Code, as herein adopted, to-wit:

6.26 UNLAWFULLY DEPOSITING SOLID WASTE

Unlawfully Depositing Solid Waste is depositing or causing to be deposited any solid waste into, upon or about:

- (a) any highway, street, alley, right-of-way, sidewalk, park or other public place, or

any lake, stream, watercourse, or other body of water except as within a receptacle provided for public solid waste or by direction of some public official or employee authorized by law to direct or permit such acts; or

(b) any private property without the consent of the owner or occupant of such property.

For the purpose of this section, "Solid waste" means and shall include putrescent waste resulting from the handling, processing, storage, packaging, preparation, sale, cooking and serving of meat, produce and other foods and nonputrescent materials such as paper, tin cans, bottles, glass, ashes, lawn and tree waste, appliances, furniture, electronics, construction waste, batteries, tires, motor oil and hazardous materials.

Unlawfully Depositing Solid Waste is a class C violation.

7.15 RESISTING ARREST

Resisting Arrest is the use or force, or threat of force, to resist, obstruct or interfere with the arrest of a person or persons by a law enforcement officer or by a private person summoned and directed by a law enforcement officer to make the arrest, even if the person being arrested or other person resisting, obstructing or interfering with the arrest believes the arrest is unlawful.

Resisting Arrest is a class A violation.

7.16 INTIMIDATION OF A WITNESS OR VICTIM

Intimidation of a witness or victim is knowingly and maliciously preventing or dissuading, or attempting to prevent or dissuade:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) any witness, victim or person acting on behalf of a victim from:

(A) making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer or judicial officer;

(B) causing a complaint, indictment or information to be sought and prosecuted, or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) causing a civil action to be filed and prosecuted and assisting in its prosecution;
or

(D) arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

Intimidation of a Witness or Victim is a class B violation.

7.17 INTERFERENCE WITH PARENTAL CUSTODY

Interference with parental custody is leading, taking, carrying away, decoying or enticing away any child under the age of 16 years with the intent to detain or conceal such child from its parent, guardian, or other person having the lawful charge of such child, when done by a parent entitled to joint custody of the child either on the basis of a court order or by virtue of the absence of a court order.

It is not a defense to a prosecution under this section that the defendant is a parent entitled to joint custody of the child either on the basis of a court order or by virtue of the absence of a court order.

Interference with Parental Custody is a class A violation.

9.14 URINATING IN PUBLIC

Urinating in Public is urinating upon any highway, street, alley, sidewalk, park, upon the premises of any public place or building, or upon any public or private property in open view of any person, when the same has not been designed or designated as a rest room.

Urinating in Public is a class C violation.

9.15 WINDOW PEEPING

Window Peeping is unlawfully entering upon the property occupied by another for the purpose of looking or peeping into any window, door, skylight or other opening in a house, room or building for the purpose of observing the occupant or occupants of said house, room or building.

Window Peeping is a class C violation.

9.16 PUBLIC INDECENCY

It shall be unlawful for any person to knowingly or intentionally, in a public place:

- (1) engage in sexual intercourse;
- (2) engage in deviant sexual conduct;
- (3) appear in a state of nudity; or

(4) fondle the genitals of himself/ herself or another person.

For the purpose of this section, "Nudity" means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

Public Indecency is a class A violation.

10.27 POSSESSION OF DRUGS

Possession of Drugs is manufacturing, possessing, controlling, prescribing, administering, delivering, distributing, dispensing, or compounding any depressant, stimulant or hallucinogenic drug in violation of the Kansas Uniform Controlled Substances Act (K.S.A. 65-4101 et seq.).

Possession of Drugs is a class A violation.

10.28 POSSESSION OF MARIJUANA

Possession of Marijuana is possessing or controlling marijuana in violation of the Kansas Uniform Controlled Substances Act (K.S.A. 65-4101 et seq.).

Possession of Marijuana is a class A violation.

10.29 POSSESSION OF DRUG PARAPHERNALIA

Possession of Drug Paraphernalia is possessing or controlling any instrument, device or drug paraphernalia which is used to possess, conceal, smoke, administer, manufacture, or sell any illegal drug pursuant to the Kansas Uniform Controlled Substances Act (K.S.A. 65- 4101 et seq.).

Possession of Drug Paraphernalia is a class A violation.

Section 3. Repeal

Ordinance Number 836 is hereby repealed. All other ordinances or parts of other 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 4. Effective Date

This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 21st day of September 2020

Approved by the Mayor this 21st day of September 2020

HUNTER LARKIN, MAYOR

SEAL

ATTEST:

TERI LAYMON, CITY CLERK

**EXCERPT OF MINUTES
2018 STANDARD TRAFFIC ORDINANCE
MINUTES-REGULAR MEETING CITY
OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, September 19, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday September 16, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Sarah Leland, Brent Traylor and Hunter Larkin.

Also present were: Brian Silcott, City Administrator, Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

2019 UNIFORM PUBLIC OFFENSE CODE ORDINANCE

Thereupon, a draft ordinance was presented to the City Council for consideration entitled:

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF GODDARD, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2019, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; AND REPEALING ORDINANCE NUMBER 818, AND ALL OTHER CONFLICTING ORDINANCES .

The proposed ordinance would adopt the 2018 Edition of the UPOC. The amendments included in the proposed ordinance would maintain the City of Goddard's compliance with applicable Kansas statutes while addressing local concerns. Ordinance 799 adopting the 2017 edition of the UPOC is repealed. Several changes are incorporated into the 2018 Uniform Public Offense Code and include:

The following represents the changes in the UPOC from the 2018 edition to the 2019 edition:

- Article 7.A. Crimes Affecting Public Trust
 8. Crimes Involving Violation of Personal Rights (formerly Denial of Civil Rights)

- Section 1.1 Definitions:
 - Added:
 - Cannabidiol Treatment Preparation
 - Debilitating Medical Condition
 - Federal Law Enforcement Officer
 - State of Nudity
 - Transmission
 - Visual Depiction

- Amended:
 - Alcoholic Liquor
 - Nonferrous Metal
 - Public Employee
- Section 3.1.1
 - Domestic Battery
- Section 3.2.1
 - Sexual Battery
- Section 3.4
 - Unlawful Interference with an Emergency Medical Services Attendant
- Section 3.7.1
 - Interference with Custody of a Committed Person
- Section 3.10
 - Hazing
- Section 3.13
 - Stalking
- Section 5.1.2
 - Unlawful Possession of a Visual Depiction of a Child
- Section 5.1.3
 - Unlawful Transmission of a Visual Depiction of a Child
- Section 5.3
 - Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverages
- Section 6.1
 - Theft
- Section 6.6
 - Criminal Damage to Property
- Section 6.7.1
 - Trespassing on Railroad Property
- Section 6.16
 - Giving a Worthless Check
- Section 6.23.1
 - Unlawful Use of Recordings
- Section 6.24
 - Commercial Fossil Hunting
- Section 6.25
 - Counterfeiting
- Section 6.26
 - Automobile Master Key Violation
- Section 7.4
 - Interference with the Judicial Process
- Section 7.15

- Intimidation of a Witness or Victim
- Section 7.16
 - Obstructing Apprehension or Prosecution
- Section 8.2
 - Unlawful disclosure of Tax information
- Section 8.3
 - Unjustifiably Exposing a Convicted or Charged Person
- Section 9.9.1
 - Unlawful Possession of Marijuana and Tetrahydrocannabinols
- Section 9.9.2
 - Possession of Drug Paraphernalia and Simulated Controlled Substances
- Section 9.9.3
 - Unlawful Distribution of Controlled Substances
- Section 9.9.4
 - Unlawful Possession of Controlled Substances
- Section 9.9.5
 - Unlawful Possession of a Simulated Substance
- Section 9.9.6
 - Distribution of a Non-controlled Substance
- Section 10.2
 - Possession of a Firearm Under the Influence
- Section 10.4
 - Failure to Register Explosives
- Section 10.21
 - Selling Beverage Containers with Detachable Tabs
- Section 10.28
 - Endangering the Food Supply
- Section 11.1
 - Promoting Obscenity
- Section 11.2
 - Promoting Obscenity to Minors
- Section 11.9.1
 - Illegal Bingo Operation
- Section 11.10
 - Possession of a Gambling Device
- Section 11.11
 - Cruelty to Animals
- Section 11.13
 - Unlawful Possession of Dog Fighting Paraphernalia; Unlawful Attendance of Dog Fighting
- Section 11.14
 - Illegal Animal Ownership
- Section 11.15
 - Permitting a Dangerous Animal to be at Large

City Council Minutes
September 16, 2019

- Section 11.16
 - False Membership Claim

MOTION: Councilmember *Leland* moved to waive the reading of the Ordinance. Councilmember *Zimmerman* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Leland* moved to adopt said Ordinance. Councilmember *Zimmerman* seconded the motion.

Roll Call Vote:

Yea: Zimmerman, Leland, Traylor, Larkin
Ordinance # 836

Uniform Public Offense Code for Kansas Cities, 36th Edition

The following changes have been made:

- Addition of definition “explosives” to Article 1, Section 1.1 Definitions.
- Addition of new section 10.29 “Violation of a Public Health Order”, making it a Class C violation to violate, refuse, or fail to comply with a written order from the County Health Officer. This section was added to mirror ordinances adopted in several cities during the COVID-19 pandemic as a mechanism for enforcement for county health orders through municipal court.
- Changes to the following sections;
 - Section 5.7 “Selling, Giving or Furnishing Cigarettes or Tobacco Products to a Minor”
 - On December 20, 2019, the President signed legislation amending the Federal Food, Drug, and Cosmetic Act. The Act made it illegal for a retailer to sell any tobacco product --including cigarettes, cigars, and e-cigarettes -- to anyone under the age of 21. While Kansas has not raised the smoking age under state law, the League has made the decision to change the purchasing age of cigarettes to 21 to match federal law. A city can through the adoption of an ordinance to make stricter.
 - Section 10.1 “Criminal Use of Weapons”
 - Deleted (a) 4-10, (d), (e), (f) in compliance with K.S.A. 12-16,124 which prohibits a city from adopting or enforcing any ordinance governing the requirement of fees, licenses or permits for, the commerce in or the sale, purchase, transfer, ownership, storage, carry, transporting or taxation of firearms or ammunition, or any component or combination thereof. Section (b) updated to match the deletions in Section 10.1(a).
 - Section 10.1.1 Criminal Carrying of a Weapon
 - Deleted (a) (4) to comply with the requirements of K.S.A. 12-16,124.
- Deletion of the following sections;
 - Section 10.2 “Possession of a Firearm Under the Influence”
 - Deleted 10.2 to comply with K.S.A. 12-16,124.
 - Section 10.3 “Criminal Distribution of Firearms to a Felon”
 - Deleted 10.3 to comply with K.S.A. 12-16,124.
- Corrections in the following sections;
 - Section 5.1.3, citation adjusted, changed to K.S.A. 21-5611
 - Section 6.24, numbering adjusted
 - Section 11.9., citation adjusted, changed to K.S.A. 21-6405

**City of Goddard
City Council Meeting
September 21, 2020**

TO: Mayor and City Council
SUBJECT: Arbor Creek Phase 1 & Collector Paving Improvements Contract
Cancellation & Release Agreement with Kansas Paving
INITIATED BY: City Administrator
AGENDA: New Business

Background: Below contains a brief history of actions taken by the Governing Body related to Arbor Creek Addition. These items are contained in the attached excerpt of minutes (*See H.6.c*)

- April 15, 2019 – Arbor Creek Final Plat Approved
- May 6, 2019 – Phase 1 Petitions and Authorizing Resolutions Approved
 - Res. 19-06 Phase 1 Grading \$172,000
 - Res. 19-07 Phase 1 Sanitary Sewer \$457,000
 - Res. 19-08 Sanitary Sewer Collector \$80,000
 - Res. 19-09 Storm Water Collector \$217,000
 - Res. 19-10 Phase 1 Storm Water \$336,000
 - Res. 19-11 Paving Collector \$517,000
 - Res. 19-12 Phase 1 Paving \$655,000
 - Res. 19-13 Water Collector \$154,000
 - Res. 19-14 Phase 1 Water \$157,000
- June 17, 2019 – Engineering Service Agreement with MKEC for Arbor Creek Improvements & SE Growth Corridor Lift Station to Serve Arbor Creek and at least 2 Future Residential Developments
- August 19, 2019 – Arbor Creek Water, Sanitary Sewer, Stormwater, Bid Award to Mies Construction
 - Sanitary Sewer Collector \$48,021
 - Sanitary Sewer Phase 1 \$276,725
 - Water Main \$72,516
 - Water Line Phase 1 \$134,060
- October 7, 2019 – Grading & Stormwater Amended Petition & Bid Award to Nowak Construction Repealing Res. 19-06
 - Res. 19-30 Grading & Stormwater Improvements \$543,686.65
- November 4, 2019 – Res. 19-31 Authorizing Solicitation of Bids for Arbor Creek Improvements to Include Improvements for Clover Leaf and Elk Ridge Additions
- November 26, 2019 Res. 19-32 – Authorized Sale & Delivery of Arbor Creek Bonds to Include Improvements for Clover Leaf & Elk Ridge Additions
- December 2, 2019 bids were received from four contractors with Kansas Paving being the lowest bid. Kansas Paving bid totaled \$304,103.40 for the Paving Collector, \$318,522.40 for Phase 1 Paving and an aggregate low bid of \$622,655.80.

The sidewalk portion of the work is yet to be completed as the developer and contractor have disagreement as to the physical condition of the site adjacent and surrounding the sidewalk corridor, coupled by the close proximity of utility meter locations, which may or may not require additional work to safeguard the utilities and sidewalk. In short, the contractor desires a sizable change order cost to complete the sidewalk work and because of the delay cannot perform the work in a time window. Both parties have agreed to terminate the work and the developer & city have solicited bids to complete the necessary work within the developer's timeframe. A separate agenda item will be presented for the completion of the sidewalk work. All of the work completed to date by Kansas Paving has been completed satisfactorily.

Analysis: The document terminates contract and accept the work completed to date. Kansas Paving is no longer required to complete the sidewalk portion of the contract. The contractor is required to adhere to Section 6 of the original agreement (H.6.b) which is related to the maintenance of the work completed for a period of two (2) years. Kansas Paving will be paid for the work completed to date.

Financial: Failure to adopt a contract cancellation & release agreement will activate the Arbitration provision found in Section 8 of the original contract document (H.6.b).

Legal Considerations: Document drafted by City Attorney Ryan Peck. Approve as to form.

Recommendations/Actions: It is recommended the City Council:

- Authorize the Mayor to Execute the Cancellation & Release Agreement for the Construction of Arbor Creek Paving Collector & Paving Phase 1 Improvements.

Attachments: H.6.a Contract Cancellation & Release (1page); H.6.b Contract with Kansas Paving (6 pages); H.6.c Excerpt of Minutes Related to Arbor Creek Addition (9 pages)

CONTRACT CANCELLATION AND RELEASE

THIS CANCELLATION of Construction Agreement (“Cancellation”) is made this ____ day of September, 2020, by and between the CITY OF GODDARD, KANSAS, a municipal corporation (the “City”) and CONSPEC INC. dba Kansas Paving, a Kansas corporation (“Kansas Paving”).

RECITALS

- A. The City and Kansas Paving entered into that certain Construction Agreement made and entered into on the 16th day of December, 2019 (the “Agreement”);
- B. Certain disputes have arisen between the parties concerning the work completed under and pursuant to the Agreement; and
- C. The parties desire to terminate the Agreement pursuant to the terms herein.

NOW, THEREFORE, in consideration of the foregoing Recitals, which are incorporated into and a part of this Agreement, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

- 1. Except as provided herein, the parties hereby terminate and cancel the Agreement.
- 2. Kansas Paving is hereby released from its obligation to finish the Work (as defined in the Agreement); provided however, that the terms contained in Section 6 of the Agreement shall survive this Cancellation with respect the work that Kansas Paving has performed to date pursuant to the Agreement.
- 3. City will pay for the work Kansas Paving has performed to date pursuant to the Agreement but is otherwise hereby released from any and all other payment obligations under the Agreement.
- 4. This Termination may be executed in one or more original counterparts, each of which shall be deemed an original, but all of which together shall constitute one agreement.

IN WITNESS WHEREOF, the parties have set their hands as of the day and year first above written.

CITY OF GODDARD, KANSAS

CONSPEC, INC. dba Kansas Paving

By: _____
Title: _____

By: _____
Title: _____

CONSTRUCTION AGREEMENT

THIS AGREEMENT (the "Agreement") made and entered into this 16th day of December, 2019, by and between THE CITY OF GODDARD, KANSAS, a municipal corporation (hereinafter the "City"), and Kansas Paving whose principal office is at 4880 N. Broadway, Wichita, KS 67219 (hereinafter the "Contractor").

NOW, THEREFORE, for the consideration, covenants and mutual promises hereafter stated, the parties hereto agree as follows:

SECTION 1. Contract Documents. The "Contract Documents" consist of the Agreement and the documents listed in Section 12 of the Agreement (the "Contract Documents"). The documents listed in Section 12 are hereby incorporated by reference herein and are made a part of the Agreement as though they are fully set forth herein.

SECTION 2. Work. The Contractor shall furnish all work as specified or indicated in the Contract Documents. The work to be furnished is generally described as follows:

Material and labor necessary to construct Paving Collector and Paving Phase 1 to serve Arbor Creek Addition.

SECTION 3. The Work. The Work shall be done in accordance with the Contract Documents and under the direct supervision of the Engineer, and the Engineer's decision as to the material used in the Work and the method of the Work shall be final and conclusive. In addition, the Contractor shall execute the Work described in the Contract Documents as necessary to produce the results intended by the Contract Documents or reasonably inferable by the Contract to produce the results intended by the Contract Documents.

SECTION 4. Contract Time. (a) The Work under this Agreement shall be substantially completed to the satisfaction of the Engineer by April 1, 2020.

(b) **Liquidated Damages.** Liquidated Damages for failure to substantially complete the Work in the time period set in this section will be assessed at the amount and in accordance with the City of Wichita Standard Specifications for the Construction of City Projects document ("Standard Specifications").

SECTION 5. Contract Sum. (a) The City shall pay to the Contractor for completion of the Work per unit for quantity in not-to-exceed amounts as set forth in the following chart:

Item No.	Description	Quantity	Unit	Unit Price	Extension
PAVING (COLLECTOR) ITEMS					
1	AC Pavement 6" (4" Bit Base)	4841	SY	20.00	\$ 96,820.00
2	Crushed Rock Base 5", Reinforced	7327	SY	7.00	\$ 51,289.00
3	Concrete Pavement (VG) 7" (Reinf)	1152	SY	40.00	\$ 46,080.00
4	Concrete C & G, Type 3 (8"), Median	260	LF	10.00	\$ 2,600.00
5	Concrete C & G, Type 4 (6-5/8"), Full	3028	LF	8.00	\$ 24,224.00
6	Concrete Curb, Mono Edge (6-5/8")	560	LF	1.00	\$ 560.00
7	Concrete Sidewalk 4"	16210	SF	2.50	\$ 40,525.00
8	Wheelchair Ramp w/ Detectable Warnings	13	EA	500.00	\$ 6,500.00
9	Inlet Hookup	6	EA	300.00	\$ 1,800.00
10	4" Perforated Underdrain Pipe	95	LF	10.00	\$ 950.00
11	Sleeves, 6" PVC	50	LF	1.00	\$ 50.00
12	Site Clearing & Restoration	1	LS	28,000.00	\$ 28,000.00
13	Signing	1	LS	3,600.00	\$ 3,600.00
14	Valve Box Adjusted	2	EA	10.00	\$ 20.00
15	BMP, Back of Curb Protection	3578	LF	0.10	\$ 357.80
16	BMP, Curb Inlet Protection	6	EA	0.10	\$ 0.60
17	BMP, Erosion Control Mat	270	SY	0.10	\$ 27.00
18	Fine Grading	200	CY	1.00	\$ 200.00
19	Seeding, Temporary	1	LS	500.00	\$ 500.00
SUBTOTAL PAVING (COLLECTOR) ITEMS					\$ 304,103.40
PAVING (PHASE 1) ITEMS					
1	AC Pavement 5" (3" Bit Base)	7587	SY	18.00	\$ 136,566.00
2	Crushed Rock Base 5", Reinforced	10069	SY	6.50	\$ 65,448.50
3	Concrete Pavement (VG) 7" (Reinf)	249	SY	40.00	\$ 9,960.00
4	Concrete Pavement 6" (Reinf)	32	SY	38.00	\$ 1,216.00
5	Concrete C & G, Type 3 (8"), Median	145	LF	10.00	\$ 1,450.00
6	Concrete C & G, Type 2 (3-5/8"), Roll	5511	LF	8.00	\$ 44,088.00
7	Concrete Curb, Mono Edge (6-5/8")	153	LF	1.00	\$ 153.00
8	Concrete Sidewalk 4"	11344	SF	2.50	\$ 28,360.00
9	Wheelchair Ramp w/ Detectable Warnings	4	EA	500.00	\$ 2,000.00
10	Inlet Hookup	3	EA	300.00	\$ 900.00
11	4" Perforated Underdrain Pipe	45	LF	10.00	\$ 450.00
12	Sleeves, 6" PVC	30	LF	1.00	\$ 30.00
13	Site Clearing & Restoration	1	LS	24,250.00	\$ 24,250.00
14	Signing	1	LS	900.00	\$ 900.00
15	Valve Box Adjusted	2	EA	10.00	\$ 20.00
16	BMP, Back of Curb Protection	5810	LF	0.10	\$ 581.00
17	BMP, Curb Inlet Protection	3	EA	0.10	\$ 0.30

18	BMP, Erosion Control Mat (Permanent)	31	EA	0.10	\$ 3.10
19	BMP, Erosion Control Mat	165	SY	0.10	\$ 16.50
20	Drainage Flume	34	LF	40.00	\$ 1,360.00
21	Fine Grading	300	CY	1.00	\$ 300.00
22	Seeding, Temporary	1	LS	500.00	\$ 500.00
SUBTOTAL PAVING (PHASE 1) ITEMS					\$ 318,552.40
BASE BID TOTAL					\$ 622,655.80

(b) Payment. The Contractor shall be entitled to payments of ninety-five percent (95%) of its progress estimated every thirty (30) days during the prosecution of the Work, subject to the Engineer's approval and certification by the City as to said progress and completion of the Work. Five percent (5%) of the total of the Work shall be retained by the City. The City shall release the retainage it holds on any undisputed payment due on the Work within thirty (30) days of substantial completion of Work as part of the regular payment cycle, however, if the contractor or subcontractor is still performing work on the Work, the City shall be entitled to withhold part of the retainage attributable to such until thirty (30) days after such work is completed.

SECTION 6. Maintenance of Improvements. The Contractor shall maintain the completed Work for a period of two (2) years from the date of final completion as determined by the Engineer without cost or expense to the City. Such maintenance of the Work shall be done in compliance with the plans and specifications. [Engineer needs to make sure maintenance is addressed in plans and specifications]

SECTION 7. Bond. Before commencement of the Work, the Contractor shall furnish the following bonds:

(a) A Performance and Maintenance Bond that guarantees the completion of the Work and guarantees maintenance of the Work following Final Completion for a two (2) year period in the amount of Six Hundred Twenty Two Thousand Six Hundred Fifty Five Dollars and Eighty Cents (\$622,655.80), conditioned upon the satisfactory completion of the Work and completion of guaranteed maintenance of the Work.

(b) A Statutory Bond of the State of Kansas in the amount of Six Hundred Twenty Two Thousand Six Hundred Fifty Five Dollars and Eighty Cents (\$622,655.80), conditioned upon the payment of all material and labor bills incurred in the making of the Work.

(c) The Performance and Maintenance Bond and the Statutory Bond shall comply with requirements set forth in the Standard Specifications.

SECTION 8. Arbitration. Notwithstanding anything to the contrary in the Contract Documents, the City shall not be subject to arbitration and any clause relating to arbitration contained in the Contract Documents herein between the parties shall be null and void and either party shall have the right to litigate any dispute in a court of law.

SECTION 9. Assignment. The Contractor, acting herein by and through its authorized agent, hereby conveys, sells, assigns, and transfers to the City all right, title and interest in and to all causes of action it may now or hereafter acquire under the anti-trust laws of the United States and the State of Kansas, relating to the particular product, products or services purchased or acquired by the City pursuant to this Agreement.

SECTION 10. Deferment or Cancellation of Agreement. The Agreement may be deferred or canceled by the City in accordance with the Standard Specifications.

SECTION 11. Contractor Representations. (a) The Contractor has familiarized himself with the nature and extent of the Contract Documents, the Work, the site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance, or furnishing of the Work.

(b) The Contractor has studied carefully all physical conditions which are identified on the Plans.

(c) The Contractor has the responsibility to satisfy himself as to any explorations, subsurface tests, reports, or investigations of the subsurface or physical conditions at or contiguous to the site as otherwise may affect the cost, progress, performance or furnishing of the Work as the Contractor considers necessary for the performance or furnishing of the Work at the contract price, within the contract time and in accordance with the other terms and conditions of the Contract Documents.

(d) The Contractor has given the Engineer written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by the Engineer is acceptable to the Contractor.

SECTION 12. Contract Documents. The Contract Documents which comprise the entire Agreement between the City and the Contractor concerning the Work consist of the following:

- (a) this Agreement;
- (b) Construction Plans;
- (c) Proposal Form;
- (d) Performance Bond and Maintenance Bond;
- (e) Statutory Bond.
- (f) The City of Wichita Standard Specifications for Construction of City Projects, 1998 Edition (the "Standard Specifications"), a copy of which is on file with the City Clerk's office of the City; provided that, for purposes of this Agreement, references to "Wichita" in the Standard Specifications shall be replaced with "Goddard" and references to addresses in the Standard Specifications that refer to a City of Wichita address shall be replaced with "118 N. Main, Goddard, KS 67052."

SECTION 13. Governing Law. The Contract and Contract Documents shall be governed by the laws of the State of Kansas and jurisdiction and venue for any court case brought under this Contract shall be in a court of law located in Sedgwick County, Kansas.

SECTION 14. Miscellaneous Provisions. (a) If there is a conflict, the terms and conditions in the Standard Specifications shall prevail over terms and conditions of the Agreement; provided, however, "Goddard" shall be substituted for "Wichita" wherever "Wichita" appears in the Standard Specifications and "118 N. Main, Goddard, KS 67052" shall be substituted for the address set forth in the Standard Specifications that refers to a City of Wichita address.

(b) No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

(c) The City and the Contractor each bind itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives with respect to all covenants, agreements and obligations contained in the Contract Documents.

(d) Where reference is made in this Agreement to a provision of the General Conditions or another contract document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

(e) The City's representative is:

Harlan Foraker, Goddard City Engineer
CED Engineering
1935 W. Maple
Wichita, Kansas 67213

(f) The Contractor's representative is:

Terry Hacker
Conspec Inc. (DBA) Kansas Paving
4880 N. Broadway
Wichita, KS 67219

(g) Neither the City's nor the Contractor's representative shall be changed without ten (10) days written notice to the other party.

IN WITNESS WHEREOF, THIS AGREEMENT is entered into as of the day and year first written above and is executed in at least three (3) original copies, of which one (1) is to be delivered to the Contractor, one (1) to the Engineer for use in the administration of this Agreement, and one (1) to the City.

ATTEST:

CITY OF GODDARD, KANSAS

Teri Laymon
TERI LAYMON, City Clerk

Jamey Blubaugh
JAMEY BLUBAUGH, Mayor

ATTEST:

CONSPEC INC. (DBA) KANSAS PAVING

Chris Wolken
Name: *Chris Wolken*
Title: *Estimator*

Larry Hackett
Name: *Larry Hackett*
Title: *President*

SECTION 1.8
MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENT, That we, **Conspec, Inc. DBA Kansas Paving**, P.O. Box 4204, Wichita, KS, 67204, Principal; and the **Employers Mutual Casualty Company** as Surety, are held and firmly bound unto **City of Goddard, Kansas, 118 North Main, Goddard, KS, 67052**, as Obligee, in the full and just sum of **Six hundred twenty-two thousand six hundred fifty-five and 80/100 Dollars (\$622,655.80)**, to be paid to the said Obligee or its certain attorney, heirs, executors, administrators or assigns, to which payment well and truly be made, we bind ourselves and each of us, our assigns, jointly and severally, firmly by these presents.

Signed, with our seals and dated this 16th day of December, 20 19.

The condition of this obligation is such that whereas the above bounded Principal has entered into contract with **City of Goddard, Kansas, 118 North Main, Goddard, KS, 67052**, dated December 16, 2019 for **Material and labor necessary to construct Paving Collector and Paving Phase 1 to serve Arbor Creek Addition in Goddard, Kansas.**

Now, therefore, if the Principal shall, at its own expense, properly repair and remedy any defective workmanship or materials that may appear within 2 year(s) from the date of acceptance of work by the said, Obligee, then this obligation to be null and void, otherwise to remain in full force and effect.

Conspec, Inc. DBA Kansas Paving

WITNESS:

[Signature]

By: *[Signature]*

Employers Mutual Casualty Company

[Signature]
Sally Voldrich, Attorney-in-Fact



The said surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to the work to be performed thereunder, or the specifications accompanying the same, in any way effect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alternation or addition to the terms of the contract or to the specification.

Seal



Conspec, Inc. DBA Kansas Paving

By

Employers Mutual Casualty Company

By

NOTE: Date of Bond must not be prior to date of Contract.



P.O. Box 712 • Des Moines, Iowa 50306-0712

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
- 2. EMCASCO Insurance Company, an Iowa Corporation
- 3. Union Insurance Company of Providence, an Iowa Corporation

- 4. Illinois EMCASCO Insurance Company, an Iowa Corporation
- 5. Dakota Fire Insurance Company, a North Dakota Corporation
- 6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

SALLY VOLDRICH

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the following Surety Bond(s):

Surety Bond Principal:
Number Conspec, Inc. DBA Kansas
 Paving
 S014727

Obligee:
 City of Goddard, Kansas
 118 N. Main St.
 Goddard, KS 67052

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

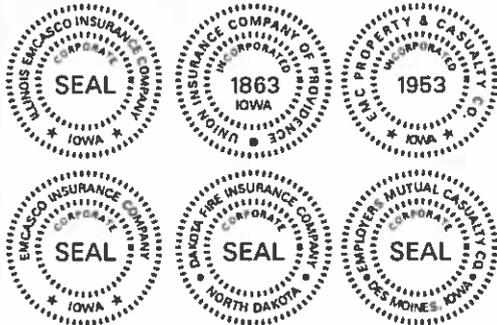
AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 1st day of July, 2018.

Seals



Bruce G. Kelley

Bruce G. Kelley, CEO, Chairman of Companies 2, 3, 4, 5 & 6; President of Companies 1, 2 & 6; Treasurer of Companies 1, 2, 3, 4 & 6

Todd Strother

Todd Strother
Senior Vice President

On this 1st day of July, 2018 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President and Treasurer, and/or Senior Vice President, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2022.

Kathy Loveridge

Notary Public in and for the State of Iowa



CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 1st day of July, 2018, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this _____ day of _____, _____.

J. D. Clough
Vice President

SECTION 1.6
PERFORMANCE BOND

1.6.01 KNOW ALL MEN BY THESE PRESENTS that **Conspec, Inc. DBA Kansas Paving, P.O. Box 4204, Wichita, KS, 67204** as Principal, hereinafter called Contractor, and **Employers Mutual Casualty Company, a corporation organized and existing under the laws of the State of Iowa and authorized to do business in the State of Kansas**, as Surety, hereinafter called Surety, are held and firmly bound unto **City of Goddard, KS** as Obligee, hereinafter called the Owner, in the amount of **Six hundred twenty-two thousand six hundred fifty-five and 80/100 Dollars (\$622,655.80)**, for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

1.6.02 WHEREAS, Contractor has by written agreement dated December 19, 2019, entered into a Contract with Owner for **Material and labor necessary to construct Paving Collector and Paving Phase 1 to serve Arbor Creek Addition in Goddard, Kansas**, in accordance with drawings and specifications prepared by **CED Engineering**, which Contract is by reference made a part hereof, and in hereinafter referred to as the Contract.

1.6.03 NOW THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Contractor shall promptly and faithfully perform said Contract, then this Obligation shall be null and void; otherwise it shall remain in full force and effect.

- a. The Surety hereby waives notice of any alteration or extension of time made by the Owner.
- b. Whenever contractor shall be, and declared by the Owner to be in default under the Contract, the Owner having performed Owner's obligations thereunder, the Surety may promptly remedy the default, or shall promptly:
 1. Complete the Contract in accordance with its terms and conditions, or
 2. Obtain a bid or bids for submission to Owner for completing the Contract in accordance with its terms and conditions, and upon determination by Owner and Surety of the lowest responsible bidder, arrange for a contract between such bidder and Owner, and make available as work progresses (even though there should be a default or a succession of defaults under the contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the Contract price," as used in this paragraph, shall mean the total amount payable by Owner to Contractor under the Contract and any amendments thereto, less the amount properly paid by Owner to Contractor.
- c. Any suit under this bond must be instituted before the expiration of two (2) years from the date on which final payment under the Contract falls due.
- d. No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the heirs, executors, administrators or successors of Owner.

1.6.04 SIGNED AND SEALED this 16th day of December, 20 19 :

Conspec, Inc. DBA Kansas Paving (seal)

Witness

Life

Title

Employers Mutual Casualty Company (seal)

Witness

Sally Voldrich

Sally Voldrich, Attorney-in-Fact





POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
- 2. EMCASCO Insurance Company, an Iowa Corporation
- 3. Union Insurance Company of Providence, an Iowa Corporation

- 4. Illinois EMCASCO Insurance Company, an Iowa Corporation
- 5. Dakota Fire Insurance Company, a North Dakota Corporation
- 6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

SALLY VOLDRICH

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the following Surety Bond(s):

Surety Bond Principal:
Number Conspec, Inc. DBA Kansas
 Paving
 S014727

Obligee:
 City of Goddard, Kansas
 118 N. Main St.
 Goddard, KS 67052

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

AUTHORITY FOR POWER OF ATTORNEY

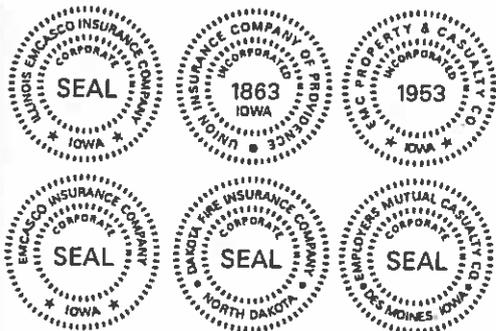
This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this

1st day of July, 2018.

Seals



Bruce G. Kelley

Bruce G. Kelley, CEO, Chairman of Companies 2, 3, 4, 5 & 6; President of Companies 1, 2 & 6; Treasurer of Companies 1, 2, 3, 4 & 6

Todd Strother

Todd Strother
Senior Vice President

On this 1st day of July, 2018 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President and Treasurer, and/or Senior Vice President, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2022.

Kathy Loveridge
Notary Public in and for the State of Iowa



CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 1st day of July, 2018, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this _____ day of _____, _____.

James D. Clough
Vice President

SECTION 1.7
STATUTORY BOND

19SB0382

COPY FILED
AT F DOCKET NO. _____

Conspec, Inc. DBA Kansas Paving, P.O. Box 4204, Wichita, KS, 67204, as principal, and Employers Mutual Casualty Company, a corporation authorized to transact business in the State of Kansas, as surety, are held and firmly bound unto the State of Kansas, in the penal sum of Six hundred twenty-two thousand six hundred fifty-five and 80/100 Dollars (\$622,655.80), lawful money of the United States, for the payment of which will and truly be made, said principal and surety bind themselves, their heirs, administrators, executors, successors, and assigns, jointly and severally by the presents, signed, sealed, and delivered in Wichita, KS, this 16th day of December, 20 19.

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH THAT WHEREAS, SAID PRINCIPAL HAS ENTERED INTO A WRITTEN CONTRACT WITH City of Goddard, KS, 118 North Main, Goddard, KS, 67052, hereinafter called the "Owner" dated December 16, 20 19, for the construction of or making of the following described improvements: **Material and labor necessary to construct Paving Collector and Paving Phase 1 to serve Arbor Creek Addition in Goddard, Kansas.**

IN ACCORDANCE WITH the detailed plans and specifications on file in the office of the clerk (or other recording officer of the Owner).

NOW THEREFORE, if the said principal or the subcontractor or subcontractors of said principal shall pay all indebtedness incurred for labor furnished, materials, equipment and supplies, used or consumed in connection with or in or about the construction of the above described improvements, including gasoline, lubricating oils, fuel, grease, coal and similar items used or consumed directly in furtherance of such improvements, this obligation shall be void, otherwise, it shall remain in full force and effect.

The said surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to the work to be performed thereunder, or the specifications accompanying the same, in any way effect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alternation or addition to the terms of the contract or to the specification.

Seal



Conspec, Inc. DBA Kansas Paving

[Handwritten signature]

By

Employers Mutual Casualty Company

[Handwritten signature]

By Sally Voldrich, Attorney-in-Fact

NOTE: Date of Bond must not be prior to date of Contract.



P.O. Box 712 • Des Moines, Iowa 50306-0712

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
- 2. EMCASCO Insurance Company, an Iowa Corporation
- 3. Union Insurance Company of Providence, an Iowa Corporation
- 4. Illinois EMCASCO Insurance Company, an Iowa Corporation
- 5. Dakota Fire Insurance Company, a North Dakota Corporation
- 6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

SALLY VOLDRICH

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the following Surety Bond(s):

Surety Bond	Principal:	Obligee:
Number	Conspec, Inc. DBA Kansas Paving	City of Goddard, Kansas 118 N. Main St. Goddard, KS 67052
S014727		

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 1st day of July, 2018.

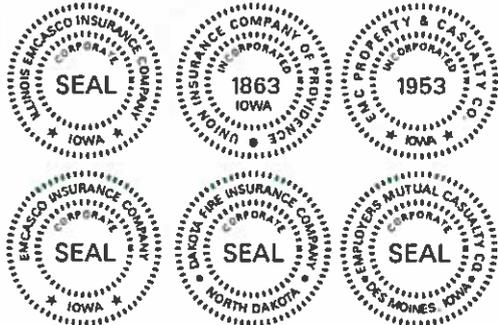
Seals

Bruce G. Kelley

Todd Strother

Bruce G. Kelley, CEO, Chairman of Companies 2, 3, 4, 5 & 6; President of Companies 1, 2 & 6; Treasurer of Companies 1, 2, 3, 4 & 6

Todd Strother
Senior Vice President



On this 1st day of July, 2018 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President and Treasurer, and/or Senior Vice President, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2022.

Kathy Loveridge

Notary Public in and for the State of Iowa



CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 1st day of July, 2018, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this _____ day of _____, _____.

J D Clough
Vice President

Date: 12/19/2019

18th Judicial District Court

NO. 2449970

Time: 11:12 AM

Receipt

Page 1 of 1

Received of: Conspec Inc (subject)

\$ 36.00

Thirty-Six and 00/100 Dollars

Case: 2019-SB-000382-

Subject: In the Matter of Conspec Inc

Amount

Statutory Bond

36.00

Total:

36.00

Check: 23418

Payment Method: Check

Amount Tendered: 36.00

By: _____

Clerk / Deputy Clerk



CONSINC-02

SALL

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/10/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER M & M Insurance Associates 1700 E. Douglas Wichita, KS 67214	CONTACT NAME: Sally Voldrich
	PHONE (A/C, No, Ext): (316) 264-9317 8718 FAX (A/C, No): (316) 219-2802 E-MAIL ADDRESS: sally@m-minsurance.com
INSURED Conspc, Inc. DBA Kansas Paving PO Box 4204 Wichita, KS 67204-0204	INSURER(S) AFFORDING COVERAGE
	INSURER A: Employers Mutual Casualty Company NAIC # 21415
	INSURER B: EMC Property And Casualty Company 25186
	INSURER C: Hallmark Specialty Insurance Company 26808
	INSURER D: Kansas Builders Insurance Group
	INSURER E: Guide One National Insurance Company
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			4D31601	4/30/2019	4/30/2020	EACH OCCURRENCE \$ 1,000,00 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,00 MED EXP (Any one person) \$ 5,00 PERSONAL & ADV INJURY \$ 1,000,00 GENERAL AGGREGATE \$ 2,000,00 PRODUCTS - COMP/OP AGG \$ 2,000,00
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			4E31601	4/30/2019	4/30/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,00 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			77HX199239	4/30/2019	4/30/2020	EACH OCCURRENCE \$ 5,000,00 AGGREGATE \$ Aggregate \$ 5,000,00
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	20191511	1/1/2019	12/31/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,00 E.L. DISEASE - EA EMPLOYEE \$ 1,000,00 E.L. DISEASE - POLICY LIMIT \$ 1,000,00
E	Excess Auto Liabilit			56000116200	4/30/2019	4/30/2020	Limit \$ 5,000,00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project: Material & labor necessary to construct Paving Collector & Paving Phase 1 to serve Arbor Creek Addition

CERTIFICATE HOLDER

CANCELLATION

City of Goddard
118 N Main Street
Goddard, KS 67052

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Sally Voldrich

EXCERPT OF MINUTES
ARBOR CREEK ADDITION
PHASE I IMPROVEMENTS

MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, APRIL 15, 2019

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, April 15, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. Councilmember Torske led in the Pledge of Allegiance and the Invocation. Council members present were, Joe Torske, Larry Zimmerman, Sarah Leland, Brent Traylor and Brook Brandenburg.

Also present were: Brian Silcott, City Administrator; Craig Crossette, Assistant to City Administrator; Teri Laymon, City Clerk; Matt Lawn, City Treasurer; and Harlan Foraker, City Engineer.

ARBOR CREEK FINAL PLAT APPROVAL

Craig Crossette, Assistant to the City Administrator presented a final plat from the development group MKEC, on behalf of the land owner. The Plat is for the subdividing of land east of Amelia Earhart Elementary School at 183rd West and 23rd Street South. The Preliminary Plat has passed through and been approved by the Planning Commission on March 11, 2019 and the Final Plat was approved by the planning Commission on April 8, 2019

As per the City's subdivision regulations, the final plat was submitted to the appropriate City staff and area utility companies for review, along with the request that they forward proposed changes and comments. Those changes and comments were communicated to the applicant and are incorporated in the copy of the final plat.

Crossette added that staff has also reviewed the attached final plat and found it in compliance with the City's subdivision regulations.

- It has been noted that the land marked "Reserve S" has been designated for park land.
- The Plat has been sent to the Sedgwick County fire department and they have reviewed and commented that two entrances is ideal given the lots exceed 36
- It has been noted that the lots on the west side of the tract of land, and the lots on the south, have the easement pushed further in to protect the hedgerow.

The plat now comes before the City Council for consideration. If the Council is satisfied that the requirements of all applicable subdivision regulations have been met, you may approve the final plat

MOTION: Councilmember *Torske* moved to approve Arbor Creek Final Plan as presented. Councilmember *Traylor* seconded the motion. The motion passed unanimously.

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MAY 6, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, May 6, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. Councilmember Leland led in the Pledge of Allegiance and the Invocation. Council members present were, Joe Torske, Larry Zimmerman, Sarah Leland, Brent Traylor and Brook Brandenburg.

Also present were: Brian Silcott, City Administrator; Craig Crossette, Assistant to City Administrator; Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Matt Lawn, City Treasurer; Harlan Foraker, City Engineer; and Ryan Peck, City Attorney.

ARBOR CREEK PHASE 1 PETITIONS AND RESOLUTIONS

Micah Scoggan, City Planner, presented nine petitions which has been filed in the Office of the City Clerk requesting the making of certain internal improvements going into the Arbor Creek subdivision of the City pursuant to the authority of K.S.A. 12-6a01 *et seq.* Scoggan explained that a letter of credit for each improvement will be issued if the improvements are approved at 35% of the total improvement cost. Terms for the release of the letters of credit will follow that at 50% occupancy of the improvement district, 50% of the letter of credit will be released. At 80% occupancy the full letter of credit will be release. The proposed apportionment of cost between the improvement district and the city at large is 100% to be assessed against the improvement district, and 0% to be paid by the city at large.

Special taxes will be assessed over twenty (20) years. The yearly payments will be the same amount each year with the interest and principal portions of the payments fluctuating to make the yearly payments equal.

If the petition is accepted a resolution authorizing the improvement must be adopted by the governing body. The petitioner is the sole property owner within the proposed improvement district. Under K.S.A 12-6a04 the property owner is requesting that no public hearing or notice be given.

Scoggan added that Phase 1 improvements includes a Collector section which runs between Phases, so the letter of credit will be held longer because it will take longer to meet the threshold requirements of occupancy.

The petitions include the following Phase 1 improvements:

- Grading \$172,000

- Sanitary Sewer \$457,000/Collector \$80,000
- Storm Water \$336,000/Collector \$217,000
- Paving \$655,000/ Collector \$517,000
- Water \$157,000/ Collector \$154,000

Thereupon, there was presented nine Resolutions determining the advisability of the making of certain internal improvements in the City of Goddard, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings:

- Grading Improvements Arbor Creek Addition Phase 1
- Sanitary Sewer Improvements Arbor Creek Addition - Collector
- Sanitary Sewer Improvements Arbor Creek Addition Phase 1
- Storm Water Improvements Arbor Creek Addition – Collector
- Storm Water Improvements Arbor Creek Addition Phase 1
- Paving Improvements Arbor Creek – Collector
- Paving Improvements Arbor Creek – Phase 1
- Water Distribution System Improvements Arbor Creed Addition – Collector
- Water Distribution System Improvements Arbor Creed Addition Phase 1

MOTION: Councilmember *Torske* moved to waive the reading of the Resolutions. Councilmember *Zimmerman* seconded the motion. The motion passed unanimously.

MOTION: Councilmember *Torske* moved to accept the Petitions requesting the making of certain internal improvements and adopt the resolutions as presented. Councilmember *Zimmerman* seconded the motion.

Roll Call Vote:

Yea: Torske, Zimmerman, Leland, Traylor, Brandenburg

Nay:

Resolution 19-06 Grading Improvements Arbor Creek Addition Phase 1

Resolution 19-07 Sanitary Sewer Improvements Arbor Creek Addition - Collector

Resolution 19-08 Sanitary Sewer Improvements Arbor Creek Addition Phase 1

Resolution 19-09 Storm Water Improvements Arbor Creek Addition – Collector

Resolution 19-10 Storm Water Improvements Arbor Creek Addition Phase 1

Resolution 19-11 Paving Improvements Arbor Creek – Collector

Resolution 19-12 Paving Improvements Arbor Creek – Phase 1

Resolution 19-13 Water Distribution System Improvements Arbor Creed Addition – Collector

Resolution 19-14 Water Distribution System Improvements Arbor Creed Addition Phase 1

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, JUNE 17, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday June 17, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. Councilmember Zimmerman led in the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Brent Traylor and Brook Brandenburg. Councilmember Leland arrived at 7:08 p.m. Councilmember Torske was absent.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Craig Crossette, Assistant City Manager; and Thatcher Moddie, Administrative Intern.

APPROVE AN ENGINEERING SERVICE AGREEMENT FOR ARBOR CREEK AND S.E. GROWTH CORRIDOR IMPROVEMENTS AND SEWER LIFT STATION

Brian Silcott presented a proposed engineering agreement between the City MKEC. for the design of bond financed improvements consisting of paving, storm sewer, water system, and storm water system improvements. Staff recommends using MKEC as the firm provided the preliminary engineering services for the platting of the Elk Ridge subdivision as well as the design of improvements for the subdivisions 3 other additions and can expedite plan preparation.

MOTION: Councilmember *Zimmerman* moved to approve the proposed engineering service agreement and authorize all necessary signatures. Councilmember *Brandenburg* seconded the motion. The motion passed unanimously.

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, AUGUST 19, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday August 19, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Sarah Leland, Brent Traylor and Hunter Larkin.

Also present were: Brian Silcott, City Administrator, Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

ARBOR CREEK WATER RESOLUTIONS, SANITARY SEWER, STORMWATER AND PAVING IMPROVEMENT BID AWARDS

Brian Silcott stated the City Council accepted petitions and adopted resolutions for improvement to the next phase of development for Arbor Creek Addition on May 6, 2019. The petitions and

resolutions authorized water main, water line, sanitary sewer, streets, and stormwater improvements. The Water Distribution Phase 1 best bid of \$134,060 exceeded engineer's estimate of \$115,990 which requires the adoption of a new resolution incorporating a new engineer's estimate of \$188,000. Silcott explained that the plan review for the water system is currently under standard (required) KDHE plan review, which is required prior to the formal execution of the bid award contracts and notice to proceed with construction.

Bids for all improvements were received for August 15, 2019. The best bids are below. Seven bids were solicited with three bids received.

Improvement	Engineer's Estimate	Best Bid	Amount
Sanitary Sewer Collector	\$58,635	Mies Const.	48,021
Sanitary Sewer Ph. 1	\$337,991	Mies Const.	276,725
Water Main	\$112,934	Mies Const.	72,516
Water Line Ph 1	\$188,000	Mies Const.	\$134,060

The total for Mies Construction best bid for the improvements is \$531,322. The resolution for Water Distribution Phase 1 (Water Line) increases the petition amount to \$188,000 and repeals Resolution 19-14 approving the initial improvement with the estimate of \$115,990. As mentioned above, staff recommends approval of the bid and resolution subject to plan review and all pertinent KDHE regulations. Work on the sanitary sewer can begin within the next week, with work on the water improvements to soon follow.

Silcott added, in accordance with the approved petition, these improvements will be financed through the issuance of temporary notes, which upon reaching the maturity date will be converted into special assessments that will be paid by the property owner.

Silcott recommended the City Council: Consider the repetitioned amounts for water line and repealing Res. 19-14. Award the bid to Mies Construction for Sanitary Sewer Main \$48,021; Sanitary Sewer Phase 1 \$276,725; Water Distribution Main \$72,516; Water Distribution Line Phase 1 \$134,060 subject to plan approval & pertinent KDHE regulation.

MOTION: Councilmember *Zimmerman* moved to adopt a resolution with the repetitioned amounts for water line and repealing Resolution 19-14 and to award the bids as presented. Councilmember *Traylor* seconded the motion. The motion passed unanimously.

Resolution 19-29

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, OCTOBER 7, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday October 07, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Sarah Leland, Brent Traylor and Hunter Larkin.

Also present were: Brian Silcott, City Administrator, Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

ARBOR CREEK REPETITION AND RESOLUTIONS WITH GRADING AND STORMWATER IMPROVEMENTS

The City Council accepted petitions and adopted resolutions for improvement to the next phase of development for Arbor Creek Addition on May 6, 2019. At the August 19, 2019 regular City Council meetings, the City Council awarded water & sanitary sewer improvement bids to Mies Construction.

On October 1, 2019 bids for Stormwater Collector (main), Stormwater Phase1, and Grading were received. The bid process included 3 alternate additions for the Phase 1 grading improvements. Four (4) contractors submitted bids with the best overall base bid being Nowak Construction in the amount of \$543,686.65.

Silcott presented a draft resolution authorizing and providing for the making of the improvements and repealing Resolution No. 19-06 grading improvements for Arbor Creek Addition Phase 1.

MOTION: Councilmember *Traylor* moved to accept the petition and adopt the proposed Resolution repealing Resolution 19-06 and award the bid to construct the stormwater and Grading improvements to Nowak Construction for the amount of \$543,686.65. Councilmember *Larkin* seconded the motion. The motion carried unanimously.

Resolution 19-30

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KS MONDAY, NOVEMBER 4, 2019

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday November 4, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Sarah Leland, Brent Traylor and Hunter Larkin. Councilmember Torske was absent.

Also present were: Brian Silcott, City Administrator, Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; and Matt Lawn, City Treasurer.

CONSIDER A RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS TO ISSUE GENERAL OBLIGATION TEMPORARY NOTES SERIES 2019-01 FOR ARBOR CREEK ADDITION, CLOVER LEAF ADDITION AND ELK RIDGE ADDITION

Brian Silcott presented a proposed resolution that authorizes the sale of bonds and the related actions of such by the Mayor, City staff, financial advisor, and bond counsel. The resolution selects Stifel, Nicolaus & Co (Formerly George K Baum) as the City's financial advisor, defines Gilmore & Bell as City bond counsel and authorizes staff, bond counsel, and the financial advisor to prepare and distribute a preliminary official statement (POS) and notice of bond sale for the sale of GO bonds.

The bonds will be issued with a principle amount of \$5,932,800 plus interest charges defined upon the conclusion and acceptance of the best bid. Section 3 authorizes the Mayor to execute the necessary paperwork to facilitate a timely issuance. The City Council will consider public bids on the public sale of bonds at the December 2, 2019 regular meeting.

Silcott added that there is small publication expense associated with the adoption of this resolution. Failure to adopt the resolution will require payment of the previously authorized improvement costs from the City At-Large within the Bond & Interest Fund.

MOTION: Councilmember *Leland* moved to adopt the resolution. Councilmember *Larkin* seconded the motion. The motion carried unanimously.

The Mayor declared the Resolution duly passed and the Resolution was then duly numbered Resolution No. 19-31

**MINUTES-SPECIAL MEETING
WITH PLANNING COMMISSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
TUESDAY, NOVEMBER 26, 2019, 12:30**

The Goddard City Council met in a special session at Goddard City Hall on Tuesday, November 26, 2018. Mayor Blubaugh called the meeting to order at 12:30 p.m.

Council members present were Joe Torske, Larry Zimmerman, Brent Traylor and Brent Traylor. Councilmember Leland was absent.

Also present were: Brian Silcott, City Administrator and Thatcher Moddie, Administrative Fellow.

CONSIDER A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF SERIES 2019-01 TEMPORARY NOTES FOR ARBOR CREEK ADDITION, CLOVER LEAF ADDITION AND ELK RIDGE ADDITION IMPROVEMENTS

Brian Silcott, City Administrator stated that staff planned to present this sale resolution at the December 2nd regular meeting however favorable market conditions necessitate immediate action, hence this special meeting to authorize the issuance, sale, & delivery of \$6,310,000 in General Obligation Temporary Notes.

The resolution authorizes the issuance, sale, and delivery of the notes. It also authorizes the Mayor, City staff, financial advisor, and bond counsel to execute the necessary action to complete the delivery and filing of the notes. Specific actions authorized include the following: Transcript certificate, certifying the accuracy & effectiveness of the resolution; Issuer/Agent Agreement, provides the State Treasurer to serve as paying agent and bond register of the notes; Underwriter Agreement, directs the Depository Trust Company to safekeep the notes pending closing on December 18, 2019; Closing Certificate, is required to formally close the issuance of the notes; and the Note Purchase Agreement between the City as Seller and the purchaser.. The bonds will be issued with a principle amount of \$6,310,000 plus interest charges for a term of 3 years with a redemption option after June 1, 2021. Payment of the notes will be made on June 1st & December 1st of each year.

These notes are issued with a rating of SP1+ which is the best short-term rating issued by Standard and Poors (S&P). This rating provides at least ¼ of a point in interest rate savings. The SP1+ rating reflects “a very strong capacity to pay debt service.” This is the short-term equivalent of a AAA bond rating.

S&P also issued a long-term rating of AA-/Stable, which differs from the AAA rating “only in a small degree” and our capacity to meet long-term obligations “is very strong”” Additional information on the City’s bond rating will be provided at the December 2nd regular city council meeting.

MOTION: Councilmember *Torske* moved to waive the reading of the resolution.

Councilmember *Larkin* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said resolution as presented.

Councilmember *Larkin* seconded the motion.

Resolution 19-32

ADJOURNMENT

MOTION: Councilmember *Torske* moved to adjourn the Special City Council Meeting. Councilmember *Zimmerman* seconded the motion. The motion carried unanimously.

Meeting adjourned at 12:35 p.m.
Teri Laymon, City Clerk

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KS MONDAY, DECEMBER 16, 2019

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday December 16, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of

Allegiance and the Invocation. Council members present were Sarah Leland, Brent Traylor and Hunter Larkin. Councilmembers Torske and Zimmerman were absent

Also present were: Brian Silcott, City Administrator, Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

BID AWARD FOR ARBOR CREEK ADDITION PHASE 1 & COLLECTOR PAVING

Brian Silcott, City Administrator presented bids from four contractors with Kansas Paving being the lowest bid. Kansas Paving bid totaled \$304,103.40 for the Paving Collector, \$318,522.40 for Phase 1 Paving and an aggregate low bid of \$622,655.80. The next lowest bid totaled \$674,445.90. The Engineer's Estimate for these improvements totaled \$867,820.80. Staff recommended awarding the bid to Kansas Paving in the amount of \$622,655.80 with \$304,103.40 for the paving collector and \$318,552.40 for Phase 1 paving and to authorize the Mayor & City Staff to Execute the contract.

In accordance with the approved petition, the improvements will be financed through the issuance of temporary notes, which upon reaching the maturity date will be converted into special assessments that will be paid by the property owner.

MOTION: Councilmember *Larkin* moved to award the bid to construct the Paving Collector and Paving Phase 1 Improvements to Kansas Paving in the amount of \$622,655.80 with \$304,103.40 for Paving Collector and \$318,552.40 for Phase 1 Paving Improvements. Councilmember *Leland* seconded the motion. The motion carried unanimously.

NOTHING FOLLOWS

**City of Goddard
City Council Meeting
September 21, 2020**

TO: Mayor and City Council
SUBJECT: Arbor Creek Phase 1 Sidewalk Bid Award
INITIATED BY: City Administrator
AGENDA: New Business

Background: On December 2, 2019 bids were received from four contractors with Kansas Paving being the lowest bid. The City Council awarded the bid to Kansas Paving with \$304,103.40 for the Paving Collector, \$318,522.40 for Phase 1 Paving and an aggregate low bid of \$622,655.80.

Due to a dispute between the contractor, Kansas Paving and the developer, the sidewalk portion of the work is yet to be completed as the developer and contractor have disagreement as to the physical condition of the site adjacent and surrounding the sidewalk corridor, coupled by the close proximity of utility meter locations, which may or may not require additional work to safeguard the utilities and sidewalk. In short, the contractor desires a sizable change order cost to complete the sidewalk work and because of the delay cannot perform the work in a time window. Both parties have agreed to terminate the work and the developer & city have solicited bids to complete the necessary work within the developer's timeframe. As presented in the previous agenda item for the contract cancellation and release agreement a separate agenda item is being presented for the completion of the sidewalk work.

Analysis: The City has received three bids for the completion of the construction and installation of the sidewalks. All bidders have previously and satisfactorily completed work for the City of Goddard. The developer is agreeable to all of the bidders. The best bid is Prado Construction in the amount of \$97,815.00.

Financial: The cost for this item is contained within the temporary notes issued for Phase 1 the paving and collector improvements as petitioned by the developer Marv Schellenberg.

Legal Considerations: Approve as to form.

Recommendations/Actions: It is recommended the City Council:

- Award the bid for construction of the Arbor Creek Phase 1 and Collector sidewalk to Prado Construction and authorize the Mayor to execute the construction agreement with Prado Construction.

Attachments: H.7.a Map of Sidewalk Work to be Performed (1 page)

GENERAL NOTES

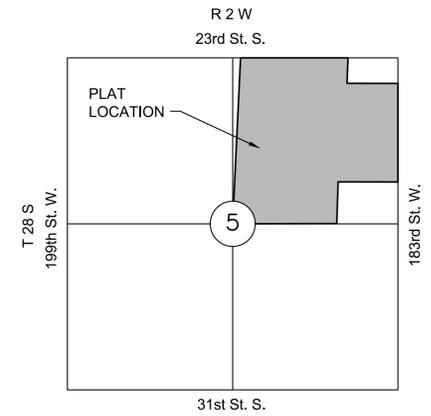
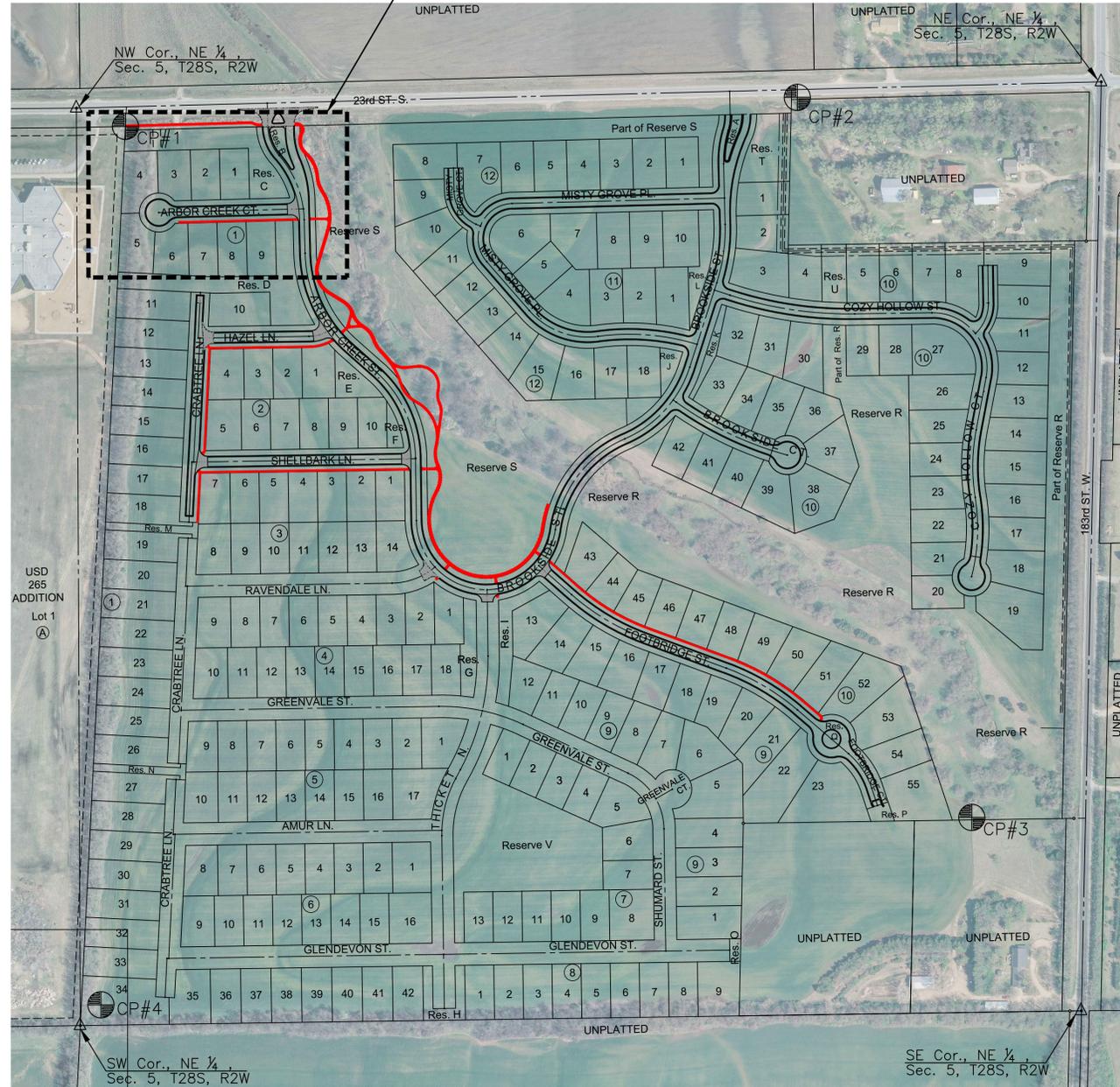
- THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE SAFETY REGULATIONS. ALL CONSTRUCTION SHALL BE COMPLETED FOLLOWING CURRENT CITY OF WICHITA STANDARD SPECIFICATIONS AND SPECIAL PROVISIONS.
- CONTRACTOR WILL BE REQUIRED TO PROVIDE NOTICE TO UTILITY COMPANIES A MINIMUM OF SEVENTY-TWO (72) HOURS PRIOR TO ANY EXCAVATION, AS FOLLOWS:
 KANSAS ONE-CALL 687-2470
 THE CONTRACTOR MUST NOTIFY THE FOLLOWING IN CASE OF AN EMERGENCY:
 AT&T 1-316-246-8464
 BLACK HILLS ENERGY (GAS) 1-800-694-8989
 CITY OF GODDARD WATER & SEWER 1-316-794-2441
 COX COMMUNICATIONS 1-888-249-3530
 KANSAS GAS SERVICE 1-888-482-4950
 WESTAR ENERGY 1-800-544-4857
- UTILITY SERVICE LINES, POLES, ETC. ARE TO BE ADJUSTED AS NECESSARY BY OTHERS PRIOR TO CONSTRUCTION UNLESS THE PLANS SPECIFICALLY CALL FOR THEIR ADJUSTMENT BY THE CONTRACTOR OR UNLESS THE PLANS SPECIFICALLY IDENTIFY A UTILITY TO BE ADJUSTED BY ITS OWNER DURING CONSTRUCTION. EXISTING UTILITIES AND THEIR LOCATION, AS SHOWN ON THE PLANS, REPRESENT THE BEST INFORMATION OBTAINABLE FOR DESIGN. THE CONTRACTOR WILL BE REQUIRED TO WORK AROUND EXISTING UTILITIES WITHIN THE RIGHT-OF-WAY WHICH DO NOT CONFLICT WITH PROPOSED CONSTRUCTION.
- RUBBLE FROM THE REMOVAL OF MISCELLANEOUS STRUCTURES AND EXCESS EXCAVATION WHICH IS TO BE WASTED SHALL BE DISPOSED OF ON SITES TO BE PROVIDED BY THE CONTRACTOR. THESE SITES SHALL BE APPROVED BY THE ENGINEER AS TO SUITABILITY, APPEARANCE AND SITE LOCATION LOCATIONS. IN THE OPINION OF THE ENGINEER, THAT WILL LEAVE AN UNSIGHTLY APPEARANCE WILL NOT BE APPROVED. ALL DISPOSAL SITES MUST BE APPROVED BY THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT. MATERIAL EITHER STOCKPILED OR DISPOSED OF IN A FLOOD PLAIN WILL REQUIRE A KANSAS STATE BOARD OF AGRICULTURE PERMIT. ANY MATERIAL DUMPED IN WATERS OF THE UNITED STATES OR WETLANDS IS SUBJECT TO U.S. CORPS OF ENGINEERS PERMITTING REGULATIONS. ANY MATERIAL BURIED OR STOCKPILED BEYOND APPROVED CONSTRUCTION LIMITS WILL REQUIRE ADDITIONAL ARCHAEOLOGICAL INVESTIGATIONS UNLESS BURIED IN A PREVIOUSLY APPROVED BORROW LOCATION.
- TREES AND SHRUBS IN PUBLIC RIGHT-OF-WAY WHICH ARE IN DIRECT CONFLICT WITH PROPOSED NEW CONSTRUCTION SHALL BE REMOVED BY THE CONTRACTOR WITH THE CITY ENGINEER'S APPROVAL. TREES AND SHRUBS WHICH ARE NOT IN DIRECT CONFLICT WITH PROPOSED NEW CONSTRUCTION SHALL BE SAVED AND PROTECTED FROM DAMAGE.
- THE CONTRACTOR SHALL GIVE ALL PROPERTY OWNERS AND/OR TENANTS OF DEVELOPED PROPERTY ABUTTING THE CONSTRUCTION OF THIS PROJECT A MINIMUM OF TEN (10) DAYS NOTICE PRIOR TO START OF CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING PROPERTY IRONS. THE CONTRACTOR WILL BE REQUIRED TO RE-ESTABLISH ANY PROPERTY IRONS WHICH ARE DAMAGED OR DESTROYED BY HIS CONSTRUCTION OPERATIONS. SUCH IRONS SHALL BE RE-ESTABLISHED BY A LICENSED LAND SURVEYOR IN ACCORDANCE WITH STATE LAWS.
- EXISTING UTILITIES AND THEIR LOCATION, AS SHOWN ON THE PLANS REPRESENT THE BEST INFORMATION OBTAINABLE FOR DESIGN. LOCATION INFORMATION HAS BEEN OBTAINED FROM THE VARIOUS COMPANIES AND IS EITHER FROM COMPANY UTILITY DRAWINGS OR COMPANY PROVIDED FIELD LOCATIONS. THE PLAN LOCATIONS SHOWN ARE NOT GUARANTEED. ADDITIONAL EXISTING UTILITIES MAY ALSO BE ENCOUNTERED.
- ALL TRAFFIC CONTROL DEVICES IN THE WORK ZONE (INCLUDING MARKINGS AND SIGNS) AND THEIR INSTALLATION AND MAINTENANCE SHALL COMPLY WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). ALL TRAFFIC CONTROL DEVICES IN THE TRAVELED WAY OR CLEAR ZONE SHALL BE CRASHWORTHY (NCHRP REPORT 350 OR MASH COMPLIANT). https://safety.fhwa.dot.gov/roadway_dept/countermeasures/reduce_crash_severity/
- EXCEPT WHEN REQUIRED FOR SAFETY, TRAFFIC CONTROL SHALL NOT BLOCK ANY LANES OR SIDEWALKS WHEN WORK IS NOT BEING PERFORMED.
- CONSTRUCTION STAKING WILL BE PROVIDED BY MKEC ENGINEERING, INC.
- DEVELOPER FOR THIS PROJECT IS:
 ARBOR CREEK DEVELOPMENT, LLC
 2243 N RIDGE RD, SUITE #105
 WICHITA, KS, 67205
 MARV SCHELLENBERG, MANAGING MEMBER
 (316) 721-2153

SIDEWALK EXHIBIT TO SERVE

ARBOR CREEK ADDITION

AN ADDITION TO THE CITY OF GODDARD, SEDGWICK COUNTY, KANSAS

HIGH PRIORITY AREA
SIDEWALKS IN THIS AREA
TO BE COMPLETE BY
SEPT. 25, 2020.



VICINITY MAP

No Scale

PROJECT QUANTITY

4" CONCRETE SIDEWALK 29605 S.F.
 WHEELCHAIR RAMP 18 EA



PAVING PLANS FOR ARBOR CREEK ADDITION GODDARD, KANSAS

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PHASE 1 SIDEWALK EXHIBIT

PROJECT NO.	1801010764	
DATE	SEPT. 2020	
SCALE	1"=200'	
DESIGNED	DRAWN	CHECKED
SPE	LM	SPE

NO.	REVISION	DATE
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SHEET NO.

PLOTTED: Friday, September 04, 2020 @ 02:04PM
 J:\PROJECTS\2018\1801010764_SCHELLENBERG ARBOR CREEK_18764\CAD\SET\5\6 CIVIL\PAVING\COLLECTOR\EXHIBIT\18764-05-5000_EXHIBIT.DWG