

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
MONDAY FEBRUARY 6, 2023**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, February 6, 2023. Mayor Hunter Larkin called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were Hunter Larkin, Sarah Leland, Keaton Fish, and Aubrey Collins. Council member Brent Traylor was absent.

Also present were, Teri Laymon, City Clerk; Matt Lawn, Finance Director; Brooke Brandenburg, Public Works Director; Micah Scoggan, Community Development Director; Lance Beagley, Police Chief; Harlan Foraker, City Engineer and Ryan Peck, City Attorney.

**APPROVAL OF THE AGENDA**

Ryan Peck, City Attorney, asked to add the pending condemnation to the agenda. Item H.11 Discussion of Pending Condemnation of Smith Property.

**MOTION:** Councilmember *Leland* moved to approve the agenda as amended. Councilmember *Collins* seconded the motion. The motion carried unanimously.

**CITIZEN COMMENTS**

Russ Lowen, Ace Hardware, 19894 W Kellogg Dr Ace, stated collaboration with city council and administration has not been easy for business owners. Lowen stated he has grown a successful business within Goddard in spite of the City Council and City Administration. Lowen asked the City Council to set aside some time to meet with the community in a Forum where questions can be respectfully asked and answered.

Larry Zimmerman, 6 South Main St, expressed his disappointment in the actions taken in the last 30 minutes of the prior City Council Meeting. Zimmerman stated he has spent the last 23 years as a City Council member, three-time Mayor and various other councils to help the city grow into a respectful community. The City's population has grown from 1,800 to 5,000 in the last 15 years and is set to reach 10,000 in the next few years. Zimmerman added that Council Members Larkin and Leland saw the need to tear down what it took over 20 years to build in a matter of 30 minutes.

William Smith, Auto Pros Service Center, 1944 Kellogg Dr, stated he and his wife have been business owners in the city for over 17 years. They chose Goddard because of the potential future growth of the city. Smith stated he is grateful for the community support and would not be here without them. Smith said regarding the termination of the City Administrator, that he was not surprised, but more surprised that the City Council finally acted on it. Smith asked that the City Council act on their promise to put the city first, to listen to the facts presented to them, to make informed decisions, and to be transparent. Smith asked the City Council when considering a new City Administrator to make sure that they share these same values. Smith added that he and his wife look forward to working with the City Council to make Goddard a better place for our community.

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Jeffery Jones, 1069 Arbor Creek, asked the City Council and or administration for clarification of date of discussion regarding the Big Arm the property. Jones stated he cannot find where that discussion occurred to sell the community garden. Jones added that had he known the events that were going to occur at the last meeting, he would not have left so soon. He believes that the appointment of Mr. Fishes was invalid. There was to be one person to be appointed to the City Council and after Zimmerman was relieved of his duties, Mr. Fish was appointed to the City Council. Mr. Jones asked Mayor Larkin to resign as Mayor and step down from the City Council as there is a hallway full of people who don't like what happened at the last meeting. Jones added that he agrees with former Mayor Zimmerman with regards to having buddies on the City Council because things happen at card games. Jones asked that the appointment of Mr. Fish to be nullified and asked for the resignation of Mayor Larkin.

Sara Meng, 2250 Leo St, addressed the City Council regarding the recent zoning case to approve multifamily dwellings and stated she has questions about all that all transpired. Meng suggested the City Council update their strategic plan to define Goddard's Goals regarding single family and multifamily housing.

Bill Woods, 149 Brazos Dr, stated that Mayor Larkin previously stepped down as mayor due to a conflict with contractors and would like to know what has changed since then in making decisions with the city's land for the betterment of the community and not for the mayor's connection to the developers. Woods added that the citizens of Goddard do not have faith that decisions are made for the best interests of Goddard.

George Liebe, 227 N Spruce, stated he has lived in the city for 25 years and has served on several different boards within the city. Liebe stated the citizens of Goddard do not trust the City Council and stated that once trust is broken it is hard to reestablish that trust. Liebe added that there are a lot of contradictions between the City Planning Commission and the City Council and stated he is concerned with the burden of debt that is being added to the city.

Tim Milligan, 1217 N Lake Edge Dr, stated he would like to have the library open on Sundays as he and his wife both work and by the time they get home it is too late to go to the library. Sunday is the day for them to go to the library and he was told that the reason that they are not open on Sundays is due to budget restraints.

April Hernandez, Municipal Library, addressed the council to announce her resignation as Library Director of the Goddard Public Library. Hernandez reviewed the accomplishments over the last four years and stated they have done a lot with very little and stated the library needs all your support.

Chris Kurth, 2034 St Andrew Ct., stated he has been a resident since 2009. Kurth stated he is annoyed and embarrassed with what happened at the last City Council Meeting. Kurth explained that the last two Mayors resigned with disgrace and now the citizens are stuck back with Hunter. Kurth told the City Council that they can do better.

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Jonathan Borofsky, 605 N Cedar St, called for the mayor's resignation, and said he previously resigned in disgrace. Borofsky stated there is a stain on the community and corruption right here in the City. Borofsky stated it is not ethical and not right. We deserve better leadership and one that we can trust.

Alison Anderson, 501 4<sup>th</sup> St, stated that she attends Goddard High School and said she is embarrassed regarding the mayor's DUI and called for the resignation of the mayor.

Joe Torske, 1325 Lake Edge St, former Council Member, would like to see an open forum regarding what has transpired and why things happened the way that they did or how.

Marilyn Zoglman, 402 Richard Rd, stated that she is a lifelong resident of Goddard wanted to remind the City Council that the city has been on national news one other time when there was a shooting at the middle school. Zoglman stated that was a very painful time for our city and stated that this is worse. Zoglman stated she doesn't know what the mayor thinks he is doing or how stupid he thinks the citizens are, but we not going to stop today. Zoglman added that her grandfather owned a hardware store in City in 1909 and said she sorry that she has not be involved with the city as she should have. Zoglman stated the citizens know who is funding the mayor and the community is not going to give up.

Mike Whittaker, 1609 N Cleary Ln, stated he has lived in the city since 2004, Whittaker stated he supports local businesses and thinks that the city is dying from the inside. The community need businesses and there is not currently a family restaurant in town. Whittaker asked for the mayor to please resign, and the city needs to get some people on the bench that want to support the community.

Shane Grafing, 2015 St Andrew St, 2005, Planning Commissioner, stated he is appalled and embarrassed from the events at the last City Council meeting. Grafing added that there should have been some clear-cut answer as to why Brian was let go. Were there complaints and what were they? Grafing added that the mayor has had all kinds of complaints, and asked the mayor if he was going to step down.

Sarah Leland responded and said that if any one of you fired an employee, or were fired, would that business be yours, no it would not, so think about that. We do not come out here to trash somebody.

Cait Eisenhauer, 2306 E Summerwood, stated she grew up and went to school in Goddard. She stated she moved back here for her kids to go to school in Goddard. Eisenhauer asked if there has been a conversation with the school district to ensure that they can handle all the multifamily homes. The schools are busting out at the seams and teachers are overworked. Eisenhauer asked for the resignation of the mayor and stated he is not good for the community.

Teresa Soria, 100 N Pine St, responded to Councilmember Leland's comment regarding the firing of an employee and added that as an employer you have the right to fire anybody that is not doing their job, but in this case, it is the public who is paying those salaries and want clarity as to why they did what they did and if it is justified. Her husband has threatened to leave Goddard, and asked the Council if that is what they want, for people to leave this community. Soria stated it is wrong on so many levels, and

stated that the citizens deserve answers and clarity, and that the whole council needs to resign. The citizens of Goddard need people on the bench who will hear their voices.

City Attorney, Ryan Peck stated that there seems to be a misunderstanding of how decisions are made, and why the City Council goes into executive sessions, and under what circumstances. Peck offered to present a presentation at one of the City Council meetings to review the ins and outs of the open meetings act. There are certain matters of privacy as to having those discussions in executive session.

Mayor Larkin stood up to address the audience regarding the allegations. Larkin stated that most of his followers and people in this room, city staff have heard him give this quote by Steve Jobs:

“Here’s to the crazy ones. The misfits. The rebels. The troublemakers. The round pegs in the square holes. The ones who see things differently. They’re not fond of rules. And they have no respect for the status quo. You can quote them, disagree with them, glorify or vilify them. About the only thing you can’t do is ignore them. Because they change things. They push the human race forward. And while some may see them as the crazy ones, we see genius. Because the people who are crazy enough to think they can change the world, are the ones who do.”

Larkin said that he understands the concerns of this group, and said he has read all the comments, but that he is looking forward to this year and this governing body is going to be more transparent than ever.

Larkin thanked all the department heads for all they do and added that what happened at the last meeting was tough, but it was done out of love. He knows that this governing body will impress the community and encouraged everyone to stay to the end the meeting.

### **APPOINTMENTS, PROCLAMATIONS, RECOGNITIONS & NOMINATIONS**

Mayor Hunter Larkin presented a Goddard Gratitude Award to Earl and Sherry Lauer for their many contributions to the Goddard Public Library. Earl and Sherry invested countless hours into refurbishing the Mobile Library. Sherry has been invaluable to the library as their current Board President.

### **APPROVAL OF THE CONSENT AGENDA**

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

### **BOND SALE OF TEMP NOTE 2023-2**

On July 5, 2022, the Governing Body approved resolution 22-17 directing the issuance of temp notes 2022-2 for the improvements of Goddard Trails End. The bids for Goddard Trails End came in over the engineers estimate requiring a separate issuance for the difference. These notes were bundled with Big Arm Addition for economies of scale. On January 3, 2023, the Governing Body approved resolutions for the development of improvements for the big Arm Addition and the amended petitions for Goddard Trails End. Both the overage for Goddard Trails End and the Improvements for Big Arm are referred to as temporary note 2023-2.

Bret Shogren, Stifel, Nicolaus and Company, the City Financial Advisor presented a summary of the bids that were opened this morning and the best bid received was from Country Club Bank at a true interest cost of 3.116616%. Shogren stated that once the projects are completed, General Obligation

Bonds will be issued to pay off the temporary notes and the bond payments will be assessed to the property owners of via special taxes over a twenty-year period.

Kevin Cowen of Gilmore and Bell, the City’s bond counsel explained the process of the issuance of the bonds and recommended the City Council approve the best bid from Country Club bank as presented and adopted a resolution authorizing and directing the issuance, sale and delivery of Series 2023-2 GO Temporary Notes for Trail’s End Addition and Big Arm Addition Improvements and directing the Mayor and Staff to take necessary action to complete the terms of the resolution.

**MOTION:** Councilmember *Leland* moved to accept the winning bid as presented and adopted the resolution authorizing the sale of the bonds. Councilmember *Fish* seconded the motion. The motion carried unanimously.

**SEDGWICK COUNTY SENIOR GRANT**

Micah Scoggan stated Sedgwick County offers a senior grant to municipalities to help fund senior services in different cities. The city of Goddard applied for a \$6,000 grant to see if the county would qualify Goddard for this amount to provide services to seniors for recreational activities such as yoga, and organized trips to museums. The county has accepted the application and if the city council is in favor of the proposal to receive the funding the city council can vote to allow the mayor to sign the contract between the county and Goddard.

Goddard city staff would manage the funding and all receipts received from the seniors for reimbursement. A survey will be required of the seniors to determine if the programs provided improved the quality of life for the seniors. Any funds not expensed would be remitted back to the county. The contract operates on an annual basis such that if the program was well received by the seniors and city council the city could apply again next year.

City staff spoke with Becky O’Brien and her husband about the possibility of a senior grant from the county. If the City Council approves the contract city staff will work with the O’Briens for organizing the seniors for events.

Scoggan recommended that the City Council approve the contract with Sedgwick County for senior funding.

**MOTION:** Councilmember *Fish* moved to approve the contract with Sedgwick County for senior funding. Councilmember *Collins* seconded the motion. The motion carried unanimously.

**BEN HEALY ANNEXATION PEITITON**

Micah Scoggan stated that Ben Healy has submitted a petition for annexation to be incorporated into the city limits of Goddard. This land is generally located on the southeast corner of US 54 and 183<sup>rd</sup> across from the Murphy Gas station. Scoggan added that Ben Healy intends to submit a rezoning application at a future date to rezone the property from the default “R-1” Single Family Zoning to “C-2” General Business District.

The tract of land is 9.45 acres and is currently “RR” Rural Residential and abuts the state-owned land to the north. The land adjoins the corporate city limits and is an allowed annexation per K.S.A 12-520a

Scoggan presented an Ordinance authorizing the annexation of the land described and recommended the City Council waive the reading of the ordinance with a voice vote and make a motion to approve the ordinance for annexing the land generally located on the southeast corner of US 54 and 183<sup>rd</sup>.

**MOTION:** Councilmember *Leland* moved to approve waive the reading of the ordinance. Councilmember *Fish* seconded the motion. The motion carried unanimously.

**MOTION:** Councilmember *Leland* moved to adopt said ordinance. Councilmember *Fish* seconded the motion.

**Roll Call Vote:**

Yea: Fish, Leland, Larkin, Collins

Nay:

***Ordinance #917***

**NEW POSITION FOR BUILDING INSPECTIONS AND CODE**

Micah Scoggan explained that as the city grows the need for additional staff becomes necessary to continue to maintain a clean and well managed city moving forward into the future.

Currently the city does code compliance in house but for building inspections the city partners with the Metropolitan Area Building and Construction Department (MABCD). The relationship with MABCD has been necessary and it is well received however there have been certain items that MABCD will not inspect, and this has created certain issues that the creation of this position will remedy. The city currently pays 50% of all permit fees to MABCD for their service.

This position will also take over management of the city's Storm Water Management Plan (SMP) and the city's Municipal Separate Stormwater Sewer System (MS4) as well as general code violations pertaining to tall grass, junk vehicles, unfit habitation ect.

This position will be paid through the general fund with monies previously allocated to the assistant to the city administrator position. The position will potentially cash flow going forward into the future by retaining 100% of the permit fees and increasing those permit fees to match the reasonable expenses that are incurred by the city for this service.

This position would be subordinate to the Community Development Director and as such the Community Development Director would manage all the aspects of the position with the new hire including, but not limited to, onboarding and training.

**MOTION:** Councilmember *Larkin* moved to approve the creation of the position for a Building Inspector and Code enforcement Officer . Councilmember *Collins* seconded the motion. The motion carried unanimously.

**WASTEWATER TREATMENT FACILITY BLOWER REPAIR**

Brooke Brandenburg, Public Works Director stated that air is a vital component in the wastewater treatment process. Insufficient airflow will cause a wastewater treatment plant to become anoxic,

negatively impacting the ability to treat influent. At the City’s WWTP compressed air is provided to the basins by three (3) Kaeser model FB790C blowers. The blowers are designed to operate individually or in tandem if plant demand calls for increased airflow. Without adequate air the bacteria in the plant will die. Blower number 3 has experienced a block malfunction requiring it be removed from the plant and transported to the factory for repairs.

The block on Blower 2 at the WWTP is experiencing mechanical problems and requires repair. The Kaeser Compressor Company will remove and transport the unit to their shop to test and evaluate the damaged block to determine its condition. If possible the block will be repaired, but if the existing block is out of spec it will be replaced with a new unit. When repairs are complete the blower will be re-installed. Total repair time is approximately 4 weeks.

Public Works is requesting spending approval to repair the Kaeser model FB 790C blower. The cost of repairs will vary depending on the condition of the damaged block. The known costs are \$4,767.51 and includes disassembly of the blower, shipping, testing and blower reassembly. Depending on the condition of the blower block it may be repaired or replaced. The cost of repairs is approximately \$8,000 and a new block costs \$21,935.00. Below is a detailed breakdown of the cost:

Disassemble, inspect, reinstall Block:	\$ 4,767.51
Block rebuild:	\$ 8,000.00
New block:	\$21,935.00
Rental equipment:	\$ 1,800.00
Cost with rebuilt block:	\$14,567.51
Cost with new block:	\$28,502.51

The amount will be allocated 100% to Sewer Replacement Reserve Fund 83-860-6130.

It is recommended the City Council approve repair of Blower #2 for \$28,502.51

**MOTION:** Councilmember *Leland* moved approve repair of Blower #2 for \$28,502,51 as presented. Councilmember *Collins* seconded the motion The motion carried unanimously.

**POLICE DEPARTMENT SERVER REPLACEMENT**

Lance Beagley, Police Chief, stated as the city moves to faster and more reliable digital services, the need for storing digital data increases. The Police Department is making leaps and bounds towards more software use in their daily activities and as such more space for the file types and data management is required.

Imagine IT is the IT service provider for the city. They have drafted a quote for the police department to deliver, install and configure a new server and cabling. This service would also include the installation of necessary software and testing for functionality as well as historical data migration as needed.

Imagine IT would decommission the older server, erasing any sensitive information that was not transferred to the new server. The total cost for the server would be \$25,505.47 and would be allocated to line item 81-210-7340.

It was recommended that the City Council approve the purchase of the new Police Department on premise server.

**MOTION:** Councilmember *Fish* moved to approve the purchase of a new Police Department on premise server as presented. Councilmember *Leland* seconded the motion. The motion carried unanimously.

### **CHAMBER 2023 ALLOCATION**

During the 2023 Operating Budget process, the City Council approved allocations to the Goddard Chamber of Commerce for annual membership Chamber Trustee Dues, Community Event funding, for a total amount of \$47,000 and will be allocated to line item 10-560-9970 (General Fund – Chamber of Commerce – Payment to Chamber)

**MOTION:** Councilmember *Collins* moved to approve Chamber distribution for the amount of \$47,000 as presented. *Leland* seconded the motion. The motion carried unanimously.

### **BID AWARD MIES CONSTRUCTION**

Micah Scoggan stated the city is obligated to bid all major projects for improvements to city infrastructure that are financed by the city. Once a public bid meeting is held, the lowest bidder is awarded the bid by default.

This is always the case unless the City Council has a no confidence vote to not award the bid to the lowest bidder for reasons that could be related to job performance on the project.

On May 16, 2022, the City Council approved multiple resolutions which included, but are not limited to, resolution 22-11 (Lift station), resolution 22-12 (sanitary sewer improvements), resolution 22-09 (exterior water transmission). These three resolutions collectively were bid on December 20, 2022, and awarded by default to Mies Construction as the lowest bidder with a total contract price of \$2,295,705.85.

The City Council is officially awarding the bid to Mies Construction and authorize the mayor to sign and contract awarding the bid and further allowing city staff to execute the contract with all necessary forms and agreements.

**MOTION:** Councilmember *Leland* moved to award the bid to Mies Construction for the improvements of Goddard Trails End Development. *Fish* seconded the motion. The motion carried unanimously.

### **SERVERANCE AGREEMENTS**

City Attorney, Ryan Peck stated that Brian Silcott and Thatcher Moddie have agreed to the terms of the Severance Agreements. Under his employment agreement, Silcott is entitled to 3 months of pay and



benefits upon termination of his employment, except in the case of termination for just cause. His proposed severance agreement will result in one additional month of pay and benefits, for a total of four months of pay and benefits. Moddie did not have a written employment agreement, but his proposed severance agreement will entitle him to three months of pay and benefits. The total of the severance pay will be \$69,893.30, plus insurance and payroll taxes.

It was recommended that the Governing Body approve the severance agreements for Brian Silcott and Thatcher Moddie and authorize Mayor Larkin to sign the agreements on behalf of the City.

**MOTION:** Councilmember *Fish* moved to approve the severance agreements for Brian Silcott and Thatcher Moddie and authorize Mayor Larkin to sign the agreements on behalf of the city. *Collins* seconded the motion. The motion carried unanimously.

### **PRESENTATION ON HIRING A NEW CITY ADMINISTRATOR**

City Attorney Ryan Peck began a discussion on how the Governing Body would like to proceed in recruiting a City Administrator, including, but not limited to job description and profile for the City Administrator, whether to hire a recruiter or executive search firm to assist in recruiting and hiring a new City Administrator, potential timeline for hiring a new City Administrator, and filling the City Administrator's job duties until a full-time replacement is hired.

Peck presented a copy of the City's Charter Ordinance #15 that addresses the structure of the Governing Body and lays out the job description of the City Administrator. Traditionally, it is the Governing Body's role to set out a vision and set policy. It is the City Administrator's role to run the day-to-day operation.

Mayor Larkin stated he would like to hire a headhunter to provide transparency in the hiring of a City Administrator and expressed his desire when it comes down to the final three candidates to have each department head to interview the candidates to address their wants and concerns and also have the finalist to come a present to the City Council why they want the position.

Councilmember Collins stated that he would like to see a leader with good communication and people skills to represent the community.

Councilmember Fish agreed with Mayor's request to hire a headhunter and described what to him is most important to find a candidate that does not have relationship with any of the City Council and that they are not bringing in anybody that could be in question of a former relationship and fresh to Goddard.

Peck explained the typical process of the hiring of a headhunter and what to expect. Peck stated it would start with an RFP to firms that might be of interest to give a proposal to the City for their services. The firms would then solicit candidates that they think the City Council would be most interested in. At that point you would probably have sit down interviews and an opportunity to meet with the department heads. Peck said to expect about six months or longer to fill the position.

Council Member Leland also agreed to the hiring of a headhunter and stated she is wanting someone who can mesh with the current staff as they are amazing. Also, someone who can understand and promote businesses and has a grasp of growing appropriately as to not grow too fast or too slow.

Discussion ensued regarding the qualities desired in a City Administrator and the process of hiring an interim if needed.

### **DISCUSSION OF PENDING CONDEMNATION**

City Attorney Ryan Peck began a discussion on a pending condemnation case. Peck explained that the former City Council voted to proceed with condemnation on two parcels adjacent to the Linear Park owned by Mr. and Mrs. William Smith for a purpose of constructing a new library and community center. Peck stated the timing and funding remain up in the air. The Smiths recently contacted the mayor and have asked for reconsideration of the condemnation of their property. Peck explained at this point the court has approved the petition and appointed some appraisers to value the property. The next step is scheduling a hearing after which the City would pay the owners of the property the value of the property and expenses that are involved with that. Peck asked the City Council if they are in agreement to continue with the condemnation and if the answer is no then that property needs to be dismissed.

**MOTION:** Councilmember *Leland* moved to dismiss the condemnation of the parcels owned by Mr. and Mrs. Smith. *Fish* seconded the motion. The motion carried unanimously.

### **ECONOMIC REPORT**

Micah Scoggan reviewed an Economic Report for the benefit of the City Council.

### **GOVERNING BODY COMMENTS**

Councilmember Fish thanked everyone for coming to the City Council meeting and stated it was a lot to process but thought that it was good to hear. Fish stated that he wants to be the eyes and ears of the community and understands the uncertainty. Fish stated that he is concerned about the loss of business in the community and is working on bringing back the Chamber of Commerce to bring back the Farmers market on Main Street. Fish encouraged the citizens or potential vendors to contact him if they are interested.

Councilmember Leland apologized for losing her composure regarding the firing of City Administrator Brian Silcott. Leland stated that she is compassionate about the City and is here to do what is right for the citizens and build the City in the right way. Leland added that she is thankful for all the of community members that showed up at the City Council meeting and all of the voices that she has heard over the last few weeks. Leland stated it is a hard job making decisions that not everyone agrees with. Leland addressed the City Staff and asked if anyone is interested in becoming an interim City Administrator to reach out to them. Leland added that anyone can reach out to her with questions or concerns and to send her an e-mail.

Councilmember Collins stated that a month ago he and his wife also came to speak regarding some of the rezoning issues that have come up. Collins stated that being involved in the community is important and stated he is excited about the growth of the community and is tired of taking his wife into Wichita for a nice dinner.

Mayor Larkin brought up some issues that he has been working on, including the library, and some of the struggles that they have had. Larkin also asked if there was a way to pay for the library staff's medical insurance. Larkin stated he is also working with an agreement with Rural Water District #4 and

future water reserves. Larkin added that he is also working with the Chamber and getting some additional funds for events. Larkin encouraged the public to continue to attend the City Council Meetings.

**ADJOURNMENT**

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

*Meeting adjourned at 9:48 pm.*  
*Teri Laymon, City Clerk*