

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MARCH 15, 2021**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, March 15, 2021. Mayor Larkin 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 Michael Proctor.

Also present were Brian Silcott, City Administrator; Matt Lawn, Finance Director; Brooke Brandenburg, Public Works Director; Micah Scoggan, City Planner; Fred Farris, Police Chief; Thatcher Moddie, Assistant to City Manager; Harlan Foraker, City Engineer 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

None

CONSENT AGENDA

The following was submitted to the City Council for approval:

1. Approval of Minutes
 - a. Regular Meeting – March 1, 2021
2. Accounts Payable
 - a. March 3, 2021 for \$143,913.95
 - b. March 10, 2021 for \$61,621.42
3. Receive and File Boards & Commissions
 - a. Library Board
 - b. Planning Commission
4. Fireworks Sales Applications: Bellino, Chamber, GUMC, Holy Spirit, Lions Club, Tanganyika

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

UNFIT HABITATION – RECEIVE ND FILE UPDATE

City Planner, Micah Scoggan explained that on March 13, 2020, the City has conducted a preliminary investigation into a property located in the 1500 block of the Seasons subdivision and have determined based on this investigation that the property is unfit for human habitation. On October 19, 2020 the Governing Body signed a resolution for a condemnation hearing for December 7, 2020. On December 7, 2020 the Governing Body decided to extend the grace period for the owner till February 1, 2021 for review of work accomplished inside the property.

Pathway church has graciously volunteered their staff to assist in the remediation of the property and the property owner has rented an apartment where she will be living. The property owner has conveyed that she will be trying to sell the property.

PUBLIC HEARING ON CONDEMNATION OF 101 NORTH CEDAR AND ADOPTION OF RESOLUTION.

On November 11, 2020 the Code Enforcement officer did a preliminary investigation into the property located at 101 N Cedar St. It was found to be in violation of the City of Goddard code under chapter 4 Article 7 for unfit habitation. A certified letter was sent to the property owner allowing 30 days to elapse to begin the process of bringing the property up to the standards for livability. The property owner did some mitigating work to the yard but failed to bring any overall improvements to the property itself. On January 11, 2021, the Governing Body signed resolution 21-04 to schedule a public hearing on March 15, 2021.

Mayor Larkin opened the public hearing at 7:09 p.m. to hear oral or written comments regarding the condemnation of 101 North Cedar.

Micah Scoggan presented the findings of fact and displayed photos of the property.

John Kimple, property owner stated that he was delayed on the cleanup because the renters that were living in the property were in jail and he was unable to evict them. Kimple explained that he has a rent-to-own contract with Jason Griswold who is awaiting loan approval. Kimple stated that all he is asking for is additional time.

Jason Griswold stated that he would like to purchase the property but would like additional time to address the situation.

Mayor Larkin closed the public hearing at 7:21 p.m.

Scoggan explained that the property owner of record is still Mr. Kimple until a transaction has been filed with Sedgwick County register of deeds.

It is recommended the City Council: Conduct a public hearing for the determination of unfit habitation for the property listed above, if they concur with the findings they will move for adoption of the resolution.

MOTION: Councilmember *Leland* moved to table the adoption of the Resolution. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

MCCOWN GORDON AND SHELDEN ARCHITECTURE COMMUNITY SPACE FRAMEWORK DISCUSSION AND PRESENTATION

Brian Silcott stated that during the February 16, 2021 regular City Council meeting, the City Administrator provided an update on improving the Community Building, including the possible construction of new facility to meet the needs of our growing community. Specific discussion items include a community engagement process that is impartial, transparent, and with an eye on fiscal pragmatism. The discussion was with representatives of the engineering firm McCowan Gordon and Shelden Architecture. McCowan Gordon has a field office location in the Goddard Industrial Park and Shelden Architecture designed the Master Park Plan, Linear Park Pavilion and Splash Pad utilizing a community engagement process working cooperatively with

Goddard's Park Board. The City Council discussed the Park Board coordinating the current public space discussion, should this concept be authorized by the City Council.

Representatives from Shelden Architecture and McCowan Gordon will be present to present an overview of Master Park Plan, Phase 1's completion with the Pavilion and Splash Pad, review the facilitation process, which includes understanding the Governing Body's vision for the Community's civic spaces and the process to understand the community's vision and needs, and to build a consensus of the two. Anticipated deliverables would include options of civic needs, spaces, and sites for consideration. McCowan Gordon would develop costs associated with each option. Upon completion of the engagement process, Shelden will present renderings to reflect each option. The anticipation time to complete the engagement process is three to four months of bi-monthly meetings and a public engagement process reflecting the desires of the Governing Body.

Staff anticipates a cost not to exceed \$10,000 being allocated to Special Parks & Rec Fund, Public Buildings Cost Center- Other Professional Services Line Item 60-690-6365

Silcott recommended the City Council: Consider the proposal from Shelden Architecture & McCowan Gordon.

MOTION: Councilmember *Traylor* moved to approve the proposal from Shelden Architecture and McCowan Gordon. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

CONSIDER EXTENSION OF THE NW BYPASS INTERLOCAL RIGHT-OF-WAY PARTICIPATION AGREEMENT WITH SEDGWICK COUNTY 7 KDOT FOR FISCAL YEARS 2021-2026

KDOT's long range strategic plan includes the construction of a state highway to connect US-54/400 with K-96, the highway is known as the NW Bypass.

State funding for the acquisition of property expired in mid-2015 but was renewed in the 2015 legislative session. In order to receive additional funding local participation was required. The first agreement was adopted on October 4, 2010, with the most recent agreement being adopted on December 7, 2015. Both agreements are of five-year duration. The City's participation amount for the 2010 and 2015 agreements was \$3,000/year.

The proposed interlocal has been reviewed and agreed upon by legal counsel for all participating jurisdictions. KDOT, Sedgwick County, Maize, and Goddard. The City of Maize's contribution has increased from \$2,500 annually to \$5,000 year. The City of Goddard will continue to contribute \$3,000 annually. The participation amounts defined by the Cities are based upon population. A copy of the agreement's referenced Exhibit A (KDOT Agreement 68-20 Sedgwick County & KDOT) is pending.

Participation in the interlocal agreement will cost the City of Goddard \$3,000 per year for the period 2021-2026. It is recommended that the proposed participation continue to be financed through the Capital Improvement Program line item 90-680-8120.

The proposed interlocal agreement has been reviewed and agreed upon by legal counsel for all participating jurisdictions.

Silcott recommended the City Council consider authorizing the Mayor to sign the proposed interlocal agreement.

MOTION: Councilmember *Traylor* moved to increase the City’s contribution to \$5,000 and authorize the Mayor to sign the proposed interlocal agreement. The motion was seconded by Councilmember *Proctor*. The motion passed 3-2.

CONSIDER PURCHASE OF WASTEWATER SAMPLERS FOR THE WASTEWATER FACILITY

Brooke Brandenburg, Public Works Director, explained that KDHE wastewater mandates require municipal utilities submit two influent (sewage to plant) and effluent (treated water leaving plant) samples per month. They are submitted to an independent lab and tested for a host of nutrients, mainly Total Suspended Solids, Phosphorus, Nitrogen, Ammonia, and Nitrates. Samples are collected hourly by an electronic, refrigerated sampler over a twenty-four-hour period. This cycle of one influent/effluent specimen taken hourly gives KDHE and city staff a representative illustration of what is coming into the plant and leaving the plant daily. Two sampler machines were purchased when the WWTP was constructed, one of the samplers is inoperable and the second has begun having reliability problems due to its age.

The City purchased two new wastewater samplers when the WWTP was constructed. One of the samplers has worn out and the second has become unreliable. PW is requesting to purchase two new HACH AS950 AWRS Samplers at a cost of \$5,950.50 per unit.

The cost of purchasing two HACH AS950 AWRS Samplers at a cost of \$13,000.00 and will be allocated 100% to Sewer Replacement Reserve Fund, Treatment & Processing, Other Equipment 83-860-7350. The Sewer Replacement Reserve Fund has a cash balance of \$196,515.58.

Brandenburg recommended the City Council: approve the purchase of two HACH AS950 AWRS Samplers at a cost of \$13,000.00

MOTION: Councilmember *Leland* moved to increase the City’s contribution to \$5,000 and authorize the Mayor to sign the proposed interlocal agreement. The motion was seconded by Councilmember *Traylor*. The motion passed unanimously.

2021-2027 COMMUNITY IMPROVEMENT PROGRAM AND FUND DISCUSSION

Matt Lawn, Financial Director stated that each year, as the first step in the annual budget process, staff presents a Capital Improvement Program/Plan for the Governing Body to consider as a guide for strategic projects & tasks. The plan is driven primarily from the following:

- Vision, Mission, Values, & Objectives “VMVO”;
- City’s Business Plan for 2017-2022;
- City of Goddard Strategic Process;
- Community Vision Plan;

Unlike the actual operating budget, the CIP is considered a “Living Document” that will be amended during the course of the five year timeframe as priorities change and opportunities become available.

The Capital Improvement Plan is an inventory of recommended and current projects and major capital purchases for the City.

The projects, facilities, equipment, and other items mapped out by the plan will support the functions and programs of the City for the next one to five years.

As a result, the CIP serves as a guide for elected officials and City management in budget decisions and addressing strategic planning for the City.

Before staff presents the complete CIP, we thought it prudent to discuss the Capital Improvement Fund, its current cash/fund balance, and its expenditure obligations during the next five years.

The City’s Capital Improvement Fund (CIF – Fund 90) is the primary source of funding for the Capital Improvement Program. This Fund receives revenue via transfers from the General Fund and the Sewer Fund. The following spreadsheet shows the Capital Improvement Fund’s expenditure obligations thru 2025. These obligations include subdivision development projects that are currently underway (additional developments will be added), the Southeast Growth Corridor (SEGC) Lift Station, the 183rd & Kellogg street improvements, and the City’s participation in the Rustic Creek subdivision.

Capital Project expenditure obligations in 2021 and 2022 will deplete most of the Capital Improvement Fund’s unencumbered cash balance. Most of the Fund’s current cash is what remains of the temporary notes issued for the Arbor Creek and Cloverleaf Farms subdivision projects and for construction of the SEGC lift station. These funds are encumbered and cannot be diverted to other projects.

Beginning in 2023, when the current subdivision and street improvement obligations are completed, there will be an opportunity to begin rebuilding the CIF cash balance or to fund new (as yet) unnamed capital projects. The City continues to budget \$600,000 in transfers from the General Fund annually (City Sales Tax revenue) and \$50,000 from the Sewer Fund. These transfers will give provide an additional \$275,000 in funding for capital projects beginning in 2023.

It is recommended the City Council: review and comment on the Capital Improvement Fund expenditure obligations for 2021-2025.

CITY ADMINISTRATOR’S REPORT

Brian Silcott reviewed the City Administrator’s Report dated March 15, 2021.

GOVERNING BODY COMMENTS

Councilmember Proctor stated he appreciates the wastewater treatment plant staff and the work they do.

Mayor Larkin asked the status of the removal of the trees in front of the STAR Bond Project. Brian Silcott stated that staff is waiting for the final landscaping plan to coordinate the removal of the trees.

EXECUTE SESSION

MOTION: Councilmember *Proctor* moved to recess into executive session to protect the privacy interest of an individual employee pursuant to the non-elected personnel matters exception, K.S.A. 75-4319(b)(1) to include the City Attorney and the City Administrator. The City Council Meeting will reconvene in the City Council Chamber at 8:58 p.m. The motion was seconded by Councilmember *Traylor*. The motion passed unanimously.

The City Council recessed into executive session at 8:48 p.m. and reconvened at 8:58 p.m. Mayor Larkin announced there was no binding action taken in executive session.

ADJOURNMENT

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

*Meeting adjourned at 9:00 pm.
Teri Laymon, City Clerk*