

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MAY 18, 2020**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday May 4, 2020. 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 Hunter Larkin, Larry Zimmerman, Sarah Leland, Brent Traylor and Michael Proctor.

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

APPROVAL OF THE AGENDA

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

CITIZEN COMMENTS

None

APPROVAL OF THE CONSENT AGENDA

The following was submitted to the City Council for approval:

Approval of Minutes
Regular Meeting – May 4, 2020

Accounts Payable
May 7, 2020 for \$39,010.44
May 13, 2020 for \$206,822.36
May 14, 2020 for \$8,788.34

Receive and File Boards and Commissions
Library Board (April 2020)
Planning Commission (April 2020)

RECONSIDER WASTEWATER TREATMENT FACILITY FENCE BID AWARD

Brook Brandenburg, Public Works Director, stated at the April 20, 2020 meeting the City Council approved entering into an agreement with Arambula Construction in the amount of \$28,337.93 for the replacement of approximately 2000 ft. of 8 ft tall chain link fence with a three-strand barbwire topper to replace the existing fence at the WWTF. Prior to contacting Arambula Construction to inform them of the bid award PW conducted a final review of the quote they submitted. The review revealed a discrepancy between the cost of the fence presented to the City Council and the actual cost of building the fence. The bid submittal by the company listed an estimated price of \$58,277 not the \$28,337.93 presented on April 20.

The city received three bids from contractors capable of performing the desired scope of work, results are listed in the table below:

Company	8' Fence Bid	
Kansas Fence Co.	\$	35,920.00
American Fence	\$	34,981.00
Arambula Const.	\$	58,277.00

The total cost of American Fence Company building a new 2000-foot-long, 8-foot-high chain link fence with a three-strand barb wire topper is \$34,981.00 and will be allocated 100% to Capital Improvement (90-830-8240).

Brandenburg recommended that the City Council rescind the April 20 award to Arambula Construction for \$28,337.93 and award the actual low bid of \$34,981.00 submitted by American Fence Company.

MOTION: Councilmember *Zimmerman* moved to rescind the April 20 award to Arambula Construction for \$28,337.93 and award the bid of \$34,981 to American Fence Company. The motion was seconded by Councilmember *Larkin*. The motion passed unanimously.

AUTHORIZE THE PURCHASE OF A BOILER FOR THE SWIMMING POOL

Brooke Brandenburg stated at the end of the 2019 swimming season the heater began having difficulty generating an adequate amount of heat to warm the water. Upon inspection by a certified pool repair and maintenance company we learned that the heaters burner platform is worn out. The design of the heater does not allow the burner platform to be replaced as a separate unit, requiring replacement of the entire pool heater. If approved, the system will likely be installed in early June.

The city received three bids from contractors capable of providing and installing a replacement heater, results are listed in the table below:

Company	Details	Cost
Aquasizer	P1223 Heater	\$ 17,330.49
Daves Pool Store	1125k RayPak	\$ 9,875.95
Wichita Burner	1125k RayPak	\$ 12,705.00

The 1125k RayPak heater is a direct replacement for the unit currently in use at the pool. PW has chosen to install a direct replacement due to ease of installation and cost. The cost of replacing the worn-out heater with a new 1125k RayPak heater is \$9,875.95 and will be allocated 100% to Equipment Reserve Fund 81-310-8600.

Brandenburg recommended that the City Council approve the purchase and installation of a 1125K RayPak heater in the amount of \$9,875.95.

MOTION: Councilmember *Proctor* moved to approve the purchase and installation of a 1125K RayPak heater in the amount of \$9,875.95 and to allocate the expenditure as presented. The motion was seconded by Councilmember *Leland*. The motion passed unanimously.

DISCUSS COVID-19 RELATED UTILITY PENALTIES AND ACCOUNT DISCONNECTION POLICY

Brian Silcott, City Administrator explained that the Governor of Kansas put a temporary order in place in April for municipalities to not conduct shutoffs for delinquent utility bills. This order is currently set to expire on May 31, 2020. If the order is not extended by the legislature, it would be the responsibility of the City to determine whether to conduct shutoffs for delinquent bills after that period.

Prior to the COVID-19 crisis, the previous 12 months before March 2020, the City of Goddard averaged 11 utility disconnects per month. In April, 158 residents would have been disconnected for non-payment on the March bills. In May, 106 residents would have been disconnected for non-payment on the April bills. It is clear as a result of the crisis, delinquent bills have increased drastically.

Silcott stated the Governing Body can determine whether the City should start conducting shutoffs if the order by the state expires on May 31, before the next Regular City Council meeting on June 1. The Governing body can also determine a date to start conducting shutoffs in the future, of the state order does eventually expire. Without further action by the City Council, staff will begin the disconnection of services in June for the May billing cycle.

The City currently has 1,880 water and 1,794 sewer customer accounts. Before the COVID-19 crisis the City averages 11 disconnections per month. For the month of April (March consumption) there were 320 delinquent customers with 158 of the 320 customers set for disconnection. The month of May (April consumption) reflects 350 delinquent accounts and 106 customers who would have been disconnected for non-payment.

April (March consumption) utility bill has \$26,482.70 in outstanding balances with \$2,710.77 in penalty charges. The May (April consumption) utility bill has an outstanding amount of \$36,276.67 with penalty charges totaling \$2,798.62.

The Governing Body discussed extending the date for charging late fees and shutting off water for non-payment until July 31. A few council members were concerned that some might get too far behind or that some would take advantage of the situation if there were no late fees. Councilmember Larkin suggested working with people to offer payment arrangements so that they would not get too far behind.

MOTION: Councilmember *Zimmerman* moved to extend the date for charging late fees and water shut-offs to July 31, 2020. The motion was seconded by Councilmember *Larkin*. The motion passed unanimously.

DISCUSS COVID-19 WAIVERS FOR POOL USAGE

Brian Silcott said due to the COVID-19 crisis, there are Federal, State and Local mandates for opening public facilities. The Governor's latest order states that public pools will be able to open

on June 1, with a capacity of 30 people, June 15 with a capacity of 90 people with the gathering order expiring on June 29.

As best practice, having attendees sign a waiver would prevent any liability on the part of the City and help citizens understand they are responsible for their own children. After discussion with City attorneys, it was recommended to incorporate a waiver to prevent the City from liability if someone becomes sick at the pool. Pool patrons over 18 can sign their own waiver. Children under 18 will need to present a paper copy of the waiver signed by a parent.

Multiple warning signs related to COVID-19 will be put in place around the pool area. The waiver form will be available for download in multiple locations on the City website and hard copies will be available at the pool.

Silcott said the City Council can determine whether the City should implement a program to distribute waivers. If put into place, the guards would collect signed waivers and said waivers would be filed at City Hall. This is an additional level of protection in case virus tracing pointed towards the pool.

Silcott said the waiver has been authored by City Attorney Ryan Peck Approved as to form Councilmember Larkin stated he thought that the waiver would not be beneficial. City Attorney Ryan Peck explained that if a patron was to bring litigation against the City, showing them that the City has a waiver signed can deter it from going any further.

MOTION: Councilmember *Leland* moved to approve the pool attendees sign a waiver. The motion was seconded by Councilmember *Larkin*. The motion passed unanimously.

ADOPT A RESOLUTION AMENDING THE GODDARD FLEXIBLE SPENDING PLAN

Teri Laymon, City Clerk stated at the September 17, 2018 City Council Meeting the City Council adopted Resolution 18-11 establishing a cafeteria plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account that became effective October 1, 2018 with Empower, a Family Health America Company.

A Health Flexible Spending Account (FSA) enables an employee to pay for expenses allowed under Sections 105 and 213(d) of the Internal Revenue Code which are not covered by our insured medical plan and save taxes through pre-tax payroll deductions.

A dependent Care Flexible Spending Account enables an employee to pay for out-of-pocket, work-related dependent day-care cost also with pre-tax dollars.

On March 27, 2020, the President signed the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act) to provide a broad economic stimulus and coronavirus (COVID-19) relief for Americans. The CARES Act expanded the list of eligible expenses for Flexible Spending Accounts retroactive to January 1, 2020, including Over-the Counter drugs/medicines that were eliminated by the Affordable Care Act of 2010 and feminine products.

The Resolution will simply amend the City of Goddard Flexible Spending Account Plan to include the items that the CARES Act reinstates these expenses as eligible for reimbursement.

The City has 17 participants and pays fees of approximately \$1,450 per year to Empower to host the Plan, and the City will Save approximately \$ 1,810 in FICA/FUTA tax (7.65%) on all

amounts set aside by employees, for a net savings of \$360.00. Adopting of this Resolution will not change the change the current financials.

Laymon recommended the City Council: Adopt the proposed Resolution amending the City of Goddard Flexible Spending Account Plan.

MOTION: Councilmember *Larkin* moved to adopt the proposed resolution. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

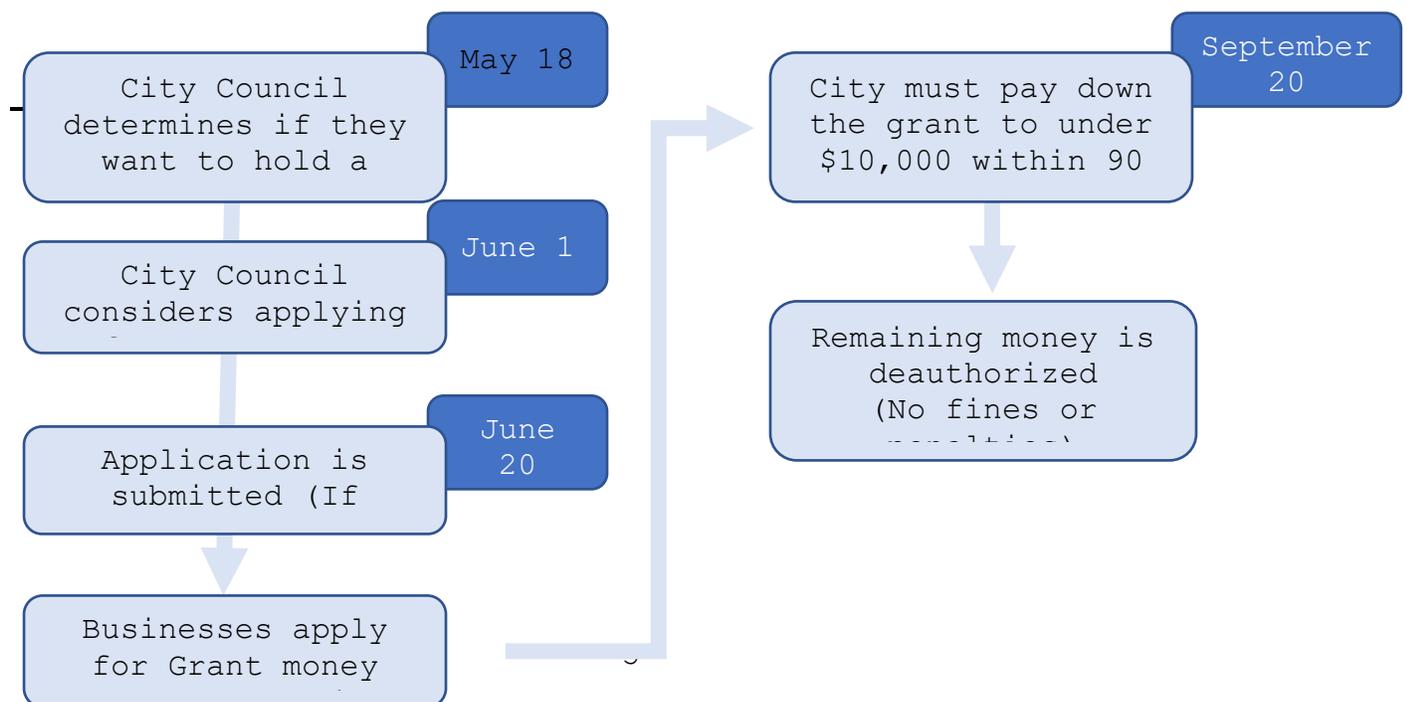
Resolution 20-09

CONSIDER PARTICIPATING IN A COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19 BUSINESS ASSISTANCE PROGRAM FOR LOW-TO-MODERATE INCOME WORKERS

Micah Scoggan, City Planner, stated the Housing and Urban Development (HUD) department of the Federal Government has released special funds in the form of Community Development Block Grants-Corona Virus (CDBG-CV). Some of these funds have been dispersed to the Kansas Department of Commerce in the number of around (plus/minus) \$9 Million. Cities with a population less than 50,000 can apply for this grant money on a first come, first serve basis. Cities can only be awarded \$300,000 maximum.

These funds are considered Economic funds sub-allocated for Businesses that are for profit only. Only certain businesses can apply for these funds and they must meet certain requirements set by HUD. This money is considered Federal money and as such a City staff member will have to act as grant Administrator vetting each application from businesses to ensure compliance with State and Federal requirements.

Prior to applying for the Grant, the City Council must hold a public meeting which is published in the City newspaper (7 days prior) to consider the advisability of applying for the Grant money.



MOTION: Councilmember *Larkin* moved to approve a notice of public hearing on June 1, 2020 to start the process of applying for a grant as presented. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

CONSIDER RFP FOR RESIDENTIAL SPEED STUDY ON ARTERIAL STREETS

Micah Scoggan explained that the City Council has been notified by several residents of the city of Goddard concerning motorists exceeding posted speed limits. The City Council would like to consider reducing the speed limits along certain residential collector streets. This would require a Speed Limit Traffic Study done by a professional engineering firm and the findings of this study would help guide the City in determining a reasonable speed for these subdivisions. This is a requirement set by the State of Kansas in Kansas Statutes Annotated 8-1560.

The goal of the study which will be conveyed in the RFP, and reiterated to the selected Engineering Firm, will be to reduce the speeds exercised by motorists in residential neighborhoods.

The Speed Study is required per **K.S.A 8-1560** “Alteration of maximum speed limits; powers of local authorities, limitations and restrictions; establishing speed limits in road construction zones”. This Speed Study will analyze certain roads within the City for 24 hours. This study could take up to 60 days to complete. The costs will vary depending on the selected engineering firm. The study will determine what an adequate speed limit is for those roads.

Police Chief Fred Farris explained that there are other solutions to get speeders to slow down, such as speed bumps, that would be more efficient than paying for a study and reducing the speed limit. Farris said that he feels that lowering the speed limit would not solve the problem.

MOTION: Councilmember *Larkin* moved to proceed with the RFP for a traffic study. The motion was seconded by Councilmember *Leland*. The motion failed 3-2.

NORTHWEST BYPASS UPDATE TRAFFIC STUDY

Brian Silcott stated Sedgwick County is requesting consideration of this item to participate in a study to determine the feasibility of the Northwest Bypass being constructed as a toll road and operated by KTA. The City has participated in a corridor preservation practice to set aside land for the future construction of the Kansas Department of Transportation’s future transportation corridor plan for a Northwest Bypass connecting Kansas Highway K96 in Maize with US-54/400/Kellogg Avenue located near the Goddard & Wichita boundary.

The City allocates \$3,000/year to secure right-of-way within the corridor. In addition to this allocation, at the request of Sedgwick County, the City of Goddard has utilized a protective overlay since 2007. This protective overlay prevents development within the roadway’s proposed right-of-way path within the City of Goddard. The City of Maize also participates in this program, albeit at lesser amount of \$2,500 and without a long-standing protective overlay. The timing and location of any construction is unknown. The agreement has been approved by KDOT, KTA, Sedgwick County, and the City of Maize.

Silcott said the agreement is between the Kansas Turnpike Authority (“KTA”), the Kansas Department of Transportation (“KDOT”), Sedgwick County, and the Cities of Goddard and Maize. The cost of the study is \$70,000 and would be split three ways with the Cities of Goddard and Maize each paying \$2,000 and Sedgwick County paying the remainder.

If approved, this item would be allocated to the Street Fund Administrative Miscellaneous Non-Operational Expense line item: 40-410-9915.

Silcott recommended the City Council: Authorize the Mayor to execute the Northwest Bypass toll feasibility study agreement in an amount not to exceed \$2,000.

MOTION: Councilmember *Larkin* moved to authorize the Mayor to execute the Northwest Bypass toll feasibility study agreement in the amount of \$2,000. The motion was seconded by Councilmember *Zimmerman*. The motion passed unanimously.

RECEIVE AND FILE CAPITAL IMPROVEMENT PROGRAM 2020-2025

Matt Lawn, City Treasurer, explained 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.

This proposal is a starting point, offered to Governing Body through consultation with and comments made by the Governing Body, our neighbors, and City staff. The list and its priorities can change to fit the needs of the community and the Governing Body’s priorities. Included in the proposal is the Funding Source Summary to show how each project is funded. Sources include transfers in the Capital Improvement Fund (Fund 90), the Parks & Recreation Fund (Fund 60), Equipment Reserve Fund (Fund 81), and General Obligation Bonds within the Bond & Interest Fund (Fund 70). Also included is a Cash Forecast for fiscal years 2021 - 2026,

Lawn Reviewed the current and proposed projects and fund cash balances.

Mayor Blubaugh said he would like to see the parks and recreation funds built back up and would like to allocate 400,000 per year to projects.

Councilmember Zimmerman asked why we are paving Hawkins lane, when it is not owned by the City. Mayor Blubaugh stated that he initiated the paving of Hawkins Lane because he didn't think people should drive on a dirt road to get to our fine zoo. Councilmember Zimmerman stated he would like to have it come before the Council for a vote before spending money on it. Councilmember Zimmerman said the community needs a community center and we would be paying for a road that doesn't belong to the City.

Mayor Blubaugh agreed that he thought the Community Center should be in the Capital Improvement Plan.

CONSIDER LIONS CLUB REQUEST FOR FIREWORKS FUNDING

Eric Mathews, President of the Lions Club presented a letter from the Lions Club requesting \$5,000 to help fund the Fourth of July fireworks show. This year, fireworks would be shot from the STAR Bod area, in the open field to the Couth of the baseball fields. The event will be watched from cars, following guidelines related to COVID-19 There will be no food, concessions or onsite entertainment.

MOTION: Councilmember *Larkin* moved to authorize \$5,000 in funding for the Lions Club Fireworks Show. The motion was seconded by Councilmember *Traylor*. The motion passed with Councilmember Zimmerman voting no.

CITY ADMINISTRATORS REPORT

Brian Silcott, City Administrator presented the City Administrator's Report of May 18, 2020.

GOVERNING BODY COMMENTS

Councilmember Zimmerman expressed his concern regarding the amount of money we are giving out to other entities. Zimmerman stated that he calculates that the City is giving away approximately \$100,000 which is equal to 3 mills. Zimmerman said that is \$100,000 that is not going to City amenities.

Councilmember Larkin asked if the City will be reimbursed from the County for HERO pay. Brian Silcott said staff has reached out to the County's grant administrator and will have something to report shortly.

Councilmember Larkin asked if the City was going to sell the property across the street to Stroots. Brian Silcott stated staff has been trying to reach the property owners and will follow up on this item.

Councilmember Leland expressed her disappointment that the City will not be moving forward on the traffic study. Leland stated she hopes that the issue will not get dropped and the City will push forward to improve the safety of the neighborhoods.

Councilmember Proctor expressed his appreciation for Chief Farris's comments on other ways to help slow down the traffic in the neighborhoods. He said he would not like to spend the money for a traffic study if the study came back with a recommendation of speed limits over 20 mph.

Councilmember Traylor asked why there wasn't any mention of a Community Center in the Capital Improvement Plan. Brian Silcott stated that it has come before previous members of the City Council and the idea was shot down. Silcott said he would be happy to come up with a solution and get it on and future City Council Agenda. Mayor Blubaugh stated he likes the idea of having a Senior Center on the North Park Land that would serve western Sedgwick County. Blubaugh said that he knows that Sedgwick County would like to have a Senior Center in West Sedgwick County and he thinks that a good place for it would be the North Park Land. Blubaugh said that Maybe Sedgwick County could help fund the project.

Mayor Blubaugh thanked staff for all their hard work.

ADJOURNMENT

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

Meeting adjourned at 9:26 pm.
Teri Laymon, City Clerk