

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
MONDAY, JUNE 1, 2020**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday June 1, 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 Matt Lawn, City Treasurer, Micah Scoggan, City Planner; Fred Farris, Police Chief; Thatcher Moddie, Administrative Fellow; Harlan Foraker, City Engineer; Brook Brandenburg, Public Works Director; Bret Shogren, Financial Advisor and Kevin Cowan, Bond Counsel.

**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**

Russ Lowen, Ace Hardware, 19950 West Kellogg, expressed his concern regarding the sign ordinance and the expenses involved for local businesses if they were to convert to monument signs.

Garth Hite, 213 West Autumn Blaze, stated there is in need of asphalt paving at Kellogg and Hopper Drive. Hite requested the City Council consider installing a sidewalks along the frontage road.

**APPROVAL OF THE CONSENT AGENDA**

The following was submitted to the City Council for approval:

Approval of Minutes  
Regular Meeting – May 18, 2020

Accounts Payable  
May 21, 2020 for \$183,860.98  
May 27, 2020 for \$236,951.88

**COMMUNITY DEVELOPMENT BLOCK GRANT FOR LOCAL BUSINESSES**

Micah Scoggan, City Planner explained that 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.

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. On May 18, 2020, the Governing Body voted unanimously to publish the necessary meeting requirements for considering applying for the CDBG-CV grant. The public notice was placed in the Times Sentinel on May 21, 2020.

Mayor Blubaugh opened the public hearing for verbal or written comments. There being no comments, Mayor Blubaugh closed the public hearing.

Scoggan presented four forms must be signed by the Mayor and the City Clerk signifying the City's willingness to participate in the program.

- Statement of Assurances and Certifications – This form is to assure that all necessary State and Federal law will be abided by in the execution of the grant money.
- HUD Disclosure Form – This form is required by the Federal Housing and Urban Development (HUD) department for tracking applicants who request Federal funding.
- Anti-Displacement – This form is to confirm that the funds will not be used towards the demolition and replacement of low income housing units.
- Resolution – This form is to confirm that the Governing Body of the municipality requesting the funds has the authority and the desire to do so.

Scoggan recommended that the City Council, if desired to proceed, to designate the City Planner as the primary representative of the City for the application and administration of the Community Development Block Grant-Corona Virus and the City Administrator as the secondary representative to act as necessary on behalf of the City and to adopt a resolution to confirm that the Governing Body of the municipality requesting the funds has the authority and the desire to do so.

**MOTION:** Councilmember *Leland* moved to designate the City Planner as the primary representative of the City for the application and administration of the Community Development Block Grant-Corona Virus and the City Administrator as the secondary representative to act as necessary on behalf of the City and to adopt the proposed resolution as presented. The motion was seconded by Councilmember *Traylor*. The motion passed unanimously.

***Resolution #20-10***

**AUTHORIZE OFFERING FOR SALE SERIES 2020-02 GENERAL OBLIGATION BONDS FINANCIAL STAR BOND DISTRICT INFRASTRUCTURE IMPROVEMENTS**

Matt Lawn, City Treasurer provided the background for the issuance of Series 2020-02 General Obligation Bonds financing the STAR Bond District Infrastructure improvements. Lawn explained that the Series 2020-02 Bonds are refunding the 2018-2 temporary GO Bonds.

The City Council adopted Resolution 20-08 authorizing the offering for sale General Obligation Bonds Series 2020-02 to finance STAR Bond infrastructure improvements. The bonds finance the water main, sanitary sewer main, paving, and associated paving stormwater improvements

that are located along Crowne Drive and Grand Slam Way within the STAR Bond district. The improvements serve the Goddard Sports, LLC, western end of the Goddard Galleria, and the immediate out parcels located along Crowne Drive, Grand Slam Way, and the primary STAR Bond site, including the ball fields and natatorium. The issuance totals \$835,000 in principal to refund the 2018-2 General Obligation Temporary Note totaling \$768,436.00, capitalizes three years of interest until the STAR Bond site begins to generate property tax that will pay for this debt issuance at a cost of approximately (subject to final interest rate at placement) \$33,997.26.

Lawn stated that payment begins October 1, 2020, with interest only payment being made for fiscal years 2020, 2021, and 2022 with the first principal payment occurring on October 1, 2033. The payment schedule is set to occur on or before April 1 and October 1 of each year to coincide with the City's other General Obligation issuances and the cash flow of special assessment and property tax collections.

Lawn presented a proposed ordinance that authorizes the sale/issuance of the bonds and enables the Mayor and City Clerk to execute the necessary documents to fulfill the directives of the City Council and a resolution that sells the bonds and directs the related actions of staff to implement the vote of the City Council.

**MOTION:** Councilmember *Zimmerman* moved to 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 and to adopt the proposed resolution sells and authorized the detail of the bonds. The motion was seconded by Councilmember *Leland*.

**Roll Call Vote:**

Yea: Larkin, Zimmerman, Leland, Traylor, Proctor

***Ordinance #851***

***Resolution #20-11***

### **POLICE CHIEF FRED FARRIS ADDRESSED THE CITY COUNCIL**

#### ***Police Department Officers enter the Council Chambers***

*Police Chief Fred Farris:*

Mr. Mayor and members of the City Council,  
Like all of you, I watched the events of the week unfold after a video appeared of Minneapolis police officers arresting George Floyd and his subsequent death as officers held him down. The image of an officer with his knee on the neck of Mr. Floyd is burned into all our memories, along with the pleas from Mr. Floyd that he could not breathe and left us wondering how this could happen in a modern society.

I have avoided making strong judgments or opinions because, as disturbing as the video was to watch, I also believe that due process is one of the corner stones of

our society. I personally cannot comprehend how any human being, let alone a public servant, could become aware that another human was in need of care and act with complete disregard and lack of basic human concern. My belief is that once facts are revealed and due process is carried out, those responsible will be held accountable but if we do not pay attention to history and learn from it, we are doomed to repeat it.

My objective tonight, however, is not to wade into the discussions of what that particular agency did or did not do. My responsibility is to the citizens of Goddard and to direct the operations and practices of the Goddard Police Department. So tonight, I wanted to take this opportunity to reiterate our philosophies and practices. "To Serve and Protect" is not just a catchy slogan we put on our cars; it is a guiding principle and a constant reminder of why each of us puts on our uniform daily. We train and equip our officers with the tools and knowledge they need to carry out that mission daily and we go well beyond the traditional police tools and tactics. Our officers are trained in CPR, the use of AED devices, and how to administer trauma care. We carry drugs historically carried by paramedics in order to respond to opioid overdoses. We train on how to respond to incidents of Excited Delirium and how to recognize and differentiate between criminal offenses and medical crisis and act accordingly. My officers understand those differences and how to prioritize a medical crisis over any criminal offense and how to administer care. We spend a great deal of time teaching our officers how to communicate with people and to listen – a skill that seems to be a thing of the past these days.

Tonight, the men and women behind me, along with some of their spouses are here because I want you all to see them and know that they are your police department. They put on the uniform of the Godard Police Department, adorned with our patch and badge, each day and are the face of our agency. They work to serve and protect this community because they chose to be here and met the standards we set for our officers. And they are here to show you and our citizens that is who we are. Our standards are high, training is a priority, and we hold each other accountable; from the chief down to the newest employee. Because that is what makes a truly professional organization and that is our continued commitment to this community.

No one doubts that change needs to occur; change in civil discourse, in the ability to differ in and respect other opinions, the ability to accept and respect one another regardless of race, color or creed, and change in how we police our communities. There have been great strides in my 30 years in law enforcement,

which began at the height of the Rodney King riots. That incident began a much needed change in 1990 and those young officers standing behind me will continue to see change and do great things for our profession. But that change will not happen overnight and begins in each of our respective communities as directed by those in leadership positions. The Goddard Police Department is committed to that high standard of professionalism, compassion, and service. Thank you.

***Crowd stands and applauds the Goddard Police Department.***

**RUSTIC CREEK ADDITION DEVELOPMENT AGREEMENT**

Micah Scoggan, City Planner, stated at the March 2, 2020 regular City Council meeting, staff presented a request of the Mayor to present financial assistance with road and stormwater improvements for Rustic Creek Addition. The developer after having already presented the item to the Mayor and receiving an offer for municipal financial assistance then met with the City Administrator and City Planner on September 5, 2019 at City Hall for the preliminary discussion regarding the possibility of developing the land requesting the assistance. At that time City staff discussed the history of the land and stormwater issues to the west. It was also noted that the property had a blanket drainage easement on the property, which should be on the title work for the property. Staff also stated that any activity or cost share on the part of the City requires City Council approval and would also incorporate adoption of a development agreement.

The developer requested the City participate in the following cost estimate for Rustic Creek for a total cost of \$193,916.23 as described below:

- Modifications required to onsite SWS System \$38,010.00
- Cost of Detention Improvements \$92,858.33
- Cost of Roundabout Pavement \$18,298.00
- 30% project costs at 30% \$44,749.90

The City Council directed staff to draft a development agreement with City participation identified by improvements with a not to exceed dollar amount requested by the developer.

The development agreement was authored by City legal attorney Robert Coykendall, utilizing a framework and form previously approved for the Elk Ridge, St Andrews Place, and Arbor Creek Additions. Highlights of the agreement include:

- Special Assessment Financing with letters of credit equal to 35% of costs to be funded by special assessments. 50% of the letters of credit are authorized for release when 50% of the phase is occupied and 100% is released when 80% of the residential lots are occupied by residents. A 2% administrative charge will be included in the assessment.
- The developer will dedicate a lot for development and use as public park.
- The City will provide the following funding assistance totaling \$193,916.23
  - Modifications required to onsite SWS System \$38,010.00
  - Cost of Detention Improvements \$92,858.33
  - Cost of Roundabout Pavement \$18,298.00
  - 30% project costs at 30% \$44,749.90

- Sanitary Sewer Lines are estimated to require an 8” diameter main. The City covering the cost of additional diameter requirements in excess of 10”.
- Water Mains are estimated to be 8” in diameter to serve the development.
- Stormwater will be designed according to the Wichita Metro area standards and approved by the City Engineer. As listed above, and because of a blanket drainage easement for Hopper and Autumn Blaze Additions, the City will provide financial assistance in an amount not to exceed \$138,868.33.
- Streets & Roadways will receive no more than \$18,298.00 for the construction of a roundabout and paving.

The developer has submitted petitions for three phases of development to construct sanitary sewer, water distribution, paving, and stormwater improvements for 20 years and a per lot annual payment estimated at 3.5% interest of \$176.20. The petitions include the cost of the City of Goddard contributing \$193,916.23 for the improvements listed above. Should this agreement be approved, staff will present developer petitions at the June 15<sup>th</sup> regular city council meeting. Approval of the petitions negates the need for a development agreement and obligates the City to the terms of the petition. Petition estimates follow: Sanitary Sewer \$368,000; Water Phase 1 \$213,000; Paving Phase 1 \$637,200, City contribution is \$23,800; Drainage Phase 1 \$694,900, City contribution is \$170,100; Drainage Phase 2 \$368,000.

Should the City Council direct changes to the proposed agreement, staff will plan to present the development agreement incorporating the changes as well as petitions reflecting the terms and conditions set forth in the development agreement and approved meeting minutes at the June 15<sup>th</sup> or July 6<sup>th</sup> regular meeting.

Costs related to the City are presented above. As detailed in City Administrator Report following the March 2, 2020 meeting directive, financing would be through the issuance of a 20-year debt service. Assuming 3.00% interest on 20-year bonds requires an estimated annual cash flow, including estimated fees, of \$14,000/year. The developer will market homes ranging in value from \$200,000 to \$250,000 with 35 lots being included in Phase I. Using the \$200,000 amount provided by Mr. Relph, the development agreement draft document contains a minimum house value of \$200,000. Using a \$14,000 annual debt service with a base value of \$200,000 requires 20 homes to cash flow the debt service on the current mill levy of 30.323 (this figure excludes the 3.0 mills for Library operations).

Discussion ensued regarding the cost for detention and for the roundabout.

**MOTION:** Councilmember *Larkin* moved to table the issue and direct staff to renegotiate without the roundabout funding. The motion was seconded by Councilmember *Zimmerman*. The motion passed with Leland voting no.

### **KDOT AGREEMENT FOR 183<sup>RD</sup> STREET FRONTAGE ROAD DISCUSSION**

Harlan Foraker, City Engineer stated on November 19, 2018, the City submitted a project request to KDOT for the construction of a left turn lane at the 183<sup>rd</sup> & US-54/400/Kellogg intersection and the North Kellogg frontage road realignment. Foraker explained that during plan review, KDOT requested the City modify its design to accommodate the US-54/400/Kellogg corridor traffic study completed by Transystems. This study included the need for the construction of left and right turn lanes and integrated traffic signalization in both directions of travel on 183<sup>rd</sup> Street, not just the

left turn lane. Foraker suggested that the two projects, the frontage road realignment and the intersection improvements, be separated in order to proceed with the frontage road realignment.

Further complicating the situation is the need to coordinate the intersection project timing with that of the RCUT project currently in the field check phase of development with plans under review by KDOT.

Foraker proposed amending the application for the frontage road realignment to withdraw the request for funds for the left turn lane, and then submit a new application to KDOT for the full blown intersection improvements. The new intersection project would include the widening of 183<sup>rd</sup> Street to provide southbound left turn lane, through lane, right turn lane, and northbound right turn lane and signalization to coordinate traffic movement through the area. Estimated cost for the additional project is \$1,786,340 with \$267,950 of this cost being the responsibility of the City of Goddard. The new construction on this project would not start until 2022.

Costs for each of these projects is contained within the 2020-2025 Capital Improvement Program as a single line item and would be broken down into two separate project line items. Total CIP allocation is \$377,850.00.

Foraker recommended the City Council: Authorize staff to an amended 183<sup>rd</sup> Street Frontage Road application and to submit a new 183<sup>rd</sup> Street intersection project request to KDOT.

**MOTION:** Councilmember *Zimmerman* moved to authorize the amendment to the 183<sup>rd</sup> Street Frontage Road application and to submit a new 183<sup>rd</sup> Street intersection project request to KDOT. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

### **WATER AND SEWER UTILITY BUDGET PRESENTATION**

Matt Lawn presented the water and sewer utility budget. The 2021 revenue forecast for the water utility fund is estimated at \$954,520 and estimated expenditures of \$1,615,900 leaving a fund cash balance of \$360,366. The revenue forecast for the sewer utility fund is estimated at \$1,615,900 and estimated expenditures of \$1,813,880 leaving a fund cash balance of \$1,101,924.

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

Mayor Blubaugh expressed his concern regarding the Reese Road Addition and suggested future infrastructure improvements be brought before the Council as an agenda item. Mayor Blubaugh also mentioned the meter replacement program, adding that he would like to see them replaced before it is a necessity.

### **PRESENTATION FROM THE GODDARD PUBLIC LIBRARY**

Lisa Coyne, Library Board Member reviewed some of the new initiatives taken place over the last year at the library, the increasing cost of services and the goals for the upcoming year. April Hernandez, Director reviewed the City's past and current commitment to support the library. Hernandez explained that although the City funded a large portion of the Library's Strategic Plan and provided an extra \$25,000 to cover general expenses of the library to offset the Director Salary and Benefits, it is not enough to sustain the growth of the Library. Hernandez stated they

would like to receive an additional \$25,000 and would like to be able to be put on a future agenda to present their budget.

**GOVERNING BODY COMMENTS**

Councilmember Larkin asked if there was any progress on the lot across the street. Thatcher Moody, Administrative Fellow stated the interested party has not reached out to the City.

Councilmember Larkin confirmed that the Pool will be opening on the 1<sup>st</sup> of June.

Councilmember Zimmerman commented on illegal dumping on public property.

Councilmember Leland thanked staff for opening the splash pad.

Councilmember Proctor stated he was happy to see the forward progress on the natatorium.

Councilmember Traylor stated he would be all in for having a combined library and community center. Councilmember Traylor reminded everyone to stay safe.

Mayor Blubaugh commented on the condition of our current community center. Blubaugh stated he would like to see it painted or whatever, but it looks bad.

Mayor Blubaugh said he would like to have a meeting with the park board to discuss the North Park. Blubaugh added that he would like to see us planning for amenities now rather than waiting until we have money left over to spend on things.

**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*