

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
MONDAY, JULY 20, 2020**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday July 20, 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; 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; and Ryan Peck, City Attorney.

**APPROVAL OF THE AGENDA**

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

**CITIZEN COMMENTS**

Becky Cole, owner of Tropical Sno stated she is requesting permission to block off part of Main Street directly in front of her business and about 4 parking places on Santa Fe for a customer appreciation event Saturday evening from 4:00 to 8:00 p.m. Cole added that she will have music and possibly two food trucks.

**MOTION:** Councilmember *Larkin* moved to approve the blocking of parking spaces in front of Tropical Sno and four spaces on Santa Fee and to waive the permit and fees. Councilmember *Leland* seconded the motion. The motion carried unanimously.

Jim Milligan, 1217 N. Lake Edge Drive, stated that he was against the State Governor's decision on waiting three weeks to send children back to school and asked the Governing Body to reach out to the School Board to influence their decision to open the schools when ready.

**APPOINTMENTS TO THE GODDARD PUBLIC LIBRARY BOARD**

Mayor Blubaugh recommended the reappointment of Lisa Fouts to the Library Board to serve her second four year term ending in June 2024.

Lisa is a wife and mother of three children ages 9, 10, and 13 and has been a teacher for 13 years, including 5 years as a school librarian. Fouts' currently teaches 6<sup>th</sup> grade writing at Challenger Intermediate School in Goddard. Fouts was raised in Paola, KS, and came to live in Goddard shortly after attending college at Fort Hays State University. She has been a Goddard resident for over 15 years and enjoys the small town of Goddard, especially Tanganyika Wildlife Park!

Mayor Blubaugh recommended the appointment of Stephanie Mount to the Library Board to replace Alexis Vincent who finished her second four year term in June 2020. Mount will also be serving a four year term ending in June 2024.

Stephanie Mount and her husband Jeff moved to Goddard in December 2001. They have six children, four girls and two boys, that range in age from 17-5. All of their children have attended school at Holy Spirit, where they are parishioners. Stephanie currently works as an Ancillary Coordinator at Medova Healthcare in Wichita, where she processes and pays medical claims. Stephanie loves to read and has turned to the Goddard Library to help her discover new books and authors. All of her children also use the Library to feed their imaginations. Until the pandemic changed things, they were at the library at least once every two weeks to check out a mountain of books. They love every single staff member they have met at the Goddard Library. Staff have all gone out of their way to help Stephanie's family. Stephanie loves to crochet. She has made afghans, hats and toys. She also enjoys writing and has made an effort this year to try to write a little bit each day.

**MOTION:** Councilmember *Leland* moved to approve reappointment of Lisa Fouts and the appointment of Stephanie Mount to the Goddard Public Library Board. Councilmember *Larkin* seconded the motion. The motion carried unanimously.

### **RECOGNITION OF SERVICE AWARD**

Police Chief Fred Farris stated that Detective Kelsey McCann has submitted her resignation and stated he wished that he had presented this award sooner. Farris stated he appointed McCann as Detective a couple of years ago and she has done a great job. Farris read the following memo from Sergeant Circle requesting her service award:

Detective Kelsey McCann became a police officer with the Goddard Police Department on April 17, 2017. McCann excelled in that role and quickly distinguished herself as a dedicated and hard-working employee. Officer Kelsey McCann was re-assigned as the departments leading detective on December 8, 2018. Although apprehensive, McCann accepted this position with great tenacity and drive. Detective McCann truly excelled in this position despite having very limited time as a patrol officer. During her time as a detective, she was assigned multiple complex and very challenging cases. Detective McCann worked each case with the utmost professionalism and determination. Detective McCann showed true respect and dignity to all crime victims and was a model representative for the department. Detective McCann made a special effort to maintain a great working relationship between our department and members of other law enforcement agencies to include the Sedgwick County District Attorney's Office.

Detective McCann received many compliments on her professionalism and work quality specifically from the Sedgwick County District Attorney, other charging attorneys and other area law enforcement agency officers. Because of Detective McCann's abilities and work quality, a Medal of Merritt is being awarded to her effective today.

**APPROVAL OF THE CONSENT AGENDA**

The following was submitted to the City Council for approval:

Approval of Minutes:  
Regular Meeting – July 6, 2020

Accounts Payable:  
July 1, 2020 for \$46,146.66  
July 8, 2020 for \$13,153.50  
July 15, 2020 for \$491,994.31

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

**ST. ANDREWS 4<sup>TH</sup> ADDITION SPECIAL ASSESSMENT ROLL AND PUBLIC HEARING**

Brian Silcott City Administrator stated the City Council authorized improvements to St. Andrews Place Fourth Addition for water and paving improvements on April 4, 2017. The City Council unanimously adopted the following resolutions for improvements to serve new construction in St. Andrews 4<sup>th</sup> Addition.

- Res. 17-03 for 8” water main improvements serving 53 parcels: Lots 7-51, Block A and Lots 6-13, Block B. with an estimated cost of \$165,000 and apportioned on a 1/53<sup>rd</sup> per lot basis to finance the improvement. The resolution was published in the April 6, 2017 edition of the Times-Sentinel.
- Res. 17-04 for paving improvements (24’ wide asphalt mat) serving 53 parcels: Lots 7-51, Block A and Lots 6-13, Block B. with an estimated cost of \$602,000 and apportioned on a 1/53<sup>rd</sup> per lot basis to finance the improvement. The resolution was published in the April 6, 2017 edition of the Times-Sentinel.
- Please note that the Engineering Service Agreement, Inspection Services Agreement, Construction Staking, Issuance Costs, as well as contingency and administration overhead is included in the total amount of issuance of \$767,000.

Silcott added that Resolution 17-08 was unanimously approved on June 19, 2017 authorizing the sale of Series 2017-01 General Obligation Temporary Note Sale for a principle amount of \$767,000 with Cooper Malone submitting the best bid at an interest rate of 1.4% and a total interest payment of \$34,898.50. The improvements have been constructed with the next step in the process being placing the long-term financing of the improvements onto the special assessment roll. In accordance to the desires of the developer, the assessments are presented as 20-year annual payment assessments.

Silcott presented the following for City Council Review:

**Exhibit A Statement of Final Costs**

Construction Cost of Improvements	\$493,423.70
Engineering Cost of Improvements	\$91,230.34

Total Cost of Issuance	\$40,508.02
Bond Capitalized Interest	\$22,127.55
Temporary Note Interest	\$34,898.50
Administration Fee	\$3,140.00
<b>Total Issuance Cost</b>	<b>\$685,328.11</b>

Exhibit B Assessment Roll Certification

The Assessment Roll Certification is the apportionment of costs of the improvements to each parcel and the amount apportioned for each improvement. The cost to each lot is established in Schedule I of the Assessment Roll Certification (Exhibit B).

Exhibit C Notice of Public Hearing

This is the notice of public hearing to be published in the Times-Sentinel on July 9, 2020 for the assessment of the improvements.

Exhibit D Notice of Hearing & Statement of Costs to be Assessed

This exhibit is the notice of public hearing that will be mailed to each property owner of the lot(s) being assessed. The notice asks that written or oral objections to the assessments be presented at the hearing. The notice also allows property owners to pay the assessment as a portion or in its entirety within 30 days, otherwise payments are to be made annually in 20 installments. As required by statute, a public hearing will be held on Monday, July 20, 2020 at 7:00 pm to consider objections to the assessment of costs for the improvements.

Silcott added that the process presented for the assessment of St. Andrews Addition Phase IV is identical to that used for St. Andrews Phases I, II, & III, as well as, all other subdivisions within Goddard. Failure to assess the parcels as petitioned by the developer and defined within the presented statutory process, results in the City at-large incurring the cost of improvements.

The proposed ordinance levies special assessments for the water and street improvements authorized and constructed under Resolutions 17-03 and 17-04 as described in the background portion of this report. Exhibit A-1 apportions the cost of \$12,930.72 on the 53 parcels within the improvement district of St. Andrews 4<sup>th</sup> Addition. The amount (\$12,930.72) may be paid in whole or in part by August 21, 2020. Special Assessments not paid before the August 21, 2020 date will be collected in twenty (20) annual installments in accordance with the provisions of K.S.A. 12-6a01 *et seq* as petitioned by the property owner(s) at the time of the improvement authorization.

Silcott presented an Ordinance that includes copies of the Notice of Assessment, Schedule I, Certificate of Mailing, Certificate of the City Treasurer, and a summary of the ordinance to be published in the July 23, 2020 edition of the Times Sentinel News.

In summation:

- The Ordinance approves & imposes the assessments

*City Council Minutes*  
*July 20, 2020*

- The Notice of Assessment provides specific notice to each property owner notice of the final assessment amount to be levied on the property for the water and street improvements
- The Certificate of Mailing provides evidence of the mailing of notices, certified copies of the postal receipt is retained by the City Clerk in accordance with Kansas Open Records laws
- The Certificate of Treasurer gives evidence of assessments or portions paid within the August 21, 2020 period
- Summary of Ordinance summaries the ordinance and provides notice of the ordinance on the city's website: [www.goddards.gov](http://www.goddards.gov)

After passage of the ordinance the next actions to be taken by the City Council will be the **August 17<sup>th</sup>** adoption of a bond sale resolution followed by the **September 8<sup>th</sup> (Tuesday due to the Labor Day holiday)** acceptance of the lowest bid, adoption of the bond resolution and ordinance and authorization of its publication, and acceptance of the Final Official Statement.

The process presented for the assessment of St. Andrews Addition Phase IV is identical to that used for St. Andrews Phases I, II, & III, as well as, all other subdivisions within Goddard. Failure to assess the parcels as petitioned by the developer and defined within the presented statutory process, results in the City at-large incurring the cost of improvements.

The documents have been drafted by City Bond Counsel Kevin Cowan or Gilmore & Bell and are based on the assessments and costs identified by City Staff and City Financial Advisor Bret Shogren of Stifel Nicholas and reviewed and approved as to form by City Attorney Ryan Peck.

It is recommended the City Council:

- 1) Open the Public Hearing for the purpose of receiving input on the levying of special assessments for water and paving improvements to the 53 parcels within St. Andrews 4<sup>th</sup> Addition. Comments are limited to three (3) minutes per property owner.
- 2) Close the Public Hearing
- 3) Consider the Ordinance
  - a. Waive the Reading of the Ordinance and place the ordinance into the official record as presented.
  - b. Consider the Ordinance

Mayor Blubaugh opened the public hearing at 7:30 p.m. and asked for any comments on the assessments for water and paving improvements within St. Andrews 4<sup>th</sup> Addition.

Josh McFaddin, 2409 E. Summerwood Circle stated that he moved in about three months ago and was surprised to receive a notice of special assessments. McFaddin stated he thought that all the specials had been assessed and thinks that the builder should be responsible for the assessments.

Leslie True, 938 North St. Andrew Court stated she has lived in the neighborhood for 15 months and knew nothing about new specials being assessed to the property.

Blake Brown, 910 N. St. Andrews Court, read a document that he and his wife signed regarding the assessments for sewer and stormwater, but he was not aware of special assessments for water and paving.

**MOTION:** Councilmember *Proctor* moved to close the public hearing. Councilmember *Leland* seconded the motion. The motion carried unanimously.

Brian Silcott presented an Ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of Goddard, Kansas, and authorizes the payment in whole or in part by August 21, 2020. Any amount of special assessments not paid by August 21, 2020 shall be certified by the City Clerk to the Clerk of Sedgwick County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in twenty (20) annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefore as prescribed by the Act.

**MOTION:** Councilmember *Larkin* moved to waive the reading of the Ordinance. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

**MOTION:** Councilmember *Traylor* moved to adopt said Ordinance. The motion was seconded by Councilmember *Leland*.

Roll Call Vote:

Yea: Larkin, Leland, Zimmerman, Traylor, Proctor

Nay:

### ***Ordinance #854***

### **2021 -2022 BUDGET HEARING AND ADOPTION**

Matt Lawn, City Treasurer presented the Proposed Budget that does not raise the City of Goddard personal property taxes. The proposed budget maintains a consistent mill levy of 33.230; with 29.250 going for general government operations, 0.980 to debt service, and 3.000 to the City's Library. The 2021 Proposed Budget totals \$10,434,550. Interfund transfers, appropriated reserves, and discretionary outlay accounts for \$1,777,000 of the total amount. The City's valuation for the 2021 operating budget totals \$46,897,259, which is an increase of \$3,194,875, over the current \$43,702,384 assessed valuation.

A Notice of Public Hearing was published on Thursday, July 9, 2019 in the Times Sentinel, the City of Goddard's paper of record which set the maximum dollars that may be expended in each fund in the Proposed Budget. The City Council may reduce expenditures required, and the proposed tax dollars to be levied, but may not increase expenditures previously established and published.

The City Council previously approved July 20, 2020 as the official budget hearing date, and pursuant to State statute, notification of the public hearing was provided on July 9, 2020.

It is recommended the City Council:

1. Open the Public Hearing to receive public comment
2. Close the Public Hearing after receiving public comment
3. Adopt the 2021-2022 Operating Budget (Voice)

**MOTION:** Councilmember *Zimmerman* moved to open the public hearing for any written or oral comments. The motion was seconded by Councilmember *Traylor*. The motion passed unanimously.

**MOTION:** With no oral or written comments, Councilmember *Zimmerman* moved to close the public hearing. The motion was seconded by Councilmember *Larkin*. The motion passed unanimously.

**MOTION:** Councilmember *Traylor* moved to close the public hearing. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

### **COVID RELATED DISCUSSION OF EXTENSION OF UTILITY BILL PAYMENT DEADLINES**

Brian Silcott, stated at the May 18 meeting, the Governing Body agreed to postpone shutoffs until July 31, 2020. This motion will expire before the next regular City Council meeting. There are still several citizens behind on their payments, on payment plans or scheduled for shutoff in August.

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. Many of these payments are still behind and more delinquent bills have been added since.

The Governing Body can determine whether the City should initiate shutoffs for non-payment for the August billing cycle with service disconnections occurring in September. Currently there are approximately 124 customers behind on payments with no requests to participate in a payment plan. In accordance with City policy, Staff offers this option to citizens once each year for customers behind on payments. Staff may not authorize payment plan participation to individuals more than once per year. The average payment plan duration is 60 to 90 days. Staff is requesting the following direction:

The City Council could take no action and disconnections begin in August or extend the good will period for a period of time the City Council is comfortable in forgoing.

Mayor Blubaugh recommend late fees and disconnections begin in August, but as long as a customer is able to pay the August bill in full by August 20, 2020, and make arrangements for a payment plan on the remaining balance over 90 days or less, the late penalties will be removed.

**MOTION:** Councilmember *Zimmerman* moved to end the grace period for late penalties and shut offs for nonpayment on July 31, 2020. Late fees and disconnections will begin in August, however, customers who are able to pay their August bill in full by August 20, 2020 and make payment arrangements for a payment plan, and pay according to the plan, will have the late penalties removed. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

### **APPROVAL OF THE NORTH PARK FINAL PLAT**

Brian Silcott stated the City of Goddard purchased some land from the property owner of Tanganyika Wildlife Park at the corner of 183rd and Maple. This land is intended to be used for the development of a public park and as such it is going through the platting process for development.

The plat will have to be revised later when the design of the park is approved, and the City knows where they want to place buildings and water/ sewer mains and streets.

The platting process helps define the legal boundaries of the park as well as institute easements and consolidates multiple parcels into one.

Staff has reviewed the attached Final Plat and found it in compliance with the City's subdivision regulations. A drainage plan will be drafted when the park's layout has been determined and the Final Plat will be amended when the design of the Park has been finalized showing the easements and roads locations.

Silcott added that all Final platting requirements have been met by the City Engineer and all the surveying work was done by Savoy as a third-party contractor.

Silcott presented the Final Plat before the City Council for consideration. If the Governing Body is satisfied that the requirements of all applicable subdivision regulations have been, or will be, met by the City Staff, you may approve the Final Plat, including any required changes.

**MOTION:** Councilmember *Larkin* moved to approve the North Park Final Plat. The motion was seconded by Councilmember *Leland*. The motion passed unanimously.

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

Brian Silcott provided the background for the 183<sup>rd</sup> Street Frontage Road Realignment and presented a supplemental agreement that amends page three of the original agreement Article I, paragraph 19, replacing in its entirety to read as follows:

19. **“Project”** means all phases and aspects of the Construction endeavor to be undertaken by the City, as and when authorized by the Secretary prior to Letting, being: **the relocation of the West Kellogg Drive frontage road in Goddard, Kansas**, and is the subject of this Agreement.”

Silcott recommended the City Council: Authorize the execution of Supplemental Agreement #1 for KDOT Project 87 KA-5215-01.

**MOTION:** Councilmember *Zimmerman* moved to authorize the execution of the Supplemental Agreement #1 for KDOT Project 87 KA-5215-01. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

### **CITY ADMINISTRATOR'S REPORT**

Brian Silcott reviewed the City Administrator's Report dated July 20, 2020.

### **GOVERNING BODY COMMENTS**

Councilmember Larkin asked the Library Director if she had contacted the Public Works Director regarding the repairs to the library. The Library Director stated the issues were taken care of.

Councilmember Zimmerman asked if there was any feedback with the pool being open. Several Councilmembers stated that they have received some e-mails. Mayor Blubaugh warned that if anyone does not feel comfortable at the pool to stay away. Blubaugh stated he feels that masks and pools do not mix.

Councilmember Zimmerman asked if the Fall Festival was on for 2020. Mayor Blubaugh stated he will be attending a meeting for the Fall Festival tomorrow. Chief Farris announced that National Night Out has been cancelled.

Mayor Blubaugh said he has received some e-mails from Citizens regarding other roads in the City that need to be addresses.

Mayor Blubaugh stated that the pool will be staying open regardless of the Covid numbers, and if people are concerned about going to the pool or the ballfields to stay away. He added that the City is following the Sedgwick County guidelines but are not enforcing the use of masks.

### **ADJOURNMENT**

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

*Meeting adjourned at 8:15 pm.*  
*Teri Laymon, City Clerk*