

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
MONDAY, AUGUST 21, 2023**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, August 21, 2023. Vice Mayor Leland called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation led by Councilmember Collins. Council members present were Keaton Fish, Sarah Leland, Brent Traylor, and Aubrey Collins. Mayor Larkin was absent.

Also present were Matt Lawn, Finance Director; Micah Scoggan, Community Development Director, Brooke Brandenburg, Public Works Director; Lance Beagley, Police Chief; Lorie DeVaney, Assistant City Clerk; Sarah Simon, Customer Care/Utility Clerk; Harlan Foraker, City Engineer and Ryan Peck, City Attorney.

**APPROVAL OF THE AGENDA**

City Planner, Micah Scoggan requested Item H.11 - Approval of Agreement for City Administrator be added to the agenda.

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

**CITIZEN COMMENTS**

None

**APPOINTMENT OF ANGELA PRUITT AND LUCRETIA BURCH TO THE GODDARD PUBLIC LIBRARY BOARD**

**Micah Scoggan**, Community Development Director presented Angela Pruitt & Lucretia Burch; both residents of Goddard as nominees to be appointed by the mayor and confirmed by the Governing Body to the Library Board.

**MOTION:** Councilmember *Fish* moved to appoint Ashleigh Pearce and Lucretia Burch to the Library Board. Councilmember *Collins* seconded the motion. The motion carried unanimously.

**APPROVAL OF THE CONSENT AGENDA**

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

**REQUEST BY PROPERTY OWNER TO ALLOW VENDING MACHINE IN RIGHT OF WAY.**

**Scoggan** stated on June 23, 2022, it was noted a vending machine had encroached on the Public Right Of Way (ROW) causing a violation of Chapter 13-209 “Using Streets” of the City Code. The property owner of 222 N Main appealed before the Governing Body on August 15, 2022. It was determined during the meeting on August 15, 2022, that the city council did not want to allow the vending machine to reside on the Public ROW.

It was noted recently that the vending machine has made its way back onto the sidewalk. A discussion with the property owner revealed that he would like to petition the Governing Body again, to see if there would be a more favorable determination this time around.

Scoggan presented City of Goddard Code, Chapter 13, Article 2 Streets 13-209(b). Using Streets. No person may use any portion of any sidewalk or street right-of-way for the purpose of displaying or offering for sale wares, goods, merchandise or other items. Nothing in this article, however, shall be construed as prohibiting the city Governing Body from temporarily waiving the prohibition of this subsection in connection with community promotions or -community-wide celebrations when such waiver is considered to be in the best interest of the city .

The council expressed the need to hold all business in the Central Business District to the same standard. Councilmember Collins stated the policy needs to be changed or the existing policy needs to be enforced.

**MOTION:** Council Member *Fish* moved to Table the request until the next City Council Meeting. Councilmember *Traylor* seconded the motion. Councilmember Leland opposed the motion. Motion carried.

**APPROVAL OF FINAL PLAT FOR THE 23<sup>RD</sup> STREET SOUTH ADDITION DEVELOPMENT**

**Scoggan** stated Baughman company has submitted an application on behalf of the developer Paul Kelsey of Kick N Development to plat a tract of land located on the northwest corner of 23<sup>rd</sup> Street and 167<sup>th</sup> Street.

This land was an island annexation and was approved to be annexed by the Board of County Commissioners on November 2<sup>nd</sup>, 2022. It was approved by the city council for annexation on November 7, 2022. After the annexation it went through the rezoning process to be considered for an R-2 Two-Family Residential classification and was approved for rezoning on January 17, 2023, under zoning case # ZONE-22-5.

**Scoggan** stated the Planning Commission approved the Plat on August 14, 2023. The plat is for 212 lots, zoned ‘R-2’ Two-family Residential. He noted the final plat calls for 81 duplex lots and 131 Single Family-detached Lots.

**MOTION:** Councilmember *Collins* moved to approve the final plat for 23<sup>rd</sup> Street South Addition Development as presented. Councilmember *Leland* seconded the motion. The motion carried unanimously.

**REZONING OF PROPERTY FOR CASEY’S GAS STATION CASE #ZONE-23-2**

**Scoggan** stated Baughman Company has submitted a rezoning application on behalf of Leanne and Thomas Barney. It is for a tract of land located on the west side of 183<sup>rd</sup> Street South of US 54. The land was recently annexed by the City of Goddard on August 7<sup>th</sup> bringing it into the corporate limits of Goddard. When this happens the default zoning that is applied is “R-1” Single Family Residential.

The developer would like to rezone the land into General Business District (C-2) for a Casey’s gas station.

After review by the Planning Commission the final review is done by the City Council. If approved, the tract of land will be reclassified 30 days after publication in the city newspaper.

*Scoggan* stated a public hearing, required by state law, was held on August 14 during the regular Planning Commission meeting. The decision of the Planning Commission was to approve the request 5-0 unanimously.

*Scoggan* reviewed the requirements laid out in Article 13 which are derived from Kansas State Law 12-757.

**MOTION:** Councilmember *Traylor* moved to waive the reading of the Ordinance. Councilmember *Fish* seconded the motion. The motion carried unanimously.

**MOTION:** Councilmember *Traylor* moved to approve the Ordinance for rezoning. Councilmember *Collins* seconded the motion.

***Roll Call Vote:***

Yeah: Fish, Leland, Traylor, Collins  
Nay:

***Ordinance #931***

**REZONING REQUEST FOR THE PROPERTY AT 1001 S GODDARD RD**

Garver Inc. has submitted a rezoning application on behalf of Bob Armstrong of JJB properties. It is for a tract of land located north of 23<sup>rd</sup> Street, south of Swanee Dr.

The developer would like to rezone the land into General Business District (C-2) for any potential business to lease the property.

After review by the Planning Commission the final review is done by the City Council. If approved, the tract of land will be reclassified 30 days after publication in the city newspaper.

**Scoggan** stated a public hearing, required by state law, was held on August 14, 2023 during the regular Planning Commission meeting. The decision of the Planning Commission was to approve the request 5-0 unanimously. He noted part of the reasoning the planning commission gave was the desire to not see the building sit empty due to its exclusive zoning district it resided in and the difficulty of repurposing a smaller church building for residential use.

**Scoggan** reviewed the requirements laid out in Article 13 which are derived from Kansas State Law 12-757.

**MOTION:** Councilmember *Collins* moved to waive the reading of the Ordinance. Councilmember *Fish* seconded the motion. Councilmember Traylor abstained. Motion carried.

Council discussed the rezoning and voiced some concerns about the request.

**MOTION:** Councilmember *Traylor* moved to table the rezoning request until the next City Council Meeting. Councilmember *Collins* seconded the motion. The motion carried unanimously.

### **PUBLIC WORKS GATE REPLACEMENT REQUEST**

**Brook Brandenburg**, Public Works Director stated the gate providing access to the wastewater treatment facility, limb dump and public works yard is dilapidated and needs to be replaced.

He stated public works solicited bids to replace the old swing gate with a new, wider sliding gate. Kansas Fence Company submitted the best bid. The new gate is a thirty-foot wide sliding gate that has a four-foot wider opening. The cost for the gate and installation is \$6,841.83. If approved the cost will be allocated 100% to 40-690-8130, Capital Improvement Fund – Public Buildings – Capital Outlay.

**MOTION:** Councilmember *Fish* moved to the purchase and installation of a new sliding gate from Kansas Fence Company for the cost of \$6,841.83. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

### **CITY OF GODDARD FLAG DESIGN REQUEST**

**Scoggan** stated Travis Self has reached out to the city staff to see if the city council would be in favor of partnering with him for design services to create a flag for the City of Goddard. Travis has worked with other cities in Kansas and elsewhere for designing or redesigning municipal flags.

The work he is proposing would be pro-bono unless the council requests additional redesigns to the original design proposal.

**Scoggan** noted Flag designs are part of city branding and place making which helps create a unique identity for a particular municipality or location. These practices help cities stand out and

create civic pride and social cohesion while helping to foster engaging places for those who are visiting the location.

**Scoggan** stated Travis Self would reach out to City Staff for design input on the first design.

**MOTION:** Councilmember *Fish* moved to approve the request by Travis Self for design services for a City of Goddard flag. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

### **JOINT WORKSHOP DISCUSSION**

**Micha Scoggan, Community Development Director** stated in the past the City Council has met with the Planning Commission to discuss items pertaining to growth and policy for the city of Goddard.

On April 3, 2023, the City Council agreed to meet with the Planning Commission during the regular Planning Commission meeting on June 12, 2023.

Due to personal matters the meeting was cancelled, and the question was put to the Planning Commission about a date to reschedule the meeting. The Planning Commission met on August 14, 2023, and decided that October 9th, 2023, would be a suitable time to have the joint meeting.

**Scoggan** stated he brought up the possibility of having a new City Administrator by that time and felt it would be beneficial to have them present during the discussions. The Planning Commission agreed and stated they felt it would be beneficial to have meetings once or twice a year to discuss growth.

and development.

**MOTION:** Councilmember *Fish* moved to agree to a joint meeting at the regular Planning Commission meeting on Monday, October 9<sup>th</sup>, 2023 at 7:00 pm. Councilmember *Collins* seconded the motion. The motion carried unanimously.

### **BID AWARD FOR BRIDGER AT MAPLE DEVELOPMENT SANITARY SEWER, WATER, STORM SEWER, AND STREET IMPROVEMENTS**

**Scoggan** stated The Bridger at Maple development was approved for the final plat on January 17, 2023. After platting the developer submitted petitions for improvements through the special assessment process. These petitions for improvements were approved by resolutions adopted on May 1, 2023. Notes were sold on June 28, 2023, for G.O Temp Notes Series 2023-4 and all the costs associated with phase 1 of Bridger at Maple will be allocated to those temporary notes.

The improvements for sanitary sewer, water, storm sewer, and streets were bid on August 15, 2023 (Tuesday) at 10:00 AM and the low bidder was Mies construction.

**Scoggan** noted the engineers estimate for sanitary sewer, water, storm sewer, and streets improvements was \$2,691,612.00. Mies's bid was for \$2,050,083.90.

**MOTION:** Councilmember *Traylor* moved to award the low bid of \$2,050,083.90 to Mies Construction for the Bridger at Maple Development sanitary sewer, water, storm sewer, and street improvements. Councilmember *Collins* seconded the motion. The motion carried unanimously.

### **POLICE DEPARTMENT FLEET VEHICLE PURCHASE REQUEST**

**Lance Beagley, Goddard Police Chief** stated the Goddard Police Department currently has two patrol vehicles which are exceeding 100,000 miles and incurring mechanical issues because of their age, mileage and usage. Starting in 2023, a tentative replacement plan was proposed for the purchase of three patrol vehicles each year to maintain a healthy, safe and reliable fleet.

Beagley requested approval to purchase one new and fully upfitted 2023 Tahoe from Traffic Control Services at the cost of \$48,500 to be used as a regular police patrol unit and one new and fully upfitted 2023 Dodge Ram police package pickup from Traffic Control Services at the cost of \$39,125 to be used as a patrol supervision (Sergeant) unit. After purchase each vehicle will be painted and graphics added, increasing the cost of the Tahoe to \$67,000 and the Ram to \$58,503. If the purchase is approved, the vehicles will be assigned #46 and #47. The total cost of both vehicles fully upfitted and painted with graphics is \$125,503.

**Matt Lawn, City Treasurer** stated unused funds from the previous year have been transferred to equipment reserve for this year's use.

**MOTION:** Councilmember *Collins* moved to approve the purchase of two vehicles for a total cost not to exceed \$126,000. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

### **POLICE DEPARTMENT REQUEST TO PURCHASE 32 RIFLE BALLISTIC**

#### **PROTECTIVE PLATES**

**Chief Beagley** stated the Goddard Police Department currently has two (front/back) rifle ballistic protective plates for each department member. The plates are rated to protect each officer from rifle rounds of .223 caliber. He noted the current plates have expired as of a few months ago and need to be replaced.

**Beagley** requested approval to purchase 32 plates to replace the expired ones. He stated by replacing these expired plates, each officer will have front and back ballistic protection for their vital organs should an instance arise where they need protection.

The quoted cost of this purchase is \$315.00 per plate for a cost totaling \$10,080.00 without shipping costs.

**Matt Lawn, City Treasurer** stated the funds for this purchase will be allocated 100% to equipment reserve.

**MOTION:** Councilmember *Fish* moved to approve the purchase of (32) Ballistic Plates not to exceed a total cost of \$10,500.00. Councilmember *Collins* seconded the motion. The motion carried unanimously.

### **APPROVAL OF AGREEMENT FOR CITY ADMINISTRATOR**

**Ryan Peck, City Attorney** stated the search for a City Administrator started in January-Early February 2023. It has been a process and a lot of strong people were interested in the position.

**Peck** stated the Council has chosen their candidate and that is Craig Crossette who is currently the city administrator in Sterling Kansas. Peck stated over the last few days he has worked with Craig and his attorney and came to an agreement on a contract.

**Peck** stated Crossette will give notice at the August 21, 2023 Sterling city council meeting. The provisions of his current contract with Sterling require 90 days' notice so the City is looking at a start date of November 20, 2023 unless he is released from those provisions.

**Peck** noted the contract is standard. It provides for a 4-year term with provisions that either side can terminate within that period with notice. It has a for-cause and without-cause severance provision. The annual salary is \$135,000 and the contract allows for a moving allowance of up to \$5000 and 180 days to formally relocate from the first day of employment with the city.

Craig Crossette has already signed the agreement.

**MOTION:** Councilmember *Traylor* moved to approve the contract and authorize the mayor to sign the agreement on behalf of the City. Councilmember *Collins* seconded the motion. The motion carried unanimously.

### **GOVERNING BODY COMMENTS**

**Councilmember Fish** stated Main Street Market had approximately seventy vendors and thanked those who attended even though it was hot and brutal. He noted the final Main Street Market of the year will be September 10<sup>th</sup>.

**Councilmember Fish** said it was brought to his attention that the Facebook stream was not working and asked staff to put a Facebook post out apologizing for the technical difficulties.

**Councilmember Fish** said he was super excited for the announcement of the City Administrator and was looking forward to getting Craig and his family back to Goddard.

**Councilmember Collins** seconded councilmember Fish's comments and thanked staff for picking up the slack.

**Councilmember Taylor** reminded the citizens to show up for the next meeting to talk about the pop machine issue.

### **EXECUTIVE SESSION**

**MOTION:** Councilmember *Fish* moved to recess into executive session to discuss personnel matters and contract negotiations involving nonelected

personnel under (K.S.A. 75-4319) (b) (1 & 3), to include the City Attorney, the City Treasurer and Police Chief to reconvene at 8:30 after 5-minute break. Councilmember **Traylor** seconded the motion. The motion passed unanimously.

*The City Council recessed into executive session at 8:15 p.m. and reconvened at 8:30 p.m. Vice Mayor Leland announced there was no binding action taken in the executive session.*

## **ADJOURNMENT**

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

*The Meeting adjourned at 8:30 pm.  
Lorie DeVaney, Assistant City Clerk*