

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
TUESDAY, SEPTEMBER 8, 2020**

The Goddard City Council met in a Regular Session at Goddard City Hall on Tuesday, September 8 2020. Mayor Larkin called the meeting to order at 4:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were Larry Zimmerman, Sarah Leland, Brent and Michael Proctor. Councilmember Traylor was absent.

Also present were; Brian Silcott, City Administrator; Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Police Chief; Thatcher Moddie, Administrative Fellow; Harlan Foraker, City Engineer; and Brook Brandenburg, Public Works Director; Matt Lawn, City Treasurer 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

Kelli Reid, Candidate for Sedgwick County Clerk, introduced herself to the Governing Body. Reid stated that Cities in the County work directly with the County Clerk's Office and said she wanted to personally introduce herself. Reid stated she has background in education and has worked with various Governing Bodies in non-profit administration and student government leadership. Reid said she has provided training on *Roberts Rules of Order*, and open meeting laws, etc. Reid added that she has been a Real Estate Agent and have owned a few small businesses and feels that she is well prepared for the job. Reid said she wanted to reach out to community leaders in particular to find a solution to how the County Clerks Office can better work with Kansas small towns.

NOMINATIONS FOR COUNCIL PRESIDENT

MOTION: Councilmember *Leland* moved to nominate Councilmember Zimmerman as Council President. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

APPROVAL OF THE CONSENT AGENDA

The following was submitted to the City Council for approval:

Approval of Minutes:

Regular Meeting – August 17, 2020

Accounts Payable:

August 19, 2020 for \$56,224.65

August 26, 2020 for \$310,043.69

August 28, 2020 for \$294,452.84

September 2, 2020 for \$29,446.38

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

ACCEPTANCE OF BIDS FOR THE PURCHASE OF GENERAL OBLIGATION BONDS, SERIES 2020-03 DATED SEPTEMBER 30, 2020

The Clerk reported that pursuant to the Notice of Bond Sale heretofore duly given, bids for the purchase of General Obligation Bonds, Series 2020-03 dated September 30, 2020, of the City had been received. A tabulation of said bids is set forth as **Exhibit A** hereto.

The Governing Body reviewed and considered the bids and it was found and determined that the bid of 1.919604% from Central States Capital was the best bid for the bonds, a copy of which is attached hereto as **Exhibit B**.

MOTION: Councilmember *Leland* moved that the bid be accepted and that the Mayor and Clerk be authorized and directed to execute the bid form selling to the best bidder on the basis of the bid and the terms specified in the Notice of Bond Sale. The motion was seconded by Councilmember *Proctor*. The motion carried unanimously.

ORDINANCE AUTHORIZING BOND SALE FOR ST. ANDREWS 4TH WATER AND PAVING

There was presented an Ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2020-3, OF THE CITY OF GODDARD, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

MOTION: Councilmember *Zimmerman* moved 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. The motion was seconded by Councilmember *Leland*.

Roll Call Vote:

Yea: Zimmerman, Leland, Proctor

Nay:

Ordinance #855

RESOLUTION DIRECTING AN AUTHORIZING ST. ANDREWS 4TH WATER AND PAVING GENERAL OBLIGATION BONDS

There was presented a Resolution entitled:

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2020-3, OF THE CITY OF GODDARD, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 855 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

MOTION: Councilmember *Leland* moved to adopt said resolution. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

Resolution #20-13

CONSIDER SALE OF PUBLIC WORKS TRUCK #5

Brooke Brandenburg, Public Works Director, stated that Truck number 5 is a 2006 Ford F150 with 66,096 miles. It has significant body rust and an inoperable transmission. The cost to repair and keep this truck operational exceeds the \$2,000 estimated value of the truck.

Brandenburg recommended the advertisement and sale of truck number 5.

MOTION: Councilmember *Proctor* moved to authorize the advertisement and sale of truck number 5. The motion was seconded by Councilmember *Leland*. The motion passed unanimously.

FARMLAND LEASE AGREEMENT PROPOSAL

Brooke Brandenburg stated as part of the north park land exchange with Tanganyika Wildlife Park, the City received approximately 19 acres of farm ground that lies directly north of the public works facility. The previous owners leased the property to a local farmer on a cash rent basis. Lease terms include an annual fixed fee cash payment of \$765.60 and automatic lease renewal on March 1st for the upcoming year.

The lessee, Mr. Alan Smarsh, approached the City and asked to continue farming the property following the same terms as in prior year leases. Due to a lapse in communication between he and the prior owners, Mr. Smarsh was not aware that the City had taken ownership of the property. As a result, Mr. Smarsh assumed the lease had automatically renewed and began working the ground to prepare for planting a winter wheat crop to be harvested in the summer of 2021. He put a significant amount of work into the property, including tilling the ground three times to work under the prior crop's wheat stubble, and the application of fertilizer.

The City currently has no short-term plans for use of the property beyond planting and maintaining grass.

Continuation of the lease would allow the City to accrue revenue from the property and it will not require City maintenance. Due to the fact the lessee has already prepared the property for planting, it would be in the City's best interest to adhere to the terms existing lease. Lease year is March 1st – February 28th renewals to be reviewed and approved annually by the City Council until a plan is developed for other use of the property.

Brandenburg recommend the City Council allow the City to enter into a cash rent lease agreement with Mr. Alan Smarsh allowing crop production on the City owned farm ground.

MOTION: Councilmember *Zimmerman* moved to authorize staff to enter into a cash rent lease agreement with Alan Smarsh allowing crop production on the City owned farm ground. The motion was seconded by Councilmember *Proctor*. The motion passed unanimously.

183rd STREET FRONTAGE ROAD BID AWARD

Brian Silcott stated that Thursday, September 3, 2020 the City received five (5) bids from contractors interested in constructing the 183rd Street frontage road. Bids were solicited for asphalt and concrete pavement.

The best bids are as follows:

- Asphalt: Pearson Construction, LLC for \$265,660.45
- Concrete: Prado Construction for \$291,836.00

The City has historically considered concrete as the preferred method when price between asphalt and concrete are comparable.

Silcott stated the cost for the construction of the project is contained within the 2020 Capital Improvement Program and is being financed entirely by the Kansas Department of Transportation (KDOT).

Silcott recommended the City Council: Award the bid to the best bid for the desired pavement

Discussion ensued regarding the difference between the asphalt and concrete maintenance going forward. Harlan Foraker, City Engineer stated that while the asphalt and concrete paving should have an equal life, asphalt will probably need more maintenance, but there are a lot of factors that need to be considered.

Harlan Foraker shared the following comments:

Pearson Construction LLC was low on the asphalt bid and they have recently completed a job in Sedgwick for him and did an excellent job. Foraker added that they also did a concrete job here in Goddard for Goddard Galleria Development about a year ago and so they do have some experience in Goddard.

Prado did a sidewalk project in Goddard, which the first time working in the City, and we feel like they did a good job for the City. Foraker said he also talked with Kevin Yale in Wichita and he said they did a subdivision asphalt job in Cedar Creek in 2019. Prado also did a mile and a half of concrete sidewalk job near McConnell and did a base and repair concrete job for KDOT on K-96/235.

Mayor Larkin asked what Pearson's bid was for concrete. Foraker stated the Pearson's bid for concrete was \$303,660.45 so roughly \$12,000 higher than Prado. Larkin stated that this job is bigger than a sidewalk and said he feels that he would be more comfortable with someone that can manage it themselves.

Harlan Foraker stated that it is his job to present the information and the Council's job to make the decision. Foraker stated that from a personable prospective and for his bid specifications, it

calls for the lowest responsible bidder. Foraker added that there is no reason why he would not consider Prado a responsible bidder, even though they have not done a street concrete job for the City of Goddard. Brian Silcott, City Administrator reiterated that Prado does have experience with concrete work and should qualify as a responsible bidder.

Foraker explained that he did hear back from KDOT and they confirmed that either of the bids submitted would be acceptable to them, however, if you jumped over Prado and went with Pearson for the concrete work, it might be a problem.

Councilmember Proctor stated he would prefer concrete since it is right next to the highway and would match the south frontage road, which is concrete. Proctor also mention Pearson has a strong track record in the area.

MOTION: Councilmember *Proctor* moved to award the concrete bid to Pearson for \$303,660.45 subject to KDOT approval. Councilmember *Leland* seconded the motion. The motion carried unanimously.

CITY ADMINISTRATOR REPORT

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the week of September 8, 2020
Date: September 8, 2020

Below is a brief update on City operations, projects, and future agenda items for the City. The next City Council meeting is scheduled for Monday, September 21.

STAR Bond: Construction of the aquatic center/natatorium continues to make significant progress the construction of the pool roof trusses is complete, and installation of the rooftop is ongoing. After the roof is constructed work on the interior will begin. Further dirt work around the site has also increased in the last two weeks. The open area at the top left-hand side is the aquatic park, which is privately funded and beyond the scope of the City's participation in the project. The picture on the right is looking east at the dirt work for the health club. Almost the entirety of the interior work requires preorder processing. Below is a list of STAR Bond project funds and updated pictures of the development. There have been no new project fund distributions since March.

City Council Minutes
September 8, 2020

Disbursement #	Date	Amount	Developer	Total to Developer
1	09.29.2014	\$ 2,907,966.48	Goddard Destination	\$ 2,907,966.48
2	11.20.2018	\$ 2,131,225.20	Goddard Sports	
3	02.08.2019	\$ 2,552,466.60		
4	04.17.2019	\$ 1,914,790.50		
5	06.06.2019	\$ 2,290,951.80		
6	08.09.2019	\$ 1,839,832.20		
7	10.29.2019	\$ 1,910,912.40		
8	12.20.2019	\$ 2,034,346.14		
9	02.24.2020	\$ 1,791,610.20		
10	03.31.2020	\$ 2,045,210.40		
11	05.20.2020	\$ 1,524,619.26		
12	07.20.2020	\$ 1,230,108.14		
				\$ 21,266,072.84
TOTAL		\$ 24,174,039.32	Tie Line	\$ 24,174,039.32
			\$ -	
	Project Accounty Fund Initial Deposit	\$ 25,400,000.00	% Remaining	% Expended
	Project Balance:	\$ 1,225,960.68	4.83%	95.17%

Arbor Creek Addition: Work continues to on Phase 1 of this this addition, which includes 55 homes, sanitary sewer mains & laterals, and paving the middle of the subdivision’s club house. Total special assessments for this phase is \$2,891,000. The estimated average home value of this addition is \$300,000 each home generating approximately \$1,150 in municipal property tax with Phase 1 generating an estimated \$63,250 annually and \$281,750 annually at full build out. Arbor Creek has 245 lots with 12 lots already sold with 43 phase 1 lots and 233 total lots remaining. The project has issued \$2,939,300 in temporary notes having paid \$1,267,691.08.

Clover Leaf Addition: Work on the water, sanitary sewer, and stormwater is complete, and the installation of paving is underway. Clover Leaf contains 133 total lots. Phase 1 consists of 50 total homes with 22 lots sited along Martens Ct. for duplex units which will increase water and sewer customer count by 44 users. Phase 1 also includes 28 lots for single family residential homes. Clover Leaf Phase 1 has \$2,211,000 in special assessments. Below is an updated picture of the dirt work and recent paving completed for the development. Clover Leaf has \$2,211,000 issued with A-1 rated (AAA equivalent) special temp notes issued and \$1,427,819.33 paid.

UT Project: KDOT has completed its preliminary field plan review. The City Engineer and staff is meeting with TranSystems late this week to review the changes. The project continues to be on pace for a September 24, 2020 bid letting. The approved design budget is \$186,210 with \$59,085.97 being expensed to date. The estimated total cost of construction is \$1,810,000 with KDOT covering the cost of construction. This is project # 2020-01 and KDOT Project #54-87 KA-4362-01.

183rd Street Frontage & Intersection: Thanks to the assistance and shepherding of the City Engineer and his team at Certified Engineering Design, we’ve submitted a request for funding for the intersection improvement at 183rd Street West & US-54/400/Kellogg. On June 9th we submitted the request to advertise for bids on the Kellogg Drive Relocation Project (KDOT Project #87 KA-5215-01). The notice to proceed with the solicitation of bids is anticipated any day. The approved construction budget is \$656,000 with KDOT covering the cost of construction. This is project # 2020-02 and KDOT Project #87 KA-5215-01.

2nd Street Project: The project was approved at the July 6th meeting and was completed the week of July 27th. The project budget is \$16,234 allocated to the Street Fund’s annual Street Maintenance Program

(40-410-8410). As discussed at the July 6th meeting and during the CIP discussion, upon completion the City Engineer & Public Works Director will assess the repair and if successful and approved by the City Council will be applied to the remaining unpaved streets as part of the 2020 road maintenance program. If unsuccessful, staff will present additional options in the autumn as part of the 2020 street maintenance program.

119th Street Water Valve: The water valve installation that was approved at the July 6th meeting and was found to have a non-standard size valve that required a special order briefly delaying the project has been completed. The 8" water valve cost totaled \$6,630.00 and is being allocated to line item 82-620-6150

CDBG COVID Grant: The City's application for the Small Cities Community Development Block Grant (CDBG) Corona Virus Supplement Program funding has been approved for \$132,000. City staff will be reaching out to local businesses over the next several weeks to receive applications for the distribution of funds. Fund distribution must be completed by September 20, 2020 as the unspent funds will be returned to HUD after that date.

St. Andrews 4th Addition Assessment Bonds: Staff will present a bond sale resolution at the August 17th City Council meeting. This resolution will authorize the solicitation of bids for the 20-year General Obligation Bonds. The final action of the City Council on this item will occur at the Tuesday, September 8th City Council meeting where another bond resolution and bond ordinance will be considered to accept the best bid (due at 1100) and finalize the sale of the bonds.

Respectfully Submitted,
Brian W. Silcott,

City Administrator

GOVERNING BODY COMMENTS

Councilmember Zimmerman commented on the number of untagged cars in the City.

Councilmember Leland asked that the Splash Pad stay open as long as possible.

Mayor Larkin thanked everyone for bearing with him for his first meeting as Mayor.

EXECUTIVE SESSION

MOTION: Councilmember *Proctor* moved recess into executive session for 30 minutes to discuss an individual employee's performance pursuant to the Non-Elected Personnel Exception (K.S.A. 75-4319 (b)(1), with the City Attorney and City Administrator to attend; and, for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship (K.S.A. 75-4319(b)(2)). Councilmember *Leland* seconded the motion. The motion carried unanimously.

The City Council recessed into executive session at 5:05 p.m. and reconvened at 5:45 p.m.

Mayor Larkin announced there was no binding action taken in executive session.

ADJOURNMENT

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

*Meeting adjourned at 5:42 pm.
Teri Laymon, City Clerk*