

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, SEPTEMBER 17, 2018**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, September 17, 2018. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance. Council President provided the Invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Brent Traylor and Brook Brandenburg.

Also present were: Brian Silcott, City Administrator; Craig Crossette, Assistant to City Administrator; Teri Laymon, City Clerk; Matt Lawn, City Treasurer; Joseph Turner, Public Works Director; and Harlan Foraker, City Engineer.

APPROVAL OF THE AGENDA

MOTION: Councilmember *Torske* moved to approve the agenda. Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

None

APPOINTMENTS, PROCLAMATIONS, RECOGNITIONS, & NOMINATION'S

Brian Silcott introduced Jason Biggs, Public Works Laborer to recognize him under the Employee Spotlight. Jason has been a public servant since February of 2013. Jason introduced his wife, Jennifer, and four children: Tanner, 15; Payton, 11; Ethan, 11; and Tenley, 7. Jason is a fan of the Saints, Royals, and the Shockers.

APPROVAL OF THE CONSENT AGENDA

The City Clerk presented the consent agenda consisting of following items:

- Minutes of the August 20, 2018 regular city council meeting
- Accounts Payable dated August 24 for \$803,794.33
- Accounts Payable dated August 27, 2018 for \$500.00
- Accounts Payable dated September 5, 2018 for \$27,161.51

MOTION: Councilmember *Torske* moved to approve the consent agenda. Councilmember *Ramirez* seconded the motion. The motion carried with Zimmerman abstaining.

CONSIDER AN ORDINANCE ALLOWING THE KEEPING OF FEMALE CHICKENS

Brian Silcott stated on June 4, 2018 the City Council considered a report on a violation of Goddard Municipal Code Chapter II, Article 1.2-116(b) at 300 Brazos Drive. The specific violation was in this instance the keeping of chickens at this location. The letter from the City of Goddard requested the owner bring the property into compliance with City Code no later than May 21, 2018.

Article 1.2-116(b) states:

On or after July 7, 2003, it shall be unlawful for any person to keep within the city limits of the City of Goddard, Kansas, any livestock as defined by Section 2-101(o) of the City Code of the City of Goddard, Kansas, including, but not limited to cattle, horses, goats, sheep, chickens, geese, ducks, turkeys, guineas or any other animal commonly regarded as farm or ranch animals, but shall not include fowl kept indoors commonly kept as household pets, including, but not limited to, parakeets, parrots, and other exotic bird species.

The Goddard Municipal Code specifically and without any alternative precludes the keeping of chickens within the city limits of the City of Goddard. In the absence of an ordinance allowing for the keeping of chickens at this specific location, or a change in the Municipal Code allowing chickens generally, the chickens kept at this location must be removed outside the city limits.

After some discussion, “Councilmember Torske moved to direct staff to delay the enforcement of this ordinance while staff research and draft an ordinance allowing for the keeping of hens in the city limits.” Councilmember Traylor seconded the motion. The motion carried unanimously.

Staff reviewed the municipal codes of five cities (Wichita, Newton, Andover, Derby and Maize) and drafted the ordinance for the City Council’s consideration.

The proposed ordinance Amends Section 2-116 of the City of Goddard Municipal Code to allow the keeping of female chickens. Highlights of the ordinance’s provisions include:

- Up to six (6) female chickens may be maintained as part of a single-family residence with the issuance of a permit therefor approved by the animal control officer and issued by the city clerk.
- Permits will be granted and renewed on an annual basis. The recommended fee is \$15.
- Female chickens shall be provided access to both a predator-proof coop and a run which shall be built in compliance with all building code requirements and setback regulations applicable to residential accessory structures.
- There shall be no outdoor slaughtering of chickens.

If adopted there is a small publication fee with the adoption of this ordinance. The draft ordinance establishes a \$15 permit fee.

MOTION: Councilmember *Torske* moved to waive the reading of the ordinance. Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said ordinance. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

Roll Call Vote:

Yea: Torske, Ramirez, Traylor, Brandenburg

Nay: Zimmerman

Ord #816

PRAIRIE TRAVELERS FUND RAISER

Ruth Holiday, Secretary for Prairie Travelers, Inc., presented a proposal for a fund raiser to help fund the maintenance of the Prairie Sunset Trail. Holiday explained that Prairie Travelers, Inc., will sell engraved bricks and place them around the late Cecile Kellenbarger's statue in the linear park. The small bricks will be priced at \$100.00 per brick and the large bricks will be \$200.00. Brent Traylor suggested the City budget approximately \$2,000 in the 2019 Capital Project Fund for lighting around the bricks. It was the consensus of the Governing Body to budget for lighting for night viewing of the bricks.

LKM VOTING DELEGATES

It was recommended the City Council consider electing City of Goddard voting delegates to the League of Kansas Municipalities (LKM) 111th annual conference in Topeka, Kansas, October 6th-8th.

Article 4, Section 5 of LKM bylaws prescribes the total number of votes provided to each member city based on population. The number of voting delegates for Goddard is two.

K.S.A. Supp. 12-1601(f) states "The governing body of each member city may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities".

MOTION: Councilmember *Torske* moved to nominate Mayor Jamey Blubaugh and City Clerk Teri Laymon as voting delegates and City Administrator Brian Silcott and City Treasurer Matt Lawn as alternate voting delegates. Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

STANDARD TRAFFIC ORDINANCE

Craig Crossette, Assistant to the City Administrator presented a proposed ordinance adopting the 2018 Edition of the Standard Traffic Ordinance (STO). The amendments included in the proposed ordinance would maintain the City of Goddard's compliance with applicable Kansas statutes while addressing local concerns. Several changes have been incorporated into the 2018 Standard Traffic Ordinance, which are generally described below.

- Section 1
 - Definitions Added: Waste Collection Vehicle
- Section 30
 - Driving Under the Influence of intoxicating Liquor or Drugs; Penalties. (Amended by H. Sub. SB 374 and HB 2439)
- Section 30.1
 - Driving a Commercial Motor Vehicle Under the Influence of intoxicating Liquor or Drugs; Penalties. (Amended by H. Sub. SB 374 and HB 2439)
- Section 40.1
 - Passing a Stationary Waste Collection Vehicle. (New section created by Sub. SB272)

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- Section 81
 - Overtaking and Passing School Bus. (Amended by Sub. SB 272)
- Section 112.1
 - Littering from a Motor Vehicle. (Added by Editor)
- Section 114.4 (c)
 - Unlawful Operation of a Golf Cart. (Amended by Sub. SB 272)
- Section 174
 - Horns and Warning Devises. (New subsection (f) in response to new section 40.1)
- Section 194
 - Driving While License Canceled Suspended or Revoked; Penalty. (Amended by HB 2439)

Crossette recommended the City Council adopt the proposed ordinance adopting the 2018 edition of the Standard Traffic Ordinance.

MOTION: Councilmember *Ramirez* moved to waive the reading of the ordinance. Councilmember *Torske* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said ordinance. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

Roll Call Vote:

Yea: Torske, Ramirez, Traylor, Brandenburg, Zimmerman

Nay:

Ord #814

UNIFORM PUBLIC OFFENSE CODE ORDINANCE

Craig Crossed presented a proposed ordinance adopting the 2018 Edition of the Uniform Public Offense Code (UPOC). The amendments included in the proposed ordinance would maintain the City of Goddard's compliance with applicable Kansas statutes while addressing local concerns. Ordinance 799 adopting the 2017 edition of the UPOC is repealed. Several changes are incorporated into the 2018 Uniform Public Offense Code and include:

- Section 3.2
 - Battery Against A Law Enforcement Office. (Amended by HB 2458)
- Section 3.3
 - Assault and Assault of a Law Enforcement Officer. (Amended by HB2458)
- Section 6.8
 - Criminal Littering (Added by Editor)
- Section 9.7
 - Making an Unlawful Request for Emergency Service Assistance. (New name for the crime of Giving a False Alarm amended by HB 2581)
- Section 9.9.1
 - Unlawful Possession of Marijuana and Tetrahydrocannabinols. (Added by Editor)

- Section 9.9.2
 - Unlawful Possession of Drug Paraphernalia and Simulated Controlled Substances. (Added by Editor)
- Section 10.1
 - Criminal Use of Weapons. (Amended by HB 2145)
- Section 10.27
 - Illegal Operations of An Amusement Ride.

Crossette is recommended the City Council adopt the proposed ordinance adopting the 2018 edition of the Uniform Public Offense Code.

MOTION: Councilmember *Zimmerman* moved to waive the reading of the ordinance. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Ramirez* moved to adopt said ordinance. Councilmember *Torske* seconded the motion. The motion carried unanimously.

Roll Call Vote:

Yea: Torske, Ramirez, Traylor, Brandenburg, Zimmerman

Nay:

Ord #815

WASTEWATER TREATMENT FACILITY WET WELL REPAIRS

Joseph Turner, Public Works Director explained to the City Council that raw sewage enters the wastewater facility via the wet well where it is then pumped into the plant and processed. One pump is currently out-of-service due to a broken pedestal stand. The other two pumps currently operate at approximately sixty (60) percent pumping capacity due to aging and deterioration of the volutes which seal the mechanism between the piping and pump housing unit. The volutes need to be resurfaced and have a new stainless-steel face attached to them to prevent leakage. These repair items are considered normal “wear and tear.”

The current pumps have an approximate lifespan of 5-10 years. At least one pump has been previously rebuilt at an approximate cost of \$9,000. The desired pumps of choice are Landia Chopper Pumps which cost approximately \$17,000 and have a lifespan of approximately 15 years. A Landia pump was installed at the Spring Hill lift station and has had zero issues, aside from routine maintenance, since its installation about 8 years ago.

Turner recommended repairing the pedestal for pump one, installing a new pump base, and cleaning and resurfacing the volutes for the other two pumps in lieu of purchasing new ones. Staff and vendor (Mayer Specialty Services) believes there is a very high probability that vendor services can be completed in one day. However, unforeseen circumstances may necessitate a second day of work.

It is anticipated that the cost associated with these repairs will range from \$11,667.42 to \$18,867.42. The vendor’s services are \$7,200 per day; the new base is \$863.00, and the volutes are \$3,604.42. If approved, Staff recommends allocating these expenditures to line item: 83-860-6150 in the Sewer Replacement Reserve Fund.

MOTION: Councilmember *Brandenburg* moved to approve the repairs for up to \$18,867.42 as presented. Councilmember *Torske* seconded the motion. The motion carried unanimously.

DRY AIR SYSTEM

Joseph Turner stated that to operate the wastewater plant effectively and efficiently, we must be able to control the amount of oxygen that goes in and out of our basins to feed bacteria. The flow of oxygen is controlled by butterfly valves which are powered by actuators using compressed air hoses.

During winter months the condensation in these hoses are subject to freezing and prohibits our ability to process sewage. This has been a recurring issue that requires many man hours to solve. To locate and remove these areas of frozen hoses, staff must resort to cutting the hoses to isolate the choke point(s) and either remove that section and repair it or take what is tantamount to a commercial hair blow dryer and methodically apply warm air to the lines. There is more than two-hundred (200) feet of hoses that need to be vigilantly monitored.

An extensive and prolonged cold season could render these methods inadequate and effectively shut our plant down. Months of hard work would be destroyed since an oxygen imbalance would inevitably kill off all the microorganisms that break down the sewage in our system.

Turner proposed installing a new dry air system to remove condensation from hoses that are subject to freezing during the winter.

It is anticipated that the cost associated with the installation of this system will be \$7,750. If approved, Staff recommends allocating these expenditures to line item: 83-860-6150 in the Sewer Replacement Reserve Fund.

MOTION: Councilmember *Torske* moved to approve the installation of a dry air system as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

RESOLUTION TO ADOPT HEALTH SPENDING ACCOUNT

Teri Laymon, City Clerk presented a proposed resolution adopting a Flex Spending Account (FSA), an employer-sponsored benefit that allows employees to pay for eligible medical expenses or dependent and child-care expenses on a pre-tax basis.

Laymon explained that employees may set aside up to \$2,550 in unreimbursed medical expenses and up to \$5,000 in dependent care expenses and can save 25% to 40% in taxes, depending on his or her tax bracket and the City will also save the 7.65% FICA/FUTA match on all amounts set aside by employees.

The Cost to set up the plan is \$250 for the 1st year and \$150 annually after the first year and a monthly participant fee of \$4.95 or \$100.00 per month. The savings on FICA/FUTA match should more than cover the cost to administer the plan.

MOTION: Councilmember *Zimmerman* moved to adopt said Resolution. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

Resolution 18-11

ACCEPT RESIGNATION OF COUNCIL PRESIDENT ENRIQUE RAMIREZ

Enrique Ramirez:

Honorable Mayor, City Council and Citizens of Goddard,

It is with regret that I am writing to inform you of my decision to resign my position on the Goddard City Council, effective Monday, October 1, 2018.

My family is relocating to Texas as my wife has accepted a job in Houston, Tx and we are relocating to pursue this opportunity.

It has been a pleasure to serve my neighbors and community members on the Goddard City Council. I am so proud of all we have accomplished in the past three and a half years, and I have no doubt this wonderful community will continue to build upon its successes into the future.

If I can be of any assistance during the time it will take to fill the position, please don't hesitate to ask.

CITY ADMINISTRATORS REPORT

Brian Silcott presented and reviewed the following City Administrator's Report dated September 17, 2018:

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the September 17th Regular City Council Meeting
Date: September 17, 2018

Below is a brief update on projects and future agenda items for the City.

Monument Sign Ordinance: The City's monument sign ordinance will take effect on January 1, 2022. Mayor Blubaugh has been approached by a member of the business community to request the Governing Body consider grandfathering existing signage. Staff will draft an ordinance for discussion, review, and comment to this effect, which will be included on the October 15th regular meeting agenda.

Farmer's Market: Assistant to the City Administrator Craig Crossette is working with the Farm Shop on the operation of a weekday Farmer's Market in Linear Park. We will present a service agreement between the City and the Farm Shop at the October 1st regular meeting. The current plan for a Farmer's Market to be held in Linear Park, at the Pavilion on Tuesday evenings. The tentative plan is beginning with a monthly, to bi-weekly, market starting in October and increasing the frequency to every Tuesday in late winter or early spring of 2019. The event will also include a pop-up kitchen, musical entertainment, and possibly CSA pick-ups. We will advertise the market in local media, including the Times-Sentinel, West Side Story, Wichita Eagle, and perhaps in other favorable area radio & media outlets.

City Hall Flag Pole: The flag pole complete! It is located at the southwest corner of City Hall on the Main Street walk.

Public Works Equipment Items:

1995 Street Sweeper As was reported in July, the City's 23-year-old street sweeper, purchased in July of 2001 has given up its ghost. Staff is currently assessing several makes and models, including several different types of technology. I intended to present this agenda item at today's meeting but will do so at the October 1st regular meeting. We will provide the Governing Body with options for an outright purchase, a used purchase, and a lease purchase option. Before the sweeper's catastrophic failure, a segment of streets was swept weekly. We want to continue with this frequency when its replacement is secure.

1992 Sterling Dump Truck: This truck has been placed back into service after Public Works staff was able to repair the dump truck. The total cost of the repair was less than \$120. The City purchased the vehicle used in February of 2000. Repairs take longer than on most vehicles because replacement parts are no longer made, and the warehouse inventories have dwindled, becoming difficult to replace with machine tooling parts. The tooling of parts is costly.

Utility Items: The City's wireless meter read transmitters in our water meters is no longer manufactured. When a new meter is installed, or an existing utility meter is replaced staff is using the Sensus company's latest transmitter. The new meters must be read manually because a new wireless reader and software package is required. We will present the Governing Body with an agenda report to purchase the new wireless reader system and its software at the November 5th regular City Council meeting. The plan is to run the current and new wireless reader systems concurrently until all meters are replaced over time as they wear out from age.

183rd Street Frontage Road Realignment: This project is in the Capital Improvement Program and will realign the frontage road at 183rd Street and the north frontage. The project goal is to open access to the interior pad sites and to alleviate vehicle back-ups/stacking at the current intersection by moving the frontage road access to the north end of First National Bank of Hutchinson's northern property line. Staff is working with the affected property owners to secure additional right-of-way required by KDOT to move the project forward. I hope to present this project for construction project authorization in the fourth quarter of 2018.

Upcoming October 1st Agenda Items:

- Adopt a Master Fee Resolution
- Award City Hall Renovation Project Bid
- Authorize Execution of the Farmer's Market Management & Operation Agreement
- Discussion of Street Sweeper Purchase
- Executive Session Related to Attorney Client Privilege (*Tentative*)

Respectfully Submitted,
Brian W. Silcott, City Administrator

GOVERNING BODY COMMENTS

Councilmember Torske congratulated Enrique Ramirez and wished him the best of luck.

Councilmember Zimmerman told Enrique that he has enjoyed serving with him, wished him the best of

luck and said he is “sorry to lose you”.

Councilmember President Enrique Ramirez that said that he was glad Torske and Zimmerman was there for him to follow their lead.

Mayor Jamey Blubaugh stated to Enrique that he will be missed.

ADJOURNMENT

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

Meeting adjourned at 8:01 p.m.
Teri Laymon, City Clerk