

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
TUESDAY, SEPTEMBER 18, 2023**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, September 18, 2023. Mayor Larkin called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were Keaton Fish, Sarah Leland, Hunter Larkin, and Aubrey Collins. Councilmember Traylor was absent.

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

**APPROVAL OF THE AGENDA**

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

**CITIZEN COMMENTS**

Angie Duntz, President of the Goddard Chamber of Commerce provided an update on the upcoming Fall Festival.

**APPOINTMENT TO LIBRARY BOARD**

Megan Koenigs was appointed by the city council on February 21, 2023, to fill a vacancy on the Library Board and if reappointed, this would be her first of two, four-year terms.

**MOTION:** Councilmember *Fish* moved to appoint Megan Koenigs to the Library Board. Councilmember *Leland* seconded the motion. The motion carried unanimously.

**APPROVAL OF THE CONSENT AGENDA**

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

**ASSESSMENT PROCEEDINGS FOR SE CORRIDOR LIFT STATION**

Micah Scoggan, Community Development Director explained that during discussions of the Arbor Creek development it was decided that a portion of the costs associated with the lift station to serve that development would be assessed to 172 lots in the development, as authorized by Resolution No. 20-05.

During a recent conversation it was discovered that these costs had not been assessed to those 172 lots and as such in order to fulfil the intent of Resolution No. 20-05 those lots need to be assessed \$110,000.

This requires a public notice be published in the city newspaper and letters sent out to all affected parties. The city will need to have a public hearing on the matter and anyone desiring to speak can do so during this time. The letter sent to property owners will have the date of the public hearing stated so they are aware.

Since this is a collection for additional revenue, and the bonds have already been sold as permanent financing, it is advisable to not issue an additional bond for \$110,000 as it would incur additional costs for underwriting and sale, and it could be difficult to sell this bond due to it being viewed as undesirable for such a low amount. It should be noted that not issuing bonds for this type of improvement is a deviation from standard Kansas law and as such the city could be required to issue bonds, if legally challenged.

If approved the City Council will be establishing October 2<sup>nd</sup> as the date for the Public Hearing and letters of notice will be sent out to all affected property owners.

The City Council is considering assessing \$110,000 to 172 lots in the Arbor Creek development for a portion of the costs incurred for the construction of the Southeast Corridor Lift station. Each lot will be assessed \$639.54. They will have until November 3, 2023, to pay the amount in full or in part, after which there will be 20 annual installments equaling about \$31.97 per year or around \$2.66 per month.

Lots to be assessed are listed out as follows:

**ARBOR CREEK ADDITION**

- Lots 1 through 9, Block 1
- Lots 11 through 42, Block 1
- Lots 1 through 10, Block 2
- Lots 1 through 14, Block 3
- Lots 1 through 18, Block 4
- Lots 1 through 17, Block 5
- Lots 1 through 16, Block 6
- Lots 1 through 13, Block 7
- Lots 1 through 9, Block 8
- Lots 1 through 23, Block 9
- Lots 43 through 47, Block 10
- Lots 49 through 51, Block 10
- Lots 53 through 55, Block 10

Scoggan recommended the city council establish October 2, 2023 at 7:00 p.m. to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein; cause the City Clerk to publish the Notice of Public Hearing in the official city newspaper not less than 10 days prior to such public meeting date; mail the Form of Notice and Statement of Cost Proposed to be Assessed to each and all owners of property affected by such assessments and their last know post office address; and file each of said documents of record in the office of the City Clerk and make the same available for public inspection.

**MOTION:** Council Member *Fish* moved to establish October 2, 2023 at 7:00 p.m. to meet for the purpose of hearing all written or oral objections to the respective assessments set forth therein; cause the City Clerk to publish the Notice of Public Hearing in the official city newspaper not less than 10 days prior to such public meeting date; mail the Form of Notice and Statement of Cost Proposed to be Assessed to each and all owners of property affected by such assessments and their last know post office address; and file each of said documents of record in the office of the City Clerk and make the same available for public inspection.

### **REINVESTMENT HOUSING INCENTIVE DISTRICT ACT RESOLUTION**

Micah Scoggan stated the Rural Housing Incentive District is a program designed to assist in the development of housing for areas approved by the Kansas Department of Commerce.

The program allows the city to reimburse developers for eligible costs incurred during the development of specific tracts of land identified by the city council as ideal for future housing.

The difference in the tax generation would be eligible for reimbursement with the exception of 1.5 mills from the state levy and 20 mills from the school district; and the school district and the county have veto authority to deny a development.

An RHID tract will allow the city to supplement the capital stack for a development to incentivize the creation of desirable housing developments.

The City Council is reviewing a resolution to establish a geographic boundary with multiple tracks for the possibility of RHID.

- Step 1 is a housing needs assessment which was produced by WSU (Exhibit H.2c)
- Step 2 is to adopt a resolution establishing the RHID and the city sends the resolution and the housing needs assessment to Secretary of Commerce (Exhibit H.2a)
- Step 3 the Secretary of Commerce agrees with the housing needs assessment and the city can proceed with the establishment of the district. Housing Needs Analysis summary of conclusions and goals (Exhibit H.2d)
- Step 4 the city council works with a developer(s) for a tract of land identified within the RHID for development. Drafts a development agreement outlining how the development will proceed and how it will be financed. The city publishes a resolution to call a public hearing and the development agreement is sent to the BOCC and the School District.
- Step 5 30-70 days after adoption of Resolution #2 the City presents the Development Plan and any interested party may be heard. At conclusion of the hearing, the Governing Body may establish the district by ordinance (subject to 30-day veto period)
  
- Reimbursement of costs must be deemed eligible in the following categories.
  1. Land Acquisitions
  2. Site preparation
  3. Sanitary/ Storm Sewers
  4. Drainage conduits
  5. Channels and Levees

6. Street Grading
7. Paving
8. Street Lighting Fixtures
9. Connections and Facilities
10. Gas, water, Heating, Electrical Services in Public Right of Way
11. Sidewalks
12. Water mains and Extensions
13. Permanent improvements for upper levels in Downtown buildings 25 years or older

Scoggan recommended that the City Council:

Approve the resolution establishing the Rural Housing Incentive District for the recommended tracks of land and/or add additional tracts of land as they see fit.

**MOTION:** Councilmember *Collins* moved to approve the resolution establishing the Rural Housing Incentive District. Councilmember *Fish* seconded the motion. The motion carried unanimously.

***Resolution 23-38***

**FINAL PUD TANGANYIKA WILDLIFE PARK ADDITION**

Micah Scoggan presented a final Planned Unit Development (P.U.D) layout submitted by Baughman company for Tanganyika Wildlife Park (T.W.P). This is step four (4) of four steps for final approval and adoption of a P.U.D. A P.U.D is considered a custom zoning classification.

The first step was the public notice and hearing which happened on December 9, 2019, before the Planning Commission. Jim Fouts and his representative showed a concept idea for the Planning Commission's consideration.

The second step was the Preliminary Plat which was approved by the Planning Commission on December 13, 2021. The third step was the Final Plat which was approved by the Planning Commission on December 13, 2021. The Final Plat was then approved by the City Council on January 18, 2022.

This is step four for consideration and adoption by the City Council. The Planning Commission approved the final P.U.D on Monday September 11<sup>th</sup> and now the City Council will decide if they want to approve the P.U.D as presented. If it is approved an ordinance will be published in the city newspaper.

- Total Land Area 4,723,666 +/- square feet
- Total Acres 108.44 +/-
- Maximum Lot Coverage No Limitation
- Maximum Building Height 60'
- Access points from Hawkins Lane (1)
- Access point from 199<sup>th</sup> (1)
- Future animal exhibits, restaurants, animal barns, outdoor entertainment.

Scoggan recommended that the City Council:

1. Waive the reading of the ordinance.
2. Approve the final Planned Unit Development for the Tanganyika Wildlife Park Addition.

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

**MOTION:** Councilmember *Fish* moved to adopt said Ordinance. Councilmember *Leland* seconded the motion.

**Roll Call:** Yea: Fish, Leland, Larkin, Collins  
Nay:

***Ordinance #935***

**HAWKINS LANE ANNEXATION AGREEMENT DISCUSSION**

Micah Scoggan stated the city desires to annex South Hawkins Lane in order to pave it and maintain it. State law requires that if a road is to be annexed the abutting properties must be annexed as well. Discussion about annexation occurred on April 3<sup>rd</sup>, 2023, with the city council deciding they were in favor of annexing the three property owners with their consent.

Discussion between the property owners, Tanganyika Wildlife Park (T.W.P) and the city occurred on June 9, 2023. From that meeting, the city drafted annexation agreements for the properties located on south Hawkins Lane.

The petitions were circulated to the property owners and TWP for comments and feedback. City staff met with some property owners to answer questions and gather comments for the city council.

The comments from the property owners are listed in the analysis portion of the agenda item as well as questions for the purpose of clarity.

The City Council is reviewing comments and questions regarding the annexation of properties along S. Hawkins Ln.

1. They wanted to know if the mill levy currently applied to the property could be expressed in the contract agreement (7.893)
2. They also wanted to make sure the language expressed would run in perpetuity with the property (It was mentioned 100 year) Section 8 lists duration.
3. 715 S Hawkins Lane said there are multiple people on the deed beside Jill Barnes. Ryan Barnes, Carol Dooley Revocable Trust, Norm Dooley Revocable Trust, and they are asking if they need signature pages and notarized signatures as well.
4. They want the manner in which they will be compensated for the difference expressed in the agreement (rebate most likely)
5. They want language stating T.W.P will not put any more signs on Hawkins.

6. They want language stating that the approaches will be part of the pavement improvement.
7. They want language stating the city will regrade and maintain the ditches (it was mentioned removing excess sand)

The City Council reviewed and discussed the items on the list requested of the property owners. It was the consensus of the City Council that the agreement only be between the original property owners and the City of Goddard at the time of the signed agreement and will not be applied to future property owners. The reimbursement for paid property taxes would be for the difference in the current Goddard city tax portion and 7.893 (current Attica Township mill levy). It was agreed upon that the homeowners have until October 16, 2023, to return the signed agreements.

### **ADOPTION OF CITY CODE PROHIBITING STORING IN CITY PARK**

The City has come across instances where individuals have personal equipment, automobiles, watercrafts, refuse or other miscellaneous personal items located outside of their personal property and inside city public land or park.

The city code prohibits damage to the public park land but does not implicitly dictate the prohibition of this type of incident and city staff would like to add additional language to the city code that strictly prohibits the storing of personal items on public land.

This ordinance would assist city staff in citing individuals who use public land either knowingly or unknowingly. If adopted the city would issue certified letters outlining the adopted code and if it is not abated the city would go through the abatement process similar to tall grass or junk motor vehicles.

The City Council is considering approving an ordinance that adds language to the city of Goddard code Chapter 12 that prohibits the storage of personal items on public lands.

Scoggan recommended that the City Council:

1. Waive the reading of the ordinance.
2. Approve the ordinance amending the city of Goddard code chapter 12 article 1 City Parks

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

**MOTION:** Councilmember *Leland* moved to adopt the Ordinance. Councilmember *Fish* seconded the motion.

**Roll Call:** Yea: Fish, Leland, Larkin, Collins  
Nay:

### ***Ordinance #936***

### **NORTH PARK LAND UPDATE**

Micah Scoggan stated that city staff presented material that could be considered for removal on the North Park on June 5, 2023. It was discussed that if the material could not be auctioned the

city would bring it back to the city council to request funding to hire contractors to remove the listed items.

It was submitted to Gavel Roads to be hosted on their website to be auctioned off. Gavel Roads informed the city that they did not feel that it would be worth their time to host these items.

City staff are bringing this item back to city council to request permission to solicit bids for the removal of the items on the north park land. If the bids come in under the discretionary spending authority, city staff will proceed with the removal of the items. If bids come in over the approved spending authority city staff will have to come back to the city council for permission to enter into a contract agreement at the specified amount.

The city is also working with an engineering firm to come out to review the larger barn for structural integrity. The City Council is reviewing the request by city staff to solicit bids for hiring contractors to remove identified items from the north park land.

**MOTION:** Councilmember *Leland* moved to authorize staff to solicit bids for the removal of the items of the north park and to demolish the small structure on the property. Councilmember *Fish* seconded the motion. The motion carried unanimously.

### **2024 REVENUE NEUTRAL RATE AND BUDGET PUBLIC HEARINGS AND ADOPTION**

Matt Lawn, Finance Director stated in its 2021 session, the State Legislature adopted Senate Bill No. 13 which limits local taxing entities from adopting budgets which exceed the Revenue Neutral Rate (RNR). As defined in state law, the RNR is the number of mills needed to levy the same dollar amount in property tax as levied in the prior year.

The 2024-2025 Proposed Budget has been in development over the course of several months. Input from the public and direction from the Governing Body were used to establish the priorities of the City's financial plan for 2024. The proposed budget has been developed to reflect the vision of our community, the desires of the Governing Body, and to fund services provided by the city.

The proposed budget maintains the actual 2023 mill levy of 31.309 mills which breaks down as follows:

- 25.938 General Fund,
- 2.371 Debt Service Fund
- 3.000 Library Fund.

The 2024 Proposed Operating Budget (Total budget minus Interfund Transfers, appropriated reserves, and discretionary capital outlays) totals \$9,998,205.

The City's valuation for the 2024 operating budget totals \$66,840,953, which is an increase of \$8,916,287 (16%), over the current \$57,924,666 2023 assessed valuation.

Lawn provided a brief description of the proposed budget for the City's primary funds. Any discrepancy is attributed to rounding and projected cash carryover that is to be used as a revenue draw from the 2021 fiscal year.

Mayor Larkin opened the Revenue Neutral Rate Public Hearing for any comments at 8:12 p.m. There being no written or verbal comments, Mayor Larkin closed the public hearing.

Lawn presented a resolution to exceed the Revenue Neutral Rate for the 2024 Annual Budget.

**MOTION:** Councilmember *Leland* moved to adopt the resolution to exceed the Revenue Neutral Rate for the 2024 annual budget. Councilmember *Fish* seconded the motion.

**Roll Call Vote:** Yea: Fish, Leland, Larkin, Collins

Nay:

Matt Lawn recommended the City Council adopt the 2024 Proposed Budget with a mill levy of 31.309 mills. Lawn explained that one mill equals \$66,840 for a total levy of \$2,092,949 and a homeowner of a \$200,000 home will pay \$720.11 in city property tax.

**MOTION:** Councilmember *Leland* moved to adopt the resolution to exceed the Revenue Neutral Rate for the 2024 annual budget. Councilmember *Collins* seconded the motion. The motion passed unanimously.

### **WASTEWATER UV SYSTEM REHAB**

Brooke Brandenburg stated effluent disinfection is the final step in the wastewater treatment process. Disinfection reduces and destroys the bacteria, virus, and protozoa populations in the effluent prior to discharging into the receiving body of water and is critical to the protection of public health and the environment. UV light provides rapid, effective inactivation of microorganisms through a physical process. When bacteria, viruses and protozoa are exposed to germicidal wavelengths of UV light, they are instantaneously rendered incapable of reproducing and infecting.

The UV system at the city's Wastewater Treatment Facility (WWTF) began malfunctioning in early 2023. At the March 6, 2023, City Council meeting, Public Works got approval to hire Xylem Water Solutions USA to conduct an onsite service call to diagnosis of the UV system. Xylem technicians spent three days testing, patching, and repairing the UV system. They identified severe corrosion and extensive damage in the system control box from water damage due to the WWTF basement flooding. The poor condition of the control panel limited repairs to a temporary fix that reduced functionality but allows the UV system to operate and staff to manually adjust treatment processes when required.

Due to the extensive water damage and corrosion, returning the UV system to fully operational status will require a new control system. The new system includes a relocated UV system enclosure (control cabinet) that elevates the control panel to protect from flooding. The relocated system enclosure will be completely rebuilt with new transformers, cables, sensors, and switches. The new system will be operated by a new PLC, and updated programming, and includes four service calls to ensure the system functions properly.

The cost of the UV control system improvements is \$262,251 and will be allocated 100% to American Rescue Plan Act (ARPA) – Capital Outlay. ARPA fund balance is \$770,00.00 and must be expended no later than December 31, 2024.

Brandenburg recommended the City Council approve hiring Xylem to rehabilitate the Wastewater UV system for the cost of \$262,251.00.



**MOTION:** Councilmember *Leland* moved to approve hiring Xylem to rehabilitate the Wastewater UV system for the cost of \$262,251.00. Councilmember *Fish* seconded the motion. The motion passed unanimously.

### **BOOSTER STATION PUMP THREE**

Brooke Brandenburg stated the water tower complex includes two water storage tanks, a 500,000-gallon elevated water tower, and a 500,000-gallon ground level storage tank. City water wells pump directly into the ground storage tank, the water is then pumped into the elevated tower via a booster station. Once in the tower water enters the distribution system to the final user.

At peak production the city's four water wells pump approximately 2,100 gallons of water per minute (GPM) into the ground tank. The two booster pumps can transfer water from the tank to the tower at the rate of 1,800 GPM at peak demand, at 300 GPM deficit when compared to peak water well production. If one of the existing pumps fails, the booster station would not be able to maintain adequate water levels in the tower during peak demand.

The booster station was built with two operational pumps and a single location that is piped to allow the addition of a third booster pump. Installing a third pump in the booster station giving redundancy and additional pumping capacity for future system upgrades. An additional pump also allows more rapid transfer of water from the ground tank to the tower assuring adequate tower volume when demand is high.

The cost to purchase and install a third pump in the booster station is \$45,750 and will be allocated 100% to American Rescue Plan Act (ARPA) – Capital Outlay. ARPA fund balance is \$770,00.00 and must be expended no later than December 31, 2024.

Brandenburg recommended the City Council approve the installation of a third booster pump in the Water Tower Complex for the cost of \$45,750.00.

**MOTION:** Councilmember *Fish* moved to approve the installation of a third booster pump in the water tower complex for the cost of \$45,750.00. Councilmember *Leland* seconded the motion. The motion carried unanimously.

### **GOVERNING BODY COMMENTS**

**Councilmember Fish** asked how we can get some signage on Kellogg for Main Street. Brooke Brandenburg stated that the old sign that was up on Kellogg was damaged and was in poor condition. Brandenburg stated at the time, the previous Administrator wanted a sign standard for the city, but that never came to fruition and the old sign was not put back up. Matt Lawn stated that he is working on a project that will include signage on Kellogg.

**Councilmember Fish** added that Main Street Market has wrapped up for the season, and he and Angie with the Chamber reviewed the numbers, and it was phenomenal. Fish thanked everyone who came out and thanked Angie for all she did. Fish stated that Fall Festival and special events will also be incredible because of her.

**Councilmember Leland** commented on the ARPA money and expressed her concern to spend the money while we can.

**Mayor Larkin** asked about the frontage road progress. Harlan Foraker, City Engineer stated that he received the survey back today and stated the estimated timeline for going out for bid is approximately 60 days out along with the bids for second street.

**Mayor Larkin** asked about progress on the water rights agreement. Micah Scoggan stated that he scheduled a meeting with the attorney set for this Thursday.

**Mayor Larkin** asked about the fee structure for water and sewer main extensions. Micah Scoggan stated that he has been researching the City of Wichita fees along with the City of Maize fees and is putting together a proposal.

### **ADJOURNMENT**

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

*The Meeting adjourned at 8:39 pm.*  
*Teri Laymon, City Clerk*