

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, APRIL 4, 2017**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, April 3, 2017. Mayor Gregory called the meeting to order at 7:00 p.m. Mayor Gregory provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez and Todd Wentz. Councilmember Hahn was absent.

Also present were: Brian Silcott, City Administrator; Justin Constantino, Assistant to City Administrator; Teri Laymon, City Clerk; Tim Johnson, Community Development Director; Lance Beagley, Police Lieutenant; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

APPROVAL OF THE AGENDA

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

CITIZEN COMMENTS

Susan Mills, 1705 McRae Court, spoke in favor of constructing a sidewalk along 183rd Street West. Mills also commented on the free papers that the Wichita Eagle distributes to all residents and asked if there was something the City could do to stop the Eagle from distributing them. Mills expressed her concern regarding barking dogs. Brian Silcott explained that citizens need to make a formal complaint to the Goddard Police for excessive dog barking.

Roy Jones, 109 North Pine, commented on the water and trash that was building up in the gutter at Cedar and First Streets. Jones commented on the outdoor cigarette holder at the Community Center and said it is placed under a downspout so it gets full of water and overflows onto the sidewalk. Jones commented for the need of a flag at the Community Center.

Timothy Popp, 1505 Cleary Lane asked if there was going to be a discussion on the Elk Ridge Assessments. Brian Silcott said there would be a discussion during the public hearing on item G.1.

APPROVAL OF CONSENT AGENDA

Teri Laymon, City Clerk presented the following to the City Council for approval: Minutes of the Regular Meeting of the City Council dated March 20, 2017, and an accounts payable list dated March 27, 2017 for \$ 80,881.72.

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

CONDUCT A PUBLIC HEARING FOR LEVYING SPECIAL ASSESSMENTS IN ELK RIDGE ADDITION PHASE II.

Brian Silcott presented the following Resolutions adopted December 16, 2013, authorizing improvements to Elk Ridge Phase 2 for water and sanitary sewer improvements as well as Phase 3 paving.

- Res. 13-10 for 8” water main improvements serving 25 parcels: Lots 5-10, Block C; Lots 7-14, Block D; and Lots 10-20, Block E.
- Res.13-11 for 8” & 10” sanitary sewer improvements serving 33 parcels: Lots 5-10, Block C; Lots 7-14, Block D; and Lots 2-20, Block E with the City paying a portion (3.02% to oversize the line for future long-term growth opportunities to the south and west of the current development).
- Res. 13-14 for paving improvements (24’ wide asphalt mat) serving 25 parcels: Lots 5-10, Block C; Lots 7-14, Block D; and Lots 10-20, Block E.

LOTS	Water	Sewer	Paving	Total
Block C Lots 5-9	\$4,814.59	\$6,614.15	\$18,768.97	\$30,197.71
Block D Lots 7-14				\$125.82/mo
Block E Lots 10-20				
Block E Lots 2-9	Assessed in Future Phase	\$6,614.15	Assessed in Future Phase	\$6,614.15 \$27.55/mo

Brian Silcott stated the process presented for the assessment of Elk Ridge Phase II water, sanitary sewer, and Phase III paving is identical to that used for Elk Ridge Phase I, 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.

Mayor Gregory opened the public hearing for verbal or written comments on the assessments to Elk Ridge Phase II water, sanitary sewer, and Phase III paving at 7:15 p.m.

Timothy Popp, 1505 Cleary Lane stated that he purchased Lot 10 Block E in Elk Ridge Addition, a year ago in May. Popp stated that he purchased that particular lot because it had low specials where other lots still had \$30,000 worth of specials left. Popp expressed his frustration of having to now pay an additional \$125.00 a month on a lot that does not have a house on it yet. Popp stated that at closing it was only disclosed that there could be special assessments in the third addition of Elk Ridge.

When asked why the specials were not assessed earlier, City Administrator Brian Silcott stated that the improvements for the second phase were approved by Resolution in 2013 in a response from a Petition from the Developer to help pay for water, sewer and street improvements in the addition.

Silcott explained that traditionally, temporary notes are issued to pay for the construction and once the final costs are in for the construction of the improvements, the City issues 20 year general obligation bonds to pay off the temporary notes and the properties that benefit from the improvements are assessed their portion of the cost. Silcott added that it could be two to four years before the specials are assessed to the property.

With no further written or oral comments, Mayor Gregory closed the public hearing at 7:25 p.m.

CONSIDER AN ORDINANCE LEVYING PETITIONED SPECIAL ASSESSMENTS FOR ELK RIDGE PHASE II.

Brian Silcott stated during the March 20, 2017 regular City Council meeting final costs were approved, the assessment roll was certified, and a notice of public hearing for the April 3 regular City Council meeting was authorized.

Silcott presented a proposed ordinance that levies the special assessments on the parcels petitioned by the developer in 2013. The payment of assessments may occur within 30 days of the effective date of the ordinance, which should be on or around May 5. The ordinance certifies that any amount not paid within the 30-day timeframe will be assessed on a twenty (20) year window with an interest rate determined at the time of the issuance. The ordinance authorizes the City Clerk to mail by April 6, 2017 the notice of the final assessment to owners of the subject properties.

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

MOTION: Councilmember *Wentz* moved to adopt said ordinance. Councilmember *Ramirez* seconded the motion.

Roll Call Vote: Torske -Yes, Zimmerman-Yes, Ramirez – Yes, Wentz – Yes

Mayor declared the Ordinance duly adopted and numbered Ordinance #795.

INTERLOCAL AGREEMENT FOR WATER WELL AND SEWER INSPECTION AND ENFORCEMENT

Tim Johnson, Community Development Director stated that City staff has for some time been concerned about the City’s inability to better control the development, maintenance, and use of onsite water supplies and onsite wastewater treatment systems including but not limited to septic tank-lateral fields, lagoons and any other types of onsite wastewater systems.

Over the past several years, multiple cities have reached out to the Metropolitan Area Building and Construction Department (“MABCD”) requesting the County provide inspection and enforcement services for sanitary sewer and water well codes within their city limits. Sedgwick County has offered to provide these inspection and enforcement services within Goddard’s city limits. The County would like to enter in to an agreement with the City to formalize the services provided, and to ensure the County has the proper authority and jurisdiction to apply the codes within Goddard’s city limits. Staff, working with counsel and Sedgwick County have prepared a

draft agreement and ordinance adopting the County's Domestic Water Well Code, Sanitary Code, and regulations for Licensing and Regulation of Sanitary Service.

Johnson explained that the agreement allows County officials to enforce ordinances regulating domestic water wells and certain sanitary sewer systems. To do so, the City of Goddard must adopt the same standards for protection of domestic water supplies and the regulation of sanitary sewers the County has adopted. Goddard currently has adopted, by reference, an older version of Sedgwick County's Sanitary Code. The attached Ordinance would repeal the existing City of Goddard reference to the County Sanitary Code, replacing it with the current County Codes.

Approving this agreement and adopting the attached Ordinance will not surrender any of the City's Home Rule powers; nor will these actions reduce the City's responsibilities in any way. Rather, these actions are designed to both improve the quality of water and waste water management, and make the City's regulations and enforcement more consistent with those of other cities in Sedgwick County, as well as the unincorporated areas of the County. There will be no cost to the City.

Staff recommended the following actions:

- 1) Approve the attached Government Services Agreement for Domestic Water Well and Sanitary Sewer Inspection and Enforcement.
- 2) Adopt the attached Ordinance Adopting the Sedgwick County Water Well Code and the Sedgwick County Sanitary Sewer Code.
 - a. Waive the Reading of the Ordinance
 - b. Consider the ordinance

Discussion ensued regarding the number of properties that will be affected and fees that will be incurred to citizens for the inspections.

MOTION: Councilmember *Ramirez* moved to table considering the agreement to determine the number of residents affected and the fees that will be assessed to the citizens for the inspections. Councilmember *Torske* seconded the motion. The motion carried unanimously.

AUTHORIZE WATER TOWER MAINTENANCE RFP SOLICITATION

Justin Constantino, Assistant to City Administrator said Staff is seeking authorization from the City Council to release a request for bids (RFB) for diving services consultants to perform a wet inspection and interior cleaning of the City of Goddard water tower. The consultant shall provide interior inspection by means of an underwater diver. The debris removed from the tanks will be placed at a location specified by the city in close proximity to the water tower.

Following completion of the inspection, the consultant will provide the city with a written report containing a narrative, video, photographic documentation, and a recommendation for any corrective actions or findings that warrant repair, servicing, or replacement by the city, including any cost estimates for the maintenance, repair, and/or service of the water tower.

It is recommended that the City Council authorize staff to release an RFB for diving services consultants to perform a wet inspection and interior cleaning of the City of Goddard water tower.

MOTION: Councilmember *Ramirez* moved to authorize staff to release a request for bids for water tower maintenance. Councilmember *Torske* seconded the motion. The motion carried unanimously.

CONSIDER A RESOLUTION AUTHORIZING WATER IMPROVEMENTS FOR ST. ANDREWS 4TH ADDITION

Brian Silcott presented a copy of the petition the City received for improvements in May of 2010. The property owner initiated petition requests authorization to construct eight-inch (8”) water line extensions at an estimated cost of \$165,000. In accordance with City development practices, an irrevocable letter of credit has been presented in the amount of \$57,750 or 35% of the improvement.

Silcott presented a proposed resolution that would authorize the construction of an 8” water line to serve St Andrews Place 4th Addition Lots 7 through 51, Block A and Lots 6 through 13, Block B with an estimated cost of \$165,000. The resolution calls for the assessment to be apportioned on 1/53 per lot basis to finance the cost of the improvement. The apportionment is born entirely 100% by the improvement district. The City at-large is not contributing to the financing.

The resolution authorizes the issuance of general obligation (GO) bonds of the City and may be issued to reimburse expenditures made on or after the date, which is 60 days before the date of the Resolution.

The effective date of the resolution will be upon publication in the Time-Sentinel News April 6, 2017.

Silcott recommended the City Council:

1. Waive the reading of the resolution.
2. Consider the resolution

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

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

Mayor declared the resolution duly adopted and numbered Resolution 17-03.

CONSIDER A RESOLUTION AUTHORIZING PAVING IMPROVEMENTS FOR ST. ANDREWS 4TH ADDITION

Brian Silcott presented a copy of the petition the City received for improvements in May of 2010. The property owner initiated petition requests authorization to construct residential standard paving to serve the lots described below in the analysis section. In accordance with City development practices, an irrevocable letter of credit has been presented in the amount of

\$210,700 or 35% of the improvement. The sanitary sewer and storm water was previously placed by the developer in 2010 when St Andrews 4th Addition Phase I was installed. These lots are not being assessed the cost of those improvements as they were borne by the developer.

Silcott presented a proposed resolution authorizing the construction of residential standard paving to serve St Andrews Place 4th Addition Lots 7 through 51, Block A and Lots 6 through 13, Block B with an estimated cost of \$602,000. The resolution calls for the assessment to be apportioned on 1/53 per lot basis to finance the cost of the improvement. The apportionment is born entirely 100% by the improvement district. The City at-large is not contributing to the financing.

The resolution authorizes the issuance of general obligation (GO) bonds of the City and may be issued to reimburse expenditures made on or after the date, which is 60 days before the date of the Resolution.

Silcott recommended the City Council:

1. Waive the reading of the resolution.
2. Consider the resolution

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

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

Mayor declared the resolution duly adopted and numbered Resolution 17-04.

CONSIDER ENGINEERING SERVICES AGREEMENT FOR ST. ANDREWS 4TH ADDITION WATER & PAVING

Brian Silcott presented a proposed agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements consisting of paving, and water system improvements. Staff recommends using Baughman and Company, P.A. as this firm provided the preliminary engineering services as the firm has completed the engineering design for earlier St. Andrews Additions and can expedite plan preparation. Cost for the ESA services, which will be passed through to future homeowners and recouped in the special assessment process.

Engineering services will be \$15,200 to design, bid, and construction stake for the improvement installation for water lines. Engineering services for the street improvements will be \$43,200 for the design, bid, and construction staking.

Payment will be upon submission of invoice by Baughman Company and approval by the City. The amount to be paid is \$58,400 and will be paid by the City through the temporary note and special assessment processes.

City Engineer, Harlan Foraker added that there would be an additional fee from Certified Engineering Design for Engineering Inspection that is not included in this agreement.

MOTION: Councilmember *Torske* moved approve the agreement between the City and Baughman Company, P.A. for the design of the improvements as presented and authorize all necessary signatures. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

DISCUSSION OF CONCESSIONS PROPOSAL FROM KONA ICE, INC.

Brian Silcott stated Kona Ice contacted the City Clerk and is requesting an exclusive right to sell concessions in addition to the concession that the pool currently provides. The Provider may also sell water, ice cream, cotton candy, lemonade and cherry limeades.

The Goddard Municipal Pool operates each summer between the months of May through September. As part of the operations, the City purchases snacks, drinks, and ice cream through Kansas Candy, Coca Cola, and Schwan's and then sales the items at resale. In 2016, the pool concession net revenue was \$1,016.37.

Silcott added that the pool operations are not cost recovery operations and if all revenue from the pool covers the cost of the wages for the season, it is considered a win.

Kona Ice will issue a check for 15% of all sales made through the month, made payable to the City by the 10th of the following month.

Silcott asked for discussion of whether or not the City wants to pursue an exclusive offer to sell concessions at the municipal Pool and direct staff on the desired course of action.

Silcott recommend that if approved to direct legal staff to include a severance clause in the agreement.

MOTION: Councilmember *Torske* moved approve the agreement between the City and Kona Ice with the addition of a severance clause added to the agreement. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

AUTHORIZE 1ST QUARTER BUDGETED TRANSFERS

Matt Lawn presented the 1st quarter budgeted transfers for the City Council's approval.

MOTION: Councilmember *Torske* moved approve first quarter transfers as presented. Councilmember *Wentz* seconded the motion. The motion carried unanimously.

CITY ADMINISTRATOR'S REPORT

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the April 3rd Regular City Council Meeting
Date: April 3, 2017

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

STAR Bond Project: I am pleased to report that things are falling in place and I hope to have a construction schedule for you within the next two to three weeks.

US-54/400/Kellogg Traffic Impact Study: City Engineer Harlan Foraker and I are working to secure an increase in funding for this project as the initial project estimate is for an at grade signalization. Kansas Department of Transportation (KDOT) desires a desire feature known as an RCUT, which is estimated to cost \$2.5 - \$2.6 million. KDOT's notification letter (attached) is for \$1.5 million. The Kellogg & Barber intersection would serve as direct access from Kellogg into the STAR Bond project site. The State's award is to fund 100% of the project cost. The City is not obligated to participate and project authorization forms, including specific scope and funding details are pending.

Citywide Clean-Up: The annual citywide clean-up and area wide Neighbors United clean-up is scheduled for Saturday, April 22. The same procedure as last year will occur again with this spring clean-up. City staff will be providing support and dumpsters at the City yard.

Goddard Gathering: April is "jazz appreciation" month. Following up on last year's successful Goddard Gathering of Jazz in the Park; the Goddard & Eisenhower High School Jazz Bands, will kick start this year's Neighbors United clean-up. Please reserve Friday, April 21 from 6 pm to 8pm for an evening of jazz in the Park. Eisenhower High School will kick us off performing from 6:00 to 6:55 and Goddard High School will round the evening out with a performance from 7:05 to 8:00.

Public Works Truck: Staff will present a request to solicit bids for the budgeted purchase of the 2017 public works 1-ton heavy-duty work truck at the May 1 regular meeting. The 2017 equipment reserve fund budget contains this item.

False Alarm & Address Ordinances: These ordinances will be presented at the April 17 regular meeting for review and comment giving residential and commercial alarm customers a simplified three strikes per year before fines are assessed. Additionally, staff will present a draft ordinance for discussion on requiring homes and businesses to have address numbering clearing visible from the street.

Splash Pad & Pavilion Update: Splash pad bids will be presented at the April 17 regular meeting. The Pavilion project is progressing through the design phase and an update will be presented at the April 17 meeting.

Elk Ridge Assessment Bond Sale Resolution: Staff will present resolution at the May 1 regular meeting authoring the sale of bonds on June 5.

Position Vacancies: Police Officer; I am pleased to report that we have made a conditional offer to a candidate, who is scheduled to begin service April 17th with a KLETC class date to be determined. Once the pre-employment screenings are completed, I will include an update in the next CAO report. Public Works Employee; Three candidates were interviewed, including follow-up interviews. In an effort to help ensure a hire, which reflects the culture of our

organization, the position will be re-advertised in 30 days with a planned start of work date as June 1.

Reno County Fire Update: Please find attached a letter from the City of Hutchinson and Reno County Governments thanking the City of Goddard for its mutual aid response to the recent wildfires that ravaged the area. The Goddard Police Department responded Officer's Shelite, Ogden, and Lt. Beagley to assist in March 8 & 9th operations.

2016 Audit: The auditor Randy Ford will be on site Wednesday, April 12 & Thursday, April 13 as part of the firm's onsite procedures.

Planning Commission Meeting: As reported on the March 27 report, the Planning commission is conducting a public hearing on an annexation & zoning change request for a parcel of ground generally located at the northwest corner of 23rd & Walnut for duplexes. I have included the notice of public hearing as the final attachment to this report. The hearing is scheduled for Monday, April 10 at 7pm. You should receive a Cc on the packet sometime Friday.

Respectfully Submitted,

Brian

Brian W. Silcott,
City Administrator

GOVERNING BODY COMMENTS

Councilmember Torske asked that a list of approved sprinkler service companies be listed on the City's Website.

Councilmember Ramirez extended his gratitude for our officers that helped Reno County with the wild fires. Ramirez thanked Kona Ice for reaching out to the City to provide services to the Community.

Mayor Gregory announced that there would be a Sedgwick County Association of Cities meeting on Saturday at the Sedgwick County Historical Museum in Wichita.

Mayor Gregory added that there is a League of Kansas Municipalities conference coming up on April 22 and those that are interested needs to register and make motel arrangements.

ADJOURNMENT

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

Meeting adjourned at 8:20 p.m.
Teri Laymon, City Clerk