

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MARCH 06, 2023**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, March 20, 2023. Mayor Hunter Larkin called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were Hunter Larkin, Sarah Leland, Keaton Fish, and Brent Traylor. Council member Aubrey Collins was absent.

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

APPROVAL OF THE AGENDA

Teri Laymon, City Clerk, asked the City Council to add H.1a Lions club Presentation and Funding Request and H.9 Resolution Regarding IRB Series 2022A – Goddard Sports LLC.

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

CITIZEN COMMENTS

Larry Zimmerman, 6 South Main St, commented on what transpired at the January 17th City Council Meeting. Zimmerman also commented on the current Mayor’s lack of respect to state and local officials regarding Park City’s STAR bond project. Zimmerman asked City Council if the Citizens of Goddard should trust their leadership abilities.

Melissa Silver, 327 North Pine, addressed the City Council regarding the rezoning of 321 North Pine. Silver expressed her concern regarding bus traffic, parking, the distance between the proposed duplex and her house, and the size of the lot for constructing a duplex. Silver asked the City Council to not rezone this lot as a multifamily.

Denise Heick, 2300 S. Leo Street, expressed that she supports the current council members. Heick stated that positive changes are needed in Goddard and stated she hoped that this Council will be able to do it.

Jeffrey Jones, 269 Arbor Creek Court, addressed the City Council regarding an article that was in the Eagle a couple of weeks ago. According to the article there is a development that is planning on bringing in 300 duplexes and an unspecified number of single-family homes. Jones stated that this development falls within the Goddard School District. Jones asked if the City Council is looking at what is going on with the crowding of the schools.

Council member Sarah Leland stated that she has talked with Dane Baxa as well as the School Superintendent. Leland stated that there was a study done in 2021, with the housing information that we had at the time, and according to the study, the school district is not going to

outgrow what we have. Leland added that there are plans to establish a centralized early childhood center, which increase capacity in each of the existing elementary schools. The district is also considering a sixth kindergarten through 4th grade school.

Travis Bryant, 19 Shenandoah, commented on Agenda item H.7 and stated that he is disappointed in the decision to go with an RFP to hire a City Administrator, without taking the first steps of posting a job and looking internally. Bryant stated that it will cost approximately \$50,000 to hire a headhunter.

APPOINTMENT TO LIBRARY BOARD

MOTION: Councilmember *Leland* moved to approve the appointment of to the Megan Koenig to the Library Board. Councilmember *Fish* seconded the motion. The motion carried unanimously.

APPROVAL OF THE CONSENT AGENDA

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

LIONS FOUNDATION DONATION OF LAND

MOTION: Councilmember *Leland* moved to accept the donation of land at 112 West 1st Avenue in Goddard. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

LIONS CLUB PRESENTATION AND FUNDING REQUEST

Dan Funke provided a presentation about the Lions Club and provided a summary of the Lion’s Club history. Funke asked the City Council to help fund some of the service projects for 2023 in the amount of \$12,000.

MOTION: Councilmember *Traylor* moved to increase the 2023 funding amount to the Lions Club from \$9,000 to \$12,000. Councilmember *Fish* seconded the motion. The motion carried unanimously.

REZONING OF 321 NORTH PINE, CASE #ZONE 22-8

Micah Scoggan, Community Development director reviewed the rezoning case with the City Council which is proposed to change the zoning from R-1 Single Family to R-2 Two Family Residential. The lot is currently vacant and if the City Council agrees with the rezoning it will become official 30 days after the publication in the local newspaper. Scoggan stated the Planning Commission approved the rezoning request six to one on February 13, 2023. It was recommended that the City Council waive the reading of the ordinance and make a motion to adopt the ordinance with a roll call vote to approve the rezoning of the property.

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

MOTION: Councilmember *Larkin* moved to adopt said ordinance. The motion failed for a lack of a second. Request for the rezoning was denied.

LETTER OF SUPPORT ABODE GRANT

The American Rescue Plan (ARPA) stimulus package was passed on March 11, 2021. This stimulus package provides grant opportunities to the disabled and elderly called ARPA Building Opportunities for the Disabled and Elderly (A.B.O.D.E).

Rodney Steven is actively looking at requesting ABODE financing in the form of \$2,000,000 to build a senior multifamily apartment building in the Goddard Genesis Development area.

The apartment building would consist of 50 units and be marketed toward those who qualify as senior which according to the county is 55 and over.

One of the requirements for the ABODE grant is three letters of support.

The support letters were drafted by Polsinelli Law Firm representing the developer.

The city council denied the letter of support on February 21, 2023. However, following that meeting, Mr. Steven furnished additional information to Council Member Fish clarifying that a location has not been determined for the proposed senior multifamily apartment building and that he is willing to work with the city to address any concerns regarding a potential location for the facility. Considering that clarification, Council Member Fish has advised that he would support sending the letter, thereby resulting in a majority of the city council supporting the letter of support.

Due to the timeline requirement of the abode grant the letters have already been signed. If the council is in support of the signed letters there is no further action needed by the council only a motion in favor of support of the grant.

If the council decides they are against the grant, the city will call the State Chamber of Commerce Office and let them know the city is not in favor of the A.B.O.D.E grant.

MOTION: Councilmember *Fish* moved to support the letter for the A.B.O.D.E. grant. Councilmember *Traylor* seconded the motion.

PUBLIC WORKS VEHICLE PURCHASE

Brooke Brandenburg, Public Works Director requested authorization to purchase a 2023 Chevrolet Silverado 1500 4-wheel drive pickup that includes a light package. The 2023 Chevrolet Silverado would replace the 2014 Chevy Tahoe currently driven by the departmental director. The 2014 Tahoe was originally a police vehicle and was transitioned to public works when it was removed from their fleet. The Tahoe will be handed down for use by the newly created Inspector position in Community Development.

Below is a list of costs that would be associated with the purchase and upfitting of that new pickup:

- 2023 Chevrolet Silverado 1500 - \$47,623.00
- Light bar w/controller with front & rear strobes - \$8,712.48

The total cost of replacement is \$56,335.48 and it will be allocated to the Equipment Reserve Fund-PW Operations-Vehicles 81-830-8210.

MOTION: Councilmember *Traylor* moved to approve the purchase request of \$56,668.48 as presented. Councilmember *Leland* seconded the motion. The motion carried unanimously.

WWTP UV REPAIRS

Brooke Brandenburg stated the UV system at the city's Wastewater Treatment Facility (WWTF) contains two treatment vessels (vessel #1 and vessel #2). The system is designed to transition effluent flow between the two vessels every twenty-four hours. The transition allows the vessels to cool between usage, extending the life of the UV bulbs and related equipment. Over the past several months the system has not been automatically switching use between the two vessels, and the system's UV intensity sensors have begun malfunctioning resulting in poor effluent treatment. City staff have attempted to repair the system but have reached the limit of our knowledge, requiring assistance from the system manufacturer.

Xylem Water Solutions USA recommends an onsite service call to diagnosis and repair of the WWTF UV system. The visit will require a multiple-day onsite maintenance call and the possible replacement of several UV system parts. Xylem is confident the system can be repaired to function properly during the service call.

Brooke Brandenburg requested spending approval to hire Xylem Water Solutions USA to diagnose and repair the WWTF ultraviolet disinfection system. Brandenburg stated the cost is \$17,234.00 and will be allocated 100% to 81-860-6130, Sewer Reserve Fund, Repair & Maintenance.

MOTION: Councilmember *Leland* moved to authorize spending approved of \$17,234.00 to hire Xylem Water Solutions USA to diagnose and repair the Wastewater Treatment Facility ultraviolet disinfection system as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

DUMP TRAILER PURCHASE

Brooke Brandenburg stated the lack of a solid, operational dump truck has made it difficult to haul materials to and from the jobsite.

To continue operations while searching for a replacement dump truck public works is proposing the purchase of a hydraulic dump trailer. Public Works solicited quotes from three manufacturers and chose the MAXXID DJX Dump Trailer. The trailer is a 2023 model and is a sixteen foot long, two-axle utility trailer with a payload capacity of 10,825 pounds that utilizes a hydraulic lift for unloading/dumping loads. It can be towed behind any of the department's fleet of six one-ton trucks and will be used for hauling spoils and fill materials to and from the jobsite.

Brandenburg requested spending approval to purchase a 2023 MAXXD DJX Dump Trailer from Open Range Sales & Service. Cost is \$15,082.25 and will be allocated 100% to 81-430-8220, Equipment Reserve – Heavy Equipment.

MOTION: Councilmember *Larkin* moved to approve the purchase of a 2023 MAXXD DJX Dump Trailer from Open Range Sales and Service for \$15,082.25 as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

HIRING FIRM RFP-CITY ADMINISTRATOR

City Attorney, Ryan Peck presented a draft request for proposals for recruiting an executive search firm to assist in the process of recruiting and hiring a new City Administrator. Peck recommended that the Governing Body continue discussing how it would like to proceed in filling the City Administrator vacancy and to consider a proposed RFP.

Discussion ensued regarding the cost of hiring a firm and the right of refusal if the costs were out of line with the budget.

It was the consensus of the Governing Body to hold a workshop regarding the hiring of the new City Administrator on Monday, March 20, 2022, at 6:00 p.m. in the City Council Chambers.

OPEN MEETING PRESENTATION

Ryan Peck reviewed the Open Meetings Act and explained interactive communication between the Governing Body and permissible topics in executive sessions. Peck added that violation of the Kansas Open Meeting Act can be a civil penalty of up to \$500 for each violation.

RESOLUTION REGARDING IRB SERIES 2022A – GODDARD SPORTS LLC

Kevin Cowan, Bond Counsel, presented a resolution. Authorizing the City to consent to the transfer by deed of certain property, the assignment of certain site lease in connection with the City’s taxable Industrial Revenue Bonds, Series 2022A, Goddard Sports, LLC.

Cowan explained that the city previously entered into a Site Lease and a Lease dated December 29, 2022 each with Goddard Sports, LLC in connection with the issuance by the City of its taxable Industrial Revenue Bonds Series 2022A, Goddard Sports LLC, and the Tenant has proposed to execute and deliver a deed to transfer a certain portion of the real property to Goddard 6S Sports LLC, and an assignment of the Site Lease and Lease with respect to such portion of the real property to Goddard 6S Sports LLC.

MOTION: Councilmember *Leland* moved to adopt the resolution as presented. Councilmember *Fish* seconded the motion. The motion carried unanimously.

Resolution 23-15

ECONOMIC REPORT

Micah Scoggan presented a quick glimpse at economic information in and around the city of Goddard. It is designed to stimulate conversation about market trends and the help shape the ideas and policies of the city moving into the future.

GOVERNING BODY COMMENTS

Councilmember Fish stated he has been working on bringing Goddard Main Street Market to town beginning July 11 and will be held on the 2nd Sunday of the Month. Fish stated that registration for vendor is open.

Councilmember Leland announced that Neighbor's United signups are ready and volunteers can register by April 7, 2022. Neighbor's United will be on April 29, 2023.

Councilmember Traylor said he had some good lemonade yesterday. He stated there was a lemonade stand on Sunset.

Mayor Larkin asked about the Library and Community Center quotes and asked the City Clerk the status of getting microphones for the City Council meetings.

Brooke Brandenburg stated he should have some quotes to presented at the next city council meeting.

Teri Laymon stated staff is waiting for quotes on microphones at the bench and at the podium that will hook up to the speakers that are already mounted in the ceiling.

Mayor Larkin also asked the City Clerk to talk about getting health insurance for the new library director.

Laymon explained that because the Library Director would not be an employee of the city, staff could, once they know the cost of the insurance, issue a check to the library to cover the cost. However, the City Attorney suggested waiting until there is a candidate in place as they might already have health insurance coverage.

EXECUTIVE SESSION

MOTION: Councilmember *Leland* moved to recess into executive session for legal consultation with the City Attorney to discuss nonelected personnel matters which would be deemed privileged in the attorney-client relationship, exception, K.S.A. 75-4319(b)(1) to protect the privacy interest of non-elected personnel, to include the City Attorney. The City Council Meeting will reconvene in the City Council Chamber at 9:40 p.m. The motion was seconded by Councilmember *Fish*. The motion passed unanimously.

The City Council recessed into executive session at 9:20 p.m. and reconvened at 9:40 p.m. Mayor Larkin announced there was no binding action taken in executive session.

MOTION: Councilmember *Fish* moved to recess into executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship K.S.A. 75-4319 (b) (2), to include the City Community Development Director, the City Finance Director, and the City Attorney. The City Council Meeting will reconvene in the City Council Chamber at 10:00 p.m. The motion was seconded by Councilmember *Collins*. The motion passed unanimously.

The City Council recessed into executive session at 9:40 p.m. and reconvened at 10:00 p.m. Mayor Larkin announced there was no binding action taken in executive session.

MOTION: Councilmember *Fish* moved to direct the City Attorney to formally dismiss the condemnation case against the railroad property. *Leland* seconded the motion. The motion carried unanimously.

ADJOURNMENT

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

Meeting adjourned at 10:00 pm.
Teri Laymon, City Clerk