

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MARCH 21, 2022**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, March 21, 2022. 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 Larry Zimmerman, Sarah Leland, Brent Traylor, and Michael Proctor.

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

APPROVAL OF THE AGENDA

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

CITIZEN COMMENTS

None

APPROVAL OF THE CONSENT AGENDA

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

CLOVER LEAF FARMS PHASE 3 STREETS

Brian Silcott presented a proposed resolution authorizing street improvements for Clover Leaf Farms Phase three.

MOTION: Councilmember *Proctor* moved to adopt the proposed resolution. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

Resolution #22-04

CLOVER LEAF FARMS PHASE 3 WATER

Brian Silcott presented a proposed resolution authorizing water improvements for Clover Leaf Farms Phase three.

MOTION: Councilmember *Traylor* moved to adopt the proposed resolution. Councilmember *Leland* seconded the motion. The motion carried unanimously.

Resolution #22-05

ARBOR CREEK PHASE 1 PAVING IMPROVEMENTS CONTRACT CANCELLATION

Brian Silcott, City Administrator explained that the City Council awarded the street paving bid to Kansas Paving on December 2, 2019. Of the four bids received Kansas Paving was the lowest bid. The bid totaled \$304,103.40 for the Paving Collector, \$318,522.40 for Phase 1 Paving and an aggregate low bid of \$622,655.80.

At the September 21, 2020, regular City Council meeting, the City Council authorized the termination of the initial contract and accept the work completed to date. Kansas Paving is no longer required to complete the sidewalk portion of the contract.

The remaining work was completed by Superior Erosion Control for \$19,125 to backfill the soil to the sidewalk that was completed by Prado Construction for the bid that was awarded by the City Council at the September 20, 2020.

City Attorney Ryan Peck, City Engineer Harlan Foraker, Public Works Director Brooke Brandenburg have all worked above and beyond to facilitate a solution with the contractor. Every member of City staff and our representative has exhausted every measure in our attempt to ‘Work to Yes’ with the contractor Kansas Paving. All of Phase 1 paving (and all other improvements) are complete.

City Attorney Ryan Peck has negotiated the following terms where Kansas Paving will release the City from any claims and the Kansas Paving is released from its obligation within the terms of the original contract. Kansas Paving will execute the agreement for a total sum of \$79,016.13.

Upon authorization of the contract, the City Administrator will process Change Order #2 and Final Pay Request #3 for Kansas Paving signature. Once received and duly authorized by Kansas Paving, final payment will be made in the amount of \$79,016.13 for a total Kansas Paving contract amount of \$556,002.89.

The paving improvement petition and temporary note issuance for paving totals \$655,000. Total expenses for Phase 1 paving \$476,986.76 with a remaining balance of \$178,013.24. The additional cost of \$79,016.13 brings a new balance of \$98,997.11.

MOTION: Councilmember *Leland* moved to authorize the mayor to execute the Cancellation and Release Agreement for the Construction of Arbor Creek Paving Collector and Paving Phase 1 Improvements with CONSPEC, Inc. dba Kansas Paving. Councilmember *Zimmerman* seconded the motion. The motion carried unanimously.

CONSIDER BIG ARM DEVELOPMENT REZONING ORDINANCE

Brian Silcott presented an ordinance changing the zoning from an R-1 to an R-2 Zoning Classification for the property legally described as the following:

PARTS OF LOTS 9 AND 10, WESTERN ACRES SECOND ADDITION, AN ADDITION TO GODDARD, SEDGWICK COUNTY, KANSAS, AND PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 27 SOUTH, RANGE 2 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S89°54'22"W ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 176.67 FEET; THENCE N00°00'00"E, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 25 FEET TO THE POINT OF BEGINNING; THENCE S89°54'22"W PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 137.04 FEET; THENCE N 00°00'00"E, 25 FEET TO THE SOUTHEAST CORNER OF LOT 9, WESTERN ACRES SECOND ADDITION, AN ADDITION TO GODDARD, SEDGWICK COUNTY, KANSAS; THENCE S89°54'22"W ALONG THE SOUTH LINE OF LOTS 9 AND 10 OF SAID WESTERN ACRES SECOND ADDITION, 276.26 FEET TO THE SOUTHWEST CORNER OF LOT 10; THENCE N30°15'00"W ALONG THE WEST LINE OF SAID LOT 10, 159.40 FEET; THENCE N65°45'00"E ALONG THE WEST LINE OF SAID LOT 10, 38 FEET; THENCE N22°18'31"W ALONG THE WEST LINE OF SAID LOT 10, 117.85 FEET; THENCE N 49°53'36"W ALONG THE WEST LINE OF SAID LOT 10, 73.92 FEET; THENCE N17°14'20"W ALONG THE WEST LINE OF SAID LOT 10, 102.69 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE N59°45'00"E ALONG THE NORTHERLY LINE OF SAID LOT 10, 121.24 FEET; THENCE S60°46'26"E, 556.81 FEET; THENCE S00°00'00"W PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 221.56 FEET TO THE POINT OF BEGINNING.

A notice of a March 14, 2022, public hearing was published in official city newspaper on February 17, 2022, and certified mail was sent out to owners of real property within two hundred feet of the property to notify them of the public meeting and the proposed re-zoning withing the city limits and one thousand feet if outside the city limits.

Goddard Planning Commission conducted a public hearing on March 14, 2022, and after reviewing the information presented, voted to approve said change.

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

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

Roll Call Vote: Yea: Zimmerman, Leland, Larkin, Traylor, Proctor
Nay:

Ordinance # 886

RESOLUTION SUPPORTING MENTAL HEALTH HOSPITAL INITIATIVE

Brian Silcott presented a proposed resolution to support a state-owned and operated mental health hospital in the Sedgwick County, Kansas, Region.

The State of Kansas operated two mental health facilities located in Osawatomie and Larned. Approximately seventy five percent (75%) of Sedgwick County Jail inmates are experiencing mental health and/or substance abuse issues. The communities in the Wichita metro and Sedgwick County region would greatly benefit from a state owned and operated facility in the largest city and second largest metro area in the state.

MOTION: Councilmember *Zimmerman* moved to adopt the proposed resolution to support a state-owned and operated mental health hospital in the Sedgwick County, Kansas region. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

CONSIDERATION OF FARMLAND LEASE AGREEMENT

Brooke Brandenburg, Public Works Director presented a farmland lease agreement with Mr. Alan Smarsh for nineteen acres of farm ground that lies directly north of the public works facility. The agreement would be for a fixed fee payment of \$765.60 and the term of the lease year is March 1, 2022, to February 28, 2023.

MOTION: Councilmember *Traylor* moved to authorize the mayor to sign the lease agreement with Mr. Alan Smarsh allowing crop production on the city owned farm ground. Councilmember *Leland* seconded the motion. The motion carried unanimously.

CITY ADMINISTRATOR'S REPORT

Brian Silcott reviewed the City Administrator's report dated March 21, 2022. Silcott provided updates on the STAR Bond Site and on all current residential housing developments currently under construction including Arbor Creek, Clover Leaf, Elk Ridge and Rustic Creek. Silcott added that out of the 1556 lots for purchase within the city there is 350 available. Silcott added that Rustic Creek is now ready for permits and has a through street out to 199th.

Silcott announced that the Neighbors United and the spring annual clean-up will be held April 30th from 7 am to noon.

GOVERNING BODY COMMENTS

Mayor Larkin stated that his father said our Public Works does an amazing job cleaning the streets.

ADJOURNMENT

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

*Meeting adjourned at 7:49 pm.
Teri Laymon, City Clerk*