

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
MONDAY, MAY 16, 2022**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday May 16, 2022. 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 Larry Zimmerman, Sarah Leland, Brent Traylor, and Michael Proctor.

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

**STATEMENT BY MAYOR LARKIN**

Mayor Larkin stated in regard to last weekend’s new article. “I believe it’s important for me to recognize that even though you know, it’s hard to tame the political animal, the political beast sometimes, public perception is important to me, and I believe that people of Goddard need to know where my heart is and that I have the best interest of them in mind.” Mayor Larkin announced that he is stepping down as Mayor and handing it over to Larry Zimmerman, Vice Mayor, allowing him to concentrate on that State House race.

*Councilmember Larkin stepped out of the Council Chambers.*

**MOTION:** Councilmember *Proctor* moved to accept Hunter Larkin’s resignation as Mayor. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

Acting Mayor Larry Zimmerman stated that the city has always been an open book and we’ve always made it our priorities to be as transparent as possible toward anybody that had any questions about any of our dealings and that they have no problem finding an answer, whether it be on the website or by talking to City staff or the City Council. The City Council is here to serve you, and to help this city grow in a manner that benefits everyone in it.

**APPROVAL OF THE AGENDA**

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

**CITIZEN COMMENTS**

Jamey Blubaugh, 2226 Eastridge Ct, Goddard, Kansas, announced that Mr. B’s Donuts has received approval from the Metropolitan Area Building and Construction Department to move forward with Mr. B’s Daylight donuts. Blubaugh stated they are in the remodel stage and are hoping to be open by midsummer. The hours will be Monday through Saturday, 5 a.m. to 10 a.m. and maybe open for Friday night opening at 8:00 p.m. The location is 222 North Main, just down the road from City Hall. Along with assorted fried donuts and community-based coffee,

there will be sausage rolls and biscuits and gravy. Blubaugh said he looks forward to serving up some donuts soon.

**APPOINTMENT OF CONNIE BRAKE TO THE LIBRARY BOARD**

Thatcher Moddie introduced Connie Brake, who has lived in Wichita for 29 years and in the Goddard School District for 27 years. Both of her children graduated from Goddard High School. Moddie provided a brief summary of Connie’s professional background, competency and expertise in the library field.

**MOTION:** Councilmember *Leland* moved to approve the appointment of Connie Brake to the Library Board. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

**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.

**PUBLIC HEARING ON ENVIRONMENTAL CODE VIOLATION AT 411 CRAIG STREET**

Acting Mayor, Larry Zimmerman opened the public hearing at 7:10 p.m.

Micah Scoggan, explained that on March 15, 2022, the city code enforcement officer documented a violation of the city of Goddard code section 8-308 upon the premises located at 411 N Craig St. A certified letter was sent allowing 15 days to elapse to remediate the issue.

The property owners are Scott and Tiffany Wegerer who live in Colwich Kansas. The tenant is Larry Veltman who is disputing the code violation.

Mr. Veltman was informed of his right to legal counsel if he desired it and he provided notice within the 15-day time allowed to be considered before the Governing Body per city of Goddard code 8-312.

The City of Goddard code officer found the following non-compliance with the City of Goddard code, Chapter 8, Article 3 Environmental Code:

- *Exterior conditions (yard) shall include, but not be limited to, the scattering over or the parking, leaving, depositing or accumulation on the yard of any of the following:*
  - a. *lumber, wire, metal, tires, concrete, masonry products, plastic products, supplies, equipment, machinery, auto parts, junk, or refuse.*

Larry Veltman addressed the City Council and explained that he has already started on the cleanup and said he does not dispute the violation but would like more time to complete the cleanup. Veltman offered to share photos of the progress of the remediation to date.

Acting Mayor, Zimmerman closed the public hearing at 7:22 p.m.

**MOTION:** Councilmember *Leland* moved to table item H.1 for 30 days and address at the corresponding city council meeting. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

**CONSIDER WASTEWATER TREATMENT FACILITY POLYMER PUMP PURCHASE**

Brooke Brandenburg, Public Works Director explained that Polymer is a coagulant with a wide variety of uses in drinking water, wastewater, and stormwater. Polymers are commonly used in wastewater treatment to initiate the flocculation of solid waste so that it can be separated from water in a relatively easy manner. The City’s wastewater treatment plant uses polymers in the sludge drying process to help congeal small pieces of biosolids into larger ones. Polymers are utilized by creating a precise, uniform solution in a liquid polymer blending system or “mixer.”

The mixer currently in use at the WWTP has been in operation since the plant was constructed. Due to years of use it is malfunctioning and has become inaccurate and unreliable, resulting in poor sludge quality.

Brandenburg added that the malfunctioning mixer would be replaced with a new Acrison Model 580 Liquid Polymer Blending System. Acrison Polymer Preparation Modules are designed with an extremely efficient, two-stage activation system that produces a precise, uniform and thoroughly activated solution. Allowing the production of thick dry sludge cake suitable for land application.

Public Works is requesting spending approval of \$9,750.00 for the purchase of a new Acrison Model 580 Liquid Polymer Blending System. The amount is budgeted and will be allocated 100% to operating fund 30-860-7220 Wastewater - Equipment - Parts and Supplies. Current fund balance is \$40,000.00.

Brandenburg recommended the City Council approve the purchase of an Acrison Model 580 Liquid Polymer Blending System for \$9,750.00

**MOTION:** Councilmember *Leland* moved to approve the purchase of an Acrison Model 580 as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

**AFFIRM 183<sup>RD</sup> AND KELLOGG PROJECT AUTHORIZATION FOR KDOT FUNDING**

The city entered into an agreement with KDOT to construct a Restricted Crossing U-Turn (RCUT) on May 20, 2019. The agreement sets forth the City’s responsibility for design, right-of-way coordination, and project inspection costs with KDOT paying for the cost of construction with an amount not to exceed \$2,000,000. At the same May 20, 2019, meeting the City Council unanimously authorized the design agreement with TranSystems Corp. at a cost of \$186,210. The original project estimated cost of construction is \$1,573,310 with a 15% contingency of \$236,000 for a total construction budget of \$1,809,310. At the May 17, 2021, Regular City Council meeting authorized Amendment #2 for supplemental design services for the RCUT design amendments by KDOT and the interior connector road totaling \$225,800.

At the same May 17, 2021, the City Council approved a design agreement with TranSystems totaling \$102,450 for the design of intersection, pedestrian pathway, and right-of-way acquisition and coordination.

These projects are included in the 2022-23 Capital Improvement Program and KDOT has asked for the City’s commitment to the Project.

Silcott recommended the City Council: Reaffirm its commitment 183<sup>rd</sup> Street Geometric Improvement at 183<sup>rd</sup> and US-54/400/Kellogg.

**MOTION:** Councilmember *Traylor* moved to reaffirm the city's commitment to the 183<sup>rd</sup> Street Geometric Improvement. Councilmember *Leland* seconded the motion. The motion carried unanimously.

**ORDINANCE AMENDING FIREWORK TENT SALE LOCATIONS TO INCLUDE PLACES OF WORSHIP**

Micah Scoggan stated that certain firework distributors have asked the city if selling fireworks would be prohibited on church parking lots and other institutional locations. A review of the city code Chapter 7, Article 3 identified that firework stands can only be located on lots that are zoned for retail sales.

Additionally, it has been determined that only six stands can be in the city reducing the possible sales taxes that could be collected during the firework sale season.

It was also determined that all applicants must be sponsored by a non-profit organization that resides within the city limits of Goddard. Being sponsored by a non-profit did not exempt these firework stands from being exempt from paying sales taxes such that sales taxes was still collected. Removing this requirement would allow other firework stands to set up shop in Goddard without any additional requirements further increasing the sale tax revenue generated.

Scoggan recommend adopting an Ordinance with the following changes to the City Code:

- *Allowing an exception for sales at social institutions which have adequate parking space available to host fireworks stand. Such social institutions can be, but are not limited to, Schools, Places of worship, non-0profit organizations.*
- *Setting a maximum of fifteen (15) permits*
- *Dropping the requirement of non-profit sponsorship*

Discussion ensued regarding the maximum number of permits allowed and the benefits of having them sponsored by a non-profit organization. It was the consensus on the Governing Body to allow an exception for sales locations as recommended, but to increase the maximum permits to eight (8), and to keep the requirement of the non-profit sponsorship.

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

**MOTION:** Councilmember *Leland* moved to adopt said ordinance to include the revisions agreed upon by the Governing Body. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

Roll Call Vote:

Yea: Zimmerman, Leland, Traylor, Proctor

Nay:

***Ordinance #887***

**ORDINANCE AMENDING BUILDING DESIGN STANDARDS**

Micah Scoggan stated as the city grows more businesses are being attracted to the residential boom that is being experienced as they see new potential clients in a burgeoning market. All new commercial buildings typically require a site plan which outlines what the architectural style of the building is as well as the building material. As construction costs increase some property owners are desiring to build rolled metal buildings on commercial lots for the principal building or for an accessory building. Design restrictions do not restrict these types of structures and some new buildings have been allowed to be built with rolled metal. They do however require metal facing to be clad with something else like stucco, stone, brick but the building frame is allowed to be rolled metal.

On May 10, 2021, the Planning Commission and the Governing Body discussed the design standards in detail. The Community Development Director created a draft amendment reflecting these comments which is being presented today.

On June 14, the Planning Commission approved the new design standards as follows:

- (i) Metal structures for primary or accessory buildings shall have facing (wrapped) with material such as stone, brick, stucco, or other approved materials. This shall be a requirement if any side is abutting a street or is considered significantly exposed to the public from the street it is facing. This will be determined by the Community Development Director or their representative. If it is determined that the building meets one of these two requirements it must be wrapped to the soffit level of that side of the building. This shall be for Commercial and Industrial buildings only. Residential structures shall not be of rolled metal for primary residences. Rolled metal shall be acceptable for accessory uses to a residential property and must comply with Article 6. Anyone desiring to avoid this requirement either partially or in full can apply for a variance before the Planning Commission.

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

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

Roll Call Vote:

Yea: Zimmerman, Leland, Traylor, Proctor

Nay:

***Ordinance #888***

**TRAIL’S END ADDITION PHASE 1 PEITITON AND IMPROVEMENT  
AUTHORIZATION RESOLUTIONS**

Water Transmission Improvements

The Resolution and its developer petition request \$399,000 plus a 1% per month increase from April 1, 2022, to construct a water transmission line improvement serving Trail’s End Addition

lots 1-93 Block 1; lots 1-66 Block 2; lots 1-43, Block 3 with each lot apportioned 1/202 of the total assessment cost. The city-at-Large will contribute \$100,000 for the construction and installation of a 12” water transmission line. The documents have been reviewed by the City Attorney and City Administrator.

In accordance with state statutes and developer petitions, upon maturity these General Obligation Temporary Notes will be “converted” or “rolled” into longer term General Obligation Bonds through the special assessment process outlined in K.S.A. 12-6a01 *et seq.*  
It is recommended the City Council: Accept the petition and approve the resolution as presented.

**MOTION:** Councilmember *Proctor* moved to accept the petition and approve the resolution as presented. Councilmember *Leland* seconded the motion. The motion carried unanimously.

### ***Resolution 22-09***

#### Water Distribution Improvements

The Resolution and its developer petition request \$987,000 plus a 1% per month increase from April 1, 2022, to construct a water distribution line improvements serving Trail’s End Addition lots 23-93 Block 1; lots 1-66 Block 2; lots 1-8, Block 3 with each lot apportioned 1/145 of the total assessment cost. The cost of the improvement is born entirely by the benefit district. The city-at-large is not contributing to this improvement. The documents have been reviewed by the City Attorney, City Engineer, and City Administrator.

In accordance with state statutes and developer petitions, upon maturity these General Obligation Temporary Notes will be “converted” or “rolled” into longer term General Obligation Bonds through the special assessment process outlined in K.S.A. 12-6a01 *et seq.*

The proposed documents have been reviewed by Bond Counsel Kevin Cowan of Gilmore & Bell and City Attorney Ryan Peck. Approve as to Form.

It is recommended the City Council: Accept the petition and approve the resolution as presented.

**MOTION:** Councilmember *Traylor* moved to accept the petition and approve the resolution as presented. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

### ***Resolution 22-10***

#### Sanitary Sewer Lift Station and Force Main Improvements

The Resolution and its developer petition request \$786,000 plus a 1% per month increase from April 1, 2022, to construct sanitary sewer lift station and force main improvements serving Trail’s End Addition lots 1-93 Block 1; lots 1-66 Block 2; lots 1-43, Block 3 with each lot apportioned 1/202 of the total assessment cost. The cost of the improvement is born entirely 100% by the benefit district. The city-at-large is not contributing to this improvement. The documents have been reviewed by the City Attorney, City Engineer, and City Administrator.

In accordance with state statutes and developer petitions, upon maturity these General Obligation Temporary Notes will be “converted” or “rolled” into longer term General Obligation Bonds through the special assessment process outlined in K.S.A. 12-6a01 *et seq.*

The proposed documents have been reviewed by Bond Counsel Kevin Cowan of Gilmore & Bell and City Attorney Ryan Peck. Approve as to Form.

It is recommended the City Council: Accept the petition and approve the resolution as presented.

**MOTION:** Councilmember *Proctor* moved to accept the petition and approve the resolution as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

***Resolution 22-11***

Sanitary Sewer Improvements

The Resolution and its developer petition request \$878,000 plus a 1% per month increase from April 1, 2022, to construct a sanitary sewer improvement serving Trail's End Addition lots 18-93 Block 1; lots 1-66 Block 2; lots 1-13, Block 3 with each lot apportioned 1/155 of the total assessment cost. The cost of the improvement is born entirely 100% by the benefit district. The city-at-large is not contributing to this improvement. The documents have been reviewed by the City Attorney, City Engineer, and City Administrator.

In accordance with state statutes and developer petitions, upon maturity these General Obligation Temporary Notes will be "converted" or "rolled" into longer term General Obligation Bonds through the special assessment process outlined in K.S.A. 12-6a01 *et seq.*

The proposed documents have been reviewed by Bond Counsel Kevin Cowan of Gilmore & Bell and City Attorney Ryan Peck. Approve as to Form.

It is recommended the City Council: Accept the petition and approve the resolution as presented.

**MOTION:** Councilmember *Leland* moved to accept the petition and approve the resolution as presented. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

***Resolution 22-12***

Paving and Sidewalk Improvements

The Resolution and its developer petition request \$1,853,000 plus a 1% per month increase from April 1, 2022, to construct paving and sidewalk improvements serving Trail's End Addition lot 23, lots 50-66, 72-93 Block 1 and Lots 1-15, 58-66, Block 2 and Lot 1 Block 3 shall be apportioned 2/370 the total cost of the improvement.

Lots 24-49, 67-71 Block 1 and Lots 16-57 Block 2 and Lots 2-8 Block 3 shall be apportioned 3/370 of the total assessment cost.

The cost of the improvement is born entirely 100% by the benefit district. The city-at-large is not contributing to this improvement. The documents have been reviewed by the City Attorney, City Engineer, and City Administrator.

In accordance with state statutes and developer petitions, upon maturity these General Obligation Temporary Notes will be "converted" or "rolled" into longer term General Obligation Bonds through the special assessment process outlined in K.S.A. 12-6a01 *et seq.*

The proposed documents have been reviewed by Bond Counsel Kevin Cowan of Gilmore & Bell and City Attorney Ryan Peck. Approve as to Form.

It is recommended the City Council: Accept the petition and approve the resolution as presented.

**MOTION:** Councilmember *Leland* moved to accept the petition and approve the resolution as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

***Resolution 22-13***

Storm Water Drainage Improvements

The Resolution and its developer petition request \$1,433,000 plus a 1% per month increase from April 1, 2022, to construct storm water drainage improvements serving Trail’s End Addition Lot 23, lots 50-66, 72-93 Block 1 and Lots 1-15, 58-66, Block 2 and Lot 1 Block 3 shall be apportioned 2/370 the total cost of the improvement.

Lots 24-49, 67-71 Block 1 and Lots 16-57 Block 2 and Lots 2-8 Block 3 shall be apportioned 3/370 of the total assessment cost.

The cost of the improvement is born entirely 100% by the benefit district. The city-at-large is not contributing to this improvement. The documents have been reviewed by the City Attorney, City Engineer, and City Administrator.

In accordance with state statutes and developer petitions, upon maturity these General Obligation Temporary Notes will be “converted” or “rolled” into longer term General Obligation Bonds through the special assessment process outlined in K.S.A. 12-6a01 *et seq.*

The proposed documents have been reviewed by Bond Counsel Kevin Cowan of Gilmore & Bell and City Attorney Ryan Peck. Approve as to Form.

It is recommended the City Council: Accept the petition and approve the resolution as presented.

**MOTION:** Councilmember *Traylor* moved to accept the petition and approve the resolution as presented. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

***Resolution 22-14***

**SUMMERBALL SHOWDOWN FUNDING REQUEST**

Sheldon Howell with Summerball Showdown, a non-profit Corporation presented a request to the City Council for the 2022 annual event. Howell explained that they are a national baseball tournament for collegiate and semi-professional baseball, and they will be bringing in teams from all over the country to play in Goddard as a post-season tournament at the end of summer ball. Howell stated that this year they have partnered with the USA Military Wardogs, a military team and Mutt 22 to give away an active military female marine, a service dog at the Summerball Showdown. Support will assist with multiple expenses and will allow for all youth leagues, baseball, and softball, within the Goddard Community the opportunity to take advantage of the US Military WarDogs Mini Camp for free. There are several options for the sponsorship, and Summerball Showdown could share the cost involved which will be approximately \$15,000.

**MOTION:** Councilmember *Leland* moved to table until the June 6, City Council Meeting. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

### **CITY ADMINISTRATOR'S REPORT**

Brian Silcott reviewed the progress of the STAR Bond Site and updated the City Council on the current residential developments, including Arbor Creek, Elk Ridge, Clover Leaf, Rustic Creek, Trails End. Silcott also reviewed the upcoming notable agenda items.

### **GOVERNING BODY COMMENTS**

Councilmember Proctor stated he is looking forward to moving things forward and growing as a community.

Councilmember Zimmerman thanked everyone for coming out and shared that he is looking forward to the opportunity to serve the community and make Goddard a better place to live.

### **ADJOURNMENT**

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

*Meeting adjourned at 8:20 pm.*  
*Teri Laymon, City Clerk*