

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, AUGUST 15, 2022**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday August 15, 2022. Mayor Larry Zimmerman called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation led by Councilmember Leland. Council members present were Hunter Larkin, Sarah Leland, Larry Zimmerman, Michael Proctor, and Brent Traylor.

Also present were, Brian Silcott, City Administrator; Lorie DeVaney, Assistant City Clerk; Thatcher Moddie, Assistant to City Administrator; Micah Scoggan, Economic Development 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. Councilmember *Larkin* seconded the motion. The motion carried unanimously

CITIZEN COMMENTS

None

APPOINTMENTS, PROCLAMATIONS, RECOGNITIONS & NOMINATIONS

None

APPROVAL OF THE CONSENT AGENDA

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

DISPUTE HEARING FOR CODE VIOLATION AT 222 N MAIN ST

Micah Scoggan, Community Development Director, provided a background and analysis of the code violation at 222 North Main Street. Scoggan stated on June 23, 2022, the city code enforcement officer documented a violation of the city of Goddard code Chapter 13, Article 2. This code prohibits individuals from using any sidewalk, street or alley for the purpose of selling unless approved by the Governing Body. The property owner was notified and agreed to speak with City Council about the location of the vending machine.

Scoggan noted the property owner sent an e-mail on August 15, 2022 stating that he would not be in attendance and asked for an extension.

The City of Goddard code officer found the following non-compliance with the City of Goddard code, Chapter 13, Article 2 Streets 13-209. Using streets. (a) No person shall occupy any portion of any street, alley or sidewalk, for the purpose of temporary storing building materials without first obtaining a permit for such temporary use from the Governing Body. (b) No person may use any portion of any sidewalk or street right-of-way for the purpose of displaying or offering for sale wares, goods, merchandise or other items. Nothing in this article, however, shall be construed as prohibiting the city

Governing Body from temporarily waiving the prohibition of this subsection in connection with community promotions or -community-wide celebrations when such waiver is considered to be in the best interest of the city. Any code violation allows for the one in violation to dispute the matter before the Governing Body.

Scoggan stated he believes there was some misunderstanding. Property owners typically think they have an additional amount of space when they leave the front door in the Central Business District but that is not always the case. The property owner at 222 N Main Street was made aware that the vending machine was located on the of the City's sidewalk which is in the Public Right-of-Way and that they could relocate the vending machine inside or to the side of the building

Scoggan stated the property owner wants this to be considered a Public Good and wants it to be considered as an exemption under that Public Good.

MOTION: Councilmember *Proctor* moved to require the property owner to move the vending machine out of the city Right-of -Way onto private property.
Councilmember *Traylor* seconded the motion. Councilmember Larkin abstained.
The motion carried.

CONSIDER PURCHASE OF NEW DOORS AT CITY POOL

Thatcher Moddie, Assistant to the City Administrator, stated the pool doors on the entry to the storage room, pump room and chlorine storage room are all malfunctioning and beginning to rust away. The Storage room door no longer locks and nothing of value can be stored in there as a result. Doors for the mechanical/pump rooms are slowing rusting and leaving chunks of rusty metal and dust on the ground. It is estimated that the doors have not been replaced in over 10 years.

Moddie said City Staff sought out reliable bidders to replace all three doors at once. Overhead Door was the only bidder who put in a timely quote on metal doors and door frame installation. The doors and door frames will be removed and replaced, with new matching locks installed. Companies recommended metal instead of wood to prevent warping and rapid wood rot due to frequent moisture and exposure to the elements. Metal doors can be repainted yearly to help extend the lifespan and prevent rust.

Moddie said staff is requesting a spending approval of \$10,997 for new doors at the Goddard Public Pool. The expenditure will be allocated to the Equipment Reserve Fund 81-310-8600.

MOTION: Councilmember *Traylor* moved to approve the purchase of three (3) new pool doors and frames with a spending authority of \$10,997 coming from the equipment reserve fund. Councilmember *Leland* seconded the motion. The motion carried unanimously.

DETERMINE FUNDING ALLOCATION FOR THE RCUT PROJECT & STATUS OF INTERIOR FRONTAGE ROAD CONNECTOR, & 183RD ST PROJECTS

Brian Silcott, City Administrator stated the RCUT Project, Connector Roads & 183rd Geometric Project have been reviewed by KDOT and the revised cost estimates for all three projects has increased significantly.

Silcott provided a brief background review of the RCUT Project. He stated 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 Amendment #2 was authorized for supplemental design services for the RCUT, design amendments by KDOT and the interior connector road totaling \$225,800. At the same meeting on 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.

Silcott explained after the most recent plan design review by KDOT for the three projects, the total estimated project cost exceeds \$11,310,000 for all three projects.

- RCUT Intersection \$6,670,000
 - o KDOT: \$4,000,000
 - o Local: \$2,070,000
 - \$1.5M Funded Series 2020-1 GO Bonds
- Connector Roadway \$3,190,000
 - o KDOT: \$0.00
 - o Local: \$3,190,000
- 183rd Geometric \$1,450,000
 - o KDOT: Funding Cut, can reapply for 2023/24 Funds
 - o Local: 100% without KDOT participation

Silcott noted the STAR Bond Development Agreement obligates the City to fund the remaining portion of the project(s) not financed by KDOT for access to the STAR Bond Project Site. He stated the interior connector road project will need to be delayed into the unforeseeable future and will not adversely impact the location.

Silcott stated the RCUT project is included in the 2022-23 Capital Improvement Program and Series 2020-1 GO Bond issuance has \$1,500,000 set aside for the RCUT project and will use fund balances for the remaining city participation amount. Staff recommends extreme caution going forward on all capital projects.

Staff recommends canceling the 183rd Street Geometric Project and Interior Connector Road Project and revisit the projects in the future.

MOTION: Councilmember *Traylor* moved to authorize the RCUT project with a total construction and administration budget of \$6,700,000 and cancel the 183rd Street Geometric Project and interior connector road Project. Councilmember *Proctor* seconded the motion. Councilmember Larkin abstained. The motion carried.

CITY ADMINISTRATOR’S REPORT

Brian Silcott, City Administrator 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. He also reviewed the progress of the 2022 Pavement Preservation Program.

Silcott thanked the Goddard Police Department and the Chamber for another successful National Night.

Silcott also reviewed the upcoming notable agenda items for September 2022 meetings and reminded the City Council that there will be a Special Meeting August 22, 2022 to conduct a Budget Hearing to Adopt the 2023 Budget.

GOVERNING BODY COMMENTS

Councilmember Larkin inquired about the public’s response to the the Book Mobile. He stated National Night out was nice and everyone seemed to have a good time.

Councilmember Leland thanked the Public Works Department for taking care of the weeds on the sidewalks of Main Street. She states it looks a lot better and is a good improvement to keeping Main Street looking clean.

Councilmember Leland reported she visited with Angie Duntz from the Chamber and said there were approximately 2500 attendees at National Night Out. She reported that Hot Dogs, buns and water were donated by Walmart and Dillons for the event. They had 45 booths which was an increase of 10 from the previous year. She also said over \$1200 for the ‘Concerns of Police Survivors’ program.

Councilmember Proctor thanked everyone who contributed to and helped with National Night Out.

Councilmember Proctor stated he knows the city has a lot on the upcoming agendas and thanked everybody at the city who works on that.

Mayor Zimmerman thanked city staff for helping with National Night Out and that he is looking forward to good thing happening in our community.

ADJOURNMENT

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

Meeting adjourned at 7:44 pm.

Lorie DeVaney, Assistant City Clerk