

**MINUTES-REGULAR MEETING  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
TUESDAY, SEPTEMBER 5, 2023**

The Goddard City Council met in a Regular Session at Goddard City Hall on Tuesday, September 5, 2023. 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 Keaton Fish, Sarah Leland, Hunter Larkin, Brent Traylor, and Aubrey Collins.

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

**APPROVAL OF THE AGENDA**

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

**CITIZEN COMMENTS**

Janine Eilert, Goddard Woman's Club, commented on the proposed Charter Change for the Goddard Public Library. Eilert stated the Goddard Public Library serves patrons within the city limits, within USD 265 school district, and beyond, and was initial established by the Goddard Woman's Club in 1969. Eilert stated the mission of the public library is to build strong intergenerational connections, share knowledge, inspire curiosity, and encourage lifelong learning. Eilert added that the current charter ordinance has ten allocated for board members, eight members residing in the city limits of Goddard and two residing outside the city limits but within the Goddard School District. Eilert stated that she feels that there is a need for library board positions that take into account the diversity of the residents of the patrons that it serves. Eliminating board members that live outside the city limits but within the city limits and within the school district is a mistake.

**MAYOR'S AWARD**

Mayor Larking presented the Mayor's Award for the Month of August to John Dugan. John Dugan has been a long-time contributor to the city of Goddard for growth and development. He has helped developers bring in new development inside the Goddard Galleria commercial development along US-54 as well as donating the land necessary to the city for the south frontage road.

John has assisted in the development of multiple residential subdivisions including Saint Andrews, Seasons, Clover Leaf and Spring Hill. Collectively these residential developments have brought in around 3,000 people into the city limits over time and have totaled over \$229 million dollars in appraised value.

## **APPROVAL OF THE CONSENT AGENDA**

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

## **REQUEST BY PROPERTY OWNER FOR VENDING MACHINE IN RIGHT OF WAY**

Micah Scoggan, Community Development Director stated on June 23, 2022, it was noted a vending machine had encroached on the Public Right of Way (ROW) causing a violation of Chapter 13-209 “Using Streets”

The property owner of 222 N Main appealed before the Governing Body on August 15, 2022. It was determined during the meeting on August 15, 2022, that the city council did not want to allow the vending machine to reside on the Public ROW.

It was noted recently that the vending machine has made its way back onto the sidewalk. A discussion with the property owner revealed that he would like to petition the governing body again to see if there would be a more favorable determination this time around.

On August 21, 2023, the item was presented back to the Governing Body. Discussion revolved around whether all businesses that have merchandise in the city ROW should be allowed to or if all businesses that have merchandise in the ROW should be universally prohibited. It was decided to table the item for further discussion.

Discussion ensued regarding the current policy for merchandise in the ROW.

**MOTION:** Council Member *Fish* moved to enforce the current policy and to disallow the vending machine in the public right of way. Councilmember *Collins* seconded the motion. Motion carried unanimously.

## **REZONING REQUEST 1001 SOUTH GODDARD ROAD**

Garver Inc. has submitted a rezoning application on behalf of Bob Armstrong of JJB properties. It is for a tract of land located north of 23<sup>rd</sup>, south of Swanee Dr. The developer would like to rezone the land into General Business District (C-2) for any potential business to lease the property.

After review by the Planning Commission final review will be by the City Council and if approved it will be reclassified 30 days after publication in the city newspaper.

Letters were sent out to everyone within 200 feet of the subject property to come and speak, if they choose, at the public hearing on August 14<sup>th</sup>. Some neighbors showed up and expressed concern at the increase of traffic along 199<sup>th</sup>/ Goddard Rd. Some said they would prefer it was C-2 over R-2. The main concern was about traffic on 199<sup>th</sup>.

There was a public hearing on the matter per state law during the regular Planning Commission meeting on August 14, 2023. The decision of the Planning Commission was to approve the rezoning 5-0 unanimously.

The City Council is considering if they want to approve the rezoning of a church building on 199<sup>th</sup> south of Swanee and north of 23<sup>rd</sup> from 'R-2' Two-Family Residential to 'C-2' General Business District.

- Lot acreage: 1.10
- Sq ft: 47,907.16
- Current zoning: 'R-2' Two-Family Residential
- Proposed Zoning: 'C-2' General Business District.

It is recommended that the City Council waive the reading of the ordinance and approve the rezoning request case # ZONE-23-3.

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

**MOTION:** Councilmember *Leland* moved to adopt the Ordinance approving the rezoning request case #ZONE-23-3. Councilmember *Fish* seconded the motion.

**Roll Call:** Yea: Fish, Leland, Larkin, Traylor, Collins  
Nay:

### *Ordinance #932*

## **IMPACT FEE POLICY FOR BROKEN INFRASTRUCTURE**

During the construction of residential or commercial buildings the city installs new meter cans, meters, setters, lids and other necessary infrastructure for water, sewer, sidewalks, and streets.

When contractors are performing the work on these sites it can be the case that they damage the recently installed new infrastructure. This requires City Staff to replace the damaged infrastructure in some cases before an occupancy permit can be issued. These costs are carried by the city at large.

City staff would like the builders to reimburse the costs incurred by damaged infrastructure and if necessary, city staff will hold the occupancy permits until these costs are recouped.

The provisions of this ordinance shall be adopted into the city of Goddard code under Chapter 4 Article 11 Damaged Infrastructure. The following lists outlines potential costs. True and actual costs will be applied on a case-by-case basis as determined by city staff.

It is recommended that the City Council: Waive the reading of the ordinance and approve the ordinance adopting certain language to recover the costs incurred by the replacement of damaged infrastructure in developments.

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

**MOTION:** Councilmember *Leland* moved to adopt the Ordinance adopting certain language to recover the costs incurred by the damaged infrastructure in developments.

**Roll Call:** Yea: Fish, Leland, Larkin, Traylor, Collins  
Nay:

### *Ordinance #933*

#### **IRB PUBLIC HEARING FOR RUSTED BEAN**

On June 5, 2023, Shane Reeder of the Rusted Bean Coffee Shop approached the Governing Body about reimbursement for the tap fees and consideration of an Industrial Revenue Bond (I.R.B). The City Council voted to formally consider the request for the I.R.B and to refund the tap fees. Approving the I.R.B required a Cost Benefit Analysis (C.B.A) to be conducted and a public notice to be sent out scheduling a time for a public hearing to review the request.

An application for the request was submitted along with a fee of \$2,800 to cover the costs of the Bond Attorney as well as the required publication and C.B.A.

This is a Public Hearing and will need to be formally called to order for review and comments. After hearing everyone who wants to comment, the public hearing can be closed, and city council will deliberate.

Micah Scoggan reviewed the results of the Cost benefit Analysis (C.B.A), which results have been discussed with Wichita State University Center for Economic Development and Business Research (CEDBR). The thoughts and comments presented do not reflect the thoughts and comments of the school and only reflect the thoughts and comments of the Economic/Community Development Director.

A resolution has been drafted by bond counsel, Kevin Cowan of Gilmore, and Bell.  
Approved as

It is recommended the City Council refund the application fee and do not approve the I.R.B. If City Council feels inclined to grant an I.R.B the recommendation would be for 1 year at 100% year 2 at 50% and every other year at full ad valorem.

Mayor Larkin opened the public hearing at 7:38 p.m. There being no written or verbal comments, Mayor Larkin closed the public hearing at 7:39 p.m.

**MOTION:** Councilmember *Traylor* moved to grant an I.R.B allowing for a two-year tax abatement of 100% the first year and 50% the second year. Councilmember *Fish* seconded the motion. The motion failed 2-3.

**MOTION:** Councilmember *Larkin* moved to allow for a ten-year stair-step tax abatement. Councilmember *Collins* seconded the motion. The motion failed 1-4.

**MOTION:** Councilmember *Larkin* moved to grant the IRB by adoption of the Resolution to allow for a 20% tax abatement each year for five years. Councilmember *Collins* seconded the motion. The motion passed 4-1.

### **FIREWORKS AND SOUND WAIVER AQUATICS CENTER**

The Genesis Aquatics Center would like to have a firework display within the corporate city limits of Goddard. All public displays of fireworks must be approved by the city council in accordance with Chapter 7 Article 3 of the city of Goddard code.

During this event there may be the use of amplified sound which requires a sound waiver if such sound is plainly audible in excess of 150 feet. This would require a sound waiver ordinance as well to allow such sound amplification.

The event will be on September 18th (Monday) from around 4 PM to 11 PM. Fireworks are anticipated to be at 8:00 PM.

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

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

#### **Roll Call Vote:**

Yea: Fish, Leland, Larkin, Traylor, Collins

Nay:

#### ***Ordinance #934***

### **CHARTER ORDINANCE FOR MUNICIPAL LIBRARY**

On March 18<sup>th</sup>, 2019, the Library approached the city to change its charter allowing for the library board composition to be 8 members inside the city limits and two residing outside but within the Goddard School District for a total of ten (10) members.

This charter passed with Charter Ordinance No. 14.

Since then, the Library Board has found it difficult to have a quorum and to keep and retain the necessary number of members. As such they would like to revert back to the original charter requirements under K.S.A 12-1222 requiring all members to reside within city limits but reducing the requirement of in city limits members to seven (7).

It was recommended that the City Council: Waive the reading of the ordinance; approve the ordinance changing the charter for the municipal library.

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

**MOTION:** Councilmember *Traylor* moved to adopt the Charter Ordinance reducing the requirement of in city limits members to seven. Councilmember *Collins* seconded the motion.

**Roll Call:**

Yea: Fish, Leland, Larkin, Traylor, Collins

Nay:

*Charter Ordinance #16*

### **GODDARD FLAG DISCUSSION WITH TRAVIS SELF**

On August 21 the city council agreed to work with Travis Self on the design of a city flag. During discussion with Travis, it was decided that Travis should speak with the city council about the possibility of meeting with the Chamber of Commerce and the City Council collectively to discuss what type of brand the city is looking for.

Flag designs are part of city branding and place making which helps create a unique identity for a particular municipality or location. These practices help cities stand out and create civic pride and social cohesion while helping to foster engaging places for those who are visiting the location.

Councilmember Fish stated that if the city is looking to design a flag, he thinks that we need to rebrand everything and would like to have more people involved who will be in the process of bringing tourism to the community. Fish suggested Travis work with the Chamber of Commerce in the development of the flag and the rebranding of the city.

It was the consensus of the City Council to table the discussion with Travis Self to allow him to discuss the item with the Chamber of Commerce.

### **CHAMBER PROPOSAL**

Andie Duntz, President of the Goddard Chamber of Commerce presented a proposal to continue to partner with the City of Goddard to raise awareness of services, promote Goddard businesses and organizations and encourage participation in community events.

#### **Analysis:**

#### **2024 Proposal Cost to the City of Goddard Includes:**

- City of Goddard Chamber Trustee Membership
- Neighbors United
- National Night Out
- Fall Festival

- Christmas on Main Street
- Collaboration Videos
- Movie Nights (4)
- Main Street Markets (5-7 depending on weather)
- Administration Fees
- Communications/Marketing Consulting/Services
- Committee Facilitation – Tourism and Economic Development

**Total 2024 Proposal Cost: \$123,000**

**Financial:**

For 2024 the funding will come from the following Funds and Cost Centers:

General Fund – Chamber of Commerce -	\$47,000
General Fund – Community Events -	20,675
Tourism Promotion Fund -	<u>50,325</u>

**Total Appropriation \$123,000**

**MOTION:** Councilmember *Traylor* moved to approve Chamber of Commerce proposal as presented and establish a budget for these services beginning in 2024. Councilmember *Collins* seconded the motion. The motion carried unanimously.

**BUDGET PRESENTATION**

Matt Lawn, Finance Director, presented the proposed 2024 Budget. The proposed budget maintains the property tax levy to the actual total levied from the current budget year. The total proposed mill levy of 31.309 mills breaks down as follows:

- 25.938 General Fund
- 2.371 Debt Service Fund
- 3.000 Library Fund

The 2024 Proposed Operating Budget (Total budget minus Interfund Transfers, appropriated reserves, and discretionary capital outlays) totals \$9,998,205.

The City’s valuation for the 2024 operating budget totals \$66,840,953, which is an increase of \$8,916,287 (15.39%), over the prior year assessed valuation of \$57,924,666.

**MOTION:** Councilmember *Leland* moved to authorize publication of the Notice of Hearing to exceed Revenue Neutral Rate and set the budget hearing for the regular city council meeting on Monday, September 18, 2023. Councilmember *Collins* seconded the motion. The motion carried unanimously.

### **GOVERNING BODY COMMENTS**

**Councilmember Fish** stated that funding the chamber of Commerce is key to success in keeping a small-town feel. Fish announced that the final Main Street Market will be this Sunday and will include over 80 vendors.

**Councilmember Leland** thanked Brooke for the proposed policy changes that will hold developers and construction companies accountable, so it is not costing citizens that extra money.

**Councilmember Collins** thanked staff for all their efforts. Collins stated he believes that things are going well.

**Councilmember Traylor** commented on a police vehicle that is in need of new tires.

**Mayor Larkin** confirmed with staff that the bank transfer to First National Bank of Hutching has been completed. Matt Lawn confirmed that about half the the funds have been transferred, but a hold-up on checks has delayed the remaining funds.

**Mayor Larkin** stated that some of the loose ends have been completed. Larkin stated he has staff working on a fee structure to that when a new development comes in, and they tap into existing infrastructure, there will be a per square foot charge, a new plan working on rural housing incentive districts, the community center improvements are underway, and we have accomplished a lot in less that a year.

### **ADJOURNMENT**

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

*The Meeting adjourned at 8:34 pm.*

*Teri Laymon, City Clerk*