

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, OCTOBER 3, 2022**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, October 3, 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 Mayor Zimmerman. Council members present were Sarah Leland, Larry Zimmerman, Brent Traylor, and Michael Proctor.

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

APPROVAL OF THE AGENDA

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

CITIZEN COMMENTS

April Hernandez, Library Director announced that there will be a ribbon cutting for the new mobile library on October 17, 2022, at 6:30 p.m.

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.

CONSIDERATION OF EQUITY FEE ORDINANCE

Micah Scoggan, Community Development Director explained that as the city of Goddard grows the demand that is put on its water and sewer infrastructure increases. This demand results in new costs associated with maintenance, construction, and management of the city sewer and water system. On October 4, 2021, the City Council reviewed a draft designed to offset the long-term costs of city infrastructure for both water and sewer. This proposal was later reviewed on March 7, 2022, with City Council asking for a comparative analysis of other cities.

Micah Scoggan presented a comparison of several municipalities' water and sewer connection fees and ancillary costs that cities use to offset long term maintenance and management of city water and sewer costs.

Scoggan stated the City Council is reviewing a two different fee structures that will help the city offset the costs of water and sewer infrastructure.

1. Sewer Plant Equity Fee – This part suggests charging a sewer plant equity fee in addition to the sewer connection (tap) fee. This fee will be collected up front at the time the city collects fees for permits and water and sewer taps. Fee will be based on meter and line size.
2. Water Infrastructure Equity Fee - This part suggests charging a water infrastructure equity fee in addition to the water connection (tap) fee. This fee will be collected up front at the time the city collects fees for permits and water and sewer taps. Fee will be based on meter and line size.

Scoggan reviewed the proposed rates for the water and sewer infrastructure equity fees, which are based on the line and meter size. Scoggan said as a comparison with the other municipalities, Goddard fees would be about in the middle.

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

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

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

Ordinance # 901

INFRASTRUCTURE FEE DISCUSSION

Micah Scoggan stated that there was a discussion about oversizing the city infrastructure for future developments on October 4, 2021, and was later reviewed on March 7, 2022, with the Governing Body and a comparison of other cities in the metro area was conducted.

Discussion with the city attorneys has determined that the best way to reference this benefit fee is through the subdivision regulations. Any changes to the subdivision regulations must be done by the Planning Commission first after a public notice has been published in the city newspaper allowing 20 days to elapse per City of Goddard regulations, article 13, and state law K.S.A 12-757

The Planning Commission will review the changes on October 10, 2022, and final review will be followed by a recommendation for adoption of an ordinance that will need to be published in the city newspaper per K.S.A 12-3007.

Scoggan presented an ordinance for review that would outline how the city can oversize future infrastructure and assess the oversizing cost to future developments. No action needs to be taken until after the Planning Commission has reviewed and approved the changes to the subdivision regulations.

- Oversizing city infrastructure benefit fee to assess the potential at large cost the city would incur for oversizing infrastructure.
- These costs will be assessed to each development, as needed, for them to connect to city infrastructure.
- This assessment will be for oversizing infrastructure only and will not be used for cost-sharing of infrastructure that is needed for an individual development.

It was the consensus of the Governing Body to direct staff to proceed with the Planning Commission Review.

CONSIDER AN ORDINANCE AMENDING THE 2022 STANDARD TRAFFIC ORDINANCE AND REPEALING ORDINANCE NUMBER 899

Thatcher Moddie, Assistant to the City Administrator presented an ordinance with certain changes and additions to the 2022 Standard Traffic Ordinance and Repealing Ordinance number 899.

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

MOTION: Councilmember *Traylor* moved to adopt said ordinance. Councilmember *Proctor* seconded the motion.

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

Ordinance #902

CONSIDER RESOLUTION ADOPTING THE MASTER FEE SCHEDULE

Micah Scoggan presented a resolution to amend the Master fee schedule to include the fees related to the Sewer Plant Equity Fee and the Water Infrastructure Equity Fee.

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

Resolution # 22-22

USD 265 AND LINEAR PARK SIDEWALK CONNECTION

Brooke Brandenburg, Public Works Director explained that during the school day students and staff from Discovery Intermediate School utilize Linear Park for recess, physical education classes and afterschool programs like the Discovery Afterschool Running Team (DART). To make the walk between the school and park easier and safer the USD 265 Maintenance Department has proposed the construction of a sidewalk connecting the two properties.

USD 265 maintenance staff has proposed the construction of a forty-eight” wide sidewalk that connects Discovery Intermediate School with Linear Park. The proposed sidewalk would be mostly on school property with a portion crossing City right-of-way near west South Street and connecting to the trail in west Linear Park.

All costs associated with constructing the sidewalk will be paid for by the school district with the City incurring no cost.

MOTION: Councilmember *Leland* moved to approve the construction of a sidewalk between Discovery Intermediate School and linear Park by USD 265. Councilmember *Proctor* seconded the motion. The motion carried unanimously.

ISLAND ANNEXATION RESOLUTION

Micah Scoggan presented a petition for annexation from Baughman Company on behalf of Paul Kelsey of Kick'in Development for a tract of land located in the county at around 167th Street and 23rd/Pawnee. This piece of land is proposed to be developed into duplexes on 189 lots.

Scoggan stated before the city can consider the rezoning of the land it must be annexed. However, since it is not abutting the corporate city limits this request is treated as an island annexation request under K.S.A 12-520c. An island annexation under K.S.A 12-520c must pass three steps which are outlined below in the analysis. One of these requests includes adopting a resolution by the Governing Body that is sent to the Board of County Commissioners (BOCC) requesting a review of findings of fact. The BOCC must find that the annexation will not hinder or prevent proper growth and development of the area or of any other incorporated city located in the county. The BOCC reviews the request and notifies the city within 30 days of its findings. After which the city may annex the tract of land by an ordinance.

The City Council is considering approving a resolution to begin the process of annexing a tract of land into the corporate city limits as an island annexation. State law requires the three criteria below be met per K.S.A 12-520c

1. The land must be in the same county.
2. The owner must consent to or petition for the annexation.
3. The BOCC must find that the annexation will not hinder or prevent proper growth and development of the area or of any other incorporated city located in the county.

MOTION: Councilmember *Proctor* moved to adopt the proposed resolution to begin the process of annexing a tract of land into the corporate city limits as an island annexation. Councilmember *Leland* seconded the motion. The motion carried with Councilmember *Traylor* voting no.

FALL FESTIVAL SOUND ORDINANCE WAIVER AND FIREWORKS DISPLAY PERMIT

Thatcher Moddie revealed that the Annual Goddard Fall Festival will take place on October 21-23, 2022. The event will be hosted at Goddard Linear Park and near Main Street. This event will have fireworks, amplified music, food and will potentially have an attendance of approximately six thousand people over a three-day period during the event. The Goddard Chamber of Commerce has asked for a waiver of the sound policy and fireworks display permit for the event similar to previous years.

Moddie resented an Ordinance waiving sound requirements and permitting the issuance of a firework public display permit.

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

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

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

Ordinance #903

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, the Cedar Street Rehabilitation Project, and the Utility Cut Repair Project.

Silcott also reviewed the upcoming events and notable agenda items for October 2022.

GOVERNING BODY COMMENTS

Councilmember Proctor commended those preparing for the Fall Festival.

EXECUTIVE SESSION

None

ADJOURNMENT

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

Meeting adjourned at 8:01 pm.
Teri Laymon, City Clerk