

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, OCTOBER 16, 2023**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, October 16, 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 Sarah Leland, Hunter Larkin, Brent Traylor, and Aubrey Collins. Councilmember Fish was absent. *(Councilmember Fish was contacted by phone for executive session)*

Also present were Teri Laymon, City Clerk, Micah Scoggan, Community Development Director, Steven Perez, Police Officer; Sarah Simon, Customer Care/Utility Clerk; Harlan Foraker, City Engineer and Ryan Peck, City Attorney.

APPROVAL OF THE AGENDA

Mayor Larkin requested an executive session for consultation with an attorney be added to the agenda.

MOTION: Councilmember *Leland* moved to approve the agenda with the addition of an executive session. Councilmember *Collins* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

Dave Curtis, 404 North Goddard Road, expressed his concern for the relocation of the community garden. Curtis stated that it would be a waste of money because there are not enough volunteers to maintain the garden. Curtis said that the money could be used elsewhere.

Dave Curtis added that the school district is responsible for the majority of of the traffic on the roadways with all the school buses and suggested that the City Council approach the school district for funds to fix the city's deteriorating streets.

Melissa Silver, 327 North Pine stated that the property next to her is listed as a non-forming lot and was included in a proposed overlay district. Silver asked what that meant. It was recommended to Ms. Silver to go back and watch the special meeting of October 9, where the City Council and the Planning Commission discussed the proposed overlay district. Micah Scoggan, Community Development Director, also offered to explain it to her if she wanted to come to the city offices to talk to him about it.

Jeffrey Jones, 1069 Arbor Creek, expressed his concern for replanting trees where the tree line was removed in front of Genesis.

Amanda Treadwell, Goddard Lions Club, announced that it is the time of year to launch the Mitten Tree. Treadwell explained that applications will be open to all the community to families in need, with or without children. The application is open until November 9th. Applicants will receive food for the holidays for Thanksgiving and Christmas and children ages 0 through 15 will get Christmas Gifts. Treadwell stated last year 189 families were served and 391 children.

APPOINTMENTS RECOGNITIONS AND NOMINATIONS

The Goddard Lion's Club would like the City Council and the Mayor to honor the Goddard Women's Club (GWC) for their long running history and contributions to the city of Goddard over the years.

According to their website "*The General Federation of Women's Clubs (GFWC) is an international organization dedicated to improving local communities through volunteer service. Members embody Living the Volunteer Spirit.*"

The Goddard Women's Club has served in this capacity for 90 years. The GWC was started in 1923 and was pivotal in establishing the Goddard Library and the creation of children's early literacy programs.

Gail Jameson with the Women's Club spoke on behalf of of the Women's Club saying they are honored to carry on a legacy of community volunteers for this community.

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.

HAWKINS LANE ANNEXATION UPDATE

South Hawkins Lane is the singular entry point into the Tanganyika Wildlife Park (TWP). This road is traveled by thousands of cars every year as they visit this significant local attraction within the city.

Micah Scoggan explained that on April 3rd the city council reviewed the possibility of annexing the properties abutting south Hawkins Lane as well as the road per the requirement of K.S.A 12-520(f). Letters were sent out to these property owners and a representative of the city went to the properties to knock on the doors to visit with the residents if they were home and the home was accessible. If the three property owners' consent to annexation the city will annex the properties and the abutting road. After which the city will have bond counsel draft a petition to be signed by Matt Fouts of TWP to assess 50% of the cost of paving Hawkins Lane to TWP with the remaining 50% to be paid for in temporary notes.

Discussions about the annexation occurred on June 9th and a preliminary draft annexation went out to the property owners. On September 18th the City Council reviewed the drafted annexations and it was decided that an in perpetuity, or forever clause, for the properties with the reduced mil levy was not desirable. The amended draft annexation was sent out to the property owners. There has been some conversation with the property owners since then, but none have signed the agreement.

Micah Scoggan presented an e-mail addressed to the City Council from Matt Fouts, Director of Tanganyika Wildlife Park, requesting the Council's participation with Sedgwick County to pave Hawkins Lane.

Councilmember Leland said the city has options, having tried to negotiate with the property owners with what seems to be fair, now the property could be annexed without the property

owners' consent and the cost be assessed to the homeowner, or the money set aside for paving Hawkins Lane could be put toward other projects.

MOTION: Councilmember *Leland* moved to direct staff to remove Hawkins Lane from the list of paving projects. Councilmember *Collins* seconded the motion. The motion carried unanimously.

MAIN EXTENSION FEE AND PROGRAM

Micah Scoggan stated city staff has looked at emulating the same program Wichita and Maize use when it comes to the extension of distribution lines and lift stations. The Main Extension Program would assess additional costs in the form of specials for sewer and water distribution and lift stations. The cash flow generated will go into a fund that can be used at the discretion of the city council for the extension of essential infrastructure for residential and commercial development.

The City Council is reviewing an ordinance to adopt certain language to add additional fees onto new residential and commercial developments to cash flow a fund for extending city services.

Development	Water	Square Feet of Development	Total to be assessed to development
Main Extension Fee	\$ 0.071	150,000	\$ 10,650.00
Individual Lot	Water	Per Frontage	Total to be assessed to lot
Main Extension Fee	\$ 50.00	75	\$ 3,750.00

Development	Sewer	Square Feet of Development	Total to be assessed to development
Main Extension Fee	\$ 0.03	150,000	\$ 4,500.00
Individual Lot	Sewer	Per Frontage	Total to be assessed to lot
Main Extension Fee	\$ 45	75	\$ 3,375.00

- Primary Transmission Main: Shall mean a sewer main that runs to a development to serve that development but does not run between the streets of that development. Usually, a larger diameter sewer main.
- Lateral Distribution Main: Shall mean a sewer main that runs through a development parallel to the streets of that development.
- Lift Station: Shall mean infrastructure used to move wastewater from lower to higher elevation, particularly where the elevation of the source is not sufficient for gravity flow and/or when the use of gravity conveyance will result in excessive excavation depths.
- Main Extension Fee: A fee applied to a development based on the square footage for the extension of a primary sewer main.
- Individual lots would pay the frontage cost to connect if they have never been assessed before.
- Developments would pay the per square foot cost for water and sewer if they have never been assessed for a lift station, or sewer/water primary transmission main.

Scoggan recommended that the City Council:

1. Waive the reading of the ordinance.
2. Approve the ordinance adding the Main Extension Program to the City of Goddard code.

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: Leland, Larkin, Traylor, Collins

Nay:

Ordinance #935

RESOLUTION AMENDING THE MASTER FEE SCHEDULE

Static recurring fees that are not calculated ad hoc are typically included in the Master Fee Schedule for reference by citizens and other cities for comparison and review. From time-to-time changes to these fees or adoption of new fees requires review and approval by the Governing Body with an adoption of a resolution for a revised Master fee Schedule.

The Governing Body is reviewing a resolution to amend the Master fee Schedule to include the fees related to the Main Extension Program.

The Governing Body is also reviewing amending the Master fee Schedule to include the fees related to the administrative fee related to grass abatement.

The resolution will take effect upon adoption by the Governing Body.

Main Extension Fee (Water Per Lot Frontage)	\$50	Per linear foot of lot frontage
Main Extension Fee (Water Per Development)	\$0.071	Per square foot of development
Main Extension Fee (Sewer Per Lot Frontage)	\$45	Per linear foot of lot frontage
Main Extension Fee (Sewer Per Development)	\$0.03	Per square foot of development
Administrative Abatement Fee	\$250	Per offense

MOTION: Councilmember *Leland* moved to adopt the resolution to amend the Master fee Schedule to include the fees related to the Main Extension Program. *Traylor* seconded the motion. The motion carried unanimously.

Resolution 23-40

INTERJURISDICTIONAL SIDEWALK AGREEMENT

Micah Scoggan explained that in 2019 the city, in partnership with Sedgwick County (SC) and Wichita, submitted a partnership letter to support an interjurisdictional sidewalk. The sidewalk

would run from 183rd Street east along the south side of Maple to 167th. Once it crossed over to the east side of 167th (Wichita side) it would drop south about 300 feet to the schools. It would also at the same time head north and continue east along the north side of Maple until it terminates at around 135th Street.

Originally the project would include a cost share from the city for a portion of the out-of-pocket cost that WAMPO would not fund.

Sedgwick County was recently approved to move the project along the WAMPO project application process to funding portion. Sedgwick County has determined to allow all the out-of-pocket costs, not paid for through the WAMPO funding, to be paid for by Sedgwick County's Capital Improvement Project (C.I.P) Budget.

This means Goddard no longer has any out-of-pocket cost. On May 1, 2023, the City Council voted in favor of writing a letter of support to WAMPO indicating they were willing to allow the construction of the sidewalk.

Sedgwick County and the State of Kansas have drafted an agreement that has been reviewed by Robert Coykendall of Morris Laing and approved as to form.

It states the city agrees with the proposed project and allows the necessary construction to occur within the city ROW and the corporate city limits of Goddard.

The City Council is reviewing an agreement for the interjurisdictional sidewalk between the city of Goddard, Sedgwick County, and the State.

Scoggan recommended the City Council approve the mayor signing the agreement between the state, Sedgwick County and Goddard for the construction of the interjurisdictional sidewalk.

MOTION: Councilmember *Leland* moved to authorize the mayor to sign the agreement between the State, Sedgwick County and the City of Goddard for the construction of the interjurisdictional sidewalk as proposed.
Traylor seconded the motion. The motion carried unanimously.

RESOLUTION FOR ABATEMENT OF PROPERTY

Micah Scoggan reviewed Goddard City Code Chapter 8-502 which states that all properties shall have grass and or weeds no higher than eight inches. Any such weeds and grasses shall be presumed to be blighting in nature if they exceed that height. In the event an individual or entity fails to abate the code violation, the city code enforcement officer may request a hearing before the Municipal Court to seek authority to access a backyard that is considered inaccessible due to gates or animals.

If the individual in question fails to appear in Municipal court, the city may seek approval from the Governing Body in the form of a resolution to enter upon the property and abate the code violation as outlined under Chapter 8 Article 2 of the city code.

The City Council is considering approving a resolution to allow the code enforcement officer and or their abatement team and representatives to enter upon the property for the purpose of abating the code violation.

All costs associated with abatement shall be billed to the property owner and if it is not paid within 30 days a lien shall be applied to the property.

Scoggan recommended the City Council approve the resolution for the abatement of certain property residing within the corporate city limits.

MOTION: Councilmember *Leland* moved to approve the resolution for the abatement of certain property residing within the corporate city limits. *Collins* seconded the motion. The motion carried unanimously.

Resolution 23-41

GOVERNING BODY COMMENTS

Councilmember Leland stated that Fall Festival was amazing. The Chamber and Fall Fest Committee did an amazing job. Leland thanked city staff and all who were involved with the event.

Councilmember Collins agreed that it was great and added that he had a good time and looks forward to next year.

Mayor Larkin added a special thank you to staff who worked overtime for the event. Larkin encouraged citizens to tell them thank you as they deserve it.

EXECUTIVE SESSION – (Councilmember Fish joined by phone)

MOTION: Councilmember *Leland* moved to recess into executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship (K.S.A 75-4319 (b)(2)). We will reconvene the open meeting in the City Council Chamber at 8:05 p.m. The motion carried unanimously.

The City Council recessed into executive session at 7:55 p.m. and reconvened at 8:05 p.m. Mayor Larkin announced there was no binding action taken in the executive session.

ADJOURNMENT

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

*The Meeting adjourned at 8:07 pm.
Teri Laymon, City Clerk*