THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION
March 26, 2013

The regular meeting of the Liberal City Commission was held at 6:30 p.m. in the Commission Chambers located at 325 North Washington on Tuesday, March 26, 2013.

Commissioners Present: Mayor Tim Long, Vice Mayor Joe Denoyer, Dave Harrison, Larry Koochel and Janet Willimon.

City Staff Present: City Manager Mark Hall, Public Works Director Joe Sealey, Finance Director Chris Ford, City Clerk Debbie Giskie, Human Resources Director Sheena Schmutz, Building Services and Code Enforcement Director Kory Krause, Housing & Community Development Director Karen LaFreniere Chief of Police Al Sill and City Attorney Shirla McQueen.

Mayor Long declared the meeting called to order, and City Clerk Giskie read the roll call declaring a quorum present. The Pledge of Allegiance was recited, and the invocation was given by Ann Holman of the Risen Glory Church.

1. Awards/Proclamations/Presentations. *No items were presented.*

2. Approval of Agenda.
Mayor Long requested approval of the agenda.
Commissioner Koochel moved to approve the agenda, as presented, with Vice Mayor Denoyer seconding the motion. The motion carried unanimously.

3. Approval of Minutes.
Vice Mayor Denoyer moved to approve the minutes of the March 7, 2013 special meeting and the March 12, 2013 regular meeting, as presented. The motion was seconded by Commissioner Willimon and carried unanimously.

4. Items from Citizens.
Mayor Long read the rules of the Commission and requested members of the audience approach the podium to address the Commission. *No items were presented.*

5. Items from Groups.
Mayor Long read the rules of the Commission and requested members of the audience approach the podium to address the Commission. *No items were presented.*

6. Consent Agenda.
a. Acknowledge Receipt of Minutes:
    1. Liberal Housing Authority, February 20, 2013.
b. Approval of Airport Lease Renewals:

1.	# 15.01	Gilmore Roustabout	$1,835.04	1 year
2.	# 19.00	Oil Field Mall	$1,867.14	1 year
3.	# 56.01	J & N Restoration	$ 320.76	1 year
4.	# 56.03	J & N Restoration	$ 322.43	1 year

5.	# 72.04	Gilmore Roustabout	$1,623.60	1 year
6.	#100.00	Gilmore Roustabout	$ 552.71	1 year
7.	#158.00	Southwest Medical Center	$3,072.00	1 year
8.	#165.01	Gilmore Roustabout	$ 779.33	1 year
9.	#185.02	Seward County Sheriff	$1,091.38	1 year
10.	#191.00	Hi-Plains Pest Control	$ 793.75	1 year

- Mayor Long inquired if the Commission wished to remove any items for further discussion.

Vice Mayor Denoyer moved to approve the Consent Agenda, as presented, with Commissioner Koochel seconding the motion. The motion carried unanimously.

7. Resolution No. 2170 - Rural Housing Incentive District.

Mayor Long requested Commission consideration of Resolution No. 2170, entitled, "A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY ".

- Housing & Community Development Director LaFreniere presented a resolution establishing a rural housing incentive district (RHID) which is designed by State statute for cities with a population of less than 40,000 in counties with less than 60,000 residents and allows qualifying developers who are constructing new affordable housing units to recapture the incremental property taxes following development for up to 15 years. She noted that in order to take advantage of the funding, a redevelopment district must be established which can be amended at a later date. She referred to the properties listed on Exhibit A, the map showing the locations of the districts and reported a housing assessment had been completed by Economic Development Director Parsons and her.
- Ms. LaFreniere introduced Kim Bell of Gilmore & Bell, Wichita who was in the audience. Ms. Bell reviewed the legislation that went into effect in 1998 and the process to be followed for the program, starting tonight with the development of the local rural housing incentive district, which is to be published and sent to the Secretary of Commerce. She continued to explain if we have a developer, we should negotiate a developer agreement which sets out exactly what the City and developer expect and then go ahead with the development district. She noted any debt incurred with the infrastructure is paid only from the taxes from those structures.
- Commissioner Willimon questioned the timeline to complete the process. Ms. Bell explained after the resolution is adopted, published and sent to the State, then it might take a couple of weeks to negotiate a developer agreement, which would go to the governing body for approval. Thereafter, publish notice in the newspaper of a hearing, adopt an ordinance giving taxing jurisdictions a 30-day protest period, and then go forward with the construction of infrastructure.
- She explained bonds can be issued to finance this infrastructure, paid from revenue from the houses; however, those revenues may not come in for a number of years. She noted there are very few investors, but the developer could borrow the money from the bank and then the bonds would be sold to an outside investor.
- Commissioner Harrison questioned what would be included in the developer agreement. Ms. Bell indicated that would include the number of lots, types of structures, list public infrastructure costs (streets, water and sewer), a review of the feasibility study and determine how much debt is involved versus the revenue amounts. He also voiced concern about the

City taking a financial risk. Ms. Bell advised that depending on how the development agreement is negotiated, the city could be at risk, as this is not a general obligation debt - if you have enough revenue for streets, but not for the water and sewer, you may need to consider special assessments.

- Ms. Bell advised Dodge City has utilized the program in the past and is considering another one while Garden City is looking into it also. She offered to provide examples of what they are doing.

Vice Mayor Denoyer moved to adopt Resolution No. 2170, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

8. Chip Seal Bid Award.

- Public Works Director Sealey referred to the annual chip seal bid results. He explained invitations were sent to nine potential bidders with two packets returned, but only one bid received from B & H Paving of Scott City, Kansas in the amount of $1.28 per square yard. He advised the area to be sealed is south of the railroad tracks in an amount not to exceed $350,000.

Commissioner Koochel moved to approve the bid of B & H Paving for the 2013 Chip Seal Program in an amount not to exceed $350,000, as presented. The motion was seconded by Vice Mayor Denoyer and carried unanimously.

9. Purchase of Summer Mowing Equipment – Building Department.

- Building Services and Code Enforcement Director Krause requested approval to purchase two 21" commercial push mowers and two commercial weed trimmers. He explained these are non-budgeted expenses but the life expectancy of the equipment in the past is overdue and it isn't cost effective to repair. He referred to the quotes from Mead Lumber and Keating Tractor and explained he would recommend Keating Tractor since they have the parts readily available and service them in-house instead of Mead Lumber who would have to send the equipment out-of-town for service.

Commissioner Harrison moved to approve the purchase of summer mowing equipment from Keating Tractor in the amount of $2,966.00, as presented. Commissioner Koochel seconded the motion, which carried unanimously.

- Vice Mayor Denoyer expressed appreciation to Mr. Krause for obtaining the quotes and getting the equipment for the crews.

10. CITY MANAGER'S REPORT.

City Manager Hall reminded the Commission of the Council of Governments meeting this Thursday at 7:00 a.m. at SCCC/ATS.

- City Manager Hall reported the trip to Washington, DC was very productive and included meetings with our senators and congressman discussing the definition of rural housing and self-help housing, EAS and FAA funding, lengthy discussion on immigration and the assurance that an INS mobile unit will be coming to SW Kansas sometime after May 2013.
- City Manager Hall thanked all the departments for their hard work and noted work is continuing at the Leete Family Park, preparations for the upcoming Kansas Sampler Festival and he updated the Commission on the status of the repairs to the swimming pool.

- Commissioner Harrison suggested consideration be given to fencing around the fitness equipment at Light Park and Leete Family Park to prevent children getting hurt when they fall on the concrete pad versus the soft landing surface around normal playground equipment.

11. ITEMS FROM COMMISSIONERS.

Vice Mayor Denoyer advised he had a couple of questions. He noted that Commissioner Koochel is a member of the Sampler Festival committee and asked how the preparations are coming. Commissioner Koochel stated the volunteers are coming in like last year and everything is set to go. He noted there are several new things and he was hopeful that if the weather cooperates we will have a real large event. He complimented CVB Director Sally Fuller for being so well organized.

- Vice Mayor Denoyer questioned how the process of securing summer help was coming along. Human Resources Director Schmutz advised they are looking for lifeguards and encouraged interested individuals to come down to City Hall and fill out an application.
- Vice Mayor Denoyer thanked City Manager Hall, HR Director Schmutz and City Clerk Giskie for representing the City in Washington, DC. He also thanked Housing Director LaFreniere for her efforts to establish the rural housing incentive development program and recognized it didn't happen overnight and that we have to start somewhere.
- He thanked City staff for the job they do and to his fellow commissioners for making this a good commission.

Commissioner Willimon expressed her appreciation to each of the commissioners and thanked City staff for their efforts. She reminded the public that the Dinosaur exhibit will be coming to Liberal in early April. She wished everyone good luck in the election and encouraged the public to get registered and to go out to vote.

Commissioner Harrison echoed the comments made this evening. He thanked everyone for all they have done and encouraged the public to get out and vote.

Commissioner Koochel noted that as usual, the city is running smooth with no major problems.

- Commissioner Koochel indicated he has been reminiscing for a week or so and would like to talk about some of the things where we were and where we are now:

"I realize this is my last full meeting. It has been indeed an honor and pleasure to serve the residents of Liberal as City Commissioner. There are so many people I wish to thank for making the past six years extremely meaningful for me. The list is long and I will save that for another time. Tonight's remarks will focus on what we have accomplished and the unfinished business to be inherited by the next commission.

When I was elected six years ago, there was expectation of change, and change there was; the city was moving in a direction that would prevent expansion and growth. The city had lost its identity. I know that people seldom look back at where the city was in 2007, but maybe if they took the time to look, it would explain a lot of things that are happening today. In 2006, the City held the distinction as having the second highest crime rate in the state of Kansas. We were the first county in the entire state of Kansas to hold the distinction of 51% Hispanic. That is not a bad thing, but with that distinction came the remarks that everyone is an illegal alien and we know that is not true. We were labeled as a gang town. People thought that Liberal was some sort of drug capital. In 2006, the quality of life was so poor that *The Hutchinson News* stated in

an article about the city: *when she gets old enough to start walking, where is she going to play? I can't take her to the park - I can't let her play in front of the house, because she'll get shot.* The town I loved so much was losing a battle we still face today. I knew the City had to change and I thank the commissioners today for all that we have done.

We started with Light Park and the Police Department. You remember what it was. We moved from park to park and made so many improvements throughout the City. You remember what they were. And yes, the next commission will continue to do this work. We started programs to make our city shine. You remember what they were. But I am sorry to say that so many people can't remember where the City was in 2006. They can't understand that every new business that we approach knows our reputation from six short years ago.

This election has brought out topics that we have been dealing with for the past six years. Economically, we have never passed any ordinance dealing with anti-business. It has been stated by hopeful commissioners that the city is anti-business – I have heard that said and you know they can't name a thing. We have only passed things to improve the business climate. What we have done over the past six years has helped overcome the question every retail business asks - *with 30,000 cities wanting us to move in, why would we choose Liberal – our research states you have held the distinction of the second highest crime rate in the state of Kansas and you have an illegal alien problem.* In six short years we have moved so far, but the naysayers can't remember where we were in 2006.

It is truly sad to think that some of the members of our Chamber of Commerce still make statements about our city being anti-business, when we support the Chamber and have furnished them a building at little or no charge. They can't remember where we were and where we are today. They refuse to realize all the things we have done for businesses.

When they talk about housing, I know that we have brought on many programs to help those in need and those who wish to build. Yes, we are working continuously, like tonight. But, as we all know, especially from the major employers in this city, the key is rental units. Those who think that 200 new homes is the answer when compared to 400 rental units are mistaken. When asked, a realtor will honestly tell you that both are needed, but rental housing is a priority. Our responsibility is public service and yet we are given the responsibility for housing. We are very aware of things that have been said during this election that the city cannot legally do or cannot afford.

I want to say something about our Police Department. I remember where we were in 2006. I remember when our citizens were afraid. I know that the chief has done great things and has changed the work ethic of the police department that once held the second highest crime rae in the state of Kansas. We should understand that we can't make people stay especially when you ask them to hold on while the city begins to change. I am proud of what the chief has done and I can only say that people refuse to remember where we were and what the police department had to deal with.

In closing, I am proud of this City. I am proud to be a City Commissioner and will always be proud of Liberal. I have only one regret, and that is some citizens refuse to remember where we once were and how far we have come in such a short time. Again, I am truly honored and grateful to have served as a city commissioner. To quote one of my favorite entertainers, *Thanks for the memories*."

Mayor Long advised it has been an honor to serve with Commissioner Koochel. He noted this is our last full meeting as a commission and hoped that we find Liberal is in a better place than we started four or six years ago.

- Mayor Long expressed appreciation to all the City departments and crews who are doing a great job Appreciate working with all the city department heads and city crews - done a great job - great things continue to happen

12. VOUCHERS.
$1,022,825.90, dated March 23, 2013. *Commissioner Koochel moved to approve the vouchers, as presented, with Commissioner Willimon seconding the motion. The motion passed unanimously.*

The meeting was adjourned by motion of Vice Mayor Denoyer.

_____
Tim Long, Mayor

ATTEST:

_____
Debra S. Giskie, CMC, City Clerk