

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

May 28, 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, May 28, 2013.

Commissioners Present: Mayor Dave Harrison, Vice Mayor Janet Willimon, Dean Aragon, Joe Denoyer and Ron Warren.

City Staff Present: City Manager Mark Hall, Public Works Director Joe Sealey, Finance Director Chris Ford, City Clerk/Airport Manager Debbie Giskie, Human Resources Director Sheena Schmutz, Fire Chief Kelly Kirk, Mid-America Air Museum Director Jim Bert, Chief of Police Al Sill and City Attorney Shirla McQueen.

Mayor Harrison declared the meeting called to order and City Clerk Giskie read the roll call declaring all members present. The Pledge of Allegiance was recited and the invocation was given by Joe Denoyer.

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

2. Approval of Agenda.

Mayor Harrison requested approval of the agenda.

Commissioner Denoyer moved to approve the agenda, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

3. Approval of Minutes.

Vice Mayor Willimon moved to approve the minutes of the May 7, 2013 special meeting and the May 14, 2013 regular meeting, as presented. The motion was seconded by Commissioner Aragon, which carried unanimously.

4. Items from Citizens.

Mayor Harrison 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 Harrison 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, April 10, 2013 regular meeting & April 22, 2013 Special Meeting.
2. Liberal Convention & Tourism Board, May 16, 2013.

Mayor Harrison inquired if the Commission wished to remove any items for further discussion. *Commissioner Denoyer moved to approve the Consent Agenda, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.*

7. Final Reading of Ordinance No. 4410 – Vacating a Utility Easement in Block 11 at the Airport.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4410, entitled, “AN ORDINANCE VACATING A CERTAIN EASEMENT IN THE CITY OF LIBERAL, KANSAS”.

- Airport Manager Giskie reported the first reading of the ordinance was held at the last meeting. She referred to the map in the packet and noted there are no utilities in the easement and as a result, City staff recommends the ordinance be adopted to vacate the easement.

Commissioner Denoyer moved to adopt Ordinance No. 4410, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

8. Resolution No. 2172 – Authorizing the Sale and Conveyance of Certain Property to MZ, LLC.

Mayor Harrison requested Commission consideration of Resolution No. 2172, entitled, “A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO MZ, LLC”.

- City Clerk Giskie reported MZ, LLC wishes to pay off the 2002 Industrial Revenue Bond issue for the Gardner Cryogenics project and the resolution will authorize the sale and conveyance of the property to MZ, LLC.

Commissioner Denoyer moved to adopt Resolution No. 2172, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

9. Firefighter Protective Clothing Purchase.

- Fire Chief Kirk reported the fire department is seeking approval to purchase four (4) sets of protective clothing. He noted they operate on a 5-7 year rotation schedule and budget annually to replace six sets; however, they only need to replace four this year. He explained they normally order from Quest Enterprises, but they are no longer a competitive vendor and quotes were received. Chief Kirk referred to the quotes and recommended Weis Fire Equipment, which is an increase of \$114 per pant and coat set, over previous years.

Commissioner Denoyer moved to approve the purchase of four (4) sets of protective clothing from Weis Fire Equipment in the amount of \$5,712, as presented. The motion was seconded by Vice Mayor Willimon and carried unanimously.

10. Board Appointment – Convention & Tourism Bureau.

- City Manager Hall reported the Convention & Tourism Bureau Board has two members whose terms will expire this summer. He advised Pam McElvain represents the lodging industry and Chuck Lamberson represents the oil and gas industry, and both have consented to being reappointed.

Vice Mayor Willimon moved to reappoint Pam McElvain and Chuck Lamberson to the CVB Board for three year terms expiring June 2016, as recommended. Commissioner Aragon seconded the motion, which carried unanimously.

11. Air Museum – Dinosaurs of Kansas Exhibit Update.

Air Museum Director Bert expressed appreciation to past and current City Commissioners for their faith and support of the Air Museum and the Dinosaur Project. He also thanked the Mid-

America Air Museum Foundation, City administration, and the many volunteers who made the dinosaur exhibit a true community activity. He mentioned several volunteers, some of which were present in the audience; including Don and Nancy Parsons, Steve Leete, Sandra Koochel and Jack Jacobs. He noted they provided assistance in many ways including fund raising, creativity and vision. He extended his profound thanks to everyone and reported a total of 20,170 individuals visited the dinosaur exhibit over the five (5) weeks and \$50,200 was generated in gross revenues in the newly remodeled gift shop.

- Museum Director Bert noted this a small example of what we can do in the future and reported they are getting ready to gear up on the robotics program which is expected to have a 400% increase over last year for ages 4 to 12. He advised it will be a joint program with U.S.D. 480 and the Memorial Library.
- The volunteers in the audience came forward so that a photograph could be taken of this historic event. They were applauded for their efforts.
- Steve Leete, Liberal, advised the dinosaur exhibit was a success and he would like to see Liberal become an educational mecca in the region and that we should continue the momentum for kids and their parents to come to Liberal for these type of educational opportunities.

12. Resolution No. 2173 – Amending Exhibit C of the Code of the City of Liberal, Kansas.

Mayor Harrison requested Commission consideration of Resolution No. 2173, entitled, “A RESOLUTION AMENDING EXHIBIT C OF THE CODE OF THE CITY OF LIBERAL, KANSAS, BY AMENDING ARTICLE 5, BUSINESS REGULATIONS, SECTION C-511 MASSAGE ESTABLISHMENTS, OPERATOR’S LICENSE FEE”.

- City Manager Hall reported the resolution would reduce the annual license fee for massage establishments from \$500 to \$50 per calendar year. He requested Commission consideration of refunding the two individuals who paid for this year.

Vice Mayor Willimon moved to adopt Resolution No. 2173 and to refund \$450 to the individuals who paid the current fee of \$500, as presented, with Commissioner Warren seconding the motion. The motion carried unanimously.

13. Airport – Rehabilitate Parallel Taxiway A and Taxiway C Project.

Airport Manager Giskie reported the City is in line for another FAA grant to rehabilitate the parallel Taxiway A and Taxiway C next year to continue the improvements at the Airport. She referred to the Airport capital improvement plan for the next five years and also the Taxiway A and C projects and explained we are eligible for 95% federal funding.

- She noted that in order to complete the project under the proposed schedule, approval is needed to approve the project as a whole, allocate the local 5% grant match funds of \$222,125 and to approve the engineering agreement with Lochner for the design and bid phase of the project.

Commissioner Denoyer moved to approve the Parallel Taxiway A & Taxiway C Project, to allocate \$222,125 for the 5% grant match from the Economic Development portion of the one-cent sales tax program and to approve the Agreement for Services with H.W. Lochner, Inc., as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.

14. 6 Points Project Bid Award.

Public Works Director Sealey reported KDOT received one bid last week on the 6 Points Project, which was much higher than the engineer's estimate. He noted the bid was more than \$2.1 million and with the inspection costs, the cost would be almost \$2.3 million, which exceeds the engineer's estimate of \$1.5 million by \$800,000.

- Mr. Sealey noted KDOT will pay \$975,000 and the City's share is about \$1.25 million. He recommended rejecting this bid and rebidding after reviewing possible revisions for cost savings.

Vice Mayor Willimon moved to reject this bid and to rebid the 6 Points Project after reviewing possible cost saving options, as recommended. Commissioner Warren seconded the motion, which carried unanimously.

15. Safe Routes to School Grant.

Police Chief Sill reported the Kansas Department of Transportation is accepting applications for the Safe Routes to School Grant and that the deadline to submit the grant application is June 7, 2013. He noted the purpose of the grant is to provide safety and convenient infrastructures that will allow elementary and middle school children in grades K-8 the opportunity to bike and/or walk to school. Chief Sill explained the Liberal Area Coalition for Families applied for the Phase I part of the grant last year, but it was denied due to lack funding and we have been encouraged to apply again.

- Chief Sill noted the main criteria for the project is that the area must be within approximately two miles of a school, and our target area will be Pine Street and the three schools that it serves. He explained collaboration for the project is currently being done between the Police Department, U.S. D. 480 School District and the Liberal Area Coalition for Families and preparation of the SRTS plan, for Phase I funding, will include the three agencies, plus community members, the City of Liberal, Parks and Recreation and the Liberal Safety Council.
- Chief Sill noted there are two changes in the grant program from last year, including a 20% grant match and the requirement that law enforcement apply for the grant; therefore, the Liberal Police Department will submit the grant with the Coalition's support.

Commissioner Denoyer moved to authorize the police department to apply for the KDOT Safe Routes to School grant, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.

16. City Manager's Report.

City Manager Hall reported this Thursday is the Council of Governments meeting at 7:00 a.m. at SCCC. Mr. Hall commended the volunteers, air museum foundation members and City staff for making the dinosaur exhibit a success. He also reported about 900 individuals had visited the pool yesterday.

- City Manager Hall advised all the departments are in full swing, with summer staff on board and he commended City staff for their efforts. He reminded the Commission of the housing presentation tomorrow evening at the 5:30 p.m. at the Depot.

17. Items from Commissioners.

Commissioner Warren expressed appreciation to everyone involved in putting together the awesome dinosaur exhibit. He noted his son enjoyed it and wants to go back to see the airplanes.

Commissioner Aragon advised he had heard so many good things about the dinosaur exhibit and the air museum, even from people in Rocky Ford, Colorado. He noted it was great that the pool is open and reported the Bee Jays will be playing tomorrow night against Owasso, Oklahoma. *Commissioner Denoyer* asked Fire Chief Kirk to come up and share an award one of his lieutenants won.

- Fire Chief Kirk reported Lieutenant Tyson Rice, whose grandfather was former Fire Chief Milton Rice, was selected as the Midwest regional firefighter of the American Legion and was one step below getting national recognition.
- Commissioner Denoyer commended the Liberal Fire Department, as well as all the countless emergency personnel who responded to the fire at the former Light flour mill fire this past weekend. Chief Kirk also thanked the volunteers who donated water and food for all the personnel. Commissioner Denoyer noted we saw a landmark burn down and it was good to see everyone come together to put the fire out with minimal damage.
- Commissioner Denoyer thanked the all the volunteers involved in putting the dinosaur exhibit together. He also extended condolences to the City of Dodge City on the death of former mayor and vice mayor Jim Sherer.

Vice Mayor Willimon thanked Jim Bert, the Air Museum Foundation and the countless volunteers for working together on the dinosaur exhibit. She noted the Cemetery looks fabulous and thanked City staff for their efforts to Liberal a better place.

Mayor Harrison advised it was great to hear about the dinosaur exhibit success and thanked all the people who came together to make it happen. He reported the kids noticed the green dinosaur outside the museum. He expressed appreciation to the way the Commission is working together.

18. Vouchers.

\$983,415.20, dated May 28, 2013. *Commissioner Denoyer moved to approve the vouchers, as presented, with Vice Mayor Willimon seconding the motion. The motion passed unanimously.*

The meeting was adjourned by motion of Commissioner Denoyer.

Dave Harrison, Mayor

ATTEST:

Debra S. Giskie, CMC, City Clerk