THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION
November 12, 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, November 12, 2013.

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

City Staff Present: City Manager Mark Hall, Public Works Director Joe Sealey, Finance Director Chris Ford, City Clerk/Airport Manager Debbie Giskie, 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 Ann Holman of the Risen Glory Church.

1. Awards/Proclamations/Presentations: *Mayor Harrison declared the month of November, 2013 as Welcome to Liberal, Kansas Month.*

2. Approval of Agenda.
Mayor Harrison noted the agenda has been amended by adding Item 18, a ten (10) minute Executive Session for discussion of non-elected personnel. He requested approval of the amended agenda.
Commissioner Denoyer moved to approve the agenda, as amended, with Commissioner Warren seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Aragon absent.

3. Approval of Minutes.
Commissioner Denoyer moved to approve the minutes of the October 22, 2013 regular meeting, as presented. The motion was seconded by Vice Mayor Willimon and carried by a vote of 4 to 0, with Commissioner Aragon absent.

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.

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- Bill Asmussen, speaking as a concerned citizen and treasurer of the Southwest Rifle and Pistol Club, read a prepared statement regarding the latest decision made in reference to the shooting range. He voiced concern about the City Manager giving them notice to vacate the shooting range premises as the building was being taken over by the police department for storage. He asked that the City reconsider these decisions.

- James Stoddard questioned the rules and how they would be enforced, as well insurance for the range. City Manager Hall indicated a sign would be posted with the rules which would be enforced by the user and he noted the range is covered under the City's insurance.
- Kevin Donovan suggested consideration be given to building a state of the art facility.
- Heime Arredondo, owner of Versus Signs questioned the City's sign permit policy regarding ownership of the business and property as a result of being denied the permit. Mr. Hall advised he would check into this further and get in contact with him.
- Sylvia Amparan also voiced concern about the sign permit policy after she was denied a permit. The Commission asked for her to provide a contact number with the clerk and Mr. Hall would contact her about the situation.
- Jack Taylor, representing SPIRIT, distributed the program from the November 7-8 SPIRIT conference held in Greensburg and noted it was a great meeting. He also requested the Commission reconsider their decision to deny 2014 funding for SPIRIT.

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 Convention & Tourism Board, September 19, 2013.
   2. Diversity Council, October 1, 2013 (draft).

b. Approval of Airport Leases:

1.	# 7.01	Dailing/Hoskinson	$1,366.79	1 year
2.	# 76.00	Modern Insulation	$ 514.80	1 year
3.	# 94.00	Maurice Richardson	$4,376.33	1 year
4.	#174.01	Panhandle Oilfield Services, Inc.	$2,542.32	1 year

c. Approval of Cereal Malt Beverage Licenses:

1.	Mid-America Air Museum	2000 West Second Street
2.	Pizza Hut #101	160 West Pancake Boulevard
3.	Pizza Hut #108	4 Village Plaza
4.	Wal-Mart #799	250 East Tucker Road
5.	Willow Tree Golf Course	1800 West 15th Street

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 by a vote of 4 to 0, with Commissioner Aragon absent.*

7. First Reading of Ordinance No. 4416 - Establishing a Franchise Fee with Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy; Amending Ordinance No. 4185 and Repealing Ordinance No. 4185 as Specified in this Ordinance.
Mayor Harrison requested Commission consideration of the first reading of Ordinance 4416, entitled, "AN ORDINANCE ESTABLISHING A FRANCHISE FEE WITH BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC. D/B/A BLACK HILLS ENERGY, A KANSAS CORPORATION; AMENDING ORDINANCE NO. 4185 AND REPEALING ORDINANCE NO. 4815 AS SPECIFIED IN THIS ORDINANCE".

- City Manager Hall noted the ordinance is a result of recent meetings with Black Hills Energy.

Commissioner Denoyer moved to advance Ordinance No. 4416 to a second reading, as presented, with Vice Mayor Willimon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Aragon absent.

8. Resolution No. 2179 – Environmental Abatements.

Mayor Harrison requested Commission consideration of Resolution No. 2179, entitled, "A RESOLUTION AUTHORIZING THE ABATEMENT OF CONDITIONS WICH ARE INJURIOUS TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS OF THE CITY OF LIBERAL, KANSAS, PURSUANT TO SECTION 8-210, CODE OF THE CITY OF LIBERAL, KANSAS".

- Code Enforcement Officer Gallegos introduced Kevin Kirk as the new Code Enforcement Officer. He referred to the resolution and photographs of the seven locations and noted 15-day period of abatement has elapsed.

Commissioner Denoyer moved to adopt Resolution No. 2179, as presented, with Vice Mayor Willimon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Aragon absent.

9. Resolution No. 2180 – Vehicle Abatements.

Mayor Harrison requested Commission consideration of Resolution No. 2180, entitled, "A RESOLUTION AUTHORIZING THE REMOVAL OF MOTOR VEHICLE NUISANCES FROM CERTAIN PROPERTIES IN THE CITY OF LIBERAL, KANSAS, PURSUANT TO SECTION 8-510 OF THE CITY OF LIBERAL, KANSAS".

- Code Enforcement Officer Mastellar referred to the resolution and photographs of the five locations and noted the 10-day abatement period has elapsed. He noted they are in the process of inspecting all the mobile home parks in the community and would present additional abatements in the near future.

Commissioner Denoyer moved to adopt Resolution No. 2180, as presented, with Commissioner Warren seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Aragon absent.

10. SKC Lobbyist Agreement.

City Manager Hall reported this is the continuation of the lobbyist services between Garden City, Dodge City and Liberal and advised the cost of the service would be split three ways.

- Commissioner Denoyer felt we should continue this service because of the good comments heard from the League, as well as our State legislators about them.

Commissioner Denoyer moved to approve the Agreement for Professional Services with Pinegar Smith & Associates for lobbyist services, as presented. Vice Mayor Willimon seconded the motion, which carried by a vote of 4 to 0, with Commissioner Aragon absent.

11. Special Traffic Enforcement Program (STEP) Grant Award.

Police Chief Sill referred to the KDOT correspondence notifying the Police Department of the 2014 Special Traffic Enforcement Program (STEP) Grant award in the amount of $3,500 for 2014. He noted every year they participate in the program which is used to finance overtime hours during the three enforcement campaigns that are scheduled for this year.

Commissioner Denoyer moved to accept the Special Traffic Enforcement Program (STEP) Grant for 2014, as presented, with Vice Mayor Willimon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Aragon absent.

12. Building Department Software.

Finance Director Ford noted the Building Department utilizes software for permitting, licensing planning and zoning and code enforcement. He explained the existing software, purchased in 2002 or 2003 from a company that is no longer in business, is experiencing problems.

- He reported research was done and consulted with other cities and found SMARTGov. Discussion was held on the software features, future upgrades and the fact that it will provide 24-hour access to those wanting to input data or check on the status of a permit.

Following further discussion, Vice Mayor Willimon moved to proceed with the implementation of the SMARTGov Building Department software at a total four-year cost of $62,349.00, to be funded from the City's Equipment Reserve Fund for the first year and the Building Department budget in subsequent years, subject to review and approval of the agreement by legal counsel. Commissioner Denoyer seconded the motion, which carried by a vote of 4 to 0, with Commissioner Aragon absent.

13. Airport Maintenance Building Renovation

Airport Manager Giskie requested Commission approval to renovate the Airport maintenance building by enlarging the middle bay door from 16' to 20' to better accommodate the runway broom that has an 18' broom. She referred to the quotes received in the packet and recommended the lowest quote of French Construction, in the amount of $13,565.00, to be funded from the Airport's asphalt millings revenue fund.

Commissioner Denoyer moved to approve the Airport Maintenance Building Renovation quote of French Construction in the amount of $13,565/00, to be funded from the Airport asphalt millings revenue fund, as presented. Commissioner Warren seconded the motion, which carried by a vote of 4 to 0, with Commissioner Aragon absent.

14. Unifirst Agreement.

City Manager Hall referred to the Agreement with Unifirst for uniform rental and miscellaneous item services for the period of December 1, 2013 through November 30, 2018 for Commission consideration. He noted the agreement contains the same terms as previous uniform agreements, such as termination, remedies and the non-appropriation clause for budgetary purposes.

- Mr. Hall reported the reason we are not receiving services out of Amarillo is because Unifirst is serving Liberal's largest employer and want to focus on that large account.

Commissioner Denoyer moved to approve the Unifirst Agreement for uniform rental and miscellaneous item services, as presented. Vice Mayor Willimon seconded the motion, which carried by a vote of 4 to 0, with Commissioner Aragon absent.

15. CITY MANAGER'S REPORT.

City Manager Hall noted the departments are at the end of the season and now going to finish up some issues and work on projects inside, while keeping the community clean. He expressed appreciation for all their hard work.

- Mr. Hall reported Fifteenth Street is completed and open for use, with some final touches being done and a sidewalk to be constructed in the near future.

16. ITEMS FROM COMMISSIONERS.
Commissioner Warren asked City Manager Hall to comment on the shooting range issue. Mr. Hall advised discussions were held with both parties and alternatives were offered that worked for both parties and then the gun club withdrew from talking further. He noted City staff tried to work out something and will continue working on safety. He explained National Beef has graciously agreed to open the range at 8:00 a.m. and close it at 6:00 p.m. every day, which will go into effect on Friday, November 15, 2013.

- Commissioner Warren hoped to have some information gathered regarding the housing and buildings boards for the next meeting. He also noted he had a good experience sitting in on the truancy court recently and that he became a grandfather for the first time last week.

Commissioner Denoyer thanked all those who came before the Commission tonight. He noted the shooting range issue became a situation as a result of a complaint and felt we all need to work together to make this work.
Vice Mayor Willimon thanked the group for coming before the Commission tonight. She encouraged everyone to clean up the community. She reported that she attended the recent SPIRIT conference and urged everyone to be friendly and promote our community.
Mayor Harrison thanked City staff for all their hard work.
Commissioner Aragon was absent.

17. VOUCHERS.
$490,989.96, dated November 12, 2013. *Commissioner Denoyer moved to approve the vouchers, as presented, with Vice Mayor Willimon seconding the motion. The motion passed by a vote of 4 to 0, with Commissioner Aragon absent.*

18. EXECUTIVE SESSION.
Commissioner Denoyer moved to adjourn into a ten (10) minute Executive Session per K.S.A. 75-4319(b)(1) – for the purpose of discussing personnel matters of non-elected personnel. The motion was seconded by Vice Mayor Willimon and carried by a vote of 4 to 0, with Commissioner Aragon absent. The Commission invited the city manager and legal counsel to attend the session and noted Commissioner Aragon would join the executive session via conference call.

- Mayor Harrison inquired if the Commission wished to take any action as a result of the Executive Session. *No action was taken.*

The meeting was adjourned by motion of Commissioner Denoyer.

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Dave Harrison, Mayor

ATTEST:

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Debra S. Giskie, CMC, City Clerk