THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION
November 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, November 26, 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, City Engineer Pete Earles, Code Enforcement Officers Albert Gallegos and Kevin Kirk, Economic Development Director Jeff Parsons, Housing & Community Development Director Karen LaFreniere, 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.
Mayor Harrison presented employee service awards for ten (10) years of service to Fidel Barboza with the Cemetery, Jose Torres with the Fire Department, and Santiago Cardoza with the Solid Waste Department.

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 November 12, 2013 regular meeting, as presented. The motion was seconded by Commissioner Warren and 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.

- Frank Holman expressed appreciation for the recognition given to the employees this evening and noted he appreciated them.

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. Arkalon Council, August 1, 2013.

b. Approval of Airport Leases:

1.	# 11.03	Rawhide Well Service	$7,457.79	5 years
2.	# 69.02	L & D Oilfield Services, Inc.	$2,317.39	1 year

c. Approval of Cereal Malt Beverage Licenses:

1.	Ayr Lanes	2050 North Kansas Avenue
2.	Dillons #73	1417 North Kansas Avenue
3.	Hutch’s #111	1580 North Kansas Avenue
4.	Hutch’s #117	850 South Kansas Avenue
5.	Presto #1621	440 South Kansas Avenue
6.	The Best Market	910 South Kansas Avenue
7.	Walgreens #10722	10 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. Vice Mayor Willimon seconded the motion, which carried unanimously.

7. Final Reading of Ordinance No. 4416.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4416, entitled, “AN ORDINANCE ESTABLISHING A FRANCHISE FEE WITH BLACK HILLS/KANSAS GAAS UTILITY COMPANY, LLC, d/b/a/ BLACK HILLS ENERGY; AMENDING ORDINANCE NO. 4185 AND REPEALING ORDINANCE NO. 4185, AS SPECIFIED THIS ORDINANCE”.

- City Manager Hall noted the City has worked with Black Hills Energy to propose an alternative methodology for franchise fee collection on the “super user”, by amending Section 7 of the franchise agreement. He noted all residents of the City will benefit from the City’s growth and development into new areas.

Commissioner Denoyer moved to approve Ordinance No. 4416, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

8. First Reading of Ordinance No. 4417 – Rezoning in Park Properties First Addition.

Mayor Harrison requested Commission consideration of the first reading of Ordinance No. 4417, entitled, “AN ORDINANCE AMENDING THE “OFFICIAL ZONING DISTRICT MAP” OF THE CITY OF LIBERAL, KANSAS BY REZONING ALL OF LOTS 2 – 5 AND PORTIONS OF LOT 6 AND PARK PLAZA BUSINESS PLAT OF PARK PROPERTIES FIRST ADDITION TO THE CITYOFLIBERAL, SEWARD COUNTY, KANSAS, FROM “C2” GENERAL COMMERCIAL DISTRICT, TO “PUD”, PLANNED UNIT DEVELOPMENT

- City Engineer Earles distributed a general layout showing the 64 units (16-plexes) with a garage. He referred to the drawing that shows a common area, a drainage pond as well as utilities and roadways and advised a drainage study will be conducted. He explained this is an infill area with lots that are not in use at this time.
- Mr. Earles advised once the rezoning is approved, work will continue on the PUD (planned unit development), which allows the developer to lay out the lots based on the property lines, not by setbacks. He advised there was no opposition at the Planning Commission meeting.

Commissioner Denoyer moved to advance Ordinance No. 4417 to a second reading, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

9. Resolution No. 2181 – Vehicle Abatement (MHP).
Mayor Harrison requested Commission consideration of Resolution No. 2181, 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 CODE OF ORDINANCES OF THE CITY OF LIBERAL, KANSAS".

- Code Enforcement Officer Kirk advised the resolution contains the vehicle violations found during the annual mobile home park inspections.

Commissioner Denoyer moved to adopt Resolution No. 2181, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

10. Resolution No. 2182 – Environmental Abatement (MHP).
Mayor Harrison requested Commission consideration of Resolution No. 2182, entitled, "A RESOLUTION AUTHORIZING THE ABATEMENT OF CONDITIONS WHICH ARE INJURIOUS TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENT OF THE CITY OF LIBERAL, KANSAS, PURSUANT TO SECTION 8-210, CODE OF THE CITY OF LIBERAL, KANSAS".

- Code Enforcement Officer Kirk advised the resolution contains the environmental violations found during the inspections at the mobile home parks.

Commissioner Denoyer moved to adopt Resolution No. 2182, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

11. Resolution No. 2183.
Mayor Harrison requested Commission consideration of Resolution No. 2183, entitled, "A RESOLUTION DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING". (THE VILLAGE AT THE PLAZA CORPORATION PROJECT).

- Housing & Community Development Director LaFreniere noted the resolution introduces a proposed Development Plan for a Rural Housing Incentive District (RHID) located in Village Plaza. She advised the resolution sets a public hearing date for January 2, 2014 at 5:30 p.m. at a special commission meeting.
- Ross Vogel of Employer Housing Partners, Kansas City, appeared before the Commission and explained they hope to be ready by February 2014 and be completed in the 2014 building season. He distributed their mission and expressed appreciation to City staff and the Commission for accelerating the process.

Vice Mayor Willimon moved to adopt Resolution No. 2183, as presented, with Commissioner Denoyer seconding the motion. The motion carried unanimously.

12. Resolution No. 2184
Mayor Harrison requested Commission consideration of Resolution No. 2184, entitled, "A RESOLUTION DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING: (Edwards Street Single Family Home Development).

- Housing & Community Development Director LaFreniere reported the resolution introduces a proposed Development Plan for a Rural Housing Incentive District (RHID) located on Edwards Street. She advised the resolution sets a public hearing date for January 2, 2014 at 5:30 p.m. at a special commission meeting.
- Commissioner Denoyer expressed appreciation to Mr. Vogel and City staff for bring this forward.
- Mr. Vogel advised this is not the same as the Employer Housing Partners and noted there are some other partners involved the development.

Following further discussion, Commissioner Denoyer moved to adopt Resolution No. 2184, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

13. Resolution No. 2185 - Vehicle Abatement.

Mayor Harrison requested Commission consideration of Resolution No. 2185, 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 CODE OF ORDINANCES OF THE CITY OF LIBERAL, KANSAS".

- Code Enforcement Officer Gallegos recommended approval of the resolution which calls for the abatement of vehicles found at one location in the community

Commissioner Denoyer moved to adopt Resolution No. 2185, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

14. Crack Seal Bid Award.

- Public Works Director Sealey referred to the bid results of the bid opening and noted eight vendors were notified of the request for bids. He noted one bid was received from B & H Paving, Scott City, at a bid of $0.969 per pound compared to $0.96 last year.

Vice Mayor Willimon moved to accept the bid of B & H Paving in an amount not to exceed $170,000 for the 2014 Crack Seal project, as presented, with Commissioner Denoyer seconding the motion. The motion carried unanimously.

15. Board Appointments:

a. Liberal Housing Authority.

- City Clerk Giskie reported the Liberal Housing Authority has a vacancy on the Board as a result of Marybettie Tabor's resignation. She referred to the recommendation of the Board to appoint Jennifer Malin to fill the unexpired term ending March 31, 2016.

Commissioner Denoyer moved to appoint Jennifer Malin to fill the unexpired term ending March 31, 2016 on the Liberal Housing Authority, as recommended. Commissioner Warren seconded the motion, which carried unanimously.

b. Arkalon Council.

- City Clerk Giskie reported the Arkalon Council will have two vacancies at the end of the year when the terms of Ernie Miller and Robert Hittle expire. She noted Mr. Miller has served two full terms and is not eligible to be reappointed and Mr. Hittle has consented to serve another term. She referred to the Board recommendation to reappoint Robert Hittle and appoint David Riley to the Arkalon Council for 4-year terms ending December 31, 2017.

Vice Mayor Willimon moved to reappoint Robert Hittle and to appoint David Riley to the Arkalon Council for 4-year terms ending December 31, 2017, as recommended. Commissioner Aragon seconded the motion, which carried unanimously.

16. Shooting Range:

a. Shooting Range Reservation Method.

- City Manager Hall referred to the memorandum that outlines the reservation method to be used at the shooting range. He noted this is the system utilized by many ranges for safety purposes and was the original method used.
- Commissioner Denoyer questioned if the policy would be published. Vice Mayor Willimon advised it had been published in the newspaper tonight.
- Discussion was held on the reservation process and how it allows the facility to be used by anyone.
- Commissioner Denoyer suggested consideration be given to obtaining some signs to be posted when the range is closed for a reserved shoot.
- Roger Jacquart noted the facility operated successfully for 21 years before the recent issues came to light. He noted the facility could use some improvements, but it is adequate.

Commissioner Denoyer moved to approve the reservation method for the shooting range to allow public access, as presented. Mayor Harrison seconded the vote, which carried unanimously.

b. Shooting Range Improvements.

- City Manager Hall referred to the information and drawings in the packet regarding improvements to the range. He recommended approval of the City Shooting Range project in the amount of $52,000 from the streets, drainage and capital improvements portion of the one-cent sales tax and the transfer of funds for the project.
- Mr. Hall noted talks will continue with interested parties to determine if they want to participate in the possibility of building a new range. He explained if the talks discontinue, the proposed improvements shown tonight will be made in January. He also noted that if talks continue on relocating the range, City staff would bring that item to the Commission for their consideration.
- Commissioner Denoyer noted Christy Mulanax, SCCC criminal justice instructor, is the audience and questioned if she had seen the plans. Ms. Mulanax advised she had seen the plans and noted SCCC staff is conducting a cost benefit analysis on what will work best for all involved. She suggesting including SCCC staff in the discussions on the shooting range future.

Commissioner Denoyer moved to approve the City's Shooting Range project in the amount of $52,000 from the Streets, Drainage, and Other Capital Improvements portion of the one-cent sales tax and the transfer of funds for the project, as presented. The motion was seconded by Commissioner Warren and carried unanimously.

17. CITY MANAGER'S REPORT.

- City Manager Hall referred to the letter from Mr. Irby thanking the Parks & Recreation Department for the work done on the tennis facilities.
- City Manager Hall expressed appreciation for all the work City staff and their departments are doing.

- Mr. Hall reminded the Commission that the Council of Governments won't meet until January, due to the holiday season.

18. ITEMS FROM COMMISSIONERS.

Commissioner Denoyer commended the employees with 10 years of service and also thanked the other employees who have worked many dedicated years with the City of Liberal. He wished everyone a Happy Thanksgiving.

Commissioner Aragon commended the employees recognized tonight for 10 years of service. He also noted he is looking forward to seeing something happening on housing in the near future.

Commissioner Warren advised he hadn't talked to City staff about the possibility of establishing a building board and a housing board, but the people he has talked to think it would be a good idea. He hoped to have this item on the next agenda.

- Commissioner Warren wished everyone a Happy Thanksgiving and expressed appreciation to the hard work done by the departments during the recent snow storm.

Mayor Harrison advised housing was one of the things brought up consistently during the last election cycle and noted many departments have been involved. He noted it takes time to get grants and all the paperwork done and it is exciting to have an opportunity to have something happening.

- Mayor Harrison thanked City staff for their hard work and wished everyone a Happy Thanksgiving.

Vice Mayor Willimon had no items to present.

19. VOUCHERS.

$1,433,520.09, dated November 26, 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.

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Dave Harrison, Mayor

ATTEST:

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Debra S. Giskie, CMC, City Clerk