THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION
October 8, 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, October 8, 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, Zoning Administrator Kory Krause, Fire Inspector Cody Regier, Solid Waste Director Frank Holman, 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. *No items were presented.*

2. Approval of Agenda.
Mayor Harrison reported the agenda needs to be amended in order to correct a typographical error on Item No. 11 to read, the Replat of Southlawn "Gardens" Addition, instead of "Garden". He requested approval of the amended agenda.
Commissioner Denoyer moved to approve the agenda, as amended, 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 September 24, 2013 regular meeting and the September 25, 2013 special meeting, as presented. The motion was seconded by Commissioner Denoyer 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. *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 Convention & Tourism Board, September 19, 2013.
   2. Diversity Council, October 1, 2013 (draft).
b. Approval of Airport Leases:
   1. # 6.00 Anadarko Petroleum Corp. $6,501.00 1 year

2.	# 34.02	Gary Classen	$ 633.60	1 year
3.	#112.01	Bill Campbell	$1,009.80	1 year
4.	#122.02	L & D Oilfield Service	$1,220.08	1 year
5.	#183.01	Merit Energy Company	$3,277.97	1 year

c. Approval of Cereal Malt Beverage License:

1. Mac's Tavern 925 South Kansas Avenue (previously Ridin' South).

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. U.S.D. 480 School Financing.

USD 480 President Delvin Kinser thanked the Commission for allowing them to come back this evening. He noted at their last visit, they made a request of the City – would the City be willing to allow the citizens of Liberal to vote to use some of their sales tax authority for the use of retiring a school bond issue, which they are working on the plans as we speak. He noted there was good discussion and questions at that meeting and the school board left the meeting with the feeling that maybe they were done talking. But, thanks to the Mayor, Commission and the city manager as well, those discussions didn't end.

- Mr. Kinser thanked the City for not giving up and being willing to come back to the table and talking again. He advised it is the request of the USD 480 Board of Education that the City of Liberal be willing to put a question before our voters to use some of the city sales tax authority.
- He reported the official question is: We, the U.S.D. 480 Board of Education, would like to request the use of a half-cent sales tax authority for the use of retirement of the school bond issue. The request would be for twenty-five (25) years or the life of bond, whichever is less. He noted they are moving forward with their plans and putting together the scope of the project.
- President Kinser stated the first time they came and talked to the Commission, he talked about how in Liberal when we want to do something as a community, we find a way to work together and get it done. He called this the Liberal way and he believed it was and noted from the very beginning, when travelers were coming through and someone needed a little water to get them through, the Liberal way was to give a helping hand, and through our history, when we have done great things, it's because we have worked together and found a way to get it done. He looked forward to us doing it again with this issue.

Mayor Harrison stated tonight is just another step in a long process and we still have a a long way to go, but, hopefully when we get finished tonight it will give clarity to what our intentions are. He expressed appreciation for the school board's willingness to work with the City open mindedly and answer all the questions. He recalled that the school board felt they were done talking the day after the first meeting and he was shocked to hear that the next day, but he was glad that they were able to sit down and continue talking. He hoped we are headed in a direction that not only benefits the schools, but also the citizens of the community.

- Vice Mayor Willimon noted the Commission needed to do their due diligence and were skeptical going into it. She advised she was honored and pleased with the fact that the two entities are unitizing this evening and thanked them for their efforts.

- Commissioner Denoyer noted as elected city officials with the tax authority, we did have the authority to either move forward with the project or just say we're not interested and let it die. However, with the scope and magnitude of the project, he felt it was not only important, but essential as this project will extend way beyond of life of this current commission and actually a generation of citizens. He felt it was important to let citizens to vote on this project.
- Commissioner Warren advised the City is concerned about what they have coming toward them in the city and the burden placed on the taxpayers. He noted it is realistic to be concerned about the State funding. He noted this is not only a school project, but also a community project and the school board will need to get something done in the near future.

Commissioner Denoyer moved to authorize City staff to proceed with the legal process setting forth a special question election for consideration by the City Commission at a regularly scheduled commission meeting, for the purpose of submitting to the electors of the City of Liberal, the special question of imposing up to a one-half percent (1/2%) citywide retailers' sales tax for the purpose of assisting in the repayment of a portion of the principal of and interest on a Unified School District No. 480 general obligation bond, issued to finance costs of certain educational facilities and for the payment of certain City infrastructure improvements related thereto for a period not to exceed twenty-five (25) years or until sufficient revenues have been collected to repay the general obligation bond; whichever is less. Vice Mayor Willimon seconded the motion.

- Commissioner Denoyer noted that this will allow the process to come forward and it will come to a vote of the people to allow this. He noted the City was in no way endorsing anything, but simply putting the question to the vote of the people. He advised it is now up to the vision committee and board of education to come up with a project that the voters can get behind and it is also up to the vision committee and sellers to build up the trust of the community and see it through to the end. He felt this would be a boon to the City of Liberal and advised we have talked about the fact that only two other communities in the State have done this and sometimes we need to be a leader and provide an example to show others what can be done.
- Mayor Harrison noted there is still another step in the process we are doing tonight and that is to adopt a formal resolution in the near future as soon as bond counsel and the school board get all the details worked out.

The motion carried unanimously.

8. Final Reading of Ordinance No. 4414 – Adoption of the 2013 Standard Traffic Ordinance.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4414, entitled, "AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LIBERAL, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", 41st EDITION OF 2013 AND REPEALING AND REPLACING SECTION 14-101, AND REPEALING SECTION 20-204 OF THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" AND REPLACING THE SAME WITH SECTIONS 14-108 AND 14-109 OF THE CODE OF THE CITY OF LIBERAL, KANSAS.".

- City Clerk Giskie advised this is the final reading of the ordinance presented at the last meeting, which will adopt the 2013 edition of the Standard Traffic Ordinance. She explained the police department enforces the STO laws and municipal court will prosecute violations. She noted if the ordinance is adopted, it would go into effect on Saturday.

Vice Mayor Willimon moved to adopt Ordinance No. 4414, as presented, with Commissioner Warren seconding the motion. The motion carried unanimously.

9. Final Reading of Ordinance No. 4415 – Adoption of the 2013 Uniform Public Offense Code.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4115, entitled, "AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LIBERAL, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", 29th EDITION OF 2013, AND REPEALING AND REPLACING EXISTING SECTION 11-101 OF THE CODE OF THE CITY OF LIBERAL, KANSAS".

- City Clerk Giskie advised this is the final reading of the ordinance presented at the last meeting, which will adopt the 2013 edition of the Uniform Public Offense Code. She explained the police department enforces the UPO laws and municipal court will prosecute violations. She noted if the ordinance is adopted, it would go into effect on Saturday.

Commissioner Denoyer moved to adopt Ordinance No. 4415, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

10. Fire Department – Hurst Extrication Equipment.

Fire Inspector Regier reported this equipment was budgeted last year, but the request to purchase was held off due to the economy. He referred to the quotes received for a new Hurst motor, spreader, cutter, ram and four (4) hoses for a 10,000 psi system and four (4) hoses for the current 5,000 psi system, which will be transferred to the South Fire Station.

- Finance Director Ford advised the purchase would come from the equipment reserve fund.

Commissioner Denoyer moved to accept the bid of MES-MIDAM (Municipal Emergency Services, Inc.) in the amount of $25,362.72 for the purchase of the Hurst equipment as presented, to be funded from the equipment reserve fund, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.

11. Replat of Southlawn Gardens Addition, Lots 1-4, Block 1.

Zoning Administrator Krause the replat will be revised to read "Gardens" and noted the replat is for four (4) more Self-Help houses.

- Commissioner Warren questioned the status of the lots since they are currently in a flood zone. Discussion was held about building up the lots to grade with fill dirt, there would be an easement and drainage included.

Commissioner Denoyer moved to approve the Replat of Southlawn Gardens Addition, Lots 1-4, Block1, as amended. Vice Mayor Willimon seconded the motion, which carried unanimously.

12. City Hall Roof.

Finance Director Ford reported we have had some leakage issues on the City Hall roof for some time and have attempted repairs numerous times. He explained they have concluded that a major repair is the best course of action. He reported the city engineer and City staff prepared a minimum scope of repairs and offered it to three companies, but only two quotes were received, as included in the packet.

- Mr. Ford recommended the low quote with the best warranty be accepted from White's Roofing in the amount of $111,472.00. He noted the project would be funded with $94,000 in the storm drainage reserve fund and the remainder from the equipment reserve fund.

- Jerry White of White’s Roofing showed the Commission the materials to be used and explained the process of repairing the roof.
- Commissioner Warren advised he had reviewed the differences in the two bids received and found $21,000 worth of work bid by Aqua Shield Roofing, that wasn’t necessary.
- Mayor Harrison thanked Commissioner Warren for reviewing the bids.

Commissioner Denoyer moved to approve the quote from White's Roofing in the amount of $111,472.00 to be funded from the Storm Drainage Reserve fund and the Equipment Reserve fund, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.

13. City Employee Uniforms.

a. ARAMARK Uniform Services.

Human Resources Director Schmutz referred to the memorandum in the packet and explained the City has been experiencing numerous problems with Aramark ranging from missing uniforms to incorrect invoices and discussed the steps taken to help correct the problems, with little success.

Commissioner Denoyer moved to terminate service with ARAMARK no later than November 30, 2013, by giving 30 days written notice, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.

b. Unifirst Uniform Services.

Human Resources Director Schmutz advised City staff has consulted with Unifirst Corporation to provide uniform and miscellaneous items upon termination of service from Aramark. She noted they have provided four bids from Unifirst. City Manager Hall noted they have included language in the contract regarding the cash basis law, as required by State law.

- Commissioner Aragon encouraged City staff to contact Unifirst in Amarillo also.

Commissioner Denoyer moved to allow staff to enter into a working agreement with Unifirst Corporation to provide uniform and miscellaneous services for the City, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.

14. CITY MANAGER’S REPORT.

City Manager Hall referred to the thank you note from the Turpin Fire Department and also the report on residency requirements for City Boards and Commissions, as included in the packet. He noted the City departments continue to work on numerous projects as weather permits and are making plans to push forward on winter projects. He commended City staff and the departments for doing a great job.

- Mr. Hall called upon Solid Waste Supervisor Frank Holman to come forward. Mr. Holman thanked the Commission for approving the purchase of another sanitation truck, which is parked in front of the building for their review. He indicated the Commission had asked about the number of trash containers in the community and reported that as of October 1, 2013, they serve 4,100 three-yard residential containers , 2,050 residential poly-cart street pickup containers and 700 commercial three-yard containers.

15. ITEMS FROM COMMISSIONERS.

Commissioner Aragon advised he received comments from people who were in town this weekend for class reunions on how good the community looks. He was pleased to see something happening with the schools.

Commissioner Denoyer echoed Commissioner Aragon's statements and advised he is keeping an open mind and putting his personal feelings aside by letting the citizens consider the one-half percent sales tax to improve the schools, which will ultimately improve our community. He noted this is a cooperative effort with the school district and he charged the vision committee to come up with a solution to fit our needs.
Vice Mayor Willimon noted there were sixteen people in the audience and she hoped there were sixteen times more watching the meeting on television tonight. She encouraged everyone to get registered to vote and noted 'your vote is your voice'. She commended the Commission for unitizing tonight.
Mayor Harrison echoed the comments tonight and expressed appreciation to City staff for everything they do.
*Commissioner Warr*en had no items to present.

16. VOUCHERS.
$2,113,155.90, dated October 8, 2013. *Commissioner Denoyer moved to approve the vouchers, as presented, with Vice Mayor Willimon seconding the motion. The motion passed unanimously.*

17. EXECUTIVE SESSION.
Commissioner Denoyer moved to adjourn into a twenty (20) 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 unanimously.

- The Commission invited the city manager, legal counsel, human resources director and finance director to the session.

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