

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

February 25, 2014

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, February 25, 2014.

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

City Staff Present: City Manager Mark Hall, Finance Director Chris Ford, City Clerk Debbie Giskie, Human Resources Director Sheena Schmutz, Building Services Director Kory Krause, Housing & Community Development Director Karen LaFreniere, Sanitation 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.

Mayor Harrison presented Casandra Norin, Liberal Memorial Library Children's Librarian, a proclamation designating the month of March 2014 as National Nutrition Month.

- Ms. Norin invited everyone to attend the 11th annual free Children's Healthy Fun Fair on March 8 from 10:00 a.m. to 1:00 p.m. at the Seward County Ag building.

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 February 11, 2014 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.

Melissa Best appeared on behalf of four property owners with concerns about their self-help homes. Mayor Harrison advised this matter is involved in litigation and suggested they keep in contact with the city attorney on this issue.

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, January 8, 2014.

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. Neighborhood Revitalization:

a. Final Reading of Ordinance No. 4421 – Approving and Adopting a Neighborhood Revitalization Plan for the City of Liberal, Kansas.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4421, entitled, “AN ORDINANCE APPROVING AND ADOPTING A NEIGHBORHOOD REVITALIZATION PLAN FOR THE CITY OF LIBERAL, KANSAS AND ALL PROVISION, TERMS AND CONDITIONS THEREOF, AND AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT FOR INTERLOCAL COOPERATION WITH SEWARD COUNTY, KANSAS AND ALL PARTICIPATING PUBLIC AGENCIES FOR THE PURPOSE OF PROVIDING A PROGRAM FOR NEIGHBORHOOD REVITALIZATION”.

- Housing & Community Development Director LaFreniere this is the final reading approving and adopting a Neighborhood Revitalization Plan. She requested the Commission consider adopting the ordinance and all the terms and provisions contained therein.

Commissioner Denoyer moved to adopt Ordinance No. 4421 and all terms and conditions contained therein. Commissioner Aragon seconded the motion, which carried unanimously.

b. Interlocal Agreement.

- Housing & Community Development Director LaFreniere referred to the Agreement in the packet and noted if was approved, she would forward it to the County Commission for their approval and then to the Attorney General.

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

8. Final Reading of Ordinance No. 4422 – An Ordinance Establishing a Code of Ethics for All City Officials and Employees.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4423, entitled, “AN ORDINANCE ESTABLISHING A CODE OF ETHICS FOR ALL CITY OFFICIALS AND EMPLOYEES, THE PURPOSE OF WHICH IS TO ESTABLISH GUIDELINES FOR ETHICAL STANDARDS OF CONDUCT FOR ALL SUCH OFFICIALS AND EMPLOYEES BY SETTING FORTH THOSE ACTS OR ACTIONS THAT ARE INCOMPATIBLE WITH THE BEST INTERESTS OF THE CITY”.

- City Manager Hall advised this is the final reading of the ordinance presented at the last meeting.

Commissioner Denoyer moved to adopt Ordinance No. 4422, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

9. Final Reading of Ordinance No. 4423 – Establishing a Building Safety Board of Appeals.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4423, entitled, “AN ORDINANCE ESTABLISHING A BUILDING SAFETY BOARD OF APPEALS FOR THE CITY OF LIBERAL, KANSAS; PRESCRIBING STANDARDS AND POLICY PERTAINING TO THE APPOINTMENT, TERM, GOVERNANCE AND ATTENDANCE OF MEMBERSHIP OF SAID BOARD”.

- Building Services Director Krause reported is this the final reading of an ordinance that would establish a building safety board of appeals. He noted the Board would benefit City staff and the contractors.
- Vice Mayor Willimon questioned when the board members would be selected. Mr. Krause noted an advertisement would be made in the newspaper and applicants would be brought to the Commission for consideration at a later date.

Commissioner Denoyer moved to approve Ordinance No. 4423, as presented, with Commissioner Warren seconding the motion. The motion carried unanimously.

10. Final Reading of Ordinance No. 4424 - Establishing a New Set of Codes for Building, Building Regulations and Code Enforcement.

Mayor Harrison requested Commission consideration of the final reading of Ordinance No. 4424, entitled, "AN ORDINANCE ESTABLISHING A COMPREHENSIVE SET OF CODES AND STANDARDS TO THE CODE OF ORDINANCES FOR THE CITY OF LIBERAL, KANSAS, FOR BUILDING AND BUILDING REGULATIONS, CODE ENFORCEMENT REGULATIONS; BY INCORPORATING BY REFERENCE TO THE LIBERAL MUNICIPAL CITY CODE; THE INTERNATIONAL BUILDING CODE 2009 EDITION, INCLUDING THE GENERIC FIRE-RESISTIVE ASSEMBLIES LISTED IN THE FIRE RESISTANCE DESIGN MANUAL, 20TH EDITION DATED JUNE 2012, PUBLISHED BY THE GYPSUM ASSOCIATION; THE INTERNATIONAL RESIDENTIAL CODE 2009 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE 2009 EDITION; THE INTERNATIONAL PLUMBING CODE 2009 EDITION, INCLUDING APPENDIX CHAPTERS, B,C,D,E,F & G, AND REPEALING ORDINANCE NO. 4382; THE INTERNATIONAL MECHANICAL CODE 2009 EDITION, INCLUDING CHAPTERS A & B, AND REPEALING ORDINANCE 4383; THE INTERNATIONAL FUEL GAS CODE 2009 EDITION, INCLUDING CHAPTERS, A,B,C & D, AND REPEALING ORDINANCE NO. 4384; THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2009 EDITION; THE INTERNATIONAL SWIMMING POOL AND SPA CODE 2012 EDITION; THE ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES 2009 EDITION; THE NFPA NATIONAL ELECTRICAL CODE 2008 EDITION WITH THE ICC ELECTRICAL CODE-ADMINISTRATIVE PROVISIONS, 2009 EDITION, WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES WITHIN THESE CODES AND STANDARDS SET".

- Building Services Director Krause reported this is the final reading of an ordinance adopting the full set of codes, like Dodge City and Garden City have done.

Commissioner Denoyer moved to approve Ordinance No. 4424, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

11. Resolution No. 2190 – Adopting Fee Structure.

Mayor Harrison requested Commission consideration of Resolution No. 2190, entitled, "A RESOLUTION ADOPTING A COMPREHENSIVE SET OF FEE SCHEDULES FOR THE CITY OF LIBERAL BUILDING AND CODE ENFORCEMENT DEPARTMENT REGULATIONS, BY AMENDING THE FEES CONTAINED IN ARTICLE 6 BUILDING AND STRUCTURE CODES IN EXHIBIT "C" OF THE CODE OF THE CITY OF LIBERAL, KANSAS".

- Building Services Director Krause referred to the resolution and noted this had been reviewed briefly at the last meeting. He noted the fees are based on ICC standards with fees to be charged on a total valuation basis and this is a good time to implement the new structure as they are updating the software.

Commissioner Denoyer moved to adopt Resolution No. 2190, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.

12. Sanitation LoDal Truck.

Sanitation Director Holman reviewed the status of the two LoDal trucks used for the poly cart routes and noted it is important to replace the 1989 and rotate the 2012 to a backup unit. He explained the cost of the new truck is between \$190,000 and \$200,000 and will be same manufactured truck that has been used for the last 30 years. He estimated the truck would be available in four to six weeks instead of the usual 6 month timeframe.

- Commissioner Denoyer questioned what would be done with the 1989 truck. Mr. Holman advised it would be used for parts.

Commissioner Denoyer moved to approve the purchase the LoDal truck in an amount not to exceed \$200,000, as presented. Commissioner Aragon seconded the motion, which carried unanimously.

13. CITY MANAGER'S REPORT.

City Manager Hall reminded the Commission of the Council of Governments meeting this Thursday, February 27 at 7:00 a.m. at SCCC. He noted City staff is already preparing for Pancake Day and expressed his appreciation to the efforts of all city departments and staff. Mr. Hall acknowledged City staff's efforts at the shooting range to create a portable solution.

- He also reported details of infrastructure requirements should be forwarded to USD 480 officials on Monday for the proposed sites for the bond issue project.

14. ITEMS FROM COMMISSIONERS.

Commissioner Warren reported he was glad to see the building safety board established and noted he believed it will be helpful and appreciated the training being received by City staff.

Commissioner Aragon advised he was pleased to see people come before the Commission.

Commissioner Denoyer encouraged the public to get registered by March 18 and be informed on the USD 480 bond issue election. He commended everyone involved in the First Lego League robotics competition this weekend with more than 70 volunteers and 14 teams from the region.

Vice Mayor Willimon reiterated the praises to the Air Museum staff and volunteers who put together a well run robotics competition with more than 500 people in attendance. She thanked City staff for putting together the 5th Annual State of the City Address.

Mayor Harrison agreed with the comments this evening. He also noted the last meeting in March will need to be rescheduled due to the Washington trip to later that week.

15. VOUCHERS.

\$900,623.96, dated February 25, 2014. *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.

ATTEST:

Dave Harrison, Mayor

Debra S. Giskie, CMC, City Clerk