

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

July 22, 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, July 22, 2014.

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

City Staff Present: City Manager Mark Hall, Public Works Director Joe Sealey, Finance Director Chris Ford, Human Resources Director Sheena Schmutz, Zoning Administrator Kory Krause, Housing & Community Development Director Karen LaFreniere, Water Services Director Calvin Burke, Chief of Police Al Sill and Legal Counsel Kerry McQueen.

Mayor Denoyer declared the meeting called to order, and Human Resources Director Schmutz read the roll call declaring a quorum 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 Denoyer requested approval of the agenda.

Commissioner Harrison moved to approve the agenda, as presented, with Commissioner Willimon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren absent.

3. Approval of Minutes.

Commissioner Willimon moved to approve the minutes of the July 8, 2014 regular meeting and the July 16, 2014 special meeting, as presented. The motion was seconded by Vice Mayor Aragon and carried by a vote of 4 to 0, with Commissioner Warren absent.

4. Items from Citizens.

Mayor Denoyer 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 Denoyer 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, June 11, 2014.

- Mayor Denoyer inquired if the Commission wished to remove any items for further discussion.

Commissioner Harrison moved to approve the Consent Agenda, as presented, with Vice Mayor Aragon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren absent.

7. First Reading of Ordinance No. 4430 - Franchise with Wildflower Telecommunications.

Mayor Denoyer requested Commission consideration of the first reading of Ordinance No. 4330, entitled, "AN ORDINANCE GRANTING WILDFLOWER TELECOMMUNICATIONS, LLC, D/B/A IDEATEK, A CONTRACT FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF LIBERAL, KANSAS AND PRESCRIBING THE TERMS OF SAID CONTRACT FRANCHISE".

- Ivan Kuhn, Vice President Sales and Marketing for Ideatek, presented a PowerPoint for small cell deployment in Liberal. Small cells are antennas that are 35 feet high used to improve cellular coverage and data speeds in the area. The small cell antennas are used to fill in the gaps between large towers, thus increasing coverage for cellular coverage. Initially construction on this project would begin as soon as possible, possibly as early as August 4, 2014. Ideatek will work with City staff to ensure potential 18 locations for the initial small cell deployment.

Commissioner Willimon moved to advance Ordinance No. 4430 to a second reading, as presented, with Vice Mayor Aragon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren absent.

8. First and Final Reading of Ordinance No. 4429 - Rezone the 700 Block of North Western Avenue from "R-1" to "C-2".

Mayor Denoyer requested Commission consideration of the first and final reading of Ordinance No. 4429, entitled, "AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF LIBERAL, KANSAS BY REZONING THE 700 BLOCK OF NORTH WESTERN AVENUE, ALSO KNOWN AS, LOT ONE (1), BLOCK TWENTY (20) AND BLOCK TWENTY-ONE (21), AIRPORT INDUSTRIAL PARK OF THE CITY OF LIBERAL, SEWARD COUNTY, KANSAS, FROM "R1" SINGLE-FAMILY DWELLING DISTRICT TO "C2 "GENERAL COMMERCIAL DISTRICT".

- Zoning Administrator Krause proposed a rezone from R1 to C2 for the location listed on Ordinance No. 4429. City staff and the Planning Commission recommend the Commission accept this rezone.
- City Manager Hall announced the Mayor has executed the letter deeming this an emergency and waiving the first reading.

Commissioner Harrison moved to adopt Ordinance No. 4429, as presented, with Commissioner Willimon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren absent.

9. Neighborhood Revitalization Districts:

- a. Rescind Ordinance No. 4421 - Ordinance adopting the Neighborhood Revitalization Plan.
- Housing & Community Development Director LaFreniere stated the County has requested some changes in the Plan as was previously presented in January 2014. Since the changes have been requested, Director LaFreniere requested Ordinance No. 4421 be rescinded.

Commissioner Harrison moved to rescind Ordinance No. 4421, as presented, with Commissioner Willimon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren absent.

- b) Resolution No. 2196 - Establishing a Date for a Public Hearing Concerning the Adoption of a Plan Pursuant to the Neighborhood Revitalization Act, K.S.A. 12-17 114 *et seq.*

- Housing & Community Development Director LaFreniere stated the process is starting over; a notice for a public hearing will be advertised in the paper to introduce a new plan which will be available for review at City Hall. The hearing will be held at the next City Commission meeting scheduled for August 12, 2014 at 6:30 p.m. in the City Commission Chambers.
 - Changes to the proposed Plan by the County are to include all the taxing entities for administrative purposes; improvement be at least 10% the value for residential properties and 20% for commercial properties; if a participant becomes delinquent on their taxes they will become ineligible; in addition, the rebate will also be terminated if property is sold; and mobile homes will be excluded as well as storm damage. The rebate will be 95% to the property owner and 5% to the County and 5 years for rehabs and 10 years for new construction. All taxing entities have approved of the changes pending approval by the City.
- Commissioner Willimon moved to adopt Resolution No. 2196, as presented, with Vice Mayor Aragon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren absent.*

10. Water Tower Painting.

- Public Works Director Sealey presented information regarding the painting of the water tower. Four quotes were received back from nine potential providers stating what they would provide for that amount. It includes external painting and an internal painting of the tower. City staff would recommend consideration to go with Central Tank with the low quote.

Commissioner Harrison moved to accept the bid from Central Tank for the water tower painting for \$98,000 for the exterior and \$2,500 for the interior, for a total of \$100,500 with a single color, as presented. Vice Mayor Aragon seconded the motion, which carried by a vote of 4 to 0, with Commissioner Warren absent.

11. CITY MANAGER'S REPORT.

- City Manager Hall thanked the departments for their hard work and keeping up on all the properties with the recent rains.

12. ITEMS FROM COMMISSIONERS.

Commissioner Willimon stated she was happy to be serving and on Team Liberal! She noted she had recently attended an Air Fair meeting and everything is progressing towards the air show on September 13.

- Commissioner Willimon also stated the City looks great; it is very green with the rain and a great place to be.

Vice Mayor Aragon thanked City staff for their work and noted the parks look great. He noted last Sunday there was an event at the Fairgrounds and many people showed up for the event and he was glad we are using facilities and bring people to Liberal from out of town.

Mayor Denoyer advised several events coming up; August 5th is National Night Out; 5-State Fair is coming up this Friday and encouraged all citizens to come out.

- Mayor Denoyer thanked City staff for keeping the City looking good.

Commissioner Harrison had no items to present.

Commissioner Warren was absent.

18. VOUCHERS.

\$803,215.47, dated July 22, 2014. *Commissioner Willimon moved to approve the vouchers, as presented, with Vice Mayor Aragon seconding the motion. The motion passed by a vote of 4 to 0, with Commissioner Warren absent.*

The meeting was adjourned by motion of Commissioner Harrison.

Joe Denoyer, Mayor

ATTEST:

Sheena J. Schmutz, Human Resources Director