

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

September 8, 2015

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, September 8, 2015.

Commissioners Present: Mayor Joe Denoyer, Vice Mayor Dean Aragon, Jack Carlile, Dave Harrison and Tony Martinez.

City Staff Present: City Manager Mark Hall, Finance Director Chris Ford, Deputy City Clerk Alicia Hidalgo, Human Resources Director Sheena Schmutz, Police Chief Al Sill and City Attorney Shirla McQueen.

Mayor Denoyer declared the meeting called to order, and Deputy City Clerk Hidalgo read the roll call declaring a quorum present. The Pledge of Allegiance was recited, and Kevin McCloud of First Southern Baptist Church gave the invocation.

1. Awards/Proclamations/Presentations. *Mayor Denoyer presented Bonnie Raff with a proclamation designating September 17-23, 2015 as Constitution Week.*

2. Approval of Agenda.

Mayor Denoyer requested approval of the agenda,

Commissioner Harrison moved to approve the agenda, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

3. Approval of Minutes.

Vice Mayor Aragon moved to approve the minutes of the August 25, 2015 regular meeting, as presented. The motion was seconded by Commissioner Harrison and carried unanimously.

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, July 13, 2015.
2. Liberal Convention & Tourism Board, August 20, 2015.

b. Approve Airport Leases:

- | | | | |
|------------|---------------------------------|------------|--------|
| 1. #24.02 | Humble Welding | \$878.50 | 1 year |
| 2. # 41.07 | Tanking Compressor Service, LLC | \$1,279.08 | 1 year |
| 3. #137.02 | Butch and Linny Dick | \$1,174.75 | 1 year |
| 4. #142.00 | ABC Self-Store-It | \$3,744.18 | 1 year |
| 5. #164.00 | David Falke | \$1,317.75 | 1 year |

c. Approve Cereal Malt Beverage License:

1. Circle K Store 440 South Kansas Avenue.

Commissioner Martinez moved to approve the consent agenda, as presented. The motion was seconded by Commissioner Carlile and carried unanimously.

7. Hay Rice & Associates, Chtd.:

a. 2014 Audit:

- Dustin Ormiston noted the copy of 2014 audit report and thanked administration for making the process smooth and assisting with the process of the audit. Staff has been very helpful and proactive with controls and implementing the procedures.
- Mr. Ormiston went over the highlights of the audit. The first part is the management discussion & analysis. It's a comparison of where the City was last year and where the City is this year. Gives highlights of the administration perspective of the year. Statement One, pages 1 and 2, is basically a full basis of accounting; it's where they count everything the city owns in addition to what the city owes. This is the fullest picture of the state of the city. We do that in two different types of assets. They have governmental funds which is everything except enterprise, and enterprise is generally water, sewer and sanitation.
- Statement Two is the Income Statement which is referred to as the statement of activities. This shows what it costs to provide each type service. Grant money is given as a credit to that activity to see what that activity costs the City.
- Mr. Ormiston referenced page 47 and the Supplemental Schedules that show budgetary presentation of the financial statement.
- Mr. Ormiston noted this is a quick overview of the audit. Please contact him if you have a question and he can go into greater detail.
- Mayor Denoyer questioned if the city is in good financial state.
- Mr. Ormiston stated yes, from a financial standpoint, the city is in good financial state.

Commissioner Harrison moved to adopt the 2014 Audit, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously

b. 2015 Audit Contract:

- Finance Director Chris Ford noted the proposed audit contract is for the year ending December 31, 2015.

Commissioner Carlile moved to approve the 2015 Audit Contract, as presented, with Vice Mayor Aragon seconding the motion. The motion carried by a vote of 4 to 0 with Commissioner Harrison abstaining.

Commissioner Harrison abstained from this item because Mr. Ormiston is his accountant.

8. East 8th Street Project Close-Out.

- Finance Director Ford noted the Statement For Project Close Out from KDOT for the East 8th Street Project, from when 8th Street was reconstructed from the Highway 83 Overpass up to Highway 54 with the addition of a turning lane.
- When the East 8th Street project was completed, it was funded through 80% KDOT and 20% from the City's participation from the Streets, Drainage, and other Capital Improvements portion of the One-Cent Sales tax.
- Mr. Ford noted that as with most projects we've done with KDOT, we will receive a statement from KDOT. Since I've been here, one time we did receive a check for overpayment of our original 20%. However in this case, KDOT is requesting reimbursement for our 20% of the overages on the project.
- Mr. Ford included a Comparative spreadsheet to compare the original bid costs of \$443,000.00 that the City owed to them to the audited numbers to determine where the variances were. Essentially, the construction costs were higher than what we budgeted but the engineering costs were lower. So the net effect is \$29,074.58.
- Staff requests consideration to fund this amount from the Streets, Drainage, and other Capital Improvements portion of the One-Cent Sales tax.
- Discussion was held on the variance; grading and surfacing; utilities not a being a part of this project and the timeframe.

Vice Mayor Aragon moved to pay KDOT \$29,074.58 from the Streets, Drainage and Other Capital Improvements portion of the One-Cent Sales Tax for the East 8th Street Projects close-out, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

9. LKM Voting Delegates.

- City Manager Hall stated the 2015 LKM Annual Conference is in Topeka on October 10-12 this year and we would like to submit the names of the voting delegates of those attending: Mayor Denoyer, Vice Mayor Aragon, Commissioner Carlile and Commissioner Martinez.

Commissioner Harrison moved to appoint Mayor Denoyer, Vice Mayor Aragon, Commissioner Carlile and Commissioner Martinez as voting delegates at this year's annual conference, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

10. Library Board Appointment.

- City Manager Hall explained Barbara Smith's term is expiring and the board recommends Ann Lamon be appointed to the board.

Commissioner Carlile moved to appoint Ann Lamon to the Library Board, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

11. CITY MANAGER'S REPORT.

- City Manager Hall noted since we are moving into the fall season Staff is making preparations for that. The pool is closed but we do have one event this weekend and then it will close for the year. Staff continues to try to keep on top of weeds. Staff is still finishing up the ball fields and working on sidewalks and landscaping. Play is continuing and is now getting into co-ed softball.
- Mr. Hall thanked all departments for their hard work.
- Mr. Hall reminded the Commission that the Council of Governments was moved to tomorrow to accommodate the presentation of Chief Justice Nuss from the Kansas Supreme Court.

12. ITEMS FROM COMMISSIONERS.

Commissioner Carlile had no items to present

Commissioner Martinez advised thanked City Staff and the City Manager for all the work they are doing.

Commissioner Harrison questioned the status of old Liberal Iron and Metal property - Is the company working there now?

City Manager Hall stated they are in the cleanup process.

Commissioner Harrison also questioned the property at Locke & Webster. Mr. Abbott stood here a year ago and said he would be cleaning up the property. The condemnation process needs to be started as soon as possible.

Mr. Hall let the Commission know Building Inspector Kory Krause will start on it.

City Attorney McQueen stated it can be done by the City condemnation proceedings or an NTA issued and brought through Municipal Court. It's probably been over a decade that Code Enforcement matters have been brought through court but, yes, we can go through Municipal Court. She is working with Mr. Krause to put together a code book.

Commissioner Harrison stated his problem is that he's sat here for seven years, almost eight years and it's been a sore spot for every Commission he's sat on. A couple of different times, Mr. Abbott has said he will clean it, he's going to fence it but that's not the only property he has that is that way. No one else gets to do that here and he shouldn't either. No one with a business should be able to operate that way.

City Attorney McQueen will speak to Mr. Krause and explore various options.

Commissioner Harrison stated he has property on Western Ave that he piles dirt on and weeds just grow and the weeds can't be mowed because they're on piles of dirt. There is also a property on East 8th Street - he is not sure who owns it - but the same thing is going on there.

Commissioner Harrison stated Mr. Abbott also did cement work on the west end of town at the truck stop and that cement was taken out and piled there on the parking lot. There needs to be a plan for something to be done. Mr. Harrison thinks Mr. Abbott has called attention to himself long enough, and if he wants that, we can pay attention to him every day. Mr. Harrison suggests the City no longer does any business with him until he cleans up.

Commissioner Harrison thanked staff for all they do. He know staff has been busy with weeds and soon things will slow down. With the beginning of the winter months, we'll have some time to address issues like this. Also, with the rainy summer, there are some weeds around the poles at almost every corner of town and it would be nice to hit all the areas, clean it up, and make it look nicer.

Vice Mayor Aragon thanked Staff for all they are doing. He is getting good comments on the ballparks. He is excited to see the new Wal-Mart open and progress on the schools. The City looks good.

Mayor Denoyer thanked City Staff and encourages everyone to get out and enjoy our town because there is always something to do in Liberal, Kansas.

Commissioner Harrison mentioned another place close to NAPA, there's a blacktop car lot and directly behind it is a fenced off property with a snow fence. It has a building and a trailer but in the corner, there is a pile of roofing material, cement, and dirt.

13. VOUCHERS.

\$877,523.38, dated September 8, 2015. *Vice Mayor Aragon moved to approve the vouchers, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.*

The meeting was adjourned by motion of Commissioner Harrison.

Joe Denoyer, Mayor

ATTEST:

Alicia Hidalgo, Deputy City Clerk