

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

September 22, 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 22, 2015.

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

City Staff Present: City Manager Mark Hall, Director of Finance Chris Ford, City Clerk Debbie Giskie, Human Resources Director Sheena Schmutz, Building Services and Code Enforcement Director Kory Krause, Economic Development Director Jeff Parsons, Fire Marshall Cody Regier, LPD Lieutenant Jared Ratzlaff, Chief of Police Al Sill and City Attorney Shirla McQueen.

Mayor Denoyer declared the meeting called to order, and City Clerk Giskie read the roll call declaring a quorum present. The Pledge of Allegiance was recited, and the invocation was given by Dr. Jack Jacob of the First Southern Baptist Church.

1. AWARDS, PROCLAMATIONS AND PRESENTATIONS. Mayor Denoyer presented representatives of the Liberal Fire Department with a proclamation declaring the week of October 4 to October 10, 2015 as Fire Prevention Week. Fire Marshall Regier advised the department would be visiting with 2nd and 3rd grade students during the month of October about fire safety.

2. Approval of Agenda.

Mayor Denoyer requested approval of the agenda.

Commissioner Harrison moved to approve the agenda, as presented, 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 September 8, 2015 regular meeting, as presented. The motion was seconded by Commissioner Carlile 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.

Susan Lukwago, coordinator of the Healthy Community Initiatives, reminded the Commission of the grant received from the Kansas Health Foundation and that the City has passed a resolution adopting the Healthy Initiatives Policy. She noted that they have worked with William Weber at the Recreation Center to reduce 50% of the snacks with healthy nutritional snacks at a constant price and that this practice has also carried over to the portable concession

trailer, the water park and also at the ball fields. She expressed appreciation to the City for their participation in this program to help reduce childhood obesity.

6. Consent Agenda:

a. Approve Cereal Malt Beverage License:

1. Hong One Stop 800 North Kansas Avenue.

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 unanimously.*

7. Resolution No. 2219 - Authorizing the Offering for Sale of General Obligation Refunding Bonds, Series 2015, of the City of Liberal, Kansas.

Mayor Denoyer requested Commission consideration of Resolution No. 2219, entitled, "A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015, OF THE CITY OF LIBERAL, KANSAS".

- Director of Finance Ford noted we have some 2006 General Obligation Bonds that are eligible for refunding and we have an opportunity to receive a better interest rate. He introduced Larry Kleman representing Ranson Financial Consultants.
- Mr. Kleman reviewed the savings to be received as a result of the refunding and noted the process would include accepting bids, which will be brought back at the October 27, 2015 Commission meeting.
- Mr. Kleman reported they estimate a savings of about \$90,000 in the bulk of the program. He advised there would be no out of pocket costs.
- City Manager Hall reported the City is under no obligation to proceed if the bids don't come back favorably.

Commissioner Harrison moved to adopt Resolution No. 2219, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

8. Omnibus Continuing Disclosure Undertaking:

a. Resolution No. 2220 - Providing for the Adoption of an Omnibus Continuing Disclosure Undertaking Relating to Obligations Issue and to be Issued by the City of Liberal, Kansas.

Mayor Denoyer requested Commission consideration of Resolution No. 2220, entitled, "A RESOLUTION PROVIDING FOR THE ADOPTION OF AN OMNIBUS CONTINUING DISCLOSURE UNDERTAKING RELATING TO OBLIGATIONS ISSUED AND TO BE ISSUED BY THE CITY OF LIBERAL, KANSAS".

Director of Finance Ford advised the Securities and Exchange Commission (SEC) has adopted a Rule relating to continuing disclosure requirements that effect obligations issued by governmental units. He noted the City has and anticipate future issuances of such obligations and we are required to adopt an Omnibus Disclosure Undertaking with respect to current and future bonds payable from the same source and enhance the efficiency of the administration of our prior and future disclosure undertakings under the Rule.

- Larry Kleman noted Gilmore & Bell recommend combining the omnibus disclosure.

Commissioner Harrison moved to adopt Resolution No. 2220, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

b. Adoption of Omnibus Continuing Disclosure Undertaking.

Commissioner Harrison moved to adopt the Omnibus Continuing Disclosure Undertaking, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

9. Espy Services Telecommunications Audit.

Director of Finance Ford advised the City was contacted by Esby Services, who have submitted an auditing proposal of our telecommunications services with the hopes of reducing our costs and recovering refunds for excess charges. He advised this would be a twelve month program whereby 50% of any savings or refunds would be due to Espy Services during the agreement and if there is no savings there would be no cost. Mr. Ford reported he checked with the County and they had or would be renewing their contract.

- Vice Mayor Aragon noted the company has good recommendations.
 - Mayor Denoyer asked how much the County saved. Mr. Ford thought it was about \$10,000.
- Vice Mayor Aragon moved to approve the Esby Services Telecommunications Audit, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.*

10. Theater Lighting - Mid-America Air Museum.

Air Museum Director Bert advised Don Rash and Steve Leete have joined him this evening. He requested acceptance of donated funds and to expend the funds to update the electric and lighting in the theater. He referred to the quote received from B & B Electric in the amount of \$13,457.47 to install a 200 amp panel with breakers, transformer, electrical receptacles and six industrial LED light fixtures in the theater.

- Mr. Bert advised with these improvements, the facility can support classrooms or meetings and conferences in the future.
- Commissioner Martinez noted he had worked the City's booth at the State Fair and received a lot of questions about the Air Museum and advised it is good tourism for us.

Vice Mayor Aragon moved to accept the donations and to approve the expenditure to B & B Electric in the amount of \$13,457.47 to upgrade the electric and lighting in the Air Museum Theater. The motion was seconded by Commissioner Harrison and carried unanimously.

11. Replacement of Truck - Water Department.

Water Services Director Burke reported the department has a 1995 model pickup that is experiencing some mechanical issues that would exceed the wholesale value of the truck (approximately \$500). He referred to the quotes received and noted they budgeted \$30,000 for a vehicle replacement in 2015.

- Commissioner Martinez questioned how the truck would be used. Mr. Burke advised he would drive this vehicle and would give the 4-wheel drive pickup he currently drives to the distribution division that travels to the Arkalon Park and Ethanol Plant and need to be able to get around in the winter.
- City Manager Hall advised this vehicle will be used in town and on the road.

Commissioner Harrison moved to accept the bid of Chrysler Corner in the amount of \$19,900 for a 2016 half-ton pickup, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

12. Property Update - Building Department.

Building Services and Code Enforcement Director Krause advised a meeting was held last Tuesday to discuss the cleanup of Mr. Abbott's lot. He explained participants in the meeting included Cliff Abbott, himself, City Manager Hall and Commissioner Harrison. He noted that Mr. Abbott had started cleanup in 2014 when a resolution was adopted and then he quit working on the cleanup. Mr. Krause advised that during the meeting, Mr. Abbott was given 120 days to complete the cleanup or the City will start condemnation proceedings.

- Commissioner Carlile advised he thought there was suppose to be a 6' privacy fence so people couldn't see through.
- Commissioner Harrison advised apparently the fence has been purchased and stolen numerous times. He noted the 120 day period started last Tuesday and he has 30 days to show progress and every 30 days the progress will be reviewed with completion to be done in 120 days.
- Commissioner Carlile questioned what was to be done with the rest of the neighboring property.
- Commissioner Harrison advised apparently Mr. Luck owns some of the property and at one time Mr. Abbott owned it all.
- Mayor Denoyer noted we are going off the same continuing resolution.
- Mr. Krause noted the resolution is for Mr. Abbott only and they would pursue discussion with Mr. Luck and M & M Tire.
- Discussion was held on property at Kansas and Tucker, which are being addressed. It was also noted the cement dump area around Chuckwagon Restaurant was established when doing some work at the Madden station and it will be removed within 30 to 90 days.
- Commissioner Harrison questioned the concrete at Pershing and 54 where some snow fence had been put up. Mr. Krause advised there will be a butler building put there and they had to remove the pavement in order to put up the butler building.
- Mr. Krause updated the Commission on the mowing and weed control undertaken this year. He noted from the same time last year to this year, their department has 74% more property and lots that have been mowed because of the rains, many of which are repeat offenders.
- Commissioner Martinez expressed appreciation to their prompt responses when he has contacted the city manager about a situation. Mr. Krause advised he would relay this to his staff.

13. Citizens Award Program/Donation Acceptance - Police Department.

- LPD Lieutenant Ratzlaff referred to the memo that outlines the Police Department's establishment of a Citizens Award Program. Lt. Ratzlaff requested acceptance of a private donation of \$705 and authority to purchase 100 key chains for awards under the Citizen's Appreciation Award.

Vice Mayor Aragon moved to accept the private donation made by Abbott Construction to fund the purchase 100 key chains, as presented. Commissioner Carlile seconded the motion, which carried unanimously.

14. Retail Strategies Renewal.

Economic Development Director Parsons noted last September the Commission entered into a one-year agreement with Retail Strategies of Birmingham, Alabama for the initial fee of \$50,000. He noted that year has ended and it is time for an additional year renewal of the

contract for \$28,000. Mr. Parsons advised he has been pleased with the work that Retail Strategies has done on behalf of the City and noted they have also worked directly with a local investment group as well as with both local and regional developers to attract retailers to Liberal. He noted retail recruitment is a marathon.

- Commissioner Carlile referred to the marketing guide and noted anyone can get this map.
- Commissioner Harrison advised Retail Strategies can get us in contact with the people that make the decisions and they have the experience and name of the person to call
- City Manager Hall advised Retail Strategies have been working with a local investment group and they have been impressed with some of the opportunities.

Commissioner Harrison moved to approve the contract renewal with Retail Strategies in the amount of \$28,000, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

15. CITY MANAGER'S REPORT.

City Manager Hall reported the water department is moving forward with the information mapping and noted the employees will be identifiable and will make the public aware of what their purpose is.

- He noted City staff is working hard and undertaking a website project.
- City Manager Hall noted during meetings with the school system on the educational facility project, he requested Commission consensus of his responsibility, as contained in the following statement:

"The city manager has the responsibility to clarify the city infrastructure required by the City Engineer to facilitate the construction of the educational facilities. As per the inter-local agreement and was stated by the City, the City will neither incur any debt nor expend any city funds in the construction of the educational facilities. By doing so, would be undue and additional burden placed upon the property tax payer for the construction of the educational facilities."

- Mr. Hall noted this is to clarify his responsibility and that if there is the need for any negotiations or legal matters it would all be done by the City Commission as favorably approved in the Interlocal Agreement. He noted this is not changing anything.

The Commission unanimously gave their consensus approval of the statement above, as requested by City Manager Hall.

City Manager Hall noted work continues on Fifteenth Street and the departments will work on a fun City project hopefully in October to get the City ready for the winter and looks its best after the first hard freeze occurs.

- Commissioner Carlile questioned who was in charge of flashing school lights. He noted the lights were flashing by West Middle School yesterday at 6:00 am.
- Discussion was held on why there were flashing school lights on Fifteenth Street. Mr. Hall thought it was because there are students that cross at this location to and from Cottonwood Intermediate School. He noted he would ask the Traffic Safety Committee to review this
- Commissioner Harrison wanted to remind Mr. Sealey of the need to address the drains along north side of Blue Bonnet Park on Eighth Street.

16. ITEMS FROM COMMISSIONERS.

Vice Mayor Aragon advised the National Night Out had a good turnout and the Chamber of Commerce Duck Race was well attended. He was also excited to have the new Walmart Neighborhood Market opening on Wednesday.

Commissioner Harrison expressed appreciation to City staff for what they do.

Commissioner Carlile advised the yards and weeds are looking a lot better than in the past and he thanked everyone for their efforts.

Commissioner Martinez advised he worked the booth at the State Fair and gave out a lot of spatulas. He noted it was a good time to visit with folks about Liberal. He also thanked City staff for what they do.

Mayor Denoyer advised National Night Out was a huge success as well as the Duck Race. He noted there is a lot going on in Liberal starting with the United Way kickoff golf tournament, the Recreation Department's fishing derby at Arkalon Park and the announcement that Christopher Banks will be coming to town. He was also invited to meet the new doctor at the Central Care Cancer Center and welcomed the new president at Seward County Community Center.

- Discussion was held on the weeds growing in the cracks between the sidewalk and curb and also the curb and the street. Mr. Hall explained we had more moisture than usual this year and City staff has been addressing this.
- Mayor Denoyer noted it would be three weeks until the next meeting and he looked forward to attending the League of Kansas Municipalities conference in early October.

17. VOUCHERS.

\$678,377.62, dated September 22, 2015. *Vice Mayor Aragon moved to approve the vouchers, as presented, with Commissioner Martinez seconding the motion. The motion passed unanimously.*

The meeting was adjourned by motion of Commissioner Harrison.

Joe Denoyer, Mayor

ATTEST:

Debra S. Giskie, CMC, City Clerk