

## THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

March 22, 2016

The regular meeting of the Liberal City Commission was held at 5:30 p.m. in the Commission Chambers located at 325 North Washington on Tuesday, March 22, 2016.

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

**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, Building Inspector/Zoning Administrator Kevin Kirk, Housing & Community Development Director Karen LaFreniere, Code Enforcement Officer Jeremy Dierking, Fire Chief Kelly Kirk, Public Grounds Services Director Brad Beer, LPD Lieutenant Robert Rogers, 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 Joe Denoyer.*

**1. Awards/Proclamations/Presentations.** Mayor Denoyer presented a proclamation designating the month of April as Fair Housing Month to Karen LaFreniere. Ms. LaFreniere invited the public to attend the Housing Fair on April 5 from 2 to 6 p.m. at the Girl Scout Building. She advised the Southwest Kansas Board of Realtors will be in attendance to educate the public on what assistance is available in the community.

**2. Approval of Agenda.** Mayor Denoyer noted Item 11 – Wastewater Copier, has been deleted from the agenda and he requested approval of the amended agenda. *Commissioner Harrison moved to approve the amended agenda, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.*

**3. Approval of Minutes.**

*Commissioner Carlile moved to approve the minutes of the March 8, 2016 regular meeting, as presented. The motion was seconded by Vice Mayor Aragon 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.

*John T Smith and Gary Warden appeared before the Commission to raise a question about the City mowing policy. Mr. Smith referred to a \$310 mowing bill from July 2014 that was on his tax notice. Mr. Smith advised the area designated on the bill is a 30 acre tract located between Parklane Towers to Calvert Avenue and between 11th and 15th Streets, where the Village at the Plaza is now located. He advised Gary Warden has been mowing this for the past twenty-five years and that Mr. Warden didn't recall seeing a mower in this area except for his equipment.*

- Mr. Smith advised he had checked with the City and had talked to Kory Krause and Larry Mastellar about this mistake and thought it was taken care of until he received the tax notice. He felt it should be refunded.
- Mr. Warden showed maps from Google and a City map and noted when it was plotted out, it shows two different locations.
- Mayor Denoyer advised both employees mentioned are no longer with the City. He noted City staff will look into this matter and get back with them.

*Patty Rohloff* appeared before the Commission regarding the orange notes she received on her vehicle parked on her rock driveway on Western Avenue that has been parked there more than 27 years without a problem. She noted this concern is not just hers because there are several people on Western Avenue and Pine Street that are elderly and have no income.

- Mayor Denoyer advised the police department gave the notices out to vehicles that aren't parked on improved surfaces to give them time to do something before being ticketed when the ordinance goes into effect in August. He noted there are issues with front yard parking and emergency vehicles having limited access. Mayor Denoyer encouraged the public to call the department to see if the ordinance affects them because there may be other issues involved, such as lack of access for emergency vehicles or main breaks.
- Mayor Denoyer questioned if it was possible to look into providing a senior emergency grant that would allow some funding for gravel.
- Commissioner Carlile advised he received a concern from an elderly woman who received a notice and noted she lives on a gravel street.

#### **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:** *No items were presented.*

#### **7. OLTLR Funding.**

Mayor Denoyer noted the Commission held a special meeting last week on this issue and the City has received the financial report.

Commissioner Harrison questioned OLTR representative Charla Andrews if they found out who Good Ole' Boys were. She indicated they hadn't made that determination yet.

*Commissioner Harrison moved to approve the \$25,000 grant out of the special funding request from the housing portion of the one cent sales tax. Vice Mayor Aragon seconded the motion, which carried unanimously.*

#### **8. Resolution No. 2230 - Fixing Hearing for Condemnation of 616 West First Street.**

Mayor Denoyer requested Commission consideration of Resolution No. 2230, entitled, "A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS, AT WHICH TIME OWNERS, THEIR AGENTS, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANTS OF 616 WEST FIRST STREET LOCATED ON LOTS THIRTY (30) AND THIRTY-ONE (31), BLOCK ONE (1), OF THE BALL PARK ADDITION TO THE CITY OF LIBERAL, KANSAS, ALSO KNOWN AS 616 WEST FIRST STREET MAY APPEAR AND SHOW CAUSE WHY SUCH MAIN STRUCTURE AND THE DETACHED GARAGE AND THE DETACHED SHED SHOULD NOT BE

CONSIDERED AND ORDERED REPAIRED OR DEMOLISHED AS DANGEROUS OR UNSAFE STRUCTURE”.

Code Enforcement Officer Dierking referred to the resolution and photographs in the packet.

*Commissioner Harrison moved to adopt Resolution No. 2230, as presented, with Vice Mayor Aragon seconding the motion.*

- Mayor Denoyer felt this was an immediate hazard and understands the owners has personal items stored in the structure. Code Enforcement Officer Dierking advised the owner, Belinda Holcomb, is no longer communicating with City staff. Discussion was held on deeming this an immediate hazard, with Legal Counsel McQueen suggesting that she work with City staff in the next couple of days to work on this issue.

*The motion carried unanimously.*

### **9. Police Department Body Cameras.**

LPD Lieutenant Rogers noted the department has had cameras in the patrol cars for a number of years and advised the video is getting harder to see. The department received quotes for body worn cameras: Taser's quote was \$26,430 and VieVu's quote was \$11,885.78. Lt. Rogers advised the department recommends the purchase of the VieVu system as it is not only significantly less expensive, it functions as well or better in almost all areas and the yearly costs are much less than those of the Taser system.

- Lt. Rogers advised funding for the VieVu system has been received by a local charitable foundation. He noted the initial purchase covers all equipment, warranty and software licensing and there is an additional cost of \$375 per month. The yearly cost of \$2,985 for maintenance fees, would be budgeted for future years.
- Commissioner Carlile questioned the monthly maintenance fee. Lt. Rogers advised with the VieVu system, we would be making installments payments and at the end of the three years, the department would get new cameras for every officer on duty. He explained the cameras would be docked at the end of each shift.
- Discussion was held on the department policy for the body cameras. Lt. Rogers advised copies of the Wichita and International Chiefs of Police policies are included in the packet and that they are working on a policy that is a blend of both examples. City Manager Hall advised the policy will be made available to the Commission.

*Commissioner Harrison moved to accept the donated funds and to authorize the purchase of the VieVu system for \$11,866 and to approve the \$375 expenditure per month for the remainder of 2016, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.*

### **10. 2015 ISO Public Protection Classification Survey Results.**

Fire Chief Kirk advised the Insurance Services Office, Inc., (ISO) conducted a public protection classification (PPC) survey for our community in October 2015. He noted the survey is an analysis of the "structure fire suppression delivery system" in our community and establishes a PPC grade based on needed fire flows, emergency communications, fire department staffing and equipment as well as water supply.

- Chief Kirk announced that effective May 1, 2016, the City's PPC grade will improve from a Class "4" to a Class "3". He noted this rating is published to the insurance industry and is often used to establish premiums for homeowners and commercial fire insurance in a community.

- Chief Kirk expressed appreciation to the water department, communications and the fire department personnel for their assistance during the survey process. Discussion was held on the grading system. The Commission commended the departments for their hard work.

**11. Wastewater Copier.** *This item was deleted from the agenda.*

**12. Mowing Services Equipment.**

Public Grounds Services Director Beer requested approval of the purchase of nine (9) mowers for the annual budgeted mower needs. He referred to the quotes received that are included in the packet from Keating Tractor, Kansas Golf and Turf and Professional Turf Products. Mr. Beer explained the specifications were put together and they met with the vendors to be able to purchase all the budgeted mowers at one time. He noted the budgeted mowers are one each for Airport, Arkalon and the Water departments and two each for Golf, Parks and the Sports Turf departments.

- Mr. Beer advised City staff is recommending the purchases be made from Keating Tractor for Hustler mowers manufactured in Hesston, Kansas by Excel Corporation in the total amount of \$131,130. He noted the local vendor will have parts in stock for the mowers and that delivery should be in about two weeks.

*Commissioner Carlile moved to approve the purchase of nine (9) mowers from Keating Tractor in the amount of \$131,130, as presented. The motion was seconded by Commissioner Martinez and carried unanimously.*

**13. Housing Authority Board Appointment.**

City Clerk Giskie advised the Liberal Housing Authority has a vacancy created by the expired term of Jennifer Malin. She noted Ms. Malin was appointed in 2013 to fill an unexpired term and she has consented to be re-appointed.

*Vice Mayor Aragon moved to reappoint Jennifer Malin to the Liberal Housing Authority for a four (4) year term ending March 31, 2020, as recommended. The motion was seconded by Commissioner Harrison and carried unanimously.*

**14. Arkalon Council Request.**

City Clerk Giskie advised the Arkalon Council was approached at the March 3, 2016 regular meeting by the Flatlanders Archery Group about holding a 3D Bow Shoot on one of the trails at the Park on April 2nd. She noted that Todd Bradley presented the concept as a family-oriented event as further explained in the packet. She noted the Board discussed the idea and it was the consensus of the Board to recommend approval of the activity on April 2.

- Commissioner Harrison advised he attended one of their events at Meade Lake a couple of years ago and there were no problems and in fact they police themselves very well. He felt this type of activity will showcase the Park more.

*Commissioner Harrison moved to allow the Flatlander 3D Bow Shoot at the Arkalon Park on April 2, 2016, as recommended. Commissioner Carlile seconded the motion, which carried unanimously.*

**15. Air Service Bid Results.**

Airport Manager Giskie reported the US Department of Transportation accepted proposals for the EAS (Essential Air Service) subsidy program for Liberal, Garden City, Dodge City and

Hays for the two-year EAS program that will go into effect on August 1, 2016. She noted Liberal and Dodge City received five proposals when we normally have one or two. She advised this is a direct result of the marketing program entered into with Sixel Consulting in 2014 whereby Sixel assisted Liberal and Dodge City to get air carriers interested in submitting a proposal to provide air service into our communities.

- Mrs. Giskie reported a meeting had been held with four air carriers earlier this year with Jeff Parsons and Commissioner Martinez in attendance. She noted three of those carriers submitted a proposal. She reviewed the proposals received and advised the Airport Advisory Board met with City staff to review the proposals on March 8 at their regular meeting.
- Airport Manager Giskie advised it is the Airport Board and City staff's recommendation to have the City Commission allow City staff to recommend Peninsula Airways (PenAir) to the US Department of Transportation (DOT) to be the Essential Air Service provider for Liberal, Kansas for the next two year program. She noted this would only be a recommendation, as the final decision will be made by the US Secretary of Transportation with the assistance of the Department of Essential Air Service office.

*Commissioner Harrison moved to allow City staff to recommend Peninsula Airways (PenAir) to the US Department of Transportation to be the EAS provider for air service to Liberal, Kansas for the next two year program, as recommended. The motion was seconded by Commissioner Carlile seconding the motion. The motion carried unanimously.*

#### **16. CITY MANAGER'S REPORT.**

City Manager Hall advised City staff discussed the 15th Street and Pershing Avenue intersection with KDOT and they felt the number of accidents don't warrant a stop sign at this location at this time, but noted continued discussion will be held. It was noted KDOT has put up traffic counters on 15th Street to determine the volume of traffic going through that area in a 24-hour period. Mr. Hall advised he would keep the Commission updated on the findings and possible solutions.

- Mr. Hall announced there will be a Council of Governments meeting on Thursday at 7:00 a.m. at Seward County Community College.
- Mr. Hall advised City staff received a donation for the batting cages and he expressed appreciation to Mr. Weber for his efforts. Mr. Hall noted they are looking at possibly having batting cages in two locations, considering the cost associated and getting the best service for the youth.
- City Manager Hall expressed appreciation to all the department heads for working together in this busy season and making things happen.

#### **17. ITEMS FROM COMMISSIONERS.**

*Commissioner Martinez* expressed appreciation to Daniel and the Street Department personnel for fixing the bump at Clay and Highway 54. He also thanked City staff for fixing up the Golf Course and he wished everyone a Happy Easter.

*Commissioner Carlile* thanked City staff for all they do and sent condolences to Dr. Howard's family on his passing. He noted we lost a good doctor.

*Vice Mayor Aragon* thanked City staff for all they do and noted it is a good thing that there are so many things going on in the community.

*Mayor Denoyer* questioned Mr. Beer on the status of replacing the playground equipment in Mary Frame Park. Mr. Beer advised the equipment is here and noted it will be put together later this spring.

- Mayor Denoyer thanked City staff for all they do and advised we have some of the best workers we could ask for and noted they take pride in what they do.

*Commissioner Harrison had no items to present.*

**18. VOUCHERS.**

\$517,129.78, dated March 22, 2016. *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.*

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Joe Denoyer, Mayor

ATTEST:

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Debra S. Giskie, CMC, City Clerk