

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

June 14, 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, June 14, 2016.

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, City Clerk Alicia Hidalgo, Housing Development Director Karen LaFreniere, Fire Chief Kelly Kirk, Deputy Fire Chief Skeety Poulton, Fire Marshall Cody Regier, and City Attorney Kerry McQueen.

Mayor Denoyer declared the meeting called to order, and City Clerk Hidalgo read the roll call and declared a quorum present. The Pledge of Allegiance was recited, and Kevin Alexander of The New Beginnings Church gave the invocation.

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 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 May 24, 2016 regular meeting, as presented. The motion was seconded by Commissioner Martinez 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 Convention and Tourism Board, May 19, 2016

b. Approval of Airport Lease Renewals:

1. # 12.01	Gore Nitrogen Pumping	\$1,956.24	1 year
2. # 47.01	Diamond Services	\$3,285.28	1 year
3. # 51.04	Larry Quattrone	\$ 878.50	1 year
4. # 67.00	Quinque Oil & Gas	\$ 291.72	1 year

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. Ordinance No. 4467 - Regulating Smoking in Cooper Clark Park.

Mayor Denoyer requested Commission consideration of Ordinance No. 4467, entitled, "AN ORDINANCE REGULATING SMOKING IN COOPER CLARK PARK AND OTHER OUTSIDE AREAS SURROUNDING THE LIBERAL MEMORIAL LIBRARY, AND AMENDING UNIFORM PUBLIC OFFENSE CODE 10.24(d)(1) TO BE IN CONFORMITY WITH NEW SECTION 11-125."

Commissioner Harrison moved to adopt Ordinance No. 4467, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

8. Ordinance No. 4468 - Relating to Public Nuisances

Mayor Denoyer requested Commission consideration of Ordinance No. 4468, entitled " AN ORDINANCE REPEALING LIBERAL MUNICIPAL CODE CHAPTER 8, ARTICLES 2, 3 AND 6 AND REPLACING THE SAME WITH NEW ARTICLE 2 RELATING TO PUBLIC NUISANCES."

- City Manager Hall explained the ordinance will help clean Liberal up and he appreciates legal counsel for getting the ordinance together. The ordinance will streamline the process and this is a big step forward for the City and Code Enforcement to make Liberal the City of Choice.
- Commissioner Harrison stated some folks in Liberal have ignored the previous ordinance. This one has some teeth and gives Code Enforcement a better opportunity to clean up the nuisances. Mr. Harrison appreciates everyone's work on this item.

Commissioner Harrison moved to adopt Ordinance No. 4468, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

9. KDHE Revolving Loan Application for Water System Improvements.

a. Public Hearing.

Mayor Denoyer declared the Public Hearing Open.

- Chris Ford explained Resolution 2238 is for the KDHE Water Loan Application for Water System Improvements. Staff has identified improvements to the water system in the amount of \$2,712,418.77. One potential source of funding is from KDHE regarding a loan from the Kansas Public Water Supply Loan Fund. Planned improvements include redrilling two water wells, water line replacement around various parts of the City and updating the SCADA system. The Resolution is the initial step of the process. Staff would like to schedule a work session with the Commission to discuss needed improvements in detail and the results of the water rates study. Approval of the Resolution and applying for the loan would not obligate the City in any way.

- Rosemary Saunders with Ranson Financial has been working with Chris and Pete Earles to put the application together. The resolution allows the Mayor and Clerk to sign documents in regard to the application. It does not commit the City to utilize those funds until the loan agreement is signed. At this time, the interest rate is 2.0% and is the lowest it's ever been in the program's history so it is a good time for the City to look at doing the improvements. There are basically three things that need to be done: the Environmental Review Letters have to go out to 12 Federal and State agencies which recap the project and ask for permits. They have 30 days to respond. Once returned, they will be submitted to KDHE. The other two items are the Preliminary Engineering Report and Engineering Contract from Earles Engineering. After tonight, it will be about 60-90 days to finish everything and get to the loan agreement. She will

come back to the Commission with the Loan Agreement and Ordinance if you agree to enter into contract with KDHE via State of Kansas for the work.

- The interest rate is for the life of the loan once the Loan Agreement is signed. It is for a maximum of 20 years and is paid twice a year for a total of 40 payments.
- Mayor Denoyer declared the Public Hearing closed.

b. Resolution No. 2238 - Authorizing the Completion of the KDHE Revolving Loan Application for Water System Improvements.

Mayor Denoyer requested Commission consideration of Resolution No. 2238, entitled, "A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND."

Commissioner Carlile moved to adopt Resolution No. 2238, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

10. Resolution No. 2237 - Establishing a Date and Time for Public Hearing on a Rural Housing Incentive District.

Mayor Denoyer requested Commission consideration of Resolution No. 2237, entitled, "A RESOLUTION DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING. (A & V DUPLEXES)."

- Housing Director Karen LaFreniere stated there is an application for a RHID in the area located in Country Club Acres across from Good Sam's. It was approved by the Secretary of Commerce. The first phase will be four duplexes and second phase will be four more duplexes. The plan is enclosed for your review. The public hearing will be July 26, 2016 at 5:30 p.m. The notice will go to USD 480, Seward County, and SCCC.

Commissioner Harrison moved to adopt Resolution No. 2237 and advancing the proposed Development Plan to a Public Hearing on July 26, 2016 at 5:30 p.m., as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

11. Purdue Street Condemnation Update.

- Housing Director Karen LaFreniere gave an update on the condemnation of Purdue Street. The hearing is set for June 27, 2016 to disperse the funds. At that time, the court will decide where the funds will go. Five houses will be built on the property.
- Anyone can attend the hearing and surrounding homeowners received letters for the hearing.
- The Court will determine where the funds go however, the City may get a credit for the street.
- Commissioner Harrison believes this is a win-win as the area has been an eyesore and the City also mowed it for a while.

12. MAAM Foundation Update.

- Nancy Parsons and Steve Leete are from the Foundation and Taylor Harden is participating in projects with the foundation.
- Mrs. Parsons explained the foundation and MAAM have done exhibits on the odd years and the Board determined they can't accomplish a large exhibit without a Museum Director. The

Foundation is giving an update to let you know of commitments and possible use of the Air Museum. Anything put on would be at the MAAM Foundation's expense.

- The Foundation has 16 voting members and two nonvoting members. Members report back to the Board monthly as to what each committee is working on and items are voted on by the Board as a whole. The Committee chairs find other people to help them with projects. Since the arrival of the FedEx jet, the STEM jet, they have completely remodeled the jet and are still determining how to best use the jet. A survey went out around Liberal and the surrounding areas to get ideas. They would like to bring computers in and started fundraising to raise the first year expenses. So far, they have only been able to get 40% of funds for that program and so the start date of September will be postponed.

- The idea of Drones was brought to the Foundation. KState Research and 4H asked to partner with the Foundation to celebrate Drone Discovery. The Foundation agreed to help them with that program beginning October 1.

- The Airfare is Sept 17 and they could have a demonstration of the drones.

- The Foundation would like approval to use the facility for those dates.

- Steve Leete explained Taylor is a drone expert. They would like to set up a Drone Academy for kids of all ages and it could even be a family thing. Kids would come out everyday which would mean more traffic at the Museum. Drones would involve mathematics and engineering and have endless uses. It would be easy to set up a drone course at the Museum and it would be easy to fly the drone in the course. This gives Liberal a chance to educate kids and adults on drones. There is space for a drone competition. Drones will go well with the Robotics Program as educational activities.

- Taylor Harden is with Technology For All (TFA). Mr. Harden believes this program is going to be educational based and will integrate technologies not yet used in education as there are new uses for drones every day. This program would be an engaging activity at the MAAM and drive a new clientele there. His company will help plan, enact, install, and implement the technology. TFA has the ability to use it as a tax write off and his company will be willing to offer a line of drones to sell in the gift shop. They will also provide dealer pricing in order to get a good profit. This program has no costs to the City as TFA will provide the drones to the foundation for the program. The program will be able to teach the basics of drones and the amount of things to do with them are limitless. This is an opportunity to integrate technology with the museum and get into it while it's current.

- Mrs. Parsons is asking for the blessing to go forth with this program as the Foundation didn't want to spend time and energy if everyone is not agreeable. They are asking for permission to use the inside of the Air Museum - 10,000 sq feet - which they will enclosed with netting and caging so they are not flying all over the Museum.

Commissioner Harrison moved to allow the use of 10,000 sq feet inside of the Air Museum which the Foundation will enclose with netting and caging for the use of a Drone Academy, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

- Mr. Harden thanked the Commission for the support of his business and this program.

- *Mayor Denoyer asked for an update on the MAAM Director Search Committee. HR Director Schmutz updated the Commission that there are 12 candidates and she is putting together a review board, however, she still needs volunteers for the Search Committee.*

13. Board Appointments:

a. Convention & Visitors Bureau.

- City Manager Hall went over the recommendations from the Convention & Visitors Bureau. *Commissioner Carlile moved to reappoint Chuck Lamberson to an additional 3 years Oil & Gas representative term ending in June 2019 and Rosa Castenada, to a full 3 year Lodging representative term ending in June 2019, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.*

b. Liberal Memorial Library.

- City Manager Hall went over the recommendation from the Liberal Memorial Library. *Commissioner Harrison moved to reappoint Cathy Corn to serve a second term beginning June 2016 and ending June 2020, as presented, with Commissioner Vice Mayor Aragon seconding the motion. The motion carried unanimously.*

14. Allowable Use of City Property for Pinnacle Development.

- Economic Development Director Jeff Parsons explained Pinnacle is planning a development in north Liberal for a hotel and possible restaurant and are in the platting process. They are about a month or so away from having it completed. Pinnacle is asking for use of the City's property for drainage needs.
- The proposed area consists mainly of the far north end of Old Highway 83 Right of Way (ROW). KDOT gave the ROW back to the City last year. Pinnacle purchased some of the ROW last year as well. The property is strictly old highway right of way and has little to no use to the City. Pinnacle will use it to hold rainwater and as drainage from the Hotel site. Pinnacle will absorb the cost and continue to maintain the property.
- City Manager Hall advised an agreement will be presented to the Commission by legal counsel which will allow Pinnacle to utilize the property. *Commissioner Harrison moved to approve the allowable use of the land for drainage needs for Pinnacle, subject to the City Attorney's approval of a suitable agreement, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.*

15. CITY MANAGER'S REPORT.

- City Manager Hall asked for short recess to look at the new Fire Truck. *Commissioner Harrison moved to a short recess with a second by Vice Mayor Aragon. The motion carried unanimously.* The recess will be from 6:20 p.m. to 6:25 p.m.
- Mayor Denoyer called the Commission back into session.
- City Manager Hall noted all Departments are doing great work and thanked the Fire Department for a job well done on the new truck. Kansas Ave Project is going on and the City apologizes for the inconvenience. Kansas Ave from 15th Street south to the Railroad tracks will hopefully done by Friday and then the Project will proceed south. It will be about three to four weeks for the start of the intersection of 15th Street and Kansas Ave. Staff will get with the paper to show maps and detours. The City will do roughly 120 feet north, south, and west from the center of the intersection with cement and roughly 400 ft east just past the Dillons entrance. The City is talking to the Plaza people up north to see if they'd like to contract with the people we will be using to make repairs to their entrances. Hopefully this will set the City up for Phase 3 next year.
- Everything is going well with the summer months. The Arkalon Assault went well and thanks to everyone who helped.

16. ITEMS FROM COMMISSIONERS.

Commissioner Martinez stated the Kansas Ave. Project is moving fast and Main Street will be nice when it's done. The Fire Department did a good job on the fire truck.

Commissioner Carlile appreciates City Staff. Condolences to Kenny and Pam McElvain who lost their son.

Commissioner Harrison thanked City Staff for all the hard work at the Arkalon Assault. He heard positive comments and about how improved it was from last year. People from all around came to participate. Mr. Harrison appreciates all the hard work by volunteers and City employees and the Arkalon Board. While the construction on Main Street may be an inconvenience, shortly it will be a lot nicer road than what it was. Commissioner Harrison appreciates Kelly & the Fire Department for bringing the truck in and it will be a great addition for the department. He also thanked Jeff for all his work. Staff is showing people the City is willing to work and enhance our relationship with business owners. Thanks to all Staff for their work.

Vice Mayor Aragon thanked the Fire Department for the work to get the new truck. He also thanked Staff for all they are doing. He thanked MAAM foundation for thinking outside the box and adding modern technology.

Mayor Denoyer echoed all sentiments. He thanked the Fire Dept and appreciates all they do on a daily basis. He noted there were 180 runners from the five state area for the Arkalon Assault and he has heard nothing but positive comments on the challenging course. St. Anthony Catholic Church held their Centennial Celebration and it was a wonderful mass and celebration. He gives his condolences to Max Zimmerman's family. He also thanked Staff for their hard work.

18. VOUCHERS.

\$1,808,318.92, dated June 3, 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.

Joe Denoyer, Mayor

ATTEST:

Alicia Hidalgo, City Clerk