

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

November 8, 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, November 8, 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, Transportation Services Director Daniel Zuniga, Human Resources Director Sheena Schmutz, Economic Development Director Jeff Parsons, Fire Chief Kelly Kirk, Fire Marshall Cody Regier, and City Attorney Shirla 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 the invocation was given by Rex Petty of Faith Tabernacle 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 Vice Mayor Aragon seconding the motion. The motion carried unanimously.

3. Approval of Minutes.

Commissioner Carlile moved to approve the minutes of the October 24, 2016 special meeting and October 25 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.

Gary Cherry, Liberal, KS. Mr. Cherry addressed the Commission about the issue and ban on pit bulls in the City. He would like to try and change the ban. He is willing to get public support as needed. He would like to have the same policy as Seward County. He believes this is something to look at and possibly have a vicious dog policy instead of just a certain breed. He does believe if a dog does something dangerous, something needs to be done. He has numerous run ins with the law about his dogs and wanted to address the issue.

Commissioner Carlile pointed out that Liberal isn't the only city with the ban.

Vice Mayor Aragon thanked Mr. Cherry for his intelligent argument and stated he likes what he said about law not being breed specific.

City Attorney McQueen stated the City does have a vicious dog law.

Commissioner Harrison stated the issue needs to be addressed with animal control first.

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 Metropolitan Area Planning Commission, September 8, 2016.
2. Liberal Housing Authority, September 13, 2016.
3. Liberal Convention and Tourism Board, October 27, 2016

b. Approval of Airport Lease Renewals:

1. # 6.01	Merit Energy Company	1 year	\$6,501.00
2. # 76.00	Modern Insulation, LLC	1 year	\$ 513.80
3. # 94.00	Maurice Richardson	1 year	\$4,376.33
4. #174.01	Panhandle Oilfield Companies, Inc.	1 year	\$2,524.32
5. #191.01	Plunkett's Pest Control	1 year	\$ 793.75

c. Approval of Cereal Malt Beverage Licenses:

1. Circle K 440 South Kansas Ave.
2. Walmart #799 250 East Tucker Road
3. Walmart #4628 712 N. Western Ave.

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. Hotel Addition Community Improvement District:

a. Public Hearing.

Mayor Denoyer declared the public hearing open.

- Economic Development Director Jeff Parsons stated this is a public hearing to create a CID in the Hotel Addition for the purpose to fund the construction of a new hotel - the Holiday Inn Express. The people from the hotel apologized as they were unable to attend today.

Mayor Denoyer declared the public hearing closed.

b. Ordinance No. 4473 - Authorizing the Creation the Hotel Addition CID.

Mayor Denoyer requested Commission consideration of Ordinance No. 4473, entitled, "AN ORDINANCE AUTHORIZING THE CREATION OF THE HOLIDAY INN EXPRESS COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF LIBERAL, KANSAS; AUTHORIZING THE REIMBURSEMENT OF CERTAIN ECONOMIC DEVELOPMENT PROJECT COSTS INCURRED WITHIN SAID DISTRICT; AUTHORIZING THE IMPOSITION OF A COMMUNITY IMPROVEMENT DISTRICT SALES TAX TO BE COLLECTED WITHIN SAID DISTRICT; AND AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT RELATING TO SAID DISTRICT."

Commissioner Carlile moved to adopt Ordinance No. 4473, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

c. Development Agreement.

- Economic Development Director Jeff Parsons stated this is a rough draft of the agreement that will be submitted to the developer.

Commissioner Harrison moved to approve the Development Agreement between the City of Liberal and Liberal Hospitality, LLC upon review and approval by legal counsel for both parties, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

8. City Bus - Renewal Grant Comments.

- Economic Development Director Parsons stated staff will be submitting a request to KDOT for continued funding for the City Bus operations for three fixed routes and on-demand service we currently provide. Any and all comments will be submitted with the grant.

- Commissioner Carlile questioned how much are is being asked for?
- Mr. Parsons stated KDOT will take the operating expenses and will continue to fund the program at the level which has been funded in the past.
- City Manager Hall stated the total of the previous grants have been over \$1.5 million. While there are costs to the City, the benefit is that this is a good program. A lot of people use the bus.
- Commissioner Carlile questioned how many people ride the bus.
- Mr. Parsons stated about 25,000 rode on the fixed routes last year and it's right on track to match that this year.
- Commissioner Harrison stated that they see people waiting at the bus stops and the program is catching on. It's a great program. He also heard that people were taken to the Administration Offices to vote. While it's not free to the City of Liberal, it is a service, in conjunction with KDOT, that makes Liberal a better community. It's also a great way for people to get back and forth to work; to the hospital; etc.
- Mayor Denoyer stated the program makes Liberal a more mobile community and the On Demand service is a tremendous asset. There is a young blind man who utilizes the On Demand to get to the radio station. The service gets people out and around in the community. It's a great asset and we are very appreciative of KDOT for the funding.
- Commissioner Martinez stated the City couldn't afford the bus service without KDOT. Thank you KDOT.
- Mr. Parsons thanked the Commission and stated the grant will be submitted next Friday.

9. Sparky Costume Replacement.

- Fire Marshall Cody Regier stated the Fire Department is seeking approval to purchase a new Sparky "the Fire Dog" costume. Milk Source/Heifer Sources will fund 100% of the cost.
 - It was noted that Milk Source/Heifer Source have invested a ton of money in the community.
- Commissioner Harrison moved to accept the donation from Milk Source/Heifer Source and to write a thank you to them for the donation. Commissioner Martinez seconded the motion and it carried unanimously.*
- Vice Mayor Aragon moved to approve the purchase of Sparky the Fire Dog Costume from Shafton, Inc for a total price of \$2,194.26, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.*

10. CITY MANAGER'S REPORT.

- City Manager Hall informed the Commission that six firemen helped a young man who was feeling alone. They made that young man feel special and the City is proud of them.
- Kansas Avenue will open up on Thursday and the lights at 15th & Western will be working on Thursday. Daniel and the Street Department have done a great job.
- Departments are getting ready for winter. Staff will start looking at the soccer field next week and it will be an all winter project. Again, thank you to the Lambert family for the great gift.
- The enclosed Water Fact Sheet went out and Staff has had calls and questions and are helping people to understand the rates. It is designed to be fair and the same for everyone. Staff is willing to meet with groups if needed.
- A special group of employees will be putting up Christmas lights after Veterans Day during the night hours. The 3rd Street fountain and parking lot area are being worked on and will also get Christmas lights.
- Thank you to Staff for all their hard work.

12. ITEMS FROM COMMISSIONERS.

Commissioner Martinez thanked Staff and City Manager Hall for getting back to him in a timely manner. The gentleman with the hand painted sign on his business agreed to repaint the sign. Mr. Martinez thanked Staff for making everything look good and for their work. He noted that work is happening at IHOP and Liberal is open for business.

Commissioner Carlile stated Daniel Zuniga and the Street Department did a great job on 15th Street and Western and thanks to all City Staff.

Commissioner Harrison stated what bothers him about the pit bull subject is that the City needs to be cautious and take some time to speak to everyone who has to deal with these animals, not just the Police Department but also the County. Some dog breeds have more problems especially the types we get around here. We need to listen to law enforcement and hear their side or issues. A little homework needs to be done along with talking to law enforcement. Thanks to the Street Department for all the work they are doing. It's a great quality of work and they try to help everyone. Thank you to all City Departments for helping make the City even better. Thank you to the Fire Department. Mr. Harrison appreciates when people come forward to address issues. The community had a tragic loss of Karla Holder, a very qualified EMT who touched many lives. Condolences to the family.

Vice Mayor Aragon stated his comments weren't necessarily in support of the dog issue but he appreciated Mr. Cherry as he had an intelligent view and actually came forward to speak to the Commission. He was very impressed. Thanks to the Street Department for their hard work. He sends best wishes to Jack Jacobs and hopes that he is ok.

Mayor Denoyer stated that Jack Jacobs was diagnosed with malaria and is in the hospital. He contacted it while on a mission trip. He has a long road to recovery. The loss of Karla Holder is a tremendous loss to the first responders and the city extends their condolences to the family. He encouraged everyone to go out and vote. People need to come together to move the country forward and no matter who will be the next president, there is a higher power in charge.

1. VOUCHERS.

\$1,005,548.71, dated November 3, 2016. *Vice Mayor Aragon moved to approve the vouchers, as presented, with Commissioner Carlile seconding the motion. The motion passed unanimously.*

The meeting was adjourned by motion of Commissioner Harrison.

Joe Denoyer, Mayor

ATTEST:

Alicia Hidalgo, City Clerk