

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

December 13, 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, December 13, 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, Public Grounds Director Brad Beer, Transportation Services Director Daniel Zuniga, Human Resources Director Sheena Schmutz, Housing Director Karen LaFreniere, Economic Development Director Jeff Parsons, Wastewater Services Director Kenneth Williams, Chief of Police Al Sill 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 Jeremy Harris of First Southern Baptist Church.

1. Awards/Proclamations/Presentations.

Mayor Denoyer presented the following employees awards:

Albert Gallegos III	10 Years of Service
Traci Holbert	10 Years of Service
Andrew Lovato	10 Years of Service
Mario Munoz-Diaz	10 Years of Service
Jeffrey Parsons	10 Years of Service
Stanley Volden	10 Years of Service
Sandra Armstrong	25 Years of Service
Kelly Kirk	25 Years of Service

Police Chief Sill presented the Police Promotions to the following employees:

Captain John McCord.
Lieutenant Jeff Wade.
Sergeant Chris Head.
Corporal Josiah Smitty.

Mayor Denoyer thanked staff and the officers and their families.

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 November 22, 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.

Tony Ray Whisenant, Liberal, KS. He received the water fact sheet and has concerns. First, the raise of water rates from 2015 to 2016 was 23% plus the added \$6.25 fee. He knows that improvements need to be made; however, he has concerns since the fees are not based on how much you use just a flat fee. He was wondering what the City will do to keep it from becoming a permanent fee or tax that goes on end throughout time. He thanked the Commission. Mayor Denoyer noted the last water rate increase was in 2000.

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.

Ron Warren, Liberal, KS. President of the Liberal Baseball Association. Mr. Warren and the Baseball Association appreciates the use of the ball fields at the National Beef Family Complex. There are 150 kids, ages 8-18 that use the fields. The program wouldn't work without the opportunity to use the fields. The City does a lot of work for the association getting fields ready and they appreciate it. Thank You. The Board would like to host some tournaments and will get with Staff and the Commission in the future to discuss the tournaments.

6. Consent Agenda:

- a. Acknowledge Receipt of Minutes:
 1. Liberal Housing Authority, October 28, 2016.
 2. Liberal Convention and Tourism Board, November 17, 2016.
- b. Approval of Airport Leases:
 1. # 58.01 JC Services 1 year \$3,773.29
 2. # 69.02 L & D Oilfield Services 1 year \$2,317.39
- c. Approval of Cereal Malt Beverage Licenses:
 1. Big Bites Mexican Grill, LLC 720 N. Kansas.
 2. Dillon's #73 1417 N. Kansas Ave.
 3. Love's Country Store #24 208 West Pancake Blvd.
 4. Love's Travel Stop #632 1000 E. Pancake Blvd .
 5. Mid-America Air Museum 2000 West 2nd.
 6. Taqueria el Gallo De Jalisco 719 S. Kansas Ave
 7. Toot'n Totum #120 2401 W. Pancake Blvd.
 8. Toot'n Totum #122 1421 N. Western Ave.
 9. Walgreens #10722 10 W. 15th Street.
 10. Willow Tree Golf Course 1800 West 15th Street.

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 Commissioner Carlile seconding the motion. The motion carried unanimously.*

7. Ordinance No. 4474 - Adopting 2016 STO.

Mayor Denoyer requested Commission consideration of Ordinance No. 4474, entitled, "AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LIBERAL, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", 44th EDITION OF 2016 AND REPEALING AND REPLACING SECTION 14-101, AND REPEALING Sections 14-108, 14-109, AND 14-110 OF THE CODE OF THE CITY OF LIBERAL, KANSAS."

- City Manager Hall stated there are no major changes that need to be addressed.
- City Attorney McQueen noted the League memorandum is attached.

Commissioner Carlile moved to adopt Ordinance No. 4474, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

8. Ordinance No. 4475 - Adopting 2016 UPO.

Mayor Denoyer requested Commission consideration of Ordinance No. 4475, entitled, "AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LIBERAL, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", 32nd EDITION OF 2016, AND REPEALING AND REPLACING EXISTING SECTION 11-101 OF THE CODE OF THE CITY OF LIBERAL, KANSAS."

- City Manager Hall noted there are no significant changes at this time.

Commissioner Harrison moved to adopt Ordinance No. 4475, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

9. Ordinance No. 4476 - Authorizing the Execution of a First Amendment to Interlocal Agreement between City and USD 480.

Mayor Denoyer requested Commission consideration of Ordinance No. 4476, entitled, "AN ORDINANCE APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LIBERAL, KANSAS, AND UNIFIED SCHOOL DISTRICT NO. 480, SEWARD COUNTY, KANSAS (LIBERAL) REGARDING THE REMITTANCE OF THE EDUCATIONAL SALES TAX REVENUES TO THE DISTRICT, ALL SUBJECT TO THE APPROVAL OF THE KANSAS ATTORNEY GENERAL."

- City Manager Hall noted this Interlocal Agreement sets out how the USD 480 special tax funds will be distributed.

Commissioner Carlile moved to adopt Ordinance No. 4476, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

10. Resolution No. 2253 - Establishing a Date and Time for Public Hearing on a Rural Housing Incentive District.

Mayor Denoyer requested Commission consideration of Resolution No. 2253, entitled, "A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS 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 PHASE II)."

- Housing Director LaFreniere stated this item sets a hearing date for A & V Duplexes Phase II for January 24 at 5:30 pm. Ron Warren is available for questions.

Commissioner Harrison moved to adopt Resolution No. 2253, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

11. 2017 Housing Programs.

- Housing Director LaFreniere stated the 2017 Housing Programs are the same as last year: New Construction; First-Time Homebuyer Program; SAFE at HOME Program; Senior Housing; Paint the Town.

Commissioner Carlile moved to approve the 2017 Housing Programs, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

12. Computer Purchase - Communications.

- Director Pam Johnson is requesting permission to purchase four Lenovo workstations in the amount of \$4,981 from SHI to replace the current computers in each workstation.
- The Commission requested quotes from Technology for All for future computer purchases.

Vice Mayor Aragon moved to purchase four new Lenovo P410 Workstations for the Emergency Communications Center in the amount of \$4,981.00, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

13. Police Department:

a. Mobile Data Terminal Replacement.

- Captain Jason Ott is requesting to purchase three computers in the amount of \$13,863.09 from CDW-G for three the patrol vehicles.
- Commissioner Harrison suggested checking with Technology for All to see if they are competitive pricewise.

Commissioner Carlile moved to approve the purchase of three Panasonic Toughbook 31 computers in the amount of \$13,863.09 from CDW-G, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

b. DEMM System Replacement with Eyewitness Data Vault.

- Captain Ott stated the Evidence Department needs to replace the DEMM System as it has reached its lifespan and is not supported anymore. They would like to upgrade to Eyewitness Data Vault.

Commissioner Harrison moved to purchase the Eyewitness Data Vault from Kustom Signals in the amount of \$10,070.00, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

14. Approval of Adoption of Seward County Resolution No. 2016-10.

- Economic Development Director Parsons stated the County Commission approved the resolution for Groendyke for their new building. Because it falls within the 3 mile radius of the Liberal's City Limit, the Commission can approve the project. The notice was received on December 6, 2016 from the County Clerk. Commission can approve it two ways - don't do anything or act by motion to approve it.
- Mayor Denoyer noted there was zero opposition at the County meeting.
- Commissioner Harrison noted there is zero risk to the County or City taxpayers.

Vice Mayor Aragon moved to approve the issuance of industrial revenue bonds by Seward County to finance the acquisition, renovation and expansion of a commercial facility to be leased by the County to Hibbs Transport, Inc., in accordance with Resolution No. 2016-10 of the Seward County Commission, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

15. Purchase of American and Welcome Flags for Kansas Avenue.

Commissioner Harrison moved to purchase 80 American Flags and 80 Welcome flags in the amount of \$4,676.95 to be funded from the Economic Development Kansas Avenue Banner funds, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

16. 2017 Economic Development Programs.

- Economic Development Director Parsons noted the 2017 programs are: Industrial Park Incentive Program; Facade Improvement Program; Marketing Program; and New Construction Multi-Family Housing Incentive Program. Dropped the downtown programs.

Commissioner Carlile moved to approve the 2017 Economic Development Programs, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

17. Approval of Title VI Program for City Bus.

- Economic Development Director Parsons stated KDOT requires them to meet Title VI every three years. The program shows how to handle complaints. The City hasn't had many as the buses serve the whole community.

Vice Mayor Aragon moved to approve the CityBus's Title VI program, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

18. Boiler - WWTP.

- Wastewater Services Director Williams stated he is requesting to replace the boiler for the digester building at the Wastewater Treatment Plant. Wichita burner quote is \$69,423 for boiler not including installation. Staff will look at installing it or hire someone to do it.
- Commissioner Carlile suggested he contact Johnson Controls.
- Commissioner Harrison questioned if there was a warranty and suggested Mr. Williams get with the City Manager to check on a warranty.

Commissioner Carlile moved to approve the replacement of the boiler/heat exchanger for the digester building from Wichita Burner in the amount of \$69,423.00 with funding from the Wastewater Equipment Reserve Fund, pending approval from the City Manger, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

19. CITY MANAGER'S REPORT.

- City Manager Hall reminded the Commission of the Southern Pioneer luncheon at Ruffinos at 12 noon. Staff will also be attending.
- Mr. Hall stated various projects moving forward. Staff will be productive this winter and get things done. He noted we have lost two poles so far from accidents.
- Mr. Hall thanked City Staff and appreciates all they do.
- Public Grounds Director Brad Beer gave an update on the fountain and state the 3rd Street parking lot will start tomorrow. The trees are being trimmed in the parks.
- Transportation Services Director Daniel Zuniga gave an update on the soccer fields.
- Commissioner Harrison stated Mr. Lambert called him this week and asked for information for the entrances as he may like to help with the entrances. One entrance will be on Millwood and City Manager Hall will get him a drawing.
- Signs for Bluebell and 54 are ordered by staff is waiting for them to come in.
- Mr. Hall noted KDOT was supposed to be here last week for a meeting to discuss ideas on the closing of the roads at 6 Points but they were unable to attend. Staff hopes they will be here after the holidays.

20. ITEMS FROM COMMISSIONERS.

Commissioner Martinez thanked Staff for all the good work do.

Commissioner Carlile congratulated the employees & police officers who received awards. He appreciates all the work Staff does. He wished everyone a Merry Christmas.

Commissioner Harrison stated he appreciates everything Staff does especially those who have been here a long time. He has enjoyed watching the police move up in positions. Some employees have longevity now and it makes the City better. The City has great people. He

thanked Mr. Whisenant for coming tonight as he made valid a point because there may be a new Commission in 10 years. This is something they can look at as a Commission. He wished everyone a Merry Christmas.

City Manger Hall noted the intention was that the water increase would expire after the 160 miles of water lines were replaced.

Vice Mayor Aragon congratulated the employees and officer for their awards. He thanked Mr. Whisenant for coming and stating opinion on the water. Mr. Aragon wished everyone a Merry Christmas and safe travels to those traveling.

Mayor Denoyer thanked all employees especially those who have been here a long time. Staff takes pride in their jobs and help improve quality of life in Liberal. Thanks to Mr. Whisenant for coming. Input from citizens is always welcomed & appreciated. He wished everyone a Merry Christmas.

21. VOUCHERS.

\$1,465,992.47, dated December 2, 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