

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

May 24, 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, May 24, 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, Human Resources Director Sheena Schmutz, Transportation Services Director Daniel Zuniga, Public Grounds Services Director Brad Beer, Building Inspection Services Director Kevin Kirk, Code Enforcement Officer Jeremy Dierking, Police Chief Al Sill and City Attorney Shirla McQueen.

Mayor Denoyer declared the meeting called to order, and City Clerk Hidalgo read the roll call declaring a quorum present. The Pledge of Allegiance was recited, and Kevin Alexander of 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 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 10, 2016 regular meeting, as presented. The motion was seconded by Vice Mayor Aragon 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.

- Kay Burtzloff, Liberal, KS - President of the Liberal Area Coalition for Families Liberal. Ms. Burtzloff stated the mission statement of the Liberal Area Coalition for Families and said the vision is to make Liberal the best place to live and raise a family. Since its inception in 2001, the Coalition has raised over \$1 million in State, Federal and private foundations grants. They currently have five grants funding a variety of projects and one of them is the Chronic Risk Reduction Grant funded through the KDH&E. Last year from that grant, the Coalition was able to revitalize the Farmers Market, put in a community garden at Stepping Stone Shelter and provide financial support to the City's Park & Recreation Department to buy both physical activity equipment as well as provide healthy snack options at the concession stands. One

project they would like to facilitate is moving our public parks to be smoke free. There are several communities in Kansas that have made all of their parks smoke free, including Manhattan, Lawrence, Wichita and Kansas City. They understand Garden City is also moving to make their parks smoke free. It is their proposal to start with one park. They think Cooper Clark Park, which surrounds the Library is a logical choice since it's a small park and has high usage from children. Signage could be provided out of the Coalition's grants.

- Royce Kitts, Liberal, KS. Liberal Memorial Library Director. Mr. Kitts referred to the proposed resolution for making Cooper Clark Park Smoke Free. The Library would like to provide outdoor activities such as: solar astronomy class, story time walk; and container gardening. They are looking forward to the possibility of the park being smoke free. As it would be a much more pleasant environment for families and kids who are enjoying Cooper Clark Park. Mr. Kitts believes it would be fairly easy to implement.
- *The five minute time limit was up. The Commission extended the time.*
- Mr. Kitts stated it is difficult to measure the area where people can stand to smoke and would be easier for his staff if the park is smoke free.
- Ms. Burtzloff stated they are asking that Commission consider the proposal and make it an agenda item.
- Mayor Denoyer questions who would be in charge of enforcing the ejection for smoking per the resolution. Ms. Burtzloff stated the Librarian would ask them to leave and contact the police if they don't leave.

6. Consent Agenda:

a. Acknowledge Receipt of Minutes:

1. Liberal Housing Authority, April 5, 2016

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. 2234 - Fixing Hearing for Condemnation of 616 West First Street.

Mayor Denoyer requested Commission consideration of Resolution No. 2234, 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 THE 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 DETACHED GARAGE AND DETACHED SHED SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS DANGEROUS OR UNSAFE STRUCTURE."

- Code Enforcement Officer Jeremy Dierking is presenting Resolution No. 2234. *Commissioner Harrison moved to pass Resolution No. 2234 fixing the time and place for a hearing for the condemnation of 616 West First Street for July 12, 2016, as presented, with Commissioner Carlile seconding the motion. The motion carried.*
- Commissioner Carlile questioned if anyone has inspected the inside of the structure as he heard there are cats that are being fed in there and it has to be a health issue.
- City Manager Hall stated it should be secured but we will look into it to make sure it's secure.
- Mayor Denoyer was for the emergency condemnation 60 days ago.

- Commissioner Harrison suggested because of the problem of the wording and time of the previous notice of the hearing, the Commission should start over.

8. Resolution No. 2235 - Determining the Advisability, Making Findings, Authorizing and Providing for Improvements (Centennial Boulevard).

Mayor Denoyer requested Commission consideration of Resolution No. 2235, entitled, "A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF LIBERAL, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (CENTENNIAL BOULEVARD IMPROVEMENTS.)"

- City Manager Hall stated he is handling this item as Jeff is out working and talking to retailers for the City. This resolution is for the advisability of moving the project forward. The costs are just estimated costs. If the project moves forward, the numbers will be different and possibly lower. The numbers are just estimates at this point.

Commissioner Harrison moved to approve Resolution No. 2235 determining the advisability of the improvements to Centennial Boulevard, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

9. Resolution No. 2236 - Determining the Advisability, Making Findings, Authorizing and Providing for Improvements (Water & Sewer - Centennial & US 83).

Mayor Denoyer requested Commission consideration of Resolution No. 2236, entitled, "A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF LIBERAL, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER AND SEWER IMPROVEMENTS-CENTENNIAL AND U.S. 83)."

- City Manager Hall stated this is for the advisability to move forward with the project and the numbers are estimated costs at this point. If the project moves forward, the numbers will be different and possibly lower. The numbers are just estimates at this point.

Vice Mayor Aragon moved to approve Resolution No. 2236 determining the advisability of the Water and Sewer improvements to Centennial Boulevard and US 83, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

- Mr. Hall thanked Tom, Rock & Mr. Witzke for coming to the meeting tonight.
- Commissioner Harrison stated this is exciting because it's local folks.

10. Water Tower:

a. Conestoga Energy Partners, LLC Lease Agreement.

- Finance Director Chris Ford explained the City was approached by Conestoga Energy Partners, LLC. about leasing the City's water tower for broadband internet access. There have been other tenants in the past. There is one current tenant there now and one previous tenant.
- Commissioner Harrison questioned if the equipment still there and Mr. Ford said it is.
- The initial lease rate will be \$1200 per month.
- The water tower is on Liberal Country Club's property but the City has an easement for municipal use. The Liberal Country Club has to give us permission and approve our lease through a limited lease easement agreement. We would split the lease revenue with them at one-third of the lease cost.
- The Country Club Board met and approved their portion of the agreement.

- Mayor Denoyer questioned if the agreement is in line with the other entity? Mr. Ford said it is a similar rate with an automatic 3% increase rate.
 - Chris Jewel, Liberal KS. He stated currently SWKO is the other tenant and they did start at \$1,200. However, when Stelara was there at a different rate. He believes Conestoga starting at \$1,200/month is not a fair playing field.
 - Commissioner Harrison stated SWKO was behind in paying rent on the equipment on the water tower and that's why they got what they got and why.
 - Mr. Jewell noted he doesn't understand.
 - Commissioner Harrison asked Mr. Jewell if he remembered as it's how we got where we are at today.
 - Mr. Jewell stated that at that point in time, with previous administration, he had a verbal agreements and had an agreement with Liberal County Club.
 - Commissioner Harrison said there should be no problem.
 - City Manager Hall noted this is the starting rate for any party and it's the same agreement for any party on the water tower. The rate is \$1,200 with a 3% acceleration cost.
- Commissioner Harrison moved to approve the Water Tower Lease Agreement with Conestoga Energy Partners, LLC as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.*

b. Liberal Country Club Agreement.

Vice Mayor Aragon moved to approve the Agreement with the Liberal Country Club for the purpose of the water tower lease with Conestoga Energy Partners, LLC, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

11. Solid Waste Department Pickup.

- Solid Waste Director Frank Holman stated they have two older pickups a 1985 GMC and 1988 Chevrolet. They would like to purchase another pickup and rotate the oldest pickup to service alleys. Staff received three quotes. Shawnee Mission Ford's quote was \$20,367 and the next lowest was Chrysler Corner at \$20,451. Staff requests permission to purchase a 2016 1500 Tradesman Regular Cab pickup from Chrysler Corner.
- *Commissioner Harrison moved to purchase a 2016 1500 Tradesman Regular Cab Pickup from Chrysler Corner in the amount of \$20,451 to be funded from the Solid Waste Equipment Reserve Fund, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.*

12. Police Department:

a. Equipment Purchase for 2016 Ford Interceptor Utility Vehicles.

- Al Sill stated the P.D. needs to outfit the three line cars purchased this year. Sharp Communications Security are able to fit the vehicles for \$9,718.00. Tek-Style will install the electrical equipment for \$1,600 per vehicle. The total for installation is \$4,800. Versus Signs will wrap the vehicles for \$900/unit with a total cost of \$2,700. The total cost to fit the three new patrol vehicles is \$17,218.00.
- Commissioner Harrison moved to purchase equipment for three 2016 Ford Interceptor Utility Vehicles in the amount of \$17,218.00, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.*

b. Purchase of Ammunition.

- Police Chief Al Sill noted this item is the annual purchase for ammunition for rifles and handguns at a total cost of \$4,590.50. It is practice ammunition for the rifles and practice and duty ammunition for the handguns.

Commissioner Carlile moved to purchase ammunition for the department patrol rifles and the practice and duty ammunition for the officers carrying the .45 caliber handguns in the amount of \$4,590.50 from Simmons Gun Specialties, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

13. CITY MANAGER'S REPORT.

- City Manager Hall stated that Jim Bert's retirement reception is Friday from 2-4 at the Air Museum.
- Council of Governments is Thursday at 7 a.m. at SCCC.
- Mr. Hall thanked all departments for all they are doing and Staff still has a lot of projects going on.
- Mr. Hall also thanked the Commission to take the time to kick off the Kansas Ave. Phase 1 and 2. Staff will get the exact date and put the notice out a week before.
- Chip seal is going on in the north part of Liberal and it should be done by Thursday.
- The Water park opening is on schedule.

14. ITEMS FROM COMMISSIONERS.

Commissioner Martinez thanked Bill Houk for the tree at the Depot. He gave condolences to Bill Harrison and family. Mr. Martinez also congratulated Commissioner Carlile on his new restaurant.

Commissioner Carlile thanked Staff and noted everything looks good.

Commissioner Harrison thanked Staff for everything they do with as busy as they are they keep working hard. He appreciates everything Staff does. Mr. Harrison also stated his brother and sister-in-law are retired and were traveling from Wichita and stopped to play golf at the Municipal Golf Course. They said the course was fabulous and they play all over the country so a thanks to the City. Mr. Harrison noted the Fire and Police Departments don't always get mentioned but they are a big part of our community and we can't go without them so thank you.

Vice Mayor Aragon thanked staff for their hard work. He also stated he has an employee from California and she thinks Liberal is the best place to live. She feels safe as the police are always out on patrol. Mr. Aragon also wanted to thank Daniel and his crew as they are friendly and hard working.

Mayor Denoyer thanked Staff as the City has a great crew as they take time out of their day to make residents feel welcomed. Liberal is a great community to live in. Mr. Denoyer also wanted to thank the locals stepping up and opening businesses here.

Mayor Denoyer stated he would like to see Cooper Clark go smoke free on the next agenda and Commissioner Harrison agreed. It was the consensus of the Commission to put it on the next agenda.

15. VOUCHERS.

\$784,488.54, dated May 19, 2016.

Vice Mayor Aragon moved to approve the vouchers, as presented, with Commissioner Martinez seconding the motion. The motion carried unanimously.

The meeting was adjourned by motion of Commissioner Harrison.

Joe Denoyer, Mayor

ATTEST:

Alicia Hidalgo, City Clerk