

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

May 23, 2017

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 23, 2017.

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

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, Zoning Administrator Kevin Kirk, Airport Manager Debbie Giskie, IT Director Tim Lunceford, Chief of Police Al Sill and City Attorney Shirla McQueen.

Mayor Denoyer called the meeting 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 Jim Garcia.

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 Commissioner Aragon seconding the motion. The motion carried unanimously.

3. Approval of Minutes.

Commissioner Carlile moved to approve the minutes of the May 9, 2017 regular meeting, as presented. The motion was seconded by Vice Mayor 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.

Mayor Denoyer gave an update on Zito Media along with a contact number for issues 1-800-365-6988.

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 Board Minutes:

1. Liberal Housing Authority, April 18, 2017.

b. Approval of Airport Leases:

1. # 12.02	Gore Nitrogen Pumping Service, LLC	\$1,956.24	1 year
2. # 47.01.	Diamond Services Company	\$3,285.28	1 year
3. # 51.04	Larry Quattrone	\$ 878.50	1 year
4. # 67.00	Quinque Oil and Gas Producing	\$ 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 Commissioner Carlile seconding the motion. The motion carried unanimously.

7. Ordinance No. 4484 - Rezone “R-2” Two-Family Dwelling District to an “R3” Multiple Family Dwelling District in Lots 1-15 Block 5 and of Lots 1-8, Block Six (6) and Lots 9-11 and the North 48.45 feet of Lot 8 Block 7 of Prairie Breeze Subdivision Phase II.

Mayor Denoyer requested Commission consideration of Ordinance No. 4484, entitled, "AN ORDINANCE AMENDING THE “OFFICIAL ZONING DISTRICT MAP” OF THE CITY OF LIBERAL, KANSAS BY REZONING LOTS 1-15 BLOCK Five, LOTS 1-8 BLOCK 6, and Lots 9-11 and the North 48.45 feet of Lot 8 Block 7 of PRAIRIE BREEZE SUBDIVISION PHASE II ADDITION OF LIBERAL, SEWARD COUNTY, KANSAS, FROM “R-2” TWO-FAMILY DWELLING DISTRICT, TO “R3” MULTI-FAMILY DWELLING DISTRICT."

- Zoning Director Kevin Kirk stated Ordinance 4484 would rezone the lots as listed above from a “R-2” Two-Family Dwelling District to an “R3” Multiple Family Dwelling District. The Planning Board recommended the Planners forward the rezone of Prairie Breeze Subdivision Phase II to the City Commission for acceptance.

Commissioner Carlile moved to approve Ordinance No. 4484, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

8. Final Plat of Osage Court Addition.

- Zoning Director Kevin Kirk stated on May 11, 2017 the Liberal Metropolitan Area Planning Commission reviewed the final plat of the Osage Court Addition. It meets all of the requirements of the City of Liberal. The Planners recommended to forward the final plat of Osage Court Addition to City Commission for acceptance.

Commissioner Harrison moved to accept the final plat of Osage Court Addition, as presented, with Vice Mayor Martinez seconding the motion. The motion carried unanimously.

9. Resolution No. 2261 - Establishing Date and Time for Hearing on Tax Increment Financing Redevelopment Plan for Redevelopment Project Area 1 of the North Liberal Redevelopment District.

Mayor Denoyer requested Commission consideration of Resolution No. 2261, entitled, “A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ADOPTION OF A REDEVELOPMENT PROJECT PLAN WITHIN THE BOUNDARIES OF THE NORTH LIBERAL REDEVELOPMENT DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER; AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING."

- City Manager Hall noted Mr. Parsons is out of town recruiting businesses.
- Resolution No. 2261 sets a time and date for a hearing for the creation of a Redevelopment District in accordance with the Kansas Tax Increment Financing (TIF) Act. This resolution calls for a public hearing on June 27, 2017 at 5:30 p.m.

Commissioner Harrison moved to adopt Resolution No. 2261, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

10. Resolution No. 2262- Determining the Advisability of Issuing Taxable Industrial Revenue Bonds.

Mayor Denoyer requested Commission consideration of Resolution No. 2262, entitled, “A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LOCATED IN SAID CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS.”

- Pinnacle Developments LLC requested Industrial Revenue Bond financing for a proposed commercial facility. The business is responsible for the bond repayment. The City is not responsible for bond repayment and the issuance does not put the City in any financial risk.
- It was noted tax payers are at no risk.

Vice Mayor Martinez moved to adopt Resolution No. 2262, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

11. 2017-2018 KDOT Transit Grant.

- KDOT awarded a grant in the amount of \$243,619 for operation of the CityBus system. The amount is for operating expenses only and the City is required to provide up to \$104,408 in matching funds which will come from the One Cent Sales Tax.
- Discussion was held regarding bus riders and current and future bus routes.
Commissioner Martinez moved to accept the grant from KDOT and expend \$104,408 to operate the CityBus system, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

12. Airport Pavement Marking Program 2017.

- Airport Manager Debbie Giskie stated it's time to repair and maintain the markings on runway 17-35; adjacent Taxiways A,C and E. Ms. Giskie obtained approval from Lynn Martin at FAA and she approved the use of land sale money for the estimated \$90,000 project. She also extended the deadline to complete the project to June 23. FAA recommended the use of Type 1 beads for a longer lasting project.
Commissioner Carlile moved to approve the Airport Pavement Marking Program 2017 by allocating Airport Land Sales funds not to exceed \$90,000 and to authorize City Staff to accept the contract estimate with Bishops Construction to complete the work, as presented, with Vice Mayor Martinez seconding the motion. The motion carried unanimously.

13. Police Department I.T. Data Storage Upgrades.

- IT Director Tim Lunceford stated the PD needs additional storage. Bids were sent out and three were received back. Staff recommends the bid from CDWG in the amount of \$12,954.08 for 2 48TB Netgear Readynas storage devices.
- Mayor Denoyer questioned seeking out local vendors for this project.
- Mr. Lunceford stated he did and initially received a response and he acknowledged he could bid on the project; however that was the only response received. No numbers were provided back.
Commissioner Aragon moved to accept the bid from CDWG in the amount of \$12,954.08 for 2 48TB Netgear Readynas storage devices for the Police Department, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

Vice Mayor Martinez asked Mr. Lunceford for an update on Zito.

Mr. Lunceford reiterated what Mayor Denoyer stated earlier and noted this is an ongoing ticket for Zito with no ETA to fix it.

Commissioner Harrison questioned if legally Zito is supposed to provide a local channel, is there something in the Franchise Agreement.

City Manager Hall noted we can't force them to provide it as they are a business entity that goes through the state. We can complain to the KCC.

Commissioner Harrison stated we need to speak to Shannon Francis again.

City Manager Hall stated Staff would reissue a letter and look at other options.

Legal Council McQueen stated it was part of the initial franchise agreement and there may be a statutory obligation. She will check on that and let everyone know what is going on.

14. CITY MANAGER'S REPORT.

- City Manager Hall reminded the Commission of the Council of Government meeting Thursday.
- He thanked Daniel and the Street Department for their assistance with the Sea Lion exhibit.
- He stated Staff appreciates the community for their understanding of the reconstruction at Tucker & Ks Ave. It should be done within seven days.

- Mr. Hall stated there was a question from an individual who thought the City was setting up traps for people going through the construction zone. It was noted that it has never been the Police Department's expectation to set up a trap. There have been tickets that were issued such as DUI, open container, etc; however, some of the tickets issued date back to January which was before the construction started.
- Commissioner Harrison stated the information should be made available to the press so they can print it along with Mr. Leete's letter.
- Commissioner Harrison questioned if traps had been set up at the construction area
- City Manager Hall stated no.
- It was noted that the City's part of the construction, weather permitting, will be done and opened in two weeks. The other part is not the City's construction.
- Staff is busy and things are going fantastic. The Parks and Street Departments are still catching up but everything looks good.
- The pool is on schedule to open Memorial weekend. Memorial weekend is the summer kickoff.
- Mr. Hall appreciates City Staff for their hard work and putting their best foot forward. The Cemetery is preparing for Memorial Day. Staff will be putting flags out on Veterans' graves on Friday morning at 8:30 a.m. This is a fantastic thing. Staff will also help pick them up on Tuesday.
- Mr. Hall gave an update on the batting cages. FEMA had to inspect the batting cages for damage. Tentatively, they want to repair and replace the cages. Staff will hire someone to do that. The damage was from the ice storm. Staff apologizes for the inconvenience. Staff is also waiting on insurance information. The batting cages are not being overlooked.

15. ITEMS FROM COMMISSIONERS.

Vice Mayor Martinez had a message from Bill Hill. Mr. Hill wanted to thank staff and everyone involved or helped the car show. Mr. Martinez noted that he had three senior citizens who needed help so he called City Manager Hall and he got Staff over to help them right away. He wanted to give them all a big thanks for helping them out as they were all over 80 yrs old. He noticed that weeds are getting sprayed and appreciated Staff staying on top of it. Baker Arts had a huge turnout and thanked Staff for their assistance. *Commissioner Harrison* noted Vice Mayor Martinez covered most of it and he thanked Staff for everything they do every day and their hard work is appreciated.

Commissioner Aragon thanked Staff and appreciates their hard work.

Commissioner Carlile agreed with everyone and thanked Staff.

Mayor Denoyer stated with the IHOP opening the City is at the cusp of where we were with Liberal growing. This is an exciting time to be in Liberal and to be a party of the grown and development. Think of the growth in the entire community including new schools. Mayor Denoyer thanked Staff for everything they do. This is the start of the busy season. He also invited everyone to help with the flags on Friday at 8:30 a.m. at the Liberal Cemetery.

16. VOUCHERS.

\$753,633.21, dated May 18, 2017. *Commissioner 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