

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

June 27, 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, June 27, 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, Economic Development Director Jeff Parsons, Recreation Director Matt Quint, Police Chief 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. A retirement plaque was presented to Wally Limon for his 39 years of service. *Mr. Limon thanked the City.*

2. Approval of Agenda.

Mayor Denoyer requested approval of the agenda.

Mayor Denoyer noted agenda item #10 should list Vice Mayor Martinez not Aragon.

Commissioner Harrison moved to amend the agenda to change Item 10 to list Vice Mayor Martinez on the memo, with Vice Mayor Martinez seconding the motion. The motion carried unanimously.

3. Approval of Minutes.

Commissioner Carlile moved to approve the minutes of the June 13, 2017 regular meeting, as presented. The motion was seconded by Commissioner 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.

Rita Isaacs, Liberal, KS. She thanked Brad Beer for getting rid of the weeds, she appreciates it. She also asked for an update on Zito Media.

Mayor Denoyer gave an update on Zito Media and reminded the public to contact Zito with any issues they may have. The local office hours are 8a.m.-12p.m.

Discussion was held regarding channel 15 along with suggestions of moving to a satellite provider. Zito will continue to work on the issues. It was suggested to invite Zito to a meeting.

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, May 16, 2017.
2. Liberal Convention and Tourism, June 15, 2017.

b. Approval of Airport Leases:

1. # 21.04	Liberal New Iron & Metal	\$2,385.11	1 year
2. # 27.02	Don Small	\$ 510.51	1 year
3. # 60.01	Kenny McElvain	\$1,344.00	1 year
4. #124.00	Crown Consulting	\$1,783.20	1 year
5. #175.02	Brungardt Pumping	\$1,875.85	1 year

c. Approval of Other Leases:

1. Farming Lease with Paul Blaser 3 years

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. Redevelopment Project Area 1 of the North Liberal Redevelopment District:

a. Public Hearing.

Mayor Denoyer declared the public hearing open.

- Economic Development Director Jeff Parsons noted this is the final act to complete the process to approve the TIF for North Liberal Redevelopment District Area One also referred to as the Triangle.
- Evan Fitz, Polsinelle Law Firm, represents the Pinnacle Group. Mr. Fitz gave the presentation twice so he would like to tell you the ownership group is excited to move this project forward. Old Chicago and the hotel had a ground breaking. The turnaround for Old Chicago will be November. The hotel is one year from start to finish so hoping to be completed next summer. For the second phase of project, they are working hard to identify tenants and users. This will be easy to start the process. Mr. Fitz encouraged the Commission to take a look at the Heritage hotel. Although this has a different design element, it is very nice and they will be impressed with the hotel. The Garden City Old Chicago is very successful. He will arrange a tour if the Commission requests one. Mr. Fitz thanked the Commission on behalf of the Pinnacle group. Mr. Willis is also present and he noted he has been treated well by the City.
- The other taxing entities were delivered the information and had 30 days to address this.
- It was noted that the comments and minutes from March 14 and April 26 meetings will be incorporated into these minutes also. (See Attached.)

Mayor Denoyer closed the public hearing.

b. Ordinance No. 4485 - Adopting a Redevelopment Project Plan.

Mayor Denoyer requested Commission consideration of Ordinance No. 4485, entitled, "AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS ADOPTING A REDEVELOPMENT PROJECT PLAN FOR PROJECT AREA 1 OF THE NORTH LIBERAL REDEVELOPMENT DISTRICT WITHIN THE CITY."

Commissioner Harrison moved to adopt Ordinance No.4485, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

8. Ordinance No. 4486 - Approving the Development Agreement with Pinnacle Developments, LLC.

Mayor Denoyer requested Commission consideration of Ordinance No. 4486, entitled, "AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF LIBERAL, KANSAS APPROVING A DEVELOPMENT AGREEMENT WITH PINNACLE DEVELOPMENTS, LLC, FOR THE DEVELOPMENT OF

THE NORTH LIBERAL REDEVELOPMENT DISTRICT, NORTH LIBERAL ONE COMMUNITY IMPROVEMENT DISTRICT AND NORTH LIBERAL TWO COMMUNITY IMPROVEMENT DISTRICT."

- Economic Development Director Jeff Parsons stated the ordinance was drafted by Gilmore & Bell and Pinnacle's attorneys found it satisfactory. The Development Agreement establishes the duties and responsibilities and how the incentives will work.

Vice Mayor Martinez moved to approve Ordinance No. 4486, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

The Commission thanked Mr. Tom Willis.

9. Permit Fee for VAS Hotels, LLC.

- Economic Development Director Jeff Parsons stated VAS Hotels, LLC asked the City to waive the fee for the General Contractor Permit for both the Fairfield Inn & Suites and the Conference Center.

- Discussion was held on the progress of construction.

Commissioner Carlile moved to waive the fee for VAS LLC for the General Contractor Permit for both the Fairfield Inn & Suites and the Conference Center, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

10. Library Board Appointments.

This item will be voted on as one motion as the appointments are for the same board.

- It was noted that the name is actually Cheryl Carson not Carlson as the memo states.
- City Manager Hall noted that Cheryl Carson would be reappointed to the board for a second term from July 2017 to July 2021 and Robert Oblander for a term beginning July 2017 to July 2021 would like to serve on the Library Board.

Vice Mayor Martinez moved to appoint Cheryl Carson and Robert Oblander to the Library Board as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

11. Police Department K9 Program.

- Police Chief Al Sill stated the PD retired their previous K9 but would like to continue with the program. K9 Handler Sgt. Chris Head searched kennels and narrowed it down to two kennels. In comparing the two with prices and references and training, he recommends and favors the kennel in Colorado Springs due to length of training. The downside is the cost. Chief Sill agrees with going with the kennel that provided a lengthy training. They do a pre-training before incorporating the trainer. Little Rock only offers two weeks which is not a lot. Johnson's (Colorado Springs) K9 total cost is \$15,260 and Little Rock is \$10,964

- It was noted a new younger officer has shown interest in becoming a handler. The handler must have the K9 live with him, feed the K9, etc.

- Commissioner Carlile questioned what happens if the officer leaves.

- Chief Sill stated they will find a new handler and send that person to training.

- Mayor Denoyer questioned if the training is for both the handler and K9. Yes it is.

- Commissioner Carlile stated they need to work this K9 harder as Liberal has a major drug problem and he wants it addressed.

- Chief Sill also stated late this afternoon, they received an email from another K9 kennel. They may look into it and as of right now they favor the one in Colorado. He is requesting Commission's direction.

Commissioner Harrison moved to approve the purchase from Johnson's K9 subject to if the PD discovers they want to go a different direction, they come back to the Commission, with Commissioner Aragon seconding the motion. The motion carried unanimously.

12. Recreation Department:

a. HVAC Unit Replacement.

- Recreation Director Matt Quint stated the AC Unit on the north side of the Recreation Center has malfunctioned and is beyond its usual life span. He received two bids: Luck Refrigeration in the amount of \$5,650 and Weber Refrigeration in the amount of \$8,000.

Vice Mayor Martinez moved approve the purchase of a new HVAC unit from Luck Refrigeration in the amount of \$5,650 to be funded from the City's Equipment Reserve Fund as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

- Director Quint gave an update on the batting cages and the playground equipment from USD 480.

City Manager Hall gave an update on the idea of exploring South Middle School as a Rec Center. He noted the heating/cooling units are a target point for operating costs. A team will go and tour the building. The school was generous and gave an analysis of the facility including heating, cooling, walls, floors and the roof. There are things we will have to take into consideration to reconfigure the building from a school to a rec center. They have not contacted him yet and FOF may have knowledge if the school deem the children can reuse the building. The idea is still moving forward.

b. Arkalon Assault Briefing.

- Ronna Stump gave an update on the Arkalon Assault. There were 186 participants and 11 businesses donated items for the bags for the participants. Numerous volunteers helped Mr. Quint and the volunteer committee with this activity. She thanked all the volunteers from the City and the Community members that helped. The event went well and heard nothing but great things. People from Kansas, Oklahoma, Texas, Missouri, Washington, and North Carolina participated. Thank you to everyone that helped.

The commission thanked them and stated it looked great and was well attended.

13. CITY MANAGER'S REPORT.

- City Manager Hall stated Council of Governments meets Thursday morning at SCCC.
- Mr. Hall referred to the letter in the packet from SPIRIT notifying the City that they are ceasing efforts at this time.
- Transportation Services Director Daniel Zuniga stated they are hoping to start the 15th Street Project next week.
- Mr. Hall noted the Kansas Avenue project is out to bid. They plan to do the ribbon and outside. It was determined that it will be a complete tear off and go back with new. The shoulder on the inside will be 2 feet and the outside will be 9 feet with an area for ribbon. The project was approved and will bring the bids to the Commission.
- All the departments are working hard and he thanked them for all they do.
- Vice Mayor Martinez noted that over the years, the City gave \$44,814.38 to SPIRIT.
- Mayor Denoyer wants to address the letters. He stated the time that the SPIRIT head came to his office, he was not happy. They talked about SPIRIT and his concern at that time was that as we see Texas nearly four lane, what happens to Kansas when their goals are met? Will they support Kansas when they are almost 100% complete and we lack 75%? That was his

concern then and now we still have to fight the fight. We need to make our voices heard because the representation is no longer there since there is no longer a SPIRIT group. He feared this day and feels we have received the short end of the stick. This is his personal opinion. He wishes them well and the fight is now on our court.

- City Manager Hall stated Staff will continue talks with KDOT in Garden and Topeka and will make it a point to address this. Mr. Thompson understands the area.

14. ITEMS FROM COMMISSIONERS.

Commissioner Martinez thanked Daniel and his guys on getting the north end opened quickly and he noticed IHOP's business increased. It's been a great help. Thanks for everyone's work.

Commissioner Harrison stated he is excited about what is happening in Liberal. He knows it's election time and negative things will be brought up. He will not be negative, he wants to be positive and hear good things. Ten years ago, they talked about the new things in Strategic Planning. Although the ice storm put Staff behind, they are making strides with the soccer fields and a big thanks to the Lambert family for their donation. The leadership abilities start at the top and runs to the bottom. He is thankful for Staff.

Commissioner Aragon stated he agrees with what Commissioner Harrison said as it's really true. He keeps think about Liberal and what it looked like in 1982. There are nice things going on now. He thanked Staff for all they do. Thanks to Jeff and investors wanting to do new things. People think outside the box. He appreciates Staff and thanks everyone for their hard work.

Commissioner Carlile stated he agrees with Mr. Aragon.

Mayor Denoyer noted the Not-for-Profit work session is July 6 at 5:30 p.m. at the Girl Scout Building. He received an email request for a joint City/County meeting and would like to set something up as soon as possible. Reminder for the Liberty program and on the 4th, there is a picnic and BeeJay game with fireworks after. He wishes everyone a happy and safe 4th of July.

Vice Mayor Martinez noted the City observes the 4th on the 4th.

Commissioner Aragon questioned what is city policy on fireworks?

City Manager Hall noted they are not allowed in city limits and it dates back to 1982 The reason is basically it is harvest time and dry. The fireworks even had to be cancelled a couple of years ago because it was so dry.

15. VOUCHERS.

\$1,641,188.92, dated June 22, 2017. *Commissioner Aragon moved to approve the vouchers, as presented, with Vice Mayor 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