

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

July 11, 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, July 11, 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, Housing Director Karen LaFreniere, Airport Manager Debbie Giskie, Deputy Fire Chief Skeety Poulton, 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 Rex Petty with Faith Tabernacle 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 Commissioner Carlile seconding the motion. The motion carried unanimously.

3. Approval of Minutes.

Commissioner Carlile moved to approve the minutes of the June 27, 2017 regular meeting, as presented. The motion was seconded by Vice Mayor Martinez 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 may need more than five minutes. She was asking for an update on Zito Media.

City Attorney McQueen stated she had not heard back and they are communicating with the City.

IT Director Tim Lunceford stated he worked with Zito's local rep to get Channel 15 back up and running. They switched out parts and are waiting for new parts to come in. They are still diagnosing the problem with Channel 15.

Mrs. Isaacs questioned if there was a timeline. Staff is waiting on parts.

The IT Department will handle the work for Channel 15 along with the local Zito Rep. It was noted that once the signal leaves the Commission room, the City cannot control any issues as the problem would be with Zito's lines. The lines are copper lines.

It was noted the City does not have a franchise agreement with Zito Media. The State grants the Franchise Agreement.

Mayor Denoyer asked the Commission if they wish to grant an additional five minutes to Mrs. Isaacs.

Commissioner Carlile moved to grant an additional five minutes to Mrs. Isaacs with Commissioner Harrison seconding the motion. The motion carried unanimously.

Mrs. Isaacs stated she believes Zito is worthless and they are threatening to discontinue service to homebound citizens. She believes it is the City's responsibility as citizens are unhappy.

Mayor Denoyer stated Zito is a private business and the City has no control over the channels and prices. He gave an example of if a person goes to Walmart and they only have 3 checkers, the City cannot fix that problem. Again, Zito is a private business.

Mrs. Isaacs noted Zito is unreliable and mentioned other companies that should be looked at.

Mayor Denoyer spoke to Cox and they are not interested in expanding at this time.

It was noted there are other companies to use for internet such as Conestoga, SWKO, ATT, along with Zito. There is always the risk that Zito could just turn off service here in Liberal. There are other options for cable and internet. If a citizen wants reliable service they are able to choose a provider. Zito is a private business.

City Manager stated the City will contact the KCC and inform them of the problems.

It was the consensus of the Commission for legal council and the City Manager to work together and contact them by phone, email and letter.

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. No items were on the consent agenda.

7. Ordinance No. 4487 - Amending Ordinance 4474 by Adding a New Section 14-112 which Amends Section 182.1 of the STO.

Mayor Denoyer requested Commission consideration of the Ordinance No. 4487, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 4474 THAT INCORPORATED BY REFERENCE THE "2016 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," 44TH EDITION (STO) BY ADDING NEW SECTION 14-112, WHICH AMENDS SECTION 182.1 OF THE STO; ADDING NEW SECTION 112 TO CHAPTER 14, ARTICLE 1 OF THE LIBERAL CODE OF ORDINANCES, WHICH REGULATES TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LIBERAL, KANSAS."

- City Clerk Hidalgo stated Senate Bill 89 increases the fine for a seatbelt violation from \$10 to \$30 and went into effect on July 1, 2017.

Commissioner Harrison moved to adopt Ordinance No. 4487, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

8. Ordinance No. 4488 - Codifying the 2017 City Code of the City of Liberal.

Mayor Denoyer requested Commission consideration of Ordinance No. 4488, entitled, "AN ORDINANCE CODIFYING THE 2017 CITY CODE OF THE CITY OF LIBERAL, KANSAS PURSUANT TO K.S.A. 12-3014 AND 3015, AND AMENDING AND REPEALING THE PRIOR CITY CODES AND INCORPORATING OTHER CODES, STATUTES, AND DOCUMENTS BY REFERENCE PURSUANT TO K.S.A. 12-3009, 3010, 3011, 3012, 3301 AND 3302."

- Debbie Giskie stated Ordinance 4488 will codify the 2017 Code Book. The book has not been codified since 2000.
- Commissioner Harrison noted it's been 17 years since it's been done and questioned how often it should be done. He believes it was every three years.
- Mrs. Giskie stated she wasn't sure but she spent a lot of time updating everything.
- Commissioner Carlile stated the Commission adopted an ordinance August 25, 2015 regarding parking. He questioned if there was a way to change it so certain people are grandfathered.

- City Attorney McQueen noted all ordinance are presumed legal.
- It was code enforcements decision for the ordinance.
- It was noted Ordinance No. 4488 can be adopted tonight and revisit Ordinance No. 4457.
- Discussion was held on Ordinance No 4457, being grandfathered in, owners vs. landlords.
- City Attorney McQueen noted that there may be other ordinances that need some tweaks.
- Mrs. Giskie noted that everything that is in the books for the City including the just passed seatbelt ordinance is in the book and Ordinance No. 4488.
- Ordinance No. 4457 would be brought back in two weeks.

Commissioner Harrison moved to adopt Ordinance No. 4488 and noted the Code Book should be reviewed and codified every two years, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

9. Community Development Block Grant Application for Housing Rehab.

a. Public Hearing.

Mayor Denoyer called the Public Hearing open.

- Housing Director Karen LaFreniere stated Staff is asking permission to apply for the Community Development Block Grant Program from the Kansas Department of Commerce. The grant will provide funds for housing rehabs. There is a an interest in the program. Commerce requires a resolution and a grant administrator. Rose Mary Sanders from Ranson Financial will be the administrator if the contracts are signed.

Mayor Denoyer declared the Public Hearing closed.

b. Resolution No. 2266 - Certifying Legal Authority to Apply for the Kansas Small Cities Community Development Block Grant.

Mayor Denoyer requested Commission consideration of Resolution No. 2266, entitled, "A RESOLUTION CERTIFYING LEGAL AUTHORITY TO APPLY FOR THE KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM THE KANSAS DEPARTMENT OF COMMERCE AND AUTHORIZING THE MAYOR TO SIGN AND SUBMIT THE APPLICATION."

Commissioner Carlile moved to adopt Resolution No. 2266, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

c. Grant Writing Proposal Agreement with Ranson Financial.

- Housing Director LaFreniere stated the Grant Writing Proposal fee is for an amount not to exceed \$6,500.

Commissioner Harrison moved to approve the Grant Writing Proposal Agreement with Ranson Financial, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

d. Consultant Contract between City of Liberal and Ranson Financial.

- Housing Director LaFreniere stated this is a contract between the City and Ranson Financial contingent on the award of the CDBG Housing Grant in the amount of a flat fee of \$23,800.00. The Grant is \$300,000 with the City's matching funds of \$100,000.

Commissioner Martinez moved to approve the Consultant Contract with Ranson Financial in the amount of \$23,800, as presented, with Commissioner Harrison seconding the motion. The motion carried unanimously.

10. Firefighter Protective Gear Purchase.

- Deputy Fire Chief Skeety Poulton stated the Fire Department is requesting to purchase five sets of bunker gear. The gear is on a five year rotation. Staff is requesting to go with the quote from Weis Fire and Safety in the amount of \$8,078 as Staff has had good luck with the company.

Commissioner Aragon moved to purchase five sets of Innotex bunker gear from Weis Fire & Safety in the amount of \$8,078 with the funds to come from the Protective Gear & Equipment fund, as presented, with Vice Mayor Martinez seconding the motion. The motion carried unanimously.

11. Robotics Program Tablets - Mid-America Air Museum.

- Ramie Wetzberger & Peggy McCulley stated Staff is looking to update the robotics program equipment.
- IT Director Tim Lunceford noted he contacted the local company, Technology for All, for a bid however he did receive anything by the time the agenda packet went out on Friday.
- Mayor Denoyer contacted Technology for All. They delivered a quote to the Commission this evening. They are a local company and if there is problem they can fix it in town.

Commissioner Harrison moved to purchase 10 Apple iPads from Technology for All in the amount of \$3,499.90 to be funded from the City's Gifts & Donations Fund, with Commissioner Carlile seconding the motion. The motion carried unanimously.

12. Annual Chip Seal Bid Award.

- Transportation Operation Service Director Daniel Zuniga stated bids were opened on June 22 and Staff received one quote. Nine invites were sent out and two packets were requested. B & H Paving's bid was \$1.29/sq yard with the total cost not to exceed \$282,604.75. The area for chip seal will be from 2nd Street north and from Kansas Ave east. The project will be in late September as it can't be done in hot weather.
- There may be some additional projects that are budgeted and Staff will bring them to the Commission for approval.

Commissioner Harrison moved to approve the bid from B & H Paving for the Annual Chip Seal Project in the amount of \$1.29/sq yard not to exceed \$282,604.75, as presented, with Commissioner Carlile seconding the motion. The motion carried unanimously.

13. CITY MANAGER'S REPORT.

- City Manager Hall reported Staff is addressing the new state law for water slides. The City has the permit and insurance Staff is just waiting on the inspection of the slides. The inspector should be here within the next two weeks. Enforcement will begin in 2018.
- Transportation Services Director Daniel Zuniga gave an update on the 15th Street Project. Notice was also put out to the media. The project should take one or two weeks weather permitting. Traffic is still able to drive on it, it is just two lanes while they fix it.
- City Manager Hall noted Staff is working hard. A lot of things are going on including improvements to parks. He thanked Parks and Streets for their hard work in the heat. Staff is gradually catching up from previous storms. The public has been patient and Staff thanks them.
- City Manager Hall thanked all department as it takes everyone to make the City what it is.

14. ITEMS FROM COMMISSIONERS.

Commissioner Aragon thanked all City Staff as they are all busy and he appreciates it very much.

Commissioner Carlile stated after the last commission meeting there was tension over drug dog and he wants to apologize for that.

Commissioner Harrison stated he appreciates that. He thanked all City staff especially those working out in the weather. It is a tough job. He does it too and does all his work early, however, you see Staff on mowers, walking picking up trash, working on asphalt, they are working everywhere. They work every day no matter the weather to make Liberal a better place.

Vice Mayor Martinez noted the street by Garfield school is no longer one way and thanked Staff for taking care of it. He asked if there was any update on the school project and streets.

Transportation Services Director Daniel Zuniga stated the issues they found are there are a lot of utilities - gas lines, phone lines etc. They've broke the gas line three times and water line once. They are hoping to finish three blocks from Kansas Ave. east but are waiting on utilities as it takes up to eight weeks for their work orders then the company will sent over a contractor to fix the problems.

Commissioner Harrison noted the Kansas Avenue Project bids will come in on July 18. If nothing else is ready for the school then will they do Kansas Ave.? The School comes first.

It was noted the Schools are aware of what is going on and the roads will still be drivable and emergency vehicles can still get there. The school understands.

Vice Mayor Martinez thanked Staff for their work. He heard compliments on the parks and the shelters. Thank you to all staff.

Mayor Denoyer thanked staff for their work especially with it being over 100 degrees. He appreciates them and appreciates the Police and Fire Departments to keep us safe. He reminded everyone to stay hydrated. He also noted at the last meeting, they wanted to set up a joint city/county meeting, however April can't get the County Commission together until sometime in August. Also, he may have a possible agenda item. The County is willing to partner with the City on the alley by the fairgrounds. J&R sand will do the milling for \$5000 and seal it for \$3000. The County would do all the work and split the bill down the middle with the City providing the millings. The cost to the City may be \$4,000-\$4,500. He spoke to Daniel and will bring it up. The County will add it to their agenda as well on Monday. This is just his personal opinion and would like to discuss that project. The 4th of July fireworks were phenomenal as was the picnic. It was a great day.

15. VOUCHERS.

\$1,128,576.80, dated July 7, 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