THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION
December 23, 2013

The regular meeting of the Liberal City Commission was held at 6:30 p.m. in the Commission Chambers located at 325 North Washington on Monday, December 23, 2013.

Commissioners Present: Vice Mayor Janet Willimon, Dean Aragon, Joe Denoyer and Ron Warren. Mayor Dave Harrison joined the meeting via conference call.

City Staff Present: Finance Director Chris Ford, Public Works Director Joe Sealey, City Clerk Debbie Giskie, Human Resources Director Sheena Schmutz, Economic Development Director Jeff Parsons, LPD Captain Dave Odle, LDP Records Supervisor Catherine Byrd and City Attorney Shirla McQueen. City Manager Mark Hall arrived late.

Vice Mayor Willimon declared the meeting called to order and City Clerk Giskie read the roll call declaring all members present. The Pledge of Allegiance was recited and the invocation was given by Joe Denoyer.

1. Awards/Proclamations/Presentations. *No items were presented.*

2. Approval of Agenda.
Vice Mayor Willimon requested approval of the agenda.
Commissioner Denoyer moved to approve the agenda, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

3. Approval of Minutes.
City Clerk Giskie advised the Joint City/County minutes would be clarified on page one under the third bullet to reflect that City Manager Hall reported the City had been notified that they were covered under the liability policy by EMC.
Commissioner Denoyer moved to approve the minutes of the December 10, 2013 regular meeting and the December 12, 2013 Joint City/County meeting, as amended. The motion was seconded by Commissioner Warren and carried unanimously.

4. Items from Citizens.
Vice Mayor Willimon read the rules of the Commission and requested members of the audience approach the podium to address the Commission.

- Guy Rice appeared before the Commission and requested consideration of putting up stop signs on South Clay Avenue going north and south. He advised there are vehicles going 40-60 miles per hour on that stretch of road and noted there are stop signs going east and west on the side streets.
- Vice Mayor Willimon asked that Mr. Sealey place this matter on the agenda for the next Traffic Safety Committee meeting.

5. Items from Groups.
Vice Mayor Willimon 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:

1. Acknowledge Receipt of Minutes:
   1. Liberal Housing Authority, November 13, 2013.
   2. Arkalon Council, November 14, 2013.
2. Approval of Airport Leases:

1.	# 20.01	Lime Rock Resources	$1,055.34	1 year
2.	# 29.04	M & J Sales & Equipment	$1,603.80	1 year
3.	# 36.00	First National Oil	$1,542.42	1 year
4.	#43.01	FedEx Freight East, Inc.	$2,779.92	1 year
5.	# 46.00	Guy's Food Warehouse	$ 693.00	1 year
6.	# 52.00	Wheat Lands, Inc. (Hertz)	$3,100.00	1 year
7.	# 55.04	Jayhawk Southwest	$ 828.63	1 year
8.	# 87.04	M & J Sales & Equipment	$1,574.70	1 year
9.	# 88.02	Heritage Real Estate	$1,964.16	1 year
10.	# 89.01	El Marro Welding Service	$3,991.68	1 year
11.	# 91.03	HECS, LLC (Harris Engine)	$3,423.25	1 year
12.	# 98.00	Roy's Electric Service	$1,344.00	1 year
13.	#107.04	Jayhawk Southwest	$1,841.40	1 year
14.	#130.01	Petroleum Management	$ 928.62	1 year
15.	#134.04	Mobile Storage	$1,319.67	1 year
16.	#147.00	E.A. Sween Company	$ 553.01	1 year
17.	#172.04	Jayhawk Southwest	$ 551.76	1 year
18.	#180.01	El Marro Welding Service	$1,425.60	1 year
19.	#184.00	Jayhawk Southwest	$ 551.76	1 year
20.	#186.01	Cox Construction	$ 580.00	1 year

3. Approval of Cereal Malt Beverage Licenses:

1.	Taqueria el Gallo de Jalisco	719 South Kansas Avenue
2.	Tacos & Beer Restaurant	260 West Pancake Boulevard
3.	Midway Café II	225 West Pancake Boulevard

Vice Mayor Willimon inquired if the Commission wished to remove any items for further discussion.
Commissioner Denoyer moved to approve the Consent Agenda, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

7. Conceal Carry Plan.
Commissioner Denoyer moved that the City of Liberal allow all legally permitted citizens to conceal carry in all City-owned buildings with the exception of the locations where security measures are already in place; Municipal Court, the police department and the Liberal municipal airport. This motion is to include employees and would include City-owned vehicles. If approved by the Commission, this would require a change in the current personnel policy. I would also like it noted in the motion that Conceal/Carry permitted employees, since the permits are not a matter of Open Records, shall not be required to register or report to City Administration, this to include the Human Resources Department. Commissioner Aragon seconded the motion.

- Finance Director Ford reported the policy in the packet is contrary to what the motion reflects and questioned if a new policy must be prepared for discussion and submittal to the State.
- City Attorney McQueen noted the policy is sufficient and reported the policy can be done independently from this meeting. She advised we can proceed with the motion even though we don't have a detailed plan in front of us.
- Mayor Harrison advised City staff has worked hard on this policy and legal counsel approves it. He reported that without further research he can't get on board with the motion.

Discussion was held on the need to re-write the personnel policy.
Jim Floyd, Liberal, appeared and voiced his support of the motion.
Reid Petty, Liberal, also agreed with the motion and urged the Commission to support it.
Following further discussion, the motion carried by a vote of 3 to 2,, with Commissioners Denoyer, Aragon and Warren in favor and Mayor Harrison and Vice Mayor Willimon against.

8. Reclassification of Delinquent Accounts Receivable & Utility Accounts.
Finance Director Ford advised this is an annual housekeeping item and requested Commission permission to reclassify accounts over 120 days past due.

- Commissioner Denoyer questioned how this amount compared to last year. Mr. Ford advised the amount was fairly consistent.

Commissioner Denoyer moved to approve the reclassification of delinquent accounts receivable and utility accounts over 120 days past due in the amount of $33,408.66, as presented. Commissioner Warren seconded the motion, which carried unanimously.

9. Fiscal Year 2013 Transfers.

- Finance Director Ford noted this is also an annual housekeeping item and requested permission to make the fiscal year 2013 transfers, as presented. He advised there is sufficient budget authority to perform the transfers.

Commissioner Denoyer moved to approve the Fiscal Year 2013 transfers, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.

10. Water Department Equipment.
Public Works Director Sealey referred to the information in packet and requested approval to purchase some Bobcat attachments for the water department. He noted the forks and broom attachments will serve their needs, without the need to borrow or rent the attachments.

- Commissioner Denoyer felt this equipment would assist the crew in the performance of their duties.

Commissioner Denoyer moved to approve the purchase of the Bobcat attachments from Unlimited Fabrication, LLC in the amount of $4,000, as presented. Commissioner Aragon seconded the motion, which carried unanimously.

11. JEDC Board Appointment.
Finance Director Ford referred to the memorandum recommending Kyle Brewer to fill the position vacated by Don Witzke who has been appointed by the Chamber of Commerce. He noted this will be a three-year term ending December 31, 2016.

- Commissioner Denoyer thanked Mr. Harrold for submitting his resume and encouraged other interested citizens to submit a resume for future consideration.

Commissioner Denoyer moved to appoint Kyle Brewer to the Joint Economic Development Council (JEDC) for a three year term ending December 31, 2016, as recommended. Commissioner Aragon seconded the motion, which carried unanimously.

12. Police Department:

a. Gas Mask Purchase.

LPD Captain Odle reported the department currently possesses a number of the gas masks that have deteriorated and are not usable. He referred to the information in the packed and advised they are recommending the purchase of 24 gas masks. He explained about half of the purchase cost of $4,487.52 will be funded from the distributor utilizing a credit based on confiscated weapons to offset the out of pocket costs and the remaining $2,359.50, will come out of budgeted funds.

- Captain Odle noted each officer is fitted with a gas mask and as new officers are hired they would also be fitted and the cost handled under a separate request.
- Vice Mayor Willimon questioned what the masks are used for and what their life expectancy was. Captain Odle noted they are used under circumstances where tear gas and chemicals are involved and that the masks last quite a long time, depending on the amount of usage.

Commissioner Denoyer moved to approve the purchase of 24 gas masks from OMB Guns in the amount of $4,487.52 ($2,359.50 after using credit), as presented. Commissioner Warren seconded the motion, which carried unanimously.

b. Nighttime Seatbelt Enforcement Grant.

Captain Odle referred to the information in the packet and noted the City has been awarded this grant for several years. He explained the grant of $5,481 would be used to fund the overtime hours during the seatbelt enforcement campaigns scheduled during the year.

- Vice Mayor Willimon expressed her appreciation for their efforts in pursuing grant funds.

Commissioner Denoyer moved to accept the Nighttime Seatbelt Enforcement Grant in the amount of $5,481, as presented. Commissioner Aragon seconded the motion, which carried unanimously.

c. E-Citation Project.

- LPD Records Supervisor Byrd referred to the information in the packet and noted the majority of the e-citation project included the hardware and software set up and will interface with the present Spillman software and eliminate the need for data entry of handwritten citations, warnings and field interviews.
- Ms. Byrd noted the project cost of $85,314.00 for 15 units, has been funded through private donations, federal drug tax monies and forfeited funds, with the remainder of $19,827.98 to come from the police department equipment reserve fund.
- Commissioner Aragon questioned what the cost savings would be. Ms. Byrd noted it would save time in the data entry part and it would also eliminate errors.
- Vice Mayor Willimon recalled that this had been presented some time ago and thought it had already been implemented. Ms. Byrd noted the grant they submitted a couple of years ago had been denied.
- Commissioner Warren questioned if there would be additional costs in the future. Ms. Byrd noted that there would only be the $4,400 annual maintenance cost.

Commissioner Denoyer moved to approve the purchase of the E-Citation Project in the amount of $85,341.00 for 15 units, resulting in $19,826.98 from the police department funds after utilizing other funding sources, as presented. Commissioner Warren seconded the motion, which carried unanimously.

13. Acknowledge the establishment of Friends of Arkalon Park, Inc.
City Clerk Giskie reported Arkalon Council member Pete Olson has drafted documents to establish a non-profit organization known as Friends of Arkalon Park, Inc. She noted the Arkalon Council is supportive of this effort and requested the blessing of the Commission. *Commissioner Denoyer moved to acknowledge the formation of the Friends of the Arkalon Park, Inc. charitable organization, as presented. Commissioner Aragon seconded the motion, which carried unanimously.*

14. CITY MANAGER'S REPORT.
Finance Director Ford reported the snow removal process went well and thanked City staff for their efforts during the recent cold weather. He noted everyone is excited for next year.
- He reminded the Commission of the special meeting on January 2, 2014 at 5:30 p.m. in the Commission Chambers.

15. ITEMS FROM COMMISSIONERS.
Mayor Harrison thanked all of his fellow commissioners and wished everyone a Merry Christmas and a Happy New Year.
Commissioner Warren advised he was thankful for the snow and much needed moisture. He also thanked the City crews for cleaning the roads today and expressed appreciation for everyone's hard work this year. He also wished the citizens, fellow commissioners and City staff a Merry Christmas.
Commissioner Aragon expressed appreciation to City staff for the hard work they do. He also thanked Mr. Rice, Mr. Floyd and Mr. Petty for attending the meeting tonight and making their comments known. He wished everyone a Merry Christmas and looked forward to a new year.
Commissioner Denoyer advised we have the best employees in the State and expressed appreciation for their efforts, especially when snow removal and water main breaks require working in the cold weather. He thanked City staff and their families and his fellow commissioners for wrapping up another year. He wished everyone a Merry Christmas and a Happy New Year.
Vice Mayor Willimon also thanked City staff for all they do and wished everyone a Merry Christmas and a Happy New Year.

16. VOUCHERS.
$402,980.16, dated December 23, 2013. *Commissioner Denoyer moved to approve the vouchers, as presented, with Commissioner Aragon seconding the motion. The motion carried unanimously.*

Mayor Harrison advised he would not be joining the Commission in the Executive Session and ended the call.

17. EXECUTIVE SESSION.
Commissioner Denoyer moved to adjourn into a fifteen (15) minute Executive Session per K.S.A. 75-4319(b)(2) – for the purpose of consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship. The motion was seconded by Commissioner Warren and carried by a vote of 4 to 0, with Mayor Harrison absent. The Commission invited City Manager Hall, Finance Director Ford and City Attorney Shirla McQueen to the executive session.

- Vice Mayor Willimon inquired if the Commission wished to take any action as a result of the Executive Session.

Commissioner Denoyer moved to adjourn into a adjourn into a ten (10) minute Executive Session per K.S.A. 75-4319(b)(2) – for the purpose of consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship.. The motion was seconded by Commissioner Warren and carried by a vote of 4 to 0, with Mayor Harrison absent.

- Vice Mayor Willimon inquired if the Commission wished to take any action as a result of the Executive Session. *No action was taken.*

The meeting was adjourned by motion of Commissioner Denoyer, seconded by Commissioner Aragon.

Janet Willimon, Vice Mayor

ATTEST:

Debra S. Giskie, CMC, City Clerk