THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION
January 8, 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 Tuesday, January 8, 2013.

Commissioners Present: Mayor Tim Long, Vice Mayor Joe Denoyer, Dave Harrison and Larry Koochel. Absent was and Janet Willimon.
City Staff Present: City Manager Mark Hall, City Clerk Debbie Giskie, Chief of Police Al Sill and City Attorney Shirla McQueen.

Mayor Long declared the meeting called to order, and City Clerk Giskie read the roll call declaring a quorum 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.
Mayor Long requested approval of the agenda.
Commissioner Koochel moved to approve the agenda, as presented, with Vice Mayor Denoyer seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Willimon absent.

3. Approval of Minutes.
Vice Mayor Denoyer moved to approve the minutes of the December 26, 2012 regular meeting, as presented. The motion was seconded by Commissioner Harrison and carried by a vote of 4 to 0, with Commissioner Willimon absent.

4. Items from Citizens.
Mayor Long 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 Long 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. Airport Lease Renewals

1.	# 5.02	Rawhide Well Service	$5,303.29	1 year
2.	# 20.00	Cabot Oil & Gas Corp.	$1,055.34	1 year
3.	# 29.04	M & J Sales & Equipment	$1,603.80	1 year
4.	# 36.00	First National Oil	$1,542.42	1 year
5.	#43.01	FedEx Freight East, Inc.	$2,779.92	1 year
6.	# 46.00	Guy's Food Warehouse	$ 693.00	1 year
7.	# 52.00	Wheat Lands, Inc. (Hertz)	$3,200.00	1 year
8.	# 55.04	Jayhawk Southwest	$ 828.63	1 year
9.	# 87.04	M & J Sales & Equipment	$1,574.70	1 year

10.	# 88.02	Heritage Real Estate	$1,964.16	1 year
11.	# 89.01	El Marro Welding Service	$3,991.68	1 year
12.	# 91.03	HECS, LLC (Harris Engine)	$3,423.25	1 year
13.	# 98.00	Roy's Electric Service	$1,344.00	1 year
14.	#107.04	Jayhawk Southwest	$1,841.40	1 year
15.	#130.01	Petroleum Management	$ 928.62	1 year
16.	#134.04	Mobile Storage	$1,319.67	1 year
17.	#147.00	E.A. Sween Company	$ 553.01	1 year
18.	#172.04	Jayhawk Southwest	$ 551.76	1 year
19.	#180.01	El Marro Welding Service	$1,425.60	1 year
20.	#184.00	Jayhawk Southwest	$ 551.76	1 year
21.	#186.01	Cox Construction	$ 580.00	1 year

- Mayor Long inquired if the Commission wished to remove any items for further discussion.

Vice Mayor Denoyer moved to approve the Consent Agenda, as presented, with Commissioner Koochel seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Willimon absent.

7. First Reading of Ordinance No. 4407 - United Wireless Communications, Inc. Franchise Agreement.

Mayor Long requested Commission consideration of the first reading of Ordinance No. 4407, entitled, "AN ORDINANCE GRANTING UNITED WIRELESS COMMUNICATIONS, INC., A CONTRACT FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF LIBERAL, KANSAS AND PRESCRIBING THE TERMS OF SAID CONTRACT FRANCHISE".

- City Manager Hall reminded the Commission the ordinance had been tabled at the last meeting until further discussion was held with legal counsel. He reported meetings had been held between both parties to discuss the concerns brought up and the proposed ordinance addresses those issues.
- Commissioner Koochel asked for a review of the changes. Mr. Hall noted explained all usage of the fiber system other than their wireless cell phone customers will be charged a franchise fee.
- City Attorney McQueen advised the main change has to do with the definition of "gross receipts", specifically (8) dealing with broadband usage. She noted if United Wireless Communications collect money they will charge a franchise fee payable to the City, except for their own wireless cell phone customers.

Vice Mayor Denoyer moved to advance Ordinance No. 4407 to second reading, as presented, with Commissioner Koochel seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Willimon absent.

8. Condemnation of 11 South Pershing – Rescinding Resolution No. 2162.

City Manager Hall noted this is in reference the pending condemnation proceedings for the structure at 11 South Pershing. He noted the owner had voluntarily removed the structure; therefore, there will be no further action necessary by the City Commission.

9. Computer Purchase – Emergency Communications Center.

- City Manager Hall noted this is a request from the Communication Center for the CAD and New Dawn system and is an additional expense to go live on the system. He referred to the memorandum in the packet and noted the request is for four computers and eight monitors for a total cost of $5,836.
- Mr. Hall noted this is a shared expense with Seward County being responsible for 40% of the cost and the City being responsible for 60% of the cost.

Commissioner Harrison moved to approve the purchase of four computers and eight monitors Dell in the total amount of $5,836.00, as presented, with Vice Mayor Denoyer seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Willimon absent.

10. Computer Purchase – Municipal Court.

- City Manager Hall noted when the New Dawn program was approved, Municipal Court was not included as part of the program and efforts were taken that enables them to interface with the system. He reported the Court was able to acquire donations to purchase the software but have not found funding for the computers needed to be compatible with the software.

Vice Mayor Denoyer moved to approve the purchase of four desktop computers and one laptop computer in the amount of $6,406.00, as presented, with Commissioner Koochel seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Willimon absent.

11. CITY MANAGER’S REPORT.

- City Manager Hall reported he had discussed the concerns regarding the truancy program expenditures with Ivanhoe Love, Jr. He explained they are making trips to Southwestern Heights and in some cases involves a mileage reimbursement for employees using their personal vehicles. Mr. Hall noted they discussed establishing a mileage rate to be paid to the employee after a review of the miles logged, in lieu of purchasing additional vehicles, as earlier proposed. Discussion was held on the fact that Seward County is responsible for truancy and that daily trips are being made to Southwestern Heights at this time.
- City Manager Hall referred to the sales tax report and noted more information will be presented at the State of City address scheduled for February 7, 2013, with announcements forthcoming in the news media.
- Mr. Hall commended the departments for a good 2012 and that they are working hard on future projects.

17. ITEMS FROM COMMISSIONERS.

Commissioner Koochel advised he was pleased with much needed moisture received in the recent snow and noted he received compliments on how promptly snow was removed.
Commissioner Harrison advised he had attended the juvenile court last week in Commissioner Willimon’s place and invited other commissioners to attend future sessions. He noted it is a good program that involves several entities working together and it appears it will make a difference in the community.

- Commissioner Harrison questioned if City staff had met with Zito Media representatives as he continues to receive complaints from citizens regarding their unwillingness to address problems with internet and phone service issues. Mr. Hall advised the company indicated they would meet with us after the holidays, and noted he would send another letter to them.

Vice Mayor Denoyer complimented City staff on how prepared they were for the snow removal process during the holidays. He encouraged City staff to be diligent in the decisions being made every day that will have an effect on the 2014 budget process.
Mayor Long echoed the compliments made regarding the snow removal process and commended City staff for all they do.
Commissioner Willimon was absent.

18. VOUCHERS.
$482,869.02, dated January 8, 2013. *Commissioner Koochel moved to approve the vouchers, as presented, with Vice Mayor Denoyer seconding the motion. The motion passed by a vote of 4 to 0, with Commissioner Willimon absent.*

The meeting was adjourned by motion of Vice Mayor Denoyer.

Tim Long, Mayor

ATTEST:

Debra S. Giskie, CMC, City Clerk