

## THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

June 25, 2013

The regular meeting of the Liberal City Commission was held at 7:00 p.m. in the Commission Chambers located at 325 North Washington on Tuesday, June 25, 2013.

**Commissioners Present:** Mayor Dave Harrison, Vice Mayor Janet Willimon, Dean Aragon, Joe Denoyer and Ron Warren.

**City Staff Present:** City Manager Mark Hall, Public Works Director Joe Sealey, City Clerk Debbie Giskie, Human Resources Director Sheena Schmutz, Accounting Supervisor Sally Yates, Convention & Visitors Bureau Director Sally Fuller, Chief of Police Al Sill and City Attorney Shirla McQueen.

*Mayor Harrison 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 Ann Holman of the Risen Glory Church.*

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

**2. Approval of Agenda.**

Mayor Harrison requested approval of the agenda.

*Commissioner Denoyer moved to approve the agenda, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.*

**3. Approval of Minutes.**

*Vice Mayor Willimon moved to approve the minutes of the June 11, 2013 regular meeting, as presented. The motion was seconded by Commissioner Denoyer and carried unanimously.*

**4. Items from Citizens.**

Mayor Harrison 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 Harrison 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 Minutes:

1. Diversity Council, April 2, 2013, May 7, 2013 and June 11, 2013 (drafts).
2. Arkalon Council, May 2, 2013
3. Liberal Housing Authority, May 15, 2013 and May 29, 2013 Special Meeting.
4. Liberal Memorial Library, May 21, 2013.

b. Approval of Leases:

1. Collateral Access Agreement – Panhandle Oilfield Service Companies, Inc.
- Mayor Harrison inquired if the Commission wished to remove any items for further discussion.

*Commissioner Denoyer moved to approve the Consent Agenda, as presented, with Vice Mayor Willimon seconding the motion. The motion carried unanimously.*

**7. Kansas Sampler Festival.**

CVB Director Fuller distributed a compiled list of the feedback received from the 2013 Sampler Festival vendors. She advised 2,500 had attended this year's event which was less than last year, but noted that normally occurs. She expressed appreciation for the support of the City Commission and entire community for their assistance.

- Commissioner Denoyer suggested it would be good to have the Festival back in Liberal someday as it gives us a chance to show off our community.
- Vice Mayor Willimon noted it took a lot of work by many individuals and she thanked Sally for her efforts.

**8. First and Final Reading of Ordinance No. 4411 - Concealed Carry Legislation.**

Mayor Harrison requested Commission consideration of the first and final reading of Ordinance No. 4411, entitled, "AN ORDINANCE OF THE CITY OF LIBERAL, KANSAS, TO TEMPORARILY EXEMPT THE CITY'S BUILDINGS FROM APPLICATION OF THE PROVISIONS OF SECTION 2 OF 2013 SENATE SUBSTITUTE FOR HOUSE BILL NO. 2052, COMMONLY REFERRED TO AS THE PERSONAL AND FAMILY PROTECTION ACT".

- City Manager Hall advised this is the first and final reading of Ordinance No. 4411 and noted this was due to the new State legislation. He explained the purpose of the ordinance is to request a six month exemption while the City can figure out proper security measures.
- Commissioner Denoyer noted that in requesting this exemption, we should expedite coming into compliance as soon as possible. He advised now is the time to look at what other communities are doing while keeping in mind to keep everyone as safe as possible.
- City Clerk Giskie advised Mayor Harrison has executed a letter requesting the first reading of the ordinance be waived and allow the Ordinance to be adopted on first and final reading as an emergency.

Mayor Harrison invited members of the audience to come forward to the podium and provide their name and address for the record before presenting their comments on the proposed ordinance:

- Representative Reid Petty, Liberal, thanked the Commission for allowing speakers on the ordinance this evening. He explained the House Bill was well thought out in the Kansas State House of Representatives and it passed by a substantial margin in the House and Senate. He advised he didn't have a problem with the exemption, but would like to see the signs come down in January and allow conceal carry. He thanked the Commission for their service to the community.
- Commissioner Denoyer asked for clarification on House Bill #5022 with regard to employee handbooks. Representative Love advised State law would supersede employee handbooks and that employers could not prohibit employees from conceal carry.
- Steve Rogacki, Liberal, encouraged the Commission to vote down the proposed ordinance.
- Commissioner Denoyer advised the Commission is not voting down the conceal carry, but considering a six month exemption to give us time to come up with a plan and then go forward.

- Larry Phillips, Liberal, expressed concern about a paragraph in the proposed ordinance that gives the impression that city administration is stating an opinion on this issue. He suggested that language be struck from the ordinance.
- City Attorney McQueen reported the ordinance was prepared from a template being used by many communities across the State.

*Vice Mayor Willimon moved to adopt Ordinance No. 4411 on first and final reading, as deemed an emergency by Mayor Harrison, as presented. Commissioner Denoyer seconded the motion, which carried unanimously.*

## **9. Police Department:**

### **a. 2014 Edward Byrne Memorial Justice Assistance Grant (JAG).**

- Police Chief Sill noted they routinely pursue grant opportunities and requested Commission approval of the grant submission of \$124,387 the twelve month period beginning July 1, 2013. He noted the grant award announcement will be made sometime in July.
- Chief Sill explained the grant application was for 5 additional mobile data terminals for animal control, municipal court and an extra unit for patrol; and also 15 e-citation units for patrol and animal control. He discussed the advantages of the e-citation units.

*Commissioner Denoyer moved to pursue the Edward Byrne Memorial Justice Assistance Grant for the twelve month period beginning July 1, 2013, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.*

### **b. Purchase of Computers.**

- Police Chief Sill referred to the information in the proposal in the packet to purchase 7 computers; one for animal control and six for the police department. He recommended the purchase of 7 Dell Precision T3600's from Dell in the amount of \$10,164.63.

*Commissioner Denoyer moved to approve the purchase of seven (7) computers in the amount of \$10,164.63 from Dell, as presented. Vice Mayor Willimon seconded the motion, which carried unanimously.*

## **10. CITY MANAGER'S REPORT.**

City Manager Hall reported reminded the Commission of the Council of Governments meeting this Thursday at 7:00 a.m. at SCCC. He expressed appreciation to City staff's efforts to make the community look good especially working in these hot conditions. He thanked the Commission for allowing the alumni attending the all-school reunion the opportunity to visit the Water Park or the Air Museum during the festivities.

- Commissioner Denoyer questioned the construction work on Western Avenue. Mr. Hall explained as a result of the franchise ordinance with United Wireless, they are installing cable and have been told to properly barricade the work site to make it safe for the general public.

## **11. ITEMS FROM COMMISSIONERS.**

*Commissioner Aragon was pleased to hear the good news on the Kansas Sampler Festival attendance. He thanked the citizens who came forward to voice their opinion this evening. He noted there are a lot of good things happening in the community and the new Police vehicles look nice on the street.*

*Commissioner Denoyer* reminded the public of the all-school reunion over the July 4th holiday and encouraged them to get out and enjoy what we have to offer in the community. He thanked City staff and all the volunteers for the work in putting together the Sampler Festival. He thanked City staff for working in the extreme hot weather and hoped they stay hydrated. *Mayor Harrison* expressed appreciation to City staff for everything they do to make this a great city.

*Commissioner Warren and Vice Mayor Willimon had no items to present.*

## **12. VOUCHERS.**

\$850,639.13, dated June 25, 2013. *Commissioner Denoyer moved to approve the vouchers, as presented, with Vice Mayor Willimon seconding the motion. The motion passed unanimously.*

*The meeting was adjourned by motion of Commissioner Denoyer.*

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Dave Harrison, Mayor

ATTEST:

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Debra S. Giskie, CMC, City Clerk