

August 16, 2004
6:15 P.M.
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday August 16, 2004 at 6:15 p.m. in the Commission Room at City Hall.

Mayor White opened the meeting and the prayer was given by Pastor Tom Stone.

Present: Mayor White and Commissioners Smith, Lentz, and K. Stirton.

Absent: Commissioner B. Stirton.

The discussion of job descriptions was removed from the agenda. The agenda was adopted as amended.

Motion by Commissioner Lentz to approve the minutes of the August 2, 2004 regular meeting. Seconded by Commissioner Smith. All aye.

Motion by Commissioner Smith to approve the minutes of the August 10, 2004 special meeting. Seconded by Commissioner Lentz. All aye.

Motion by Commissioner Smith to approve Appropriation Ordinance #2781 (Payroll) in the amount of \$32,794.34. Seconded by Commissioner Lentz. All aye.

Motion by Commissioner Lentz to approve Appropriation Ordinance #2782 (Disbursements) in the amount of \$124,639.08. Seconded by Commissioner Smith. All aye.

Website Contract

Candace Siebenmorgen was present to discuss the contract for website maintenance. The Commission requested that representatives from HIDC and the Chamber of Commerce attend the next meeting along with Ms. Siebenmorgen to discuss the details of the contract. Ms. Siebenmorgen is to have a figure for the monthly maintenance of the site.

Report on Fire Truck

Gary Behrnes, Fire Chief, reported to the Commission that the brush truck is running at this time but still cuts out and will not idle correctly. He had checked with REA and Rainbow Telephone but the trucks they have for sale are not what the Fire Department needs. The Commission instructed Mr. Behrnes to start looking for a replacement vehicle. He will put together a specification sheet.

Mr. Behrnes also presented a letter from the Arthur N. Weir Post #7 American Legion group requesting permission to place a storage facility on the west side of the fire station. The facility would be an 8X20 storage container used to store the personal property of the Post. The Legion would be responsible for the upkeep of the storage facility. They will relieve the City of Horton from liability of theft and/or damage to the facility. Motion by Commissioner Lentz to allow the American Legion to place the storage facility west of the fire station. Seconded by Commissioner K. Stirton. All aye.

Report on 501c3 and Annexation Plan

Kevin Hill, City Attorney, advised the Commission that there are limits on what can be annexed if it is involuntary and not platted. The limit is 21 acres. If the annexation is with consent of the property owner, there is no limit. First, the property owners will have to be determined and legal descriptions developed. Then a resolution will be passed by the Commission and a public hearing will be held. A plan for extending services must be developed. The City Attorney will also determine the assessed valuation of the properties involved.

Mr. Hill reported that if donations are made to the City of Horton they are tax deductible and the City has control of those assets. If a 501c3 is organized there would have to be a separate entity to form the corporation or foundation and that entity would have control of the assets gained through donations. Mr. Hill presented a draft for the commission to review.

Code Enforcement Report

Ed Shelley, Code Enforcement Officer, reported that 85 properties had been found in violation of different codes of the City. Of these 85 properties, 20 are being mowed by the City, 31 have been abated, 20 have been issued notice to appear in court and 34 are still being monitored and the property owners are making progress. The futures goals of code enforcement are to prepare a demolition list of those properties found to be unfit structures, continue to find those in violation of ordinances, find owners of impounded vehicles and collect fees or take steps to make vehicles available for sale by the City, meet with the City Attorney to clarify or create ordinances the Chief of Police feel need attention, and educate the public on current ordinances.

The Commission requested that a list of ordinances the Chief wants to address be brought before the Commission before taking to the City Attorney. They also requested that Mr. Shelley begin to educate the citizens on any programs that might be available to assist them with repairs to their homes.

Ordinance on Sewer Rates

A proposed ordinance to raise the sewer rates from \$1.50 per thousand gallons to \$2.00 per thousand gallons was presented to the Commission. This ordinance will be voted on at the special meeting on August 24. The rate increase is needed to enable the sewer fund to be self sustaining. Currently \$20,000 is transferred out of the water fund to help the sewer fund meet its expenses.

Bids on Used Vehicles

Bids were received on two vehicles.

1997 Ford Crown Victoria	Donnie Garrison	\$101.68
1991 Ford Pickup	Earl Selle	\$251.00

Motion by Commissioner Smith to accept both bids. Seconded by Commissioner Lentz. All aye.

Discussion of the Lake Project

Nothing new to report. The Mayor is pursuing discussions with the Kansas Water Office about being considered as a candidate for the pilot program.

Discussion of Sewer Project

A letter from Helen Holm, Kansas Department of Health and Environment, was presented to the Commission. Ms. Holm conducted an annual inspection and found all the equipment to be in operation.

Pat Cox, BG Consultants, will present their report at the August 24 special meeting.

Discussion of Staff Car

The 2000 Ford Crown Victoria needs the police emblems removed so that it can be used as a staff car. The Commission instructed to have the Street Department remove the emblems and to have some of the employees clean the inside of the vehicle.

Staff Agenda

Scott Cox had presented a business plan to the Commission earlier and was requesting a written response from the Commission. The Commission instructed the City Clerk to advise Mr. Cox that the City supports the concept but would recommend he have someone to help develop a more formal business plan and talk to the financial institutions about funds.

A thank you card was read from the Brown County Fair Board for putting air conditioning in the blue building.

The electric department is repairing the Woods mowers and requested to be allowed to purchase a hydrostat at a cost of \$1,100. The consensus of the Commission is to wait since mowing season is almost over. They will look at the issue at a later date.

The City Clerk reported that an offer of \$50 was offered for the property on West 10th that had been donated to the City by Ludeen Curless. The property owner to the west has been maintaining this lot and would like to purchase it. Motion by Commissioner Smith to sell the property to Jerry Hisle for \$50. Seconded by Commissioner Lentz. All aye.

Commissioner's Agenda

Commissioner Smith

Commissioner Smith had written an article for the newspaper explaining the budget process. The Commission reviewed the article and approved its publication.

Commissioner B. Stirton

Not present.

Commissioner Lentz

Commissioner Lentz thanked the pool staff for a good job this season.

The horseshoe pits need more dirt.

One of the new volleyball nets was torn. The lake caretaker knows who the people were and the Commission would like to have charges filed.

Commissioner K. Stirton

Louis Funk contacted Commissioner K. Stirton concerning some clean up at the well site that still needs to be done. He will contact Layne Western to have them complete the work.

The Street Department needs to paint the crosswalks and repair the potholes before school starts.

Commissioner Stirton requested that the Chief of Police step up patrol during the day on the main highways especially after school starts.

A written policy on time clocks needs to be presented to the Commission at the next meeting so that the employees can begin using the time clocks.

Mayor White

Mayor White distributed an article printed in the St. Joseph News Press concerning the revitalization of the lake.

Weed eating needs to be done on the rock sign on Mission Lake Dam.

The area below the dam needs to be mowed.

Motion by Commissioner K. Stirton to go back to 8-5 working hours beginning September 1. Seconded by Commissioner Smith. All aye.

Meter readers need to separate when reading meters and all those in the water department should read.

The meeting adjourned at 9:10 p.m.

Candy Schmitt, City Clerk

Dale A. White, Mayor