

September 20, 2004  
6:15 P.M.  
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, September 20, 2004 at 6:15 p.m. in the Commission Room at City Hall.

Mayor White opened the meeting and the prayer was given by Candy Schmitt.

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

An executive session was added to the agenda. Motion by Commissioner K. Stirton to adopt the agenda as amended. Seconded by Commissioner Smith. All aye.

Changes made to the September 7, 2004 minutes were to add that there are funds left in the Electric Generation Project fund under Commissioner Smith's agenda and that the Mayor attended the Youth Powwow. Motion by Commissioner K. Stirton to adopt the minutes of the September 7, 2004 regular meeting as corrected. Seconded by Commissioner Smith. All aye.

Motion by Commissioner Smith to approve Appropriation Ordinance #2786 (Payroll) in the amount of \$29,554.62. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Smith to approve Appropriation Ordinance #2787 (Disbursements) in the amount of \$100,543.38. Seconded by Commissioner Lentz. All aye.

#### **Resolution for KMEA**

A resolution from KMEA was presented giving KMEA the authority to represent the City in contracting for electric power to be delivered to eligible municipal electric utilities in the state of Kansas. The Commission had questions concerning this process and a motion was made by Commissioner K. Stirton to table this matter until the October 4 meeting and to have a representative of KMEA attend the meeting. Seconded by Commissioner Lentz. All aye.

#### **Discussion of Website Contract**

The City Attorney advised that he had received a contract, which included the sharing of liability between the City and the Chamber of Commerce. He advised the Commission that there still needs to be a ceiling amount after which prior approval would be needed on the maintenance.

A proposal from Helen Paden was presented to the Commission for website services.

Some of the members of the original website committee were present and reported that they understood the cost of setting up the website would be \$1000 and that would be split between the City and the Chamber of Commerce. Their recollection was that eventually the maintenance would be handled in-house by someone who works for the City.

The Commission instructed the City Clerk to inform Ms. Siebenmorgen to do maintenance to the site and that any changes to the site for the Chamber would go through them and any changes to the City information requires approval of the City Commission. Any other entities, not members of the Chamber of Commerce will have to deal with Ms. Siebenmorgen directly.

There was a question on the copyright issue. The City Attorney will review the original contract and advise the Commission of the options, who owns the site and will have a ceiling amount for the maintenance.

### **Municipal Investment Pool Resolution**

A resolution to designate those authorized to deposit and withdraw funds from the municipal investment pool. Motion by Commissioner Smith to table to the next meeting. Seconded by Commissioner K. Stirton. All aye.

### **Report on Lake Project**

The Commission has designated an area for annexation. A plan for services is needed to be able to proceed with the annexation process and services have to be provided within 5 years of the annexation. The services will include roads chip and sealed or paved, cable television, sewer to structures already built, fire hydrants and an agreement between the City electric and Brown-Atchison Electric. The Commission wants the services plan within 30 days.

A letter of interest needs to be submitted to the conservation department to be considered for the state pilot program for reclaiming the lake. Motion by Commissioner Smith to submit a letter of interest on the pilot project for the lake through the State of Kansas. Seconded by Commissioner Lentz. All aye.

### **Executive Session**

Motion by K. Stirton to go into executive session for 10 minutes to discuss attorney-client matters. Seconded by Commissioner Smith. All aye. Upon reconvening, no action was taken.

### **Report on Generation**

The generation project is completed and the engine is running well.

### **Discussion of Pool Repairs**

The Commission directed the City Clerk to go out for bids to cut and break up the concrete deck at the swimming pool and to pour a new deck. The City crews will remove the debris. The contractor must be bonded. The piping inside the pool will be inspected and replaced by the city crews.

The sand is to be removed by the city crews and Leon Edwards is to inspect the filter for broken laterals. The crews will replace the sand.

### **Report on Sewer Project**

Some discussion from the engineers indicated that the State of Kansas may be issuing a consent order for the City of Horton. This is just a possibility nothing has been issued as of this date. The engineers will be at the next meeting to make the final report.

### **Discussion of Building Donation**

The owner of a dilapidated structure in the 700 block of Central is willing to donate the building to anyone wanting to take possession. The owner has been sited into the court system for being in violation of the codes. There was discussion as to the cost of demolishing the structure. The Commission would like to look inside the building before making any decision.

### **Discussion of City Administrator Position**

A special meeting is set for September 29, 2004 at 5:00 p.m. to discuss the City Administrator Position.

### **Staff Agenda**

Paperwork from the Code Enforcement Officer was included in the Commissioner packets. He was requesting direction on two structures. One structure at 1585 Euclid has trash accumulation in the garage and the house, which generates a disagreeable odor and is a health and safety issue. The other structure at 530 W. 10<sup>th</sup> Street has deteriorating wood siding; interior floors collapsed making the interior of the structure unsafe and in a dilapidated state. The officer has tried to serve papers on the first property owner but has been unable to make contact. The owner of the second structure lives in California and refuses to invest anything into the property. The Commission instructed that the officer serve by notification in the newspaper and by regular mail instead of certified since they refuse the certified mail. He is also to check with the City Attorney about this procedure. The property owner of 530 W. 10<sup>th</sup> has previously offered to donate the property to the City but has stated that the taxes are not paid for this year. The Commission instructed that she be advised that if the taxes are made current the City would accept the donation with a quitclaim deed.

Paperwork was presented explaining the Veterans Affairs on the job-training program. The Commission requested that the Chief of Police come to the next meeting and explain the program to them.

The City has a gas powered chop saw that is in need of repair. Someone approached one of the staff about purchasing this saw. Commissioner K. Stirton will check into this matter.

A piece of moulding on the Library needs to be replaced. The Commission instructed the librarian to check with Larry Pottroff from the High School or Scott Cowley a local contractor about making a piece of moulding.

The City fall cleanup day is scheduled for October 16 and a suggestion was presented to limit the free dumping to City residents. The Commission agreed this was a good idea. It was decided that the dumping would be free to residents who present a paid utility bill. Others wishing to use the services will have to pay \$10 a pickup load. The cost of tires will be charged to everyone.

The firing range is in need of 30 target holders and the cost would be \$20.50 each for a total cost of \$615. The Commission felt that the City Crews could make these holders at a lesser cost. Commissioner K. Stirton will talk to the city crews.

A citizen, Edwin Green, requested permission to cut dead trees at Mission Lake. He advised that he had signed a waiver approximately 10 years ago and has been cutting trees since that time. He didn't know if he needed to sign another waiver or if he needed to get permission every year. The Commission instructed the City Clerk to tell Mr. Green that if trees needed to be cut down the City would contact him.

The City Clerk advised that the market study that was being done for HIDC is completed and a copy is available at City Hall.

### **Commissioner's Agenda**

#### **Commissioner Smith**

Commissioner Smith pointed out that the retaining wall on the west side of City Hall needs to be repaired.

#### **Commissioner B. Stirton**

Commissioner B. Stirton thanked the Commission for the donations for fireworks for Homecoming.

#### **Commissioner Lentz**

Commissioner Lentz requested that the Street Foreman measure the soccer field nets on the 2 large goals. Motion by Commissioner Smith to purchase 2 new nets spending up to \$300. Seconded by Commissioner K. Stirton. All aye.

**Commissioner K. Stirton**

Commissioner K. Stirton reported that the leak in the 600 block of Central is finally fixed.

The crack repair on West 18<sup>th</sup> Street is in progress.

**Mayor White**

The Commission has been invited to attend the NEK Facilitation training in Holton on September 30 at the Jackson County Senior Citizens Center.

A letter was read from HIDC stating they did not have funds to help pay for the website.

A letter was received from Clela Belle (Peterson) Schweer wanting to donate a flag to the Horton Cemetery. The Commission accepted the donation and a thank you letter will be sent to Ms. Schweer.

It was noted that the weeds need to be cut at the Firing Range.

The police officers need to notify the office if they see street lights out during the night.

The police department had 89 hours overtime during the month of August. A new officer has been hired to help alleviate the overtime.

Motion by Commissioner K. Stirton to go into executive session for 15 minutes to discuss personnel to include only the Commission. Seconded by Commissioner Smith. All aye. No action was taken.

The meeting adjourned at 10:30 p.m.

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Candy Schmitt, City Clerk

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Dale A. White, Mayor