

May 16, 2005
7:15 P.M.
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, May 16, 2005 at 7:15 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 Krug, B. Stirton, and Davies. Commissioner K. Stirton arrived at 7:55 p.m.

The items dealing with the bond issue were pulled from the consent agenda and placed at the beginning of the agenda. The discussion of the property on E. 5th was added to the agenda and placed after the discussion of the sewer bond issue. Motion by Commissioner B. Stirton to adopt the agenda as modified. Seconded by Commissioner Krug. All aye.

Mayor White requested that the minutes of the May 2, 2005 meeting be amended to show the bids for the sandblasting and painting of the pool. Motion by Commissioner Davies to adopt the minutes of the May 2, 2005 meeting as amended. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2821 (Payroll) in the amount of \$32,228.46. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2822 (Disbursements) in the amount of \$74,049.27. Seconded by Commissioner Krug. All aye.

Discussion of Bids for the Sale of Bonds, Resolution and Ordinance for Sale of Bonds

Larry McKown was present to submit the bids for the sewer bonds. The bids were as follows:

Stifel, Nicolaus & Co., St. Louis, Mo	4.23592%
UMB Bank of Ks. City, Mo	4.136101%
Gold Capital Management, Ks City, Mo	4.33077%

Motion by Commissioner Krug to accept the bid from UMB Bank of Kansas City, Missouri. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Davies to adopt Ordinance 1061, AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$300,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2005-A, OF THE CITY OF HORTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO. Motion seconded by Commissioner Krug. All aye.

Motion by Commissioner Krug to adopt Resolution 05-05, A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$300,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2005-A, OF THE CITY OF HORTON, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1061 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. Seconded by Commissioner Davies. All aye.

Discussion of Property on E. 5th Street

The City of Horton obtained property on E. 5th Street in 1915. In 1961, a sheriff's deed included this property when selling adjoining lots at a public auction. This deed is incorrect. There are parties who are interested in purchasing the property at this time. Since the sheriff's sale, the person who believed they had ownership of the property built on the property and has several vehicles stored there. The recommendation of the City Attorney, Kevin Hill, is to have a public auction and to convey the City's interest, if any, by quitclaim deed. Motion by Commissioner Davies to follow the recommendation of the City Attorney. Seconded by Commissioner Krug. All aye. It should be noted in the advertising for the sale that the City is only selling their interest in the property.

Discussion of Fireworks Program

No one was present for the discussion of this topic. (It was later discovered that the parties had decided against having the program.)

Discussion of Hiring Electric Engineering Firm to Assist with Power Contract

The Westar Contract for the purchase of electrical power will be renegotiated in approximately two years. The City Administrator would like to have an engineering study done to determine the best options for the City in purchasing power. A similar study was done in 1992. Motion by Commissioner Krug to have the City Administrator prepare a request for proposals and to bring it back to the Commission for review. Seconded by Commissioner Davies. All aye.

Discussion of Directive 05-ADM-06 on Agenda Procedures

This directive requires that if someone wants on the agenda for the Commission Meeting they would have to fill out a form listing their reasons for being on the agenda and this would need to be done by the 5:00 p.m. on the Tuesday before the meetings. Motion by Commissioner Davies to adopt directive 05-ADM-06. Seconded by Commissioner B. Stirton. All aye.

(Commissioner K. Stirton arrived at the meeting)

Update on Swimming Pool

Mr. Smith reported that Bottorff Construction completed the concrete work at the swimming pool and that final touches would be done later during the week. Some of the Commission expressed they were not pleased with the quality of work. Mr. Smith was instructed to get a list to the contractor of the repairs needed to be done and report back to the Commission on the progress at the next meeting. (Note: a special meeting was held on May 20 to review the issue with the contractor.)

Update on Ball Field Projects

The painting is done, and the new ADA water fountain is installed. The Little League has requested more sand be purchased by the City for the infields and more rock is needed on the main parking lot. There were questions as to what funds the Little League has and it was noted that the Little League and Soccer Board need to meet with the Park Board. When assistance is requested, they should work with and through the Park Board.

Mr. Smith is checking to see if Westar will donate the longer wooden poles needed for the lighting at the ball fields. It was brought up by Tim Lentz that the Fish and Game Club possesses some used lights that they would give to the City to use in the ball field area or parking area.

Discussion of 2005 Chip and Seal program and Street Improvement Plan for the North End

Mr. Smith presented a plan for chip and sealing the streets north of 15th Street and for curbing in that area as well. The street department is requesting that an asphalt distributor be purchased to do the radiuses of the streets. The cost would be \$6,300 and could be rented to the City of Hiawatha.

Mr. Smith reported that he, Rex West and Commissioner Krug met with representatives from Brown County concerning the chip and seal project. They stated it has to be done on their schedule and could not be done later than mid July. This means that they would be chip and sealing during the County Fair, which begins July 12. It was the consensus of the Commission that the City needs to see if they could schedule after the fair in the future.

There was much discussion concerning getting a used oil truck instead of the new asphalt distributor or fixing the old distributor that the City owns. It was decided to get ready for the chip and sealing this year and then afterwards check the old unit to see if it is useable and to check on pricing for a used oil truck and bring the information back to the Commission later in the year for a decision for next season.

Mr. Smith was instructed to write a letter expressing to the County Commission the City's appreciation for the work they do for the City.

Motion by Commissioner Krug to approve the plan that was presented less the asphalt distributor. Seconded by Commissioner K. Stirton. All aye.

Update on Collections of Delinquent Utility Payments

City Clerk, Candy Schmitt, presented a report showing the amounts collected from the State Setoff program and the Collection Agency. The amounts received since January 1, 2005 are:

State Setoff	\$7,214.52
Collection Agency	556.19
Paid by Customer	\$4,588.17

The fees paid for these services was \$3,563.71. The total received minus the fees is \$8,795.17.

(The Commission took a 5-minute recess.)

Executive Session (Non-appointed Personnel matters; Classification Plan)

Motion by Commissioner K. Stirton to go into executive session for 30 minutes to include the City Administrator and Commission to discuss non-elected personnel. Seconded by Commissioner B. Stirton. All aye.

Motion by Commissioner K. Stirton to extend the executive session for another 10 minutes. Seconded by Commissioner B. Stirton. All aye.

Upon reconvening, Mayor White stated that no action was taken in executive session.

Motion by Commissioner B. Stirton to accept the recommendation of the City Administrator to move the Chief of Police salary to \$16.57 an hour and that the recommended job description and standards be adopted and signed by the Chief of Police. Seconded by Commissioner Krug. All aye.

Motion by Commissioner B. Stirton for the City Administrator to get with the Chief of Police and develop a job description for an Assistant Chief of Police and to do away with the sergeant position. Seconded by Commissioner Davies. All aye.

City Administrator's Agenda

A request was received from Otho Stevens to have the City remove sidewalk in front of his business in the 900 block of Central and supply the fill and then he would have a contractor replace the concrete. Motion by Commissioner Krug that the City agree to this request but that the chip and seal project be completed first and that the work be done at the Street Foreman's discretion on time. Seconded by Commissioner K. Stirton. All aye.

Horton National Bank requested that they be allowed to park a flat bed trailer on E. 8th Street and to use outside amplification for their Appreciation Days on June 24. Motion by Commissioner K. Stirton to approve this request. Seconded by Commissioner B. Stirton. All aye.

The demolition project at 726-728 Central has been re-bid and placed on the Dodge Report. There is a June 20 deadline for bids.

The job position for the part time person in administration has been advertised, the applications for the generation maintenance operator closed May 13 and interviews will follow. The truck and bed were re-advertised with no minimum bid and will be due June 6. There is an article in the newspaper requesting volunteers to serve on the Foundation.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner B. Stirton

Commissioner B. Stirton inquired about filling in the hole on Central on the property owned by Ray Gockel. The City Clerk reported that someone had contacted her about purchasing that property and putting in a business.

Commissioner B. Stirton asked if there is a policy on the use of cell phones while on duty and was advised that there is a policy on the use of personal cell phones. Commissioner B. Stirton requested that the City Administrator observe the use of cell phones among the employees and limit it.

Commissioner Davies

Commissioner Davies thanked all of the city crews for their work on the ball fields; he also thanked Dale Monson and Dennis Hammersmith and Gaskells for making the bat and helmet holders.

Commissioner Davies would like an update on the Lake project at the next meeting.

It was again emphasized that the packets need to be delivered by Thursday.

Commissioner K. Stirton

Commissioner K. Stirton inquired about the electric guide wires being on Tom Stirton's property. Mr. Smith was instructed to meet with Tom Stirton and get the issue straightened out.

Commissioner K. Stirton asked that the old pickups and beds sitting at the Street Barn be gotten rid of if they are not going to be used.

Commissioner K. Stirton would like to look into trading the old grader in on a used skid steer loader.

Mayor White

Mayor White signed a proclamation declaring May 21 as Armed Forces Day in the City of Horton.

The meeting adjourned at 10:23 p.m.

Candy Schmitt, City Clerk

Dale A. White, Mayor

