

March 20, 2006  
7:15 P.M.  
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, March 20, 2006 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, Commissioners Krug, B. Stirton, Davies and K. Stirton.

The ambulance agreement was moved up on the agenda. Motion by Commissioner Davies to adopt the agenda as amended. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve the minutes from the February 20, 2006 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve the minutes from the March 8, 2006 special meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Ordinance #2862 (payroll) \$30,674.35. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Ordinance #2864 (payroll) \$28,739.40. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Ordinance #2865 (disbursements) \$67,431.81. Seconded by Commissioner Krug. All aye.

### **Discussion of Parking in 700 Block of Central**

Peggy Gilkerson, owner of Hole in the Wall, was present to request that the City rock the parking lot at the Blue Building on the east side up to the bank to allow for parking for the downtown businesses and the fair. The Commission directed the Administrator to get the cost figures together for the project to rock the area and a recommendation for funding. Ms. Gilkerson was informed that she would need to get a sign permit for the sign she would like to put up in front of her business.

### **Discussion of Easement for Block 65, Lots 7 and 8**

The property owner at 1241 Central was present to request a written easement for lots 7 and 8 in Block 65. This property has been used by the property owner for 26 years to enter the rear of his property. The property is in the process of being sold and the new owner wants an easement in writing. Motion by Commissioner Davies to grant the easement and to authorize the Mayor to sign the easement. Seconded by Commissioner Krug. All aye.

### **Approval of Ambulance Agreement**

Motion by Commissioner B. Stirton to approve the agreement with the Horton Ambulance Service with a payment of \$5,000. Seconded by Commissioner Davies. Aye—Commissioners Krug, B. Stirton, Davies and K. Stirton. Abstain—Mayor White.

### **Agreement Between City and Landowners on Sewer Line**

The City Attorney presented an agreement for the Commission to review. Motion by Commissioner Krug to present the agreement to the parties for signatures. Seconded by Commissioner B. Stirton. All aye.

### **Open Bids for Sanitation Plant Rehabilitation**

Mr. Henry advised the Commission that he had not received any bids for this project. Mr. Henry's recommendation is to bid each segment of the project separately. The order of priority is the trickling filter, replacement of pipe, rehabilitation of the final clarifier and the rehabilitation of the grit chamber house. The consensus of the Commission is to proceed with this recommendation.

### **Approval of Resolution Authorizing Participation in a Fire Suppression Mutual Aid Agreement.**

Motion by Commissioner K. Stirton to approve Resolution 06-006, A resolution authorizing and formally recognizing Horton's entrance into and participation in a Fire Suppression Mutual Aid agreement with the surrounding communities and Fire Departments located within, and without, Brown County, Kansas as authorized by K. S. A. 12-16, 117. contingent upon other entities participating. Seconded by Commissioner B. Stirton. All aye.

### **City Administrator's Agenda**

Amendment to Rock Bids—Mr. Henry noted that an error had occurred when tabulating the rock bids at the last meeting. The ½" screened chat and the CMK should have been awarded to Dale Stirton instead of Bill Stirton. Motion by Commission Davies to accept the amendment to the bid recommendation. Seconded by Commissioner Krug. Aye—Mayor White, Commissioners Krug and Davies. Abstain—Commissioners B. Stirton and K. Stirton.

Used and Waste Tire Storage—Mr. Henry reviewed the City Code and there is no provision to require tires to be covered. Both tire dealers in the City store their tires behind a fence but only one of them has a cover over the tires. Mr. Henry recommended that the City adopt an ordinance with the same language as the State Statute. The consensus of the Commission was to direct the City Attorney to prepare such an ordinance.

Survey of Commercial Electric Rates. Mr. Henry reported that most cities do demand metering. A comparison of cities was presented for the review of the Commission. Mr. Henry will continue to study the issue. It was mentioned that the utility rate comparison should be published in the newspaper.

Mission Lake Caretaker Barn Several options were presented to the Commission for erecting a new building at the lake. The cost ranged from \$8,500 to \$22,228. Motion by Commissioner Davies to erect a 40 X 50 building at a cost of approximately \$16,000. Seconded by Commissioner K. Stirton. All aye.

It was noted that the deadline for SPCC compliance was extended to October 2007. The Commission directed Mr. Henry to pursue grants for a building to house transformers and to determine the number of transformers needed.

Mission Lake Update Report Mr. Henry reported he did not send a letter to the engineer on the lake study because new information came forward. Even if a bathymetric study was done during the study the data is now outdated and would have to be collected again. The House of Representatives passed \$400,000 for the small lake restoration program but the Senate passed \$325,000.

Survey of 16<sup>th</sup> Street. A bid for surveying the street was received from Ledoit Meeks in the amount of \$700-\$1,000 for 2 blocks. Bartlett and West had estimated the cost to be \$2,000. The consensus of the Commission is to install the sidewalk from 1<sup>st</sup> Ave. E. to Central on 16<sup>th</sup> Street without doing a survey.

East 7<sup>th</sup> Street Project The drainage on East 7<sup>th</sup> Street needs to be repaired but a grader is necessary to complete this project and the grader is down for repairs. The repair will cost approximately \$5,345. It is hard to find parts for the grader. The Commission requested that Mr. Henry check on rental of a grader and a lease purchase option for a grader. The Commission agreed to spend the least amount possible to get repairs done to trade the grader in on a newer model. The project on E. 7<sup>th</sup> Street was tabled.

East Lift Station Repairs are needed on the east lift station. The cost is between \$18,000-\$24,000. This can be paid out of the sewer project fund. The consensus of the Commission is to have the City Administrator obtain an RFP.

Yates Avenue county Cost Share Proposal County Commissioner Glen Leitch requested that the City share the cost of chip and sealing Yates Ave. around the east side of Mission Lake. The estimated cost would be \$75,000-\$100,000. The Commission decided that they would not take on this project at this time.

The Street Foreman and the City Administrator recommended that the City skip the chip and sealing in 2006 and use the funds to patch the streets. Motion by Commissioner K. Stirton to proceed with the plan to skip chip and sealing and patch the streets and have the Street Foreman put a plan together. Seconded by Commissioner Davies. All aye.

## Emergency Operations Planning

An emergency operations plan has been developed and will be submitted to the City Attorney for review and recommendations.

Fire Chief Behrnes and Wally Leander from BIA are requesting that the City enter into an interlocal agreement, which would pay the City \$600 per fire run on reservation lands. This agreement will require the Attorney General's approval. Kevin Hill is reviewing the agreement.

Curb Replacement—Hole in the Wall Antiques and Horton National Bank Tom Kidwell, President of Horton National Bank, requested permission to remove the sidewalk in front of the bank and will replace it within one week. Motion by Commissioner Davies to replace the curb in front of the bank if they remove the sidewalk, replace the fill material and pour the sidewalk. Seconded by Commissioner K. Stirton. All aye.

Kay Stevens, Hole in the Wall Antiques, requested that the City tear out the sidewalk in front of her business and put in the fill material and replace the curb. It was noted that in the past the City has torn out the sidewalk and supplied the fill material in the downtown area but the owner paid to have the sidewalk replaced.

Motion by Commissioner Davies to either have the city tear out the sidewalk, supply the fill and the owner replace the sidewalk and curb or the owner can tear out the sidewalk, supply the fill and replace the sidewalk and the City will replace the curb in the downtown area. Seconded by Commissioner Krug. All aye.

Chris Burger made a request to vary from the previous sidewalk in front of his residence on 1<sup>st</sup> Ave. E. He also asked the City to go ahead and pour the sidewalk and bill him. The bill would include material, labor and equipment. Mr. Henry will give Mr. Burger a 5 day written notice to complete the sidewalk, if not done the City will replace the sidewalk and bill the owner.

## **Commissioner's Agenda**

### **Commissioner Krug**

A notice needs to be published in the newspaper reminding citizens that it is against the ordinances to drive over the curbs and that it will be enforced. Mr. Henry was asked to direct the Chief of Police and the Assistant Chief of Police to review the problem of people parking too close to the intersections.

### **Commissioner B. Stirton**

Commissioner B. Stirton requested that the Chief of Police check on the signage at uncontrolled intersections.

### **Commissioner Davies**

Commissioner Davies reported there is a delay on the Senior Projects due to the weather.

### **Commissioner K. Stirton**

Commissioner K. Stirton reported that there are vehicles driving on the soccer fields and that possibly the north and south ends of the field should be cabled off. Commissioner Davies will get with the City Administrator to find a solution.

Commissioner K. Stirton reported that he was approached by a citizen who is planning to build a new home and out building at 16<sup>th</sup> and 6<sup>th</sup> Ave. West. The street is platted but not maintained in that area. The citizen is requesting that the City rock the street for approximately 80'. There was discussion about waiting until the property owner actually starts building to rock the street. The City Attorney stated that the City could put contingencies on the placing of the rock.

### **Mayor White**

The visionary statement for the KANSTEP project will be completed this week. Pat Scott has replaced Harold Arnold on the visionary committee.

### **Executive Session**

Motion by Commissioner K. Stirton to go into executive session for 5 minutes to discuss non-elected personnel to include the Commission, City Attorney, City Administrator and the City Clerk. Seconded by Commissioner Davies. All aye. No action was taken in executive session.

Motion by Commissioner B. Stirton to go into executive session for 5 minutes to discuss attorney/client information to include the City Attorney and the Commission. Seconded by Commissioner Krug. All aye. No action was taken in executive session. All aye.

The meeting adjourned at 10:44 p.m.

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Candy Schmitt, City Clerk

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Dale A. White, Mayor