

November 6, 2006
6:15 P.M.
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, November 6, 2006 at 6:15 p.m. in the City Hall Commission Room.

Mayor White called the meeting to order at 6:25 p.m. and the prayer was given by Father Earl of St. Leo's Catholic Church.

Present: Mayor White, Commissioners Krug, B. Stirton and K. Stirton.

Absent: Commissioner Davies

The purchase request for an air dryer was postponed for further bids and an executive session for attorney/client information was added. Motion by Commissioner K. Stirton to adopt the agenda as amended. Seconded by Commissioner Krug. All aye.

The minutes of the October 16, 2006 meeting were pulled from the consent agenda as well as appropriation ordinance #2895.

Motion by Commissioner Krug to approve the minutes of the October 19, 2006 special meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Krug to approve Appropriation Ordinance #2895 (Disbursements) \$39,382.76. Seconded by Commissioner K. Stirton. All aye.

Request to cut trees at Mission Lake

Mr. Green was not present.

Update on Services by Rainbow Communications

Jason Smith was present to give a report on the continuing updates in the City of Horton for cable television, internet services and telephone services. The physical plant construction is complete but there may be some more outages during the night time hours. The plan is to have digital voice after the 1st of the year and local telephone service will be provided. A local customer service office will be opened on Central by December 1.

Request from HIDC for Industrial Development Funds

Jason Smith, Vice President of HIDC, appeared to request funds from the industrial fund. HIDC wants to donate \$5,000 to the Tri-County Manor fund and requested \$2,500 this year and \$2,500 after the first of the year in order to avoid a budget amendment. Motion by Commissioner Krug to give HIDC \$2,500 out of this year's budget and \$2,500 out of

next year's budget. Seconded by Commissioner B. Stirton. Aye—Commissioners Krug, B. Stirton and K. Stirton. Mayor White abstained due to conflict of interest.

GAAP Waiver

Motion by Commissioner K. Stirton to adopt Resolution 06-016. Seconded by Commissioner Krug. All aye.

Request for purchase of new software

Mr. Henry requested that they City be allowed to purchase new billing, payroll, court and financial software for the Clerk's office. The new software will meet some of the recommendations of the auditor dealing with accounts payable and also allow for a level payment plan in the utility billing. If purchased this year the City will receive a 35% discount. The total cost of the programs, installation and training is \$29,344.00 and can be financed over a 2 or 3 year plan. Mr. Henry advised he had put this in the budget for next year on a 2 year lease. Motion by Commissioner Krug to purchase the software. Seconded by Commissioner B. Stirton. All aye. The company is Infinite Tec and is based out of Hays with a local office in Topeka.

Mission Township Fire Contract

Motion by Commissioner Krug to authorize Mayor White to sign the contract with Mission Township for fire services. Seconded by Commissioner B. Stirton. All aye.

Executive Session to Discuss Non-Elected Personnel

Motion by Commissioner K. Stirton to go into executive session for 15 minutes to discuss non-elected personnel to include the Commission, City Administrator, City Clerk and City Attorney. Seconded by Commissioner B. Stirton. All aye. Motion by Commissioner K. Stirton to extend the executive session for 10 minutes. Seconded by Commissioner Krug. All aye. There was no action taken in executive session.

Motion by Commissioner K. Stirton to go into executive session to discuss attorney/client information. Seconded by Commissioner Krug. All aye. No action was taken in executive session.

Items Pulled from Consent Agenda

Corrections were made to the minutes of the October 16, 2006 regular meeting. Motion by Commissioner K. Stirton to approve the minutes of October 16 regular meeting as amended. Seconded by Commissioner B. Stirton. All aye.

Motion by Commissioner B. Stirton to approve appropriation ordinance #2895 (disbursements) in the amount of \$39,382.76. Seconded by Commissioner K. Stirton.

Aye—Mayor White and Commissioners B. Stirton and K. Stirton. Commissioner Krug abstained because one of the payments was to his business.

City Administrator's Agenda

- a. Willis Water Rate Study. Mr. Henry presented two proposals for doing a rate study for the sale of water to the City of Willis. The proposals were from Schafer, Kline, Warren with an evaluation fee of \$2,730 and BG Consultants for a fee under \$3,000. If BG Consultants were chosen the City will receive an analysis program in Excel so that the City can create this type of study in the future. Motion by Commissioner Krug to award the contract to BG Consultants. Seconded by Commissioner K. Stirton. All aye.
- b. Consolidated Report. The grant application for the Community Facilities Grant has been submitted, a letter of interest was submitted for the small lake projects. A total of 3.913 million dollars has been applied for this year by the City of Horton in the various programs.

A letter was received from Jerry Grant from Fort Scott Community College that gave a report on the improvements at the sanitation plant.

The results on the testing at the sanitation plant have been in compliance. Dan Isabell, Mitchell Noll and Jerry Stewart will test for their certification in water and wastewater on December 14, 2006.

Bill Delzeit and Mr. Henry attended a meeting on October 23 and found that Westar is proposing for other cities a cost of \$60/MWH undelivered and reserve the right to readjust the transmission charge every year. The contracts are for a minimum of 25 years. The City of Horton currently pays \$34/MWH and the contract expires in 2008. The City can purchase power from GRDA for \$45/MWH delivered beginning in 2010 for 16 years. This will require real time metering and Mr. Henry will begin the process for procurement of the metering system.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner B. Stirton

Commissioner B. Stirton thanked Connie Werner and Ellen Demaray for picking up trash along the roadside.

Commissioner Davies

Not present.

Commissioner K. Stirton

Commissioner K. Stirton reported there is a rumor that Sweet Pro is leaving town. He talked with the owners and they are not planning to leave but are planning an expansion.

The motor grader will be posted for sale after the first of the year.

There is a need for a pickup in the water and sewer departments. The Commission requested that Mr. Henry research and bring back to the Commission the cost of a used small pickup to be shared by both departments.

Mayor Dale White

Mayor White reported that there will be a transportation stakeholders meeting in Topeka on November 30 and the City should be represented to discuss K-20 highway.

The bond attorney and trustee on the bonds for Tri-County Manor have recommended to the bondholders to accept the \$250,000 offer from the City to purchase the deed to the Manor. It will require a 51% approval to execute the acceptance. A special meeting will be required to make the decision on the City's part if the offer is approved. The fund raising has raised \$11,000 so far and the resident count is 16 as of October 16. This is up from a count of 10 when the hospital took receivership.

The Commission took a 5 minute recess.

Commissioner B. Stirton resigned as Police Commissioner effective immediately. He cited the reason being he would be moving out of the city limits but would continue to operate a small business in Horton. Commissioner B. Stirton stated he hoped the Commission would keep moving forward.

Mayor stated the Commission appreciated his service and that he has been valuable in guiding the City through some tough times.

A special meeting will be held to interview candidates and appoint a new commissioner on Monday, October 13 at 4:00 p.m.

The meeting adjourned at 8:30 p.m.

Candy Schmitt, City Clerk

Dale A. White, Mayor