

July 2, 2007  
6:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, July 2, 2007 at 6:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Candy Schmitt.

Present: Mayor Lentz, Commissioners Krug, Forkenbrock, Luscombe and Davies.

Motion by Commissioner Davies to adopt the agenda as presented. Seconded by Commissioner Forkenbrock. All aye.

The minutes were corrected to show the dates of the baseball tournament to be July 6-8. Motion by Commissioner Davies to approve the minutes of the June 18, 2007 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2927 (payroll) \$39,880.23. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2928 (Disbursements) \$67,339.56. Seconded by Commissioner Krug. All aye.

**Bids for temporary notes and resolution to authorize the issuance of temporary notes in the amount of \$200,000**

No bids were received for the temporary notes. Mr. Henry will contact the local banks to see if they are interested in bidding. The bid solicitation will be sent to the local banks and county banks for the next meeting.

**Regional Electric Rate Survey**

Mr. Henry presented a comparison of electric rates for the City of Horton, Holton, Sabetha and Seneca. The usages for Horton Thriftway were used to develop the comparison and it was found that the average was \$2,400 higher using Horton's rates. Mr. Henry recommended that rates not be changed until a rate study could be conducted. Motion by Commissioner Krug to proceed to solicit bids for a rate study. Seconded by Commissioner Davies.

**Request for change in parking on E. 12<sup>th</sup> Street for one day and permission for outdoor sound amplification**

Scott Harlan had requested that the City allow parking on both sides of E. 12<sup>th</sup> Street on July 7 for a wedding. The City Attorney reported that the City would have to repeal or modify the parking ordinance and would have to show a public purpose in order to do that. Mr. Henry

reported that the issue had been resolved. Mr. Harlan's guests will park at the High School and be driven across to his residence.

Mr. Harlan also requested to be allowed outdoor sound amplification for a guitar player. The City Attorney advised that the ordinance does not allow the Commission to give an individual permission for outdoor sound amplification.

### **Approval of a highway permit use of right of way for Rick Clement**

Rick Clement requested a highway permit for use of right of way to place landscaping rock and bushes along the highway by his new building on 1<sup>st</sup> Ave. East. KDOT had approved the use and City approval is needed. Motion by Commissioner Forkenbrock to approve the request. Seconded by Commissioner Davies. All aye.

### **Sidewalk repair in 700 block of Central**

A notice was sent to two property owners to repair a joint sidewalk. A letter was received from Ed Dunn, attorney for Ruth Lucero, stating that he did not agree with the 5 day notice. Motion by Commissioner Krug to proceed to repair the sidewalk if it hasn't been done by the deadline of July 9<sup>th</sup>. Seconded by Commissioner Forkenbrock. All aye.

### **Appointment of City Attorney, Municipal Judge, City Treasurer, Planning Commission members, Appeals Board members and Park Board members**

Motion by Commissioner Davies to re-appoint Kevin Hill as City Attorney, Mike Riley as Municipal Judge and Jennifer Stevens as City Treasurer. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to re-appoint Ellen Demaray to the Planning Commission. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Davies to re-appoint Tom Reed to the Planning Commission. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to re-appoint Dennis Ross to the Planning Commission. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to re-appoint Pat Scott to the Zoning Board of Appeals and to appoint Hillary Banion-Wanke to the Zoning Board of Appeals. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to appoint Wade Edwards to the Parks and Recreation Board. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to appoint Megan Seymour to the Parks and Recreation Board. Seconded by Commissioner Krug. All aye.

## **City Administrator's Agenda**

A change order was presented from Black and Veatch for additional testing required for the Mission Lake study. Motion by Commissioner Krug to approve the change order not to exceed \$42,000 and to authorize the City Administrator to negotiate with the State of Kansas on the fees for Kansas Biological Survey's testing. Seconded by Commissioner Luscombe. All aye.

There was some discussion about the Central Avenue Project. Some of the employees are concerned about their abilities to complete the project in the time allowed because of lack of experience. The Commission authorized Mr. Henry to use Glen Obbards, who has experience in the type of work required, to help get the city crews started and to lend some guidance where needed.

Mr. Henry reported that 6 ½ million dollars has been earmarked for the rebuilding of K-20 Highway from 75 Highway to Horton. The Commission would like to pass a resolution to show their support of this project and send it to the legislators.

Mr. Henry gave an update on the Comprehensive Planning process. The draft Zoning Ordinance was presented to the Planning Commission for their review and they will have another meeting on July 25 to finalize the plan before a public hearing can be held.

## **Commissioner's Agenda**

### **Commissioner Krug**

Commissioner Krug wanted to make sure the City employees understand that they work for the City and need to work with the citizens.

### **Commissioner Forkenbrock**

Commissioner Forkenbrock was concerned about speeding complaints on the south side of town. The location of the 30 MPH sign is not very conspicuous. KDOT would have to be involved in repositioning of any signs on the highway.

### **Commissioner Luscombe**

Commissioner Luscombe asked several questions concerning the line and transformer coming in to the City. He requested that the City look into buying the substation. Mr. Henry will present the information at a later date.

### **Commissioner Davies**

Commissioner Davies reported that the work at the baseball fields is finished and the signs are up.

The Girl Scout shelter at Mission Lake needs some reconditioning.

The city needs to make sure the transformers at the north end of Mission Lake are big enough for all the campers that are parked there.

Commissioner Davies would like to have all the trees in the spillway area marked and then open it up to the citizens to cut and remove the trees.

There is a need for more trash barrels at the lake and a dumpster needs to be placed on the east side of the lake.

**Mayor Tim Lentz**

Travis McClain appeared to report that an antique/vintage motorcycle show will be held on August 18<sup>th</sup> and they are looking for an alternate indoor location in case of rain. The Commission will try to come up with some suggestions and get back to Mr. McClain.

Mayor Lentz requested that Mr. Henry write a series of articles updating the community on the Blue Building project, Mission Lake project and the Central Avenue project.

Motion by Commissioner Davies to go into executive session for 10 minutes to discuss personnel to include the Commission, City Administrator and City Attorney. Seconded by Commissioner Krug. All aye. No action was taken in executive session.

Motion by Commissioner Davies to go into executive session for 10 minutes to discuss potential acquisition of real estate to include the Commission, City Administrator and City Attorney. Seconded by Commissioner Forkenbrock. All aye. No action was taken in executive session.

Motion by Commissioner Forkenbrock to adjourn. Seconded by Commissioner Krug. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor