

September 15, 2008  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, September 15, 2008 at 5:15 p.m. in the City Hall Commission Room.

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

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

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

Motion by Commissioner Davies to approve the minutes of the September 2, 2008 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2991 (payroll) \$31,806.48. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2992 (Disbursements) \$217,076.35. Seconded by Commissioner Krug. All aye.

Mayor Lentz welcomed the new City Administrator, Jim Whisenant, and stated he would be a huge asset to the community.

#### **Discussion of Repair to Waterway at Wells**

The City Attorney asked that this topic be held until the end of the meeting for an executive session for Attorney/Client privilege.

#### **Review Bid Specifications for Patrol Vehicle**

The Chief of Police, Dick Luzier, presented a bid specification sheet for the Commission's approval for a new truck for the Police Department. After some discussion about comparing prices on new, used and program vehicles a motion was made by Commissioner Forkenbrock to approve the bid specifications and to allow the Chief of Police to go out for bids and to request bids on new, used and program trucks. Seconded by Commissioner Davies. All aye.

#### **Approval of Documents for Rural Development Loan/Grant on Fire Truck and Storm Sirens**

The City had previously submitted a pre-application for a loan or grant to purchase a fire truck and 2 new storm sirens. USDA/RD sent the application documents for the Governing Body to approve so that once the determination of eligibility was made then the application would be ready to submit. The City Attorney reviewed the documents and wanted to make some changes to the Legal Services Agreement. He will contact USDA/RD and discuss the changes. Motion by Commissioner Davies to table this matter to the next meeting. Seconded by Commissioner Krug. All aye.

#### **Discussion of Tax Research and Recovery Proposal**

This company states they can recover excise taxes for Cities and they charge 50% of what they collect. The Commission requested that the City Clerk get a list of references and check them and that she contact Don Moler at the League of Municipalities.

#### **Discussion of Disposal of Surplus Metal**

An employee had requested to be allowed to purchase the surplus metal and wiring left from the ice storm in December 2007. After discussion the Commission decided that the City should salvage the material using city staff.

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

The new City Administrator, Jim Whisenant, thanked the Commission for the opportunity to serve the community. He advised them that he has an open door policy and would like everyone to feel welcome to come see him at his office.

The City Clerk reported that the Fire Chief, Gary Behrnes, received a request from the Highland Fire Department for any fire hose that the department might have available. The Fire Department has about 100' of hose that was previously used and is still in useable condition that he would like to donate to the Highland Fire Department. The Commission requested that he check with the Whiting and Powhattan Fire Departments first and if they don't need it then it could be given to the Highland Fire Department.

The City Administrator and City Clerk will be attending a workshop on the Red Flag Rule on September 25 in Gardner. The Federal Trade Commission issued rules and guidelines to require cities and utilities to develop and implement an "Identity Theft Prevention Program" by November 1, 2008.

### **Commissioner's Agenda**

#### **Commissioner Krug**

The Black & Veatch report was reviewed and the consensus of the Commission was to approve the report to be submitted to the State. The next meeting will be held on September 17, 2008 and the Mayor and City Administrator will attend.

Commissioner Krug felt that the City should look at acquiring a larger mower and tractor.

#### **Commissioner Forkenbrock**

Commissioner Forkenbrock brought up the subject of increasing the speed limit on Central Avenue from 10<sup>th</sup> to 15<sup>th</sup> Street from 20 mph to 30 mph. The Commission requested that the subject be placed on the next agenda and that the newspaper run an article requesting public comments.

Commissioner Davies brought up that there has been excessive speeding in front of the School Board Office and the street leading from the high school to the football field. The Commission requested the Police Department watch these areas.

Commissioner Forkenbrock heard that someone told the youth they couldn't park downtown to visit but should go to the lake. Commissioner Forkenbrock felt that it would be better for them to be in the downtown area where they are more visible. There does seem to be a problem with littering and he recommended that the Police Department talk to the youth about making sure they pick up their trash.

Commissioner Forkenbrock requested that a sign inventory be developed. He advised there are not enough speed limits signs on 1<sup>st</sup> Avenue East.

There will be a meeting concerning the Country Club on Wednesday evening and Commissioner Forkenbrock will attend. There is a party interested in buying the Golf Course and also may put in a fitness center.

#### **Commissioner Davies**

Commissioner Davies reported on several activities that have been completed and requested that the face of the dam be sprayed for weeds. The Boy Scouts will clean the airport.

The Parks and Recreation Board will be presenting names for the Pool Committee in the future.

There is a need for a new mower in the Parks Department.

There has been an improvement in the trash containers being moved back from the curb but there are still junk vehicles and trash in several yards.

The Ministerial Alliance has not been attending to give the prayer at the beginning of the meetings and there was discussion of not having them on the agenda in the future. The City Clerk will talk with the Pastors and see if the situation can be rectified.

### **Commissioner Luscombe**

Commissioner Luscombe inquired about the progress of the 7200 line construction. Rex West reported that they were stringing line today.

### **Mayor Tim Lentz**

Mayor Lentz announced a town meeting on the new County Jail on Wednesday at 6:30 p.m. at City Hall.

It was decided to place "No Hunting" signs on the property north of town that was purchased for the Mission Lake Project disposal site.

The Fish and Game Club wants to install an awning on the building at the airport. The consensus of the Commission was to allow the installation.

The Commission would like the new radar speed sign out every week in the school zones.

There was discussion needing to step up Code Enforcement in the area of properties needing to be repaired or demolished. There are no funds in the building demolition budget this year or next year. The City Attorney recommended that those structures that need to be torn down have criminal charges filed if they fail to comply. The officer should take a picture of the structure the day the letter is written and another picture when the time limit for mitigation has passed. The City Attorney will call Officer Stuart about the procedure.

Commissioner Forkenbrock stated that he had requested a monthly report on code enforcement.

Mention was made that John Rokita had erected a structure in an area that was where he had been instructed not to build. The Commission would like him brought to court for building outside the setbacks without a variance.

### **Recess for 5 minutes**

### **Executive Session**

Motion by Commissioner Davies to go into executive session for 10 minutes for attorney/client privilege, to include the Commission, City Administrator, City Attorney and City Clerk. Seconded by Commissioner Forkenbrock. All aye. No action was taken in executive session.

Rex West informed the Commission that two of the mowers needed major repairs done. The cost to repair one was \$1,684 and the other was about \$1,300.

Motion by Commissioner Davies to purchase 2 Bad Boy mowers from Skyview Equipment at a cost of \$7,010 each. Seconded by Commissioner Luscombe. All aye. Commissioner Forkenbrock expressed that he felt this should have been bid similarly to the bucket truck and police truck and he was concerned where the purchase would come out of the budget. Commissioner Davies advised it would come out of the Parks budget. Motion by Commissioner Davies to rescind the previous motion and vote. Died for lack of a second.

The Commission requested an inventory be done by the end of the year. They also asked Mr. Whisenant to prepare a rotation plan for the equipment.

Motion by Commissioner Davies to adjourn the meeting at 7:38 p.m. Seconded by Commissioner Forkenbrock. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor