

May 4, 2009  
5:15 P.M.  
Commission Room

The regularly scheduled meeting for the Horton Commissioners was held on Monday, May 4, 2009 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and Father Earl Dekat of St. Leo's Catholic Church offered the prayer.

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

Commissioner Paul Luscombe passed away earlier in the week.

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

Motion by Commissioner Davies to approve the minutes of the April 20, 2009 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve the minutes of the April 27, 2009 special meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve the minutes of the April 30, 2009 special meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3026 (Payroll) \$32,775.72. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3027 (Disbursements) \$405,485.92. Seconded by Commissioner Krug. All aye.

#### **Oath of Office for Finance Commissioner and Streets and Utilities Commissioner**

City Clerk, Candy Schmitt, administered the oath of office to Ken Krug, re-elected Finance Commissioner and Wade Edwards, the new Streets and Utilities Commissioner.

#### **Resolution Honoring the Service of Paul Luscombe**

Motion by Commissioner Forkenbrock to adopt Resolution 2009-004, A RESOLUTION HONORING THE PUBLIC SERVICE OF CITY COMMISSIONER PAUL LUSCOMBE. Seconded by Commissioner Davies. All aye.

#### **Appointment to Horton Public Library—Retha Haltom**

Motion by Commissioner Forkenbrock to appoint Retha Haltom to the Library Board. Seconded by Commissioner Davies. All aye.

#### **Contract for Mitigation Services On Mission Lake Dredging Project**

Hakim Saadi and Susan Metzger from the State of Kansas and Frank Austenfeld from Watershed Institute and Land Trust were present to answer any questions about the mitigation that is required by the Corp of Engineers in order to get a 404 permit. The Watershed Institute handles the restoration of streams, wetlands, etc and any mitigation that is needed in the watershed after the project is completed.

Motion by Commissioner Davies to accept the proposed agreement from Watershed Institute in the amount of \$320,000. Seconded by Commissioner Edwards. All aye.

### **Update on Local Electric Utility Administration Projects**

Scott Shreve, EMG, Inc, was present to update the Commission on the progress of the electric rate study. The Commission requested that a work session be set to discuss the options and that the public be invited. Scott Shreve and Mr. Whisenant will set a date.

### **Resolution Offering Assistance with Development of Horton Mitigation Plan**

Motion by Commissioner Forkenbrock to adopt Resolution 2009-005, A RESOLUTION AUTHORIZING EFM CONSULTING, LLC TO DRAFT AND PRESENT A MITIGATION PLAN FOR ADOPTION BY THE CITY OF HORTON, KANSAS. Seconded by Commissioner Davies. All aye.

### **Ordinance Establishing Interconnect Standards and Regulations on Consumer-Owned Electric Generation Systems**

A proposed ordinance dealing with the installation of wind and solar energy apparatus. This ordinance also deals with the interconnection issues and provides for the safety of the staff and equipment. The Commission will review this document and it will be on the next agenda for action.

### **Staff Report**

Rex West reported that the crews are working on finishing the footings and grading on the blue building site.

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

Mr. Whisenant reported that he had meetings with the pool manager about putting controls in place, inventories, adult supervision and other issues. They will meet with the Parks and Recreation Board on May 13<sup>th</sup>.

Classified ads were submitted for the water maintenance operator and the police officer positions that are open.

The budget process will begin on the 5<sup>th</sup> with a meeting with the department heads.

Mr. Whisenant would like to take advantage of a program where youth from the ages of 14-21 are put to work through the Heartland Works Program during the summer. He would like to have 2 individuals help in several areas.

There will be a meeting with the hospital contractor on May 6<sup>th</sup>.

A specialized clean up day is being planned where limbs and brush will be picked up by the National Guard and a haz-mat trailer will be provided by the landfill.

Mr. Whisenant briefed the County Commission on the progress of the blue building project at their meeting.

There is a need for ag-lime to be used as fill on the building to bring it to grade. The cost will be approximately \$1300. Motion by Commissioner Davies to purchase the lime at \$1300 for the fill. Seconded by Commissioner Forkenbrock. All aye.

There will be a town hall meeting on June 2 on the Mission Lake Project.

### **Commissioner's Agenda**

#### **Commissioner Krug**

Commissioner Krug inquired about whether the City could recoup the cost of engineering from Black & Veatch due to an error in the proposed size of the confined disposal facility. City Attorney Hill stated that the City would have to show that they breached the standard care of engineers. Mr. Krug expressed that he was not pleased about the situation.

#### **Commissioner Forkenbrock**

Commissioner Forkenbrock stated that he and the Chief of Police are working on procedures for handling evidence.

Commissioner Forkenbrock would like to have a copy of the most recent salary survey from the League of Municipalities. The City Clerk will e-mail this to all the Commission.

Commissioner Forkenbrock asked about a recycling program. The City staff will check with other cities, the landfill and RSP, Inc about what is being done in the area.

A question of why the Police Department is using magnetic decals on the new truck. He recalled talking about it but did not think a decision had been made. There were no comments from the other Commissioners.

Commissioner Forkenbrock asked if policies were in effect concerning the airport (i.e. who can use, what type of activities are allowed, etc.) There currently are no written policies.

#### **Commissioner Davies**

Commissioner Davies reported on the senior projects. The Scouts will clean up the Better Beef Days on May 19, Susan Hisle is the new pool manager, soccer and baseball are up and running.

#### **Commissioner Edwards**

Commissioner Edwards had received a report of someone sleeping in a van at the soccer field. Chief Luzier will check this out.

#### **Mayor Lentz**

Mayor Lentz reported that a meeting had been held with the Thorson's concerning an easement for the Lake Project. It will require a 40' easement. Tanking Survey will use GPS and stake out the area that will be needed so that a legal description can be obtained. The Thorsons will review and then the Commission will talk about the cost of the easement.

A resignation was received from Wade Edwards from the Library Board.

Motion by Commissioner Davies to adjourn at 7:35 p.m. Seconded by Commissioner Forkenbrock. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor