

June 15, 2009
5:15 P.M.
Commission Room

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

Mayor Lentz called the meeting to order and Pastor Tom Stone of the Church of the Lord Jesus Christ offered the prayer and led everyone in the Pledge of Allegiance.

Present: Mayor Lentz, Commissioners Forkenbrock, Edwards, and Davies. Commissioner Krug entered the meeting at 5:26 p.m.

J. T. Strube was added to the agenda for a discussion of a building at the airport. Motion by Commissioner Edwards to approve the agenda as amended. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Forkenbrock to approve the minutes of the June 1, 2009 regular meeting. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve Appropriation Ordinance #3032 (Payroll) \$38,050.86. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve Appropriation Ordinance #3033 (Disbursements) \$188,948.84. Seconded by Commissioner Edwards. All aye.

Discussion of Airport Building

J. T. Strube, representing the Fish and Game Club, was present to request permission to build a 13' X 30' structure on the existing concrete slab at the airport. The Fish and Game Club would pay for all the materials and this building would be used for their meetings and concessions during the demolition derby. The group made a request that they get something in writing from the City stating the building was for their use only. The City Attorney noted that since it would be on City property it would have to be for public purpose and others would have to be allowed to use the building. The City Attorney also advised that the City could lease it to the Fish and Game Club at no charge since they are paying for the materials and contributing the labor to erect the building.

Motion by Commissioner Davies to allow the Fish and Game Club to erect a building on the current site. Seconded by Commissioner Forkenbrock. All aye.

Resolution on Sale of Temporary Notes

David Arteberry was present to present the bids received on the sale of the temporary notes in the amount of \$3,005,000. Two bids were received and they were UMB at 2.226% and Country Club Bank at 3.1%. Country Club Bank was bidding on behalf of Union State Bank, Girard National Bank and Denison State Bank. These notes will come due on January 1, 1011

Motion by Commissioner Forkenbrock to accept the bid of UMB out of Missouri. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Davies to adopt Resolution 2009-007, A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$3,005,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION RENEWAL AND IMPROVEMENT TEMPORARY NOTES, SERIES 2009-2, OF THE CITY OF HORTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING

CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. Seconded by Commissioner Forkenbrock. All aye.

The sale will close on July 9.

Discussion of Street matters on 4th Avenue East and a Request for Permission to Install Propane Tank

Craig Wischropp, representing Harvest Fuel, Inc/Sweet Pro, reported to the Commission that the entrance to 4th Avenue East from 15th Street is breaking up and needs some repairs. Rex West advised that he would fix it temporarily with asphalt and will do the concrete work at a later date. Mr. Wischropp advised that within the next 30 days would be best for them.

Mr. Wischropp also asked the Commission about finishing the concrete street going north on 4th Avenue East from their building to 16th Street. The Commission advised they would have to figure out how to fund the construction of the street.

Mr. Wischropp also asked for permission to install a 350-500 gallon propane tank at their business. This would be more convenient for their business and will save them money. The Commission wanted Mr. Wischropp to know they support the efforts of Sweet Pro and would look at allowing propane tanks for industrial use but not residential use because of safety issues. The Commission directed the City Attorney to draft an ordinance to allow the installation of propane tanks in industrial areas.

Request to Purchase Land from the City

Earl and Evonne Chism, who live at 1245 Central Avenue, came to ask the Commission about purchasing land from the City. There is a storm drain that runs behind the Chism's house and they want to purchase the land on the west side of this drainage ditch. The City Attorney recommended that the Code Enforcement Officer measure the property and give the City Attorney an idea of the amount of land being requested. He will then work up an agreement for the appraised value of the land.

Draft Ordinance for Liquor Sales on Holidays

A draft ordinance was presented that would allow the sale of alcoholic liquor on Holidays. This ordinance will be on the next agenda for action. If adopted it would have to be published twice and would become effective 61 days after the final publication if there is no protest.

Potential Repairs at the Electric Plant

Rex West informed the Commission that there was an electric outage earlier in the week and when Bill Delzeit investigated he could find no reason for the outage. This would indicate that the breakers (reclosures) need to be replaced and this could cost up to \$10,000. A company called KEC could come on July 1 to check the equipment out and determine what is needed.

Motion by Commissioner Edwards to allow up to \$10,000 to make the necessary repairs. Seconded by Commissioner Krug. All aye.

Bids on Cleaning Up the Tree Dump

Rex West would like to hire someone to clean up the tree dump. He talked with Scott Lowe Construction and Stirton Brothers and received the following quotes.

Scott Lowe Construction \$1250

Stirton Brothers

- Option 1 \$2200 and the landfill costs would be extra
- Option 2 600 this would be to separate out but not haul off the debris
- Option 3 By the hour to clean up and level the dirt.

Mr. West recommended that the Commission accept the bid from Scott Lowe Construction. Motion by Commissioner Forkenbrock to accept the bid from Scott Lowe Construction contingent on him putting in writing the description of the work that will be done. Seconded by Commissioner Davies. All aye.

Disposal of Surplus Property

The City has some surplus property that needs to be sold; this includes a box springs and mattress, an old bucket truck and digger truck. The Commission approved to sell these items by sealed bid and directed the staff to advertise. They also requested that the staff check with all the departments for other items that might be added to the list.

Discussion of Employee Benefit Offerings

Mr. Whisenant will bring this to the next meeting after he gathers more information.

Easements on Mission Lake Project

The City Attorney reported that he had easement agreements for the Thorson's that would pay \$15,000 for a 2 year easement from the date of the agreement. The agreement also allows for 1 year extensions for up to 2 years at \$3,000 a year.

Motion by Commissioner Davies to authorize the submittal of the agreement to the Thorson's and to authorize payment when signed. Seconded by Commissioner Edwards. All aye.

Staff Report

Rex West reported that the pool was painted and needs a 4 day cure time, it should be ready to open on June 24 if everything works well.

The Blue Building is going quickly. The metal, doors and windows have been ordered.

The water department is reading meters, there is a leak at the Caretaker's house at the Lake and there are 2 new employees in that department so the electric department is helping. The 2 new employees are Darrin Matthias and Jarvis Ramirez. There also is a new officer, Jason Bauerle, who is replacing Darren Lamme.

The chip and seal will take place after July 4 and they will do the worst streets. At the end of the year Mr. West would like to tear out streets that are bad and rebuild the rock base and then chip and seal next year.

City Administrator's Agenda

Mr. Whisenant reported the new sirens are up and tested.

The meetings on the budget between the department heads and the Commissioners will be scheduled the week of June 22-26.

The Indian Health Services is trying to contact Arlen Whitebird for a meeting.

There is no further information on the Hospital project.

Mr. Whisenant conducted a survey of local cities concerning a sidewalk and curbing program. Falls City, NE does not have a program but they do assist with the handicap accessible ramps on the sidewalks.

Hiawatha had a program last year where they set aside \$10,000 and the City paid 50% and the property owner paid 50% on sidewalks. They do not have funds this year. Sabetha does not have a program.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug stated he would like to have Scott Shreve at the next meeting to discuss the recommendation on the electric rate study.

Commissioner Forkenbrock

Commissioner Forkenbrock stated he felt the Parks and Recreation Board should use this time to consider the rates, rules and regulations at the Lake and to research the use of alcohol on City property and possibly look at amending the ordinance to exempt certain areas for alcohol use.

Commissioner Edwards

Commissioner Edwards would like to see the codification of the ordinances completed.

Commissioner Davies

Commissioner Davies mentioned that there still had been no request made to use the baseball fields for the July 4th tournaments. Commissioner Forkenbrock stated he would have the coordinator contact the City.

It was discovered that the Fair Board would like to use the Fire Department for exhibits during the fair. The Commission agreed to this request.

Mr. Whisenant reported that he checked with the Department of Wildlife and Parks concerning putting copper sulfate in the lake to get rid of the algae. They advised it is the wrong time of year because it is too hot and it would kill the fish. Darrin Matthias recommended using alfalfa flakes around the edge of the lake to kill the algae.

Commissioner Davies reported that the Parks and Recreation Board would like to take the restriction off of the size of fish allowed to be kept. It was thought that this would require an order from the Department of Wildlife and Parks. Motion by Commissioner Davies to ask for an order from the Wildlife and Parks to lift the fishing limits at Mission Lake. Seconded by Commissioner Krug. All aye.

Alan Succi worked at the pool during cleanup from the paint incident and Commissioner Davies would like for the City to pay him. Commissioner Davies will work with the City Administrator to determine an amount.

Mayor Lentz

No report.

Motion by Commissioner Davies to adjourn at 7:02 p.m. Seconded by Commissioner Forkenbrock. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor