

July 6, 2009
5:15 P.M.
Commission Room

The regularly scheduled meeting for the Horton Commissioners was held on Monday, July 6, 2009 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and Candy Schmitt, City Clerk, offered the prayer.

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

Discussion of the walk –in hunting program by KDWP was added to the agenda. Motion by Commissioner Davies to approve the agenda as amended. Seconded by Commissioner Forkenbrock. All aye.

The minutes were corrected to read that Commissioner Forkenbrock stated the Parks and Recreation Board should review the rules and regulations for the use of the Community Building instead of Mission Lake. Motion by Commissioner Davies to approve the minutes of the June 15, 2009 regular meeting as corrected. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3034 (Payroll) \$34,113.38. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3035 (Payroll) \$37,245.41. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3036 (Disbursements) \$78,390.08. Seconded by Commissioner Forkenbrock. All aye.

Update on Enterprise Facilitation

Janet Miller appeared to give an update on the Enterprise Facilitation program. This is a 5 county program that provides free coaching to those wanting to aspiring or existing business owners. Ms. Miller advised that she had approached the Brown County Commission about taking over the funding of the program for the Brown County area as Horton and Hiawatha have contributed since the inception of the program 6 years ago. The County Commission is reviewing the matter. Ms. Miller hopes that if the County chooses not to fund the program that the City of Horton would continue with their funding.

Discussion of Electric Rate Study

Scott Shreve was present to answer any questions from the Commission about the rate structures he had given to them earlier. There were no questions from the Commission. Commissioner Forkenbrock would like the electronic version of the spreadsheet so that he could try different data. The Commission will make a decision at a later date.

Quarterly Report on Tri-County Manor

Mary Brown reported there are 34 residents in the Manor at this time. There will be a dinner to honor the volunteers on August 8. These volunteers have helped to paint and make repairs at the Manor.

Discussion of Problem with Cats in Neighborhood

Arlen Coulter was not present to address the Commission.

Discussion of Walk-In Hunting Program

Randy Whiteaker from the Department of Wildlife and Parks was present to request that the Commission consider allowing the property around the confined disposal facility to be used in a walk-in hunting program. The Department of Wildlife and Parks monitors the property for making sure people are obeying the rules. Due to the K.S.A. statutes the City has no liability when this program is used. KDWP takes care of any littering or damages due to the hunting activities. The City would be paid for the use of the land. There are also Special Hunts which are more restrictive and does not pay as well as the Walk-In hunting program. KDWP will also be responsible for signage and posts. The Commission discussed that the contractors will be moving in and working on building the disposal facility and they would like to check with them first to see if there would be any objections. This will be brought back to the Commission at the next meeting. The City Attorney advised that if this program were allowed the ordinance prohibiting firearms on City land would have to be amended.

Bids for Repair of Pumps at Sewer Plant

Two bids were received for pump repair at the Sewer Plant. Motion by Commissioner Edwards to accept the bid from Lee Matthews. Seconded by Commissioner Davies. All aye.

Request to Purchase Transformers

Bill Delzeit submitted a purchase request for transformers at a total cost of \$9,600. Motion by Commissioner Forkenbrock to approve the purchase from Wesco. Seconded by Commissioner Davies. All aye.

Ordinance to Allow Liquor Sales on Holidays

Motion by Commissioner Forkenbrock to adopt Ordinance 1096a, AN ORDINANCE AMENDING SECTION 3-304 OF THE HORTON MUNICIPAL CODE BY SETTING FORTH THE HOURS AND DAYS THAT ALCOHOLIC LIQUOR MAY BE SOLD IN THE CITY OF HORTON, KANSAS. Seconded by Commissioner Krug. All aye. This Ordinance allows liquor to be sold on certain holidays. It must be published twice and there is a protest period of 61 days after the final publication before the ordinance becomes effective.

Appointment to Housing Authority Board

Motion by Commissioner Forkenbrock to appoint Doris "Toy" McKinley to the Housing Authority Board to fill an unexpired term for Evelyn Ramirez. Seconded by Commissioner Krug. All aye.

It was noted that Evelyn Ramirez has served on the Housing Authority Board for 18 years. The Commission expressed their appreciation for her years of service to the community.

Insurance Report on Storm Damage to Roof at Civic Center

There was storm damage to the roof of the civic center and the pole shed. The insurance adjuster is allowing \$17,040.39 for the repair and this amount is depreciated by \$8,357.71. The City will receive \$8,182.68 because of their \$500 deductible. The Commission directed that bids be solicited for the repair of the roofs.

Discussion of Purchase of Furniture for Blue Building

Samples of tables and chairs were available for the Commission to evaluate. The company would give a better price if purchased within the next 2 months because they would be ordering in bulk for the Sabetha schools. The Commission felt this should wait until after the building is completed and possibly there would be groups or organizations that would help to purchase the items.

Discussion of Budget Priorities for 2010 Budget

The Commissioners each reviewed the priorities that the department heads had discussed with them for the 2010 budget. Some of the items mentioned are as follows: possibly setting up a separate fund for the firing range, wage analysis to be done this year, having a vehicle rotation program and a regular maintenance program, increase the power costs expense in next years budget, repairs to water department vehicle and to rebuild the high service pump at the water plant, address the I & I problem on the sewer lines, add funds for chip and seal program, replace a truck in the street department, curb program, complete the street in the 1500 block of 4th Ave. East, include funds in the building demolition fund.

A special meeting will be held on July 23 at 5:00 p.m. for a budget workshop.

Staff Report

Rex West reported that 44 blocks were chip and sealed, the crews are making preparations for the fair and the metal and insulation is in for the blue building.

Two bids were received for boring the water line for the blue building. The bids were:

Engelman	\$1,200
Earhart	\$1,000

Motion by Commissioner Davies to award the bid to Earhart at a cost of \$1,000. Seconded by Commissioner Edwards. All aye.

City Administrator's Agenda

In the absence of the City Administrator, the City Clerk reported that the City received the grant from the Kansas Forestry Service for the Fire Department in the amount of \$8,304.00. The City's share will be \$4,152.00

City Attorney Hill presented the Commission with an Ordinance on propane tanks to be addressed at the next meeting. He also had the easement for the Thorson family to sign for the Mission Lake Dredging Project.

A contract for sale of real estate was prepared for selling the north half of Lot 8 in Block 65 of the C K & N Addition to Earl and Evonne Chism. The Commission will review and take action at the next meeting.

A lease for the airport building site was presented and will be acted on at the next meeting.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug stated he would like to have the City Attorney prepare an ordinance on shipping containers and/or cargo containers within the City Limits. Kevin Hill will research and bring a proposed ordinance back to the Commission.

Commissioner Forkenbrock

Commissioner Forkenbrock asked about the building permit status for the wind generation at the Hole in the Wall Restaurant. The City Clerk reported that the permit had been approved for solar energy at the request of the property owner. The change from wind energy to solar energy was due to some concerns by the Code Enforcement Officer on the placement of the windmill.

Commissioner Forkenbrock would like to know who is over the Code Enforcement Officer and he will discuss this with the City Administrator when he returns.

Commissioner Edwards

Commissioner Edwards expressed that some citizens were concerned because the storm sirens were not sounded when the City was in a tornado warning issued by the National Weather Service and it appeared there were rotating clouds in the sky. The officers on duty did not believe there was danger of a tornado so they did not direct the sirens to be sounded. There will be a meeting of the fire, police and EMS before the next meeting to work on a recommended policy for the sounding of the storm sirens and will report back to the Commission.

Commissioner Davies

Commissioner Davies reported that the pool is being well run this year. The Boy Scouts painted the rocks on the Dam, and repaired the table in the first shelter house.

Motion by Commissioner Davies to remove the limit on fish at Mission Lake. There was no second. There was discussion of whether or not the City could make rules that are less restrictive than the State of Kansas regulations. The City Attorney will check on the state regulations and report back at the next meeting.

Commissioner Davies was upset that he was not notified that a new officer had been hired. All of the Commissioners should be notified when an employee leaves or is hired.

Mayor Lentz

Mayor Lentz reported that Dredge America would need an area at Mission Lake to park a trailer for an office during the project and to build a boat ramp for the dredge to enter and exit the lake. There will be pipe delivered on the 16th and 17th of July in preparation for building the confined disposal facility and return line. The company will need a rental for their workers.

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

Motion by Commissioner Davies to amend the sick leave policy to allow employees to use sick time to care for a sick parent. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to adjourn at 8:31 p.m. Seconded by Commissioner Forkenbrock. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor