

August 3, 2009  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, August 3, 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 Pastor Richard Crooks of the First Baptist Church.

Present: Mayor Lentz, Commissioners Krug, Forkenbrock and Edwards. Commissioner Davies entered the meeting at 7:19 p.m.

The discussion on the ordinance to prohibit the use of propane tanks in residential areas was tabled to the next meeting. Motion by Commissioner Edwards to approve the agenda as amended. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes of the July 20, 2009 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes of the July 23, 2009 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes of the July 27, 2009 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3039 (payroll) \$38,508.08. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3040 (Disbursements) \$45,974.91. Seconded by Commissioner Forkenbrock. All aye.

#### **Discussion of Refinancing of the Current Electric Revenue Bonds**

David Arteberry was present to give the Commission information on the what the savings would be if the City were to refinance the current electric revenue bonds. At the current interest rate the savings would be over \$51,000 over the life of the bonds. This represents approximately a 3% savings. The amount to be refinanced would be \$1,630,000.

Motion by Commissioner Forkenbrock to proceed with the process of refinancing the bonds. Seconded by Commissioner Edwards. All aye.

#### **Discussion of Commissioner Retreat—Strategic Planning**

John Divine was present to present a proposal to facilitate a commissioner retreat to help with strategic planning. The cost would be \$2,500 and this would include a minimum of 6 trips to Horton. The commission will review the proposal and will make a decision at the next meeting.

#### **Discussion of Electric Rate Study**

Scott Shreve was present for the discussion of the electric rate study. It was determined that a large user would be those using 250,000 kwh per year.

Motion by Wade Edwards to amend the electric retail rates to increase the residential monthly base fee to \$8.00 for inside the city limits and \$14.00 for outside city limits, a rate of \$.095/kwh for inside city and \$.105/kwh for outside. Increase the general service (commercial) monthly base fee to \$8.00 for inside the

city limits and \$14.00 for outside city limits, with a rate of \$.09/kwh for inside and \$.10/kwh outside. Increase the large user monthly base fee to \$50.00 for inside city limits and \$65.00 outside city limits a rate of \$.085/kwh inside and \$.095/kwh outside. Seconded by Commissioner Forkenbrock. All aye. The City Attorney will write an ordinance.

Scott Shreve will now work on the line losses and load management issues.

### **Approval of Ordinance on Prohibiting Residential Use of Propane Tanks**

This item was tabled to the next meeting.

### **Discussion of Change on Sale of Property to Earl and Evonne Chism**

Evonne Chism was present to request to purchase the north half of both lots 7 and 8. The Commission agreed to this. She noted that the waterway needs some erosion control. The City will look at the erosion and determine what action needs to take place.

### **Commissioner Davies entered the meeting at 7:19 p.m.**

### **Approval of Budget Hearing Publication**

The Commission reviewed the budget and Commissioner Krug stated he did not want to raise the mill levy. There was discussion of how to make additional cuts to keep the mill levy at approximately 60.9 mills. After much discussion, it was decided to transfer more money to the general fund from the utilities. Motion by Commissioner Edwards to transfer \$12,000 from the solid waste fund to the general fund. Seconded by Commissioner Krug. Aye--- Mayor Lentz and Commissioners Krug, Edwards and Davies. Nay—Commissioner Forkenbrock.

Motion by Commissioner Davies to approve the publication of the notice of budget hearing with the mill levy at 60.777 using the three utilities and solid waste to transfer to the general fund. Setting the hearing for August 17 at 5:15 p.m. Seconded by Commissioner Krug. All aye.

### **Approval of Ordinance on Budget**

Motion by Commissioner Forkenbrock to adopt Ordinance 1097, AN ORDINANCE ALLOWING AN INCREASE IN THE BUDGET. Seconded by Commissioner Davies. All aye.

### **Report on Emergency Preparedness Meeting**

Assistant Chief of Police James Stuart reported that the City has been designated storm ready community for three years and it is time to recertify. The National Weather Service reviewed the storm procedures in place for the City of Horton and said they are the among the best they have seen. Commissioner Forkenbrock thought that the Committee had agreed the policies would be edited and then reviewed by the National Weather Service. Commissioner Forkenbrock wants the policy to read that if a tornado warning is in effect and the weather service says Horton is in the path then the sirens should be sounded. The City Administrator stated that the purpose of the sirens is to maximize the prevention of loss of lives. Commissioner Edwards stated that the City's duty is to inform of danger and what the citizens do with the information is their responsibility. The Commission requested a copy of the policy be in the packets for the next meeting. Officer Stuart requested that the Commission make their suggested changes on the policy so he can revise it.

### **Approval of Ordinance Prohibiting Shipping Containers**

After discussion the Commission decided not to proceed with this ordinance.

## **Staff Report**

Rex West reported that work on the roof of the blue building has started, a sidewalk was put in this week, the electric crews are trimming trees out of the lines, water has been installed to the blue building and 3 water leaks have been repaired. The street crews are helping with the mowing and patching potholes. Sewer crews are helping other departments. One of the door frames for the blue building was bent when delivered a new one was ordered and will be delivered in 2 weeks.

Two bids were received on installing reflective crosswalks at 3 locations for school crossings on the highway. The bids were as follows:

Gun-KO	\$4,231.10
Interstate Road Management Corp.	\$4,770.00

Motion by Commissioner Edwards to award the bid to Gun-KO at a cost of \$4,231.10. Seconded by Commissioner Davies. All aye.

## **City Administrator's Agenda**

Mr. Whisenant reported that 2 new seasonal mowers have been hired.

The Fish Salvage Order is in place and has been posted.

The City has received a \$40,000 grant to put in fishing piers, boat ramps and other items when the dredging project is completed. This grant has a 25% match requirement from the City.

The cost of a wage study by the League of Kansas Municipalities is approximately \$575.

Mr. Whisenant has met with Commissioner Forkenbrock concerning speed control and code enforcement issues and a plan will be developed and presented to the Commission at a later date.

## **Commissioner's Agenda**

### **Commissioner Krug**

Commissioner Krug reported that he went to the cemetery and he felt it did look bad. The City needs to look at alternatives to the mowing process. He also feels the City should look at all the properties that they mow and come up with some solutions. The City properties are not being mowed as they should because of all the time spent on the abated properties.

Motion by Commissioner Krug to go into executive session for 5 minutes to discuss personnel to include the Commission, City Attorney, City Administrator and City Clerk. Seconded by Commissioner Forkenbrock. All aye. No action was taken in executive session.

The Commission reiterated that there are ordinances in place to deal with grass issues and citizens should make complaints in writing to the Code Enforcement Officer. If nothing is done then go to the Chief of Police.

### **Commissioner Forkenbrock**

Commissioner Forkenbrock asked that the City mow the area at the airport that is used for the demolition derby which will be held on August 15. Rex West will get with the Fish and Game Club.

Docks at Mission Lake need some attention, especially the one at the first shelter house. The docks will be removed during the dredging process.

There is a bent hook on the middle swing set at Hickory Point.

Commissioner Forkenbrock would like an article in the paper to show examples of how the new electric rates will change the average utility bills.

**Commissioner Edwards**

Commissioner Edwards expressed concern that the City is mowing 68 properties that citizens are not mowing.

**Commissioner Davies**

Commissioner Davies requested permission for the football teams to be allowed to practice on the soccer fields. The consensus of the Commission was to allow this.

Commissioner Davies asked about the plan for the future use of the blue police truck. The City is looking at putting on a flat bed. The markings will be removed and possibly be used for the mowing crews during the mowing season. A decision will be made at the next meeting.

The ordinance on abandoned vehicles states that vehicles are considered abandoned after sitting for 30 days or 180 days for businesses or they must be kept behind a privacy fence.

Owners of abandoned houses can be prosecuted and/or abatement can be done by the City and charged to the taxes. Commissioner Davies reported he has a list of 17 houses that need to be handled.

Motion by Commissioner Davies to go into executive session for 7 minutes to discuss personnel to include the Commission, City Attorney, City Administrator and City Clerk. Seconded by Commissioner Forkenbrock. All aye. No action was taken in executive session.

**Mayor Tim Lentz**

Mayor Lentz reported that Dredge America is fusing pipe on the Lake Project and the dredge will be here sometime the first week of September.

Motion by Commissioner Forkenbrock to adjourn at 9:12 p.m. Seconded by Commissioner Davies. All aye.

---

Candy Schmitt, City Clerk

---

Tim Lentz, Mayor