

September 8, 2009  
5:15 P.M.  
Commission Room

The regularly scheduled meeting for the Horton Commissioners was held on Tuesday, September 8, 2009 at 5:15 p.m. in the City Hall Commission Room.

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

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

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

Motion by Commissioner Edwards to approve the minutes of the August 17, 2009 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

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

Motion by Commissioner Edwards to approve Appropriation Ordinance #3043 (Payroll) \$35,789.38. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3044 (Disbursements) \$94,530.03. Seconded by Commissioner Forkenbrock. All aye.

#### **Report for 2008 Audit**

Not present to make the report.

#### **Resolution to Authorize the Sale of Bonds for Electric**

David Arteberry was present to inform the Commission of the savings that could be made if the City were to refund the electric bonds. The present value savings would be \$45,000.

Motion by Commissioner Forkenbrock to adopt Resolution 2009-009, A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF ELECTRIC UTILITY SYSTEM REFUNDING REVENUE BONDS, SERIES 2009, OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Edwards. All aye.

#### **Discussion of KRWA Training—October 19**

Rita Clary from Kansas Rural Water Association reported that she is the circuit rider for USDA/RD. She contacted USDA/RD about the two applications the City has and the one on the fire truck/storm sirens is at the bond attorneys for review. The application on the Mission Lake project has not been reviewed yet but they will begin soon.

Ms. Clary also wanted to invite the Commission and staff to attend the KAN CAP training on October 19. This training is geared towards governing bodies and will be held in Hiawatha at the Fisher Center from 1-9 p.m.

#### **Discussion of Collection of Delinquent Accounts**

Lanny Daise, a representative of TEKCollect, was present to explain his program on collecting delinquent accounts. The cost is \$15 per account. The formal agreement was given to the City Attorney for review and a final decision will be made at the next meeting.

### **Renewal for the Community Fisheries Assistance Program (CFAP)**

Motion by Commissioner Davies to renew the CFAP program for 5 years. Seconded by Commissioner Krug. All aye.

### **Approval of Budget Change on CDBG Grant for Harvest Fuel, Inc.**

The grant administrator for the Economic Development Grant for Harvest Fuel, Inc. requested a budget amendment to move the balance of funds from the design line item to the equipment line item. Motion by Commissioner Forkenbrock to approve the budget amendment for the grant. Seconded by Commissioner Krug. All aye.

### **Appointment of Voting Delegate and Alternate for the LKM Annual Meeting—October 3-6**

Motion by Commissioner Edwards to appoint Jim Whisenant as the delegate and Candy Schmitt as the alternate to the LKM annual meeting. Seconded by Commissioner Davies. All aye.

### **Approval of Final Contract for Sale of Property**

Motion by Commissioner Forkenbrock to approve the contract for sale of property to Evonne and Earl Chism. Seconded by Commissioner Davies. All aye.

### **Lease Agreement on Sewer Jetter Equipment**

The City Attorney reviewed the lease agreement with Union State Bank for the purchase of the trailer mounted sewer cleaning equipment and had no corrections or amendments to make. Motion by Commissioner Edwards to approve the lease agreement with Union State Bank. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Edwards to adopt Resolution 2009-010 authorizing the lease agreement. Seconded by Commissioner Krug. All aye.

### **Resolution for BIA Fire Contract**

Motion by Commissioner Forkenbrock to adopt Resolution 2009-011, A Resolution approving the Cooperative Intergovernmental Agreement between the City of Horton, Kansas and the Bureau of Indian Affairs for the purpose of protecting the Natural Resources, Forests, and the Wildland. Seconded by Commissioner Krug. All aye.

### **Executive Session**

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

### **Agreement for Waste Water Services**

The final agreement has not been sent by Mr. Grimm for wastewater services during the absence of the City's plant operator due to an injury. Motion by Commissioner Davies to table to the next meeting. Seconded by Commissioner Forkenbrock. All aye. Mr. Hill will contact Mr. Grimm.

### **Ordinance on Electric Rates**

Motion by Commissioner Forkenbrock to adopt Ordinance 1098, AN ORDINANCE AMENDING SECTION 15-204(a) and (b) OF THE HORTON MUNICIPAL CODE BY AMENDING THE RATES CHARGED TO CONSUMERS FOR RESIDENTIAL AND COMMERCIAL USE BY THE CITY OF HORTON, KANSAS. Seconded by Commissioner Edwards. All aye.

### **Decision of Sidewalks at Blue Building**

A drawing showing different options for sidewalk placement at the new blue building was presented to the Commission. The consensus of the Commission was to have one sidewalk going east from the door on the south of the building, one going north to the alley from the door on the west side of the building and one going east to the parking lot from the north door on the east side of the building.

**Commissioner Davies left at 6:45 p.m.**

### **Recommendation on Agent/Broker for Employee Benefits**

The committee looking at a broker for the employee benefit program made the recommendation to hire Bukaty Companies. The committee was comprised of Commissioner Krug, City Administrator Jim Whisenant, Water Plant Operator Dawn Succi, Lineman Kevin Dalen and City Clerk Candy Schmitt. Motion by Commissioner Edwards to accept the recommendation of the committee. Seconded by Commissioner Forkenbrock. All aye.

### **League Pay Study Agreement**

An agreement had not been received by the time of the meeting. This matter was tabled to the next meeting.

### **Discussion of Houses for Demolition**

Code Enforcement Officer Stuart presented the Commission with a report of several structures that need to be demolished. The 2010 budget for this process is \$10,000. Approximately 3 structures could be torn down for the budgeted amount. The Commission will review the report and make a decision on which three structures should be sited for violations to start the process.

### **Weed Abatement Surveys**

A report was submitted showing the ordinances from other cities on weeds and grass. The Commission would like to see if the bills for mowing the properties could be collected through the collection agency. Mr. Whisenant will check with TEKCollect.

### **Staff Report**

Rex West reported that the crews were changing old water meters, winterizing the pool, preparing to change 4 valves on 3<sup>rd</sup> Ave. W and 1 on 5<sup>th</sup> Ave. W. The water will have to be turned off and this will affect the downtown area, the hospital and the manor. The sewer department is hauling sludge and working on the grit chamber. The concrete at Hickory Point will be done the end of September.

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

The City Administrator reported that Kevin Dalen resigned from the electric department.

Mr. Whisenant will attend an IHS meeting on September 9.

The High School classes are helping on the inside of the blue building. Scheduled workdays are Tuesday and Thursday evenings and all day Saturdays.

There will be a “meet the dredger” meeting for the community on September 30 at 7:00 p.m. and a Community Celebration on October 7 at 2:00 p.m.

The pipe has been installed in the lake and there were questions of safety. Mr. Whisenant will check with the dredger about the location, markings and depth of the line.

### **Commissioner’s Agenda**

#### **Commissioner Krug**

Commissioner Krug asked about a WRAPS tour of Mission Lake. It will be on September 10.

#### **Commissioner Forkenbrock**

Commissioner Forkenbrock asked if there was an ordinance prohibiting grass clippings in the streets. The City Clerk will research and bring back to the next meeting.

Commissioner Forkenbrock asked about the overtime in the Police Department. The City Clerk advised that some of the overtime was due to the Step Up grant and the City will be reimbursed. Commissioner Forkenbrock also commented on the number of miles being put on the new patrol truck.

The Chief is working on the policies for the Dispatch since they have received their certifications.

#### **Commissioner Edwards**

Commissioner Edwards had a list of the Boards and Committees for the City and noted that there are some positions that have expired or are vacant and appointments need to be made.

Commissioner Edwards noted that Commissioner Davies wanted him to have the Commission think about using alcohol permits for events held on City property.

#### **Commissioner Davies**

Not present.

#### **Mayor Lentz**

Mayor Lentz reported that Judy Tollefson inquired about planting a tree in memory of her husband at the blue building and she also volunteered to help with the landscaping. Mr. Whisenant will contact Ms. Tollefson.

Motion by Commissioner Edwards to adjourn at 7:50 p.m. Seconded by Commissioner Forkenbrock. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor