

December 7, 2009  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, December 7, 2009 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Candy Schmitt, City Clerk.

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

Absent: Commissioner Edwards.

Some items were removed from the agenda due to time restrictions. Motion by Commissioner Davies to approve the agenda as amended. Seconded by Commissioner Forkenbrock. All aye.

Commissioner Forkenbrock asked that the payroll Appropriation Ordinances #3055 and #3056 be pulled from the consent agenda.

Motion by Commissioner Davies to approve the minutes of the November 23, 2009 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3057 (Disbursements) in the amount of \$583,127.21. Seconded by Commissioner Forkenbrock. All aye.

Commissioner Forkenbrock asked why in the Communications only one person was paid holiday pay. The City clerk advised that the part time dispatchers had worked the holiday and they do not receive holiday pay. She also advised she was not able to print the hour report for appropriation ordinance #3056.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3055 (Payroll) in the amount of \$31,777.56. Seconded by Commissioner Davies. All aye.

Appropriation Ordinance #3056 will be acted upon at the next meeting.

### **Public Comments**

There were no public comments.

### **Request for Funds for a Spay/Neuter Program in Horton**

Laura Cowart presented the Commission with a suggestion to raise the dog tag fee for unaltered dogs to \$12.00 instead of \$6.00 and use the extra \$6.00 to fund a coupon program in the city for a spay/neuter program. She also suggested that the funds remaining in the dog pound line item budget at the end of the year be spent for pound improvements. Mayor Lentz advised Ms. Cowart that the City would look into her suggestions.

Ms. Cowart also stated she had volunteers to build a dog run if the City would purchase the materials. Mayor Lentz asked Rex West to look around the City areas to see if there was any chain link fence that had been purchased but not in use.

She also requested that the pictures of the dogs be taken at the time they are picked up and then e-mail the pictures to her. Mr. Davies told Ms. Cowart that the Scouts could help post the pictures around town. The City Clerk was asked to check about getting a bullhorn to put at the pound for controlling the dogs that might be aggressive.

### **Executive Session**

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

Motion by Commissioner Davies to go into executive session for 8 minutes to discuss non-elected personnel, to include the Commission, City Administrator, City Attorney and City Clerk. Seconded by Commissioner Forkenbrock. All aye. Not action was taken in executive session.

Motion by Commissioner Davies to confirm the recommendation of the City Administrator to remove Dan Isabell as plant operator in the sewer department effective immediately based on the inability to perform the duties required for the position. Seconded by Commissioner Forkenbrock. All aye. The Commission wanted to express that they appreciate that while able to perform the duties required Mr. Isabell did an excellent job.

### **Public Notice of De-Annexation of Property**

City Attorney, Kevin Hill, explained that in 1989 properties that are now owned by Michael Rork and the Rycliffe family were annexed into the City for the possible construction of a jail facility. That project never occurred. Mr. Rork attended an earlier meeting and requested that the City de-annex the property. The procedure to de-annex requires the notice of public hearing to be published twice and then a public hearing being after 21 days from the first publication. Any action taken between January and April will be retroactive to the 1<sup>st</sup> of the year for tax purposes. Motion by Commissioner Forkenbrock to publish the notice of public hearing setting the hearing for January 4, 2010 at 5:30 p.m. Seconded by Commissioner Davies. All aye.

### **Proposed Grass and Weed Ordinance Amendment**

Mr. Hill reviewed the current ordinance and it speaks to the length of grass and weeds in a residential area. He spoke with the Code Enforcement Officer and they agreed that this would only apply to the improved part of a property. Mr. Hill's opinion is that there is no need for an amendment if the current ordinance is interpreted this way.

### **Proposed Budget Amendment for FY 2009**

An amendment of the budget was presented to the Commission. This amendment would require an increase in the budget of \$250,000 in the electric fund, \$20,500 in the solid waste fund, \$5,018 in the GO Bond and Interest fund and \$900 in the Capital Improvement Public Building Reserve fund. Motion by Commissioner Forkenbrock to approve publication of the notice for a public hearing to be held on December 22, 2009 at 5:15 p.m. Seconded by Commissioner Krug. All aye.

### **Staff Report**

Mr. West recommended running a sidewalk along the east side of the blue building. Motion by Commissioner Davies to run the sidewalk along the east side of the blue building and to make it 6' wide. Seconded by Commissioner Forkenbrock. All aye.

Mr. West asked that the Commission look at raising the spending limit for department heads. It is currently \$50.00 before approval is needed. This will be discussed at the next meeting.

Motion by Commissioner Davies to adjourn at 6:30 p.m. Seconded by Commissioner Forkenbrock. All aye.

---

Candy Schmitt, City Clerk

---

Tim Lentz, Mayor