

May 17, 2010
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, May 17, 2010 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 Tom Stone of the Church of the Lord Jesus Christ. Pastor Stone then led everyone in the Pledge of Allegiance to the US flag.

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

Absent: Commissioner Davies

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

Motion by Commissioner Edwards to approve the minutes from the May 3, 2010 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes of the May 13, 2010 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve appropriation ordinance #3081 (Payroll) in the amount of \$33,973.47. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve appropriation ordinance #3082 (Disbursements) in the amount of \$452,148.28. Seconded by Commissioner Forkenbrock. All aye.

Public Comments

Laura Cowart was present to advise the Commission that the Human Society is providing dog food for the pound. She also requested that the Commission consider paying \$57.50 to test for heartworm and give shots to the animals that she can place in a rescue facility. The cost to euthanize the same animal would be \$75.00. A heartworm test kit can be purchased for \$10 if someone on staff can draw blood to perform the test. Ms. Cowart informed the Commission that Sac and Fox has donated \$5,000 for a spay/neuter program in Brown County. If residents wish to spay or neuter their pet they can apply for funds to help pay for the costs. The Commission advised they would consider the requests of Ms. Cowart.

Update on PER for the Water System

Pat Cox with BG Consultants reported that the cost to meet all of the infrastructure needs for the water system would be approximately \$8 million. CDBG has received additional funds for sewer and water projects. The maximum amount for each project is a \$500,000 grant and the required match is 15%. The erosion on the face of Mission Lake dam could be repaired by putting in 24" rip rap on the face of the dam. This project would cost \$667,000. The deadline for the grant application from the Department of Commerce is June 15 and they will award the grants on August 15. The project has to be designed and under construction within 6 months. Motion by

Commissioner Edwards to proceed with the CDBG application. Seconded by Commissioner Forkenbrock. All aye.

Before the spillway repair can be designed a geologic investigation would be required. This would cost \$50,000. The project could cost approximately \$2.5 million.

The water treatment plant updates would be to allow for treatment of lake water on an emergency basis only. This would cost \$1,673,000. Mr. Cox met with KDHE and to meet the minimum requirements for groundwater treatment would cost \$621,000.

The distribution system is in dire need of repairs and would cost \$3.8 million to make all necessary repairs. To meet the needs for the new hospital it would require a new main from the water tower to the hospital site at a cost of \$320,000.

Motion by Commissioner Edwards to proceed with an application for the dam repairs, the minimum water treatment plant updates and the water line to the hospital. Seconded by Commissioner Forkenbrock. Aye—Mayor Lentz, Commissioners Krug and Edwards. Abstained—Commissioner Forkenbrock.

Contracts on KLINK Project.

The contracts on the KLINK project were presented for signatures. Motion by Commissioner Forkenbrock to authorize the Mayor and City Clerk to sign the contracts with Herzog Construction. Seconded by Commissioner Edwards. All aye.

Request for Permanently Adjusted Sewer Charges

Rick Clement was not present to address this issue.

Resolution for 4-way Stop Signs

City Attorney, Kevin Hill advised the Commission that an ordinance is not needed for placement of stop signs but it requires a resolution. Motion by Commissioner Edwards to adopt Resolution 2010-009, RESOLUTION PURSUANT TO SECTION 14-201 OF THE HORTON MUNICIPAL CODE FIXING THE LOCATION OF STOP SIGNS ON THE NORTH AND SOUTH CORNERS OF THE INTERSECTION OF EAST 16TH AND 1ST AVENUE EAST IN THE CITY OF HORTON, KANSAS. Seconded by Commissioner Forkenbrock. All aye.

Ordinance to Remove “No Parking” on Northern Portion of 1st Avenue East

It was found that an ordinance was not needed to remove the no parking signs in the 1600 block of 1st Avenue East as this area was never designated “no parking” by ordinance. The signs will be removed.

Utility Ordinance—First Reading

A proposed ordinance was presented to the Commission to review. This ordinance addresses some utility issues that the Commission felt needed to be changes.

Lease Agreement and Discussion of Scheduling a Walk-Thru at the Armory

Kevin Hill received a draft lease agreement from Col. Silsby. Col. Silsby told Mr. Hill that the National Guard would authorize an inspection of the building although it is not part of the lease but they would probably not pay for any repairs to the building. He advised he did not want to make the lease too easy on the City because he wanted the City to approach the legislature at a later date to try to receive ownership of the building. The Commission will review the draft and will contact Mr. Hill if they have any proposed changes to the agreement. The Commission directed that the staff find a contractor to do an inspection, check with Atchison to see how they handled the same situation. An environmental assessment can be done through the Brownfield's Assessment which takes about 1 ½ months. The City Administrator and the Code Enforcement Officer will work together to get these things accomplished.

Executive Session

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

Report on Energy Audit

Brad Snyder with EMG, Inc. was present to give the Commissioner's information on the energy audit that was completed on City owned buildings. He reported on City Hall, Power Plant office; Water Plant and Pump House, the Street Barn and the Sewage Plant. The deadline to make application for the 60% grant is June 15. The consensus of the Commission was to not proceed with the program at this time.

Discussion of Water Leak on Willis Customer

The City of Willis discovered a leak on an individual's water line. The customer had requested that water be disconnected in March. The leak was discovered during the meter reading in May. There was 464,000 gallons of water going through the meter during that time frame. There is no explanation of why or how the water was turned back on. The City of Willis had requested the City Clerk ask the Commission if the City of Horton would pay for ½ of the water that was lost. The cost of the water to the City of Willis is \$2,301.44. The Commission asked that the Mayor of the City of Willis attend a meeting and explain why they feel the City of Horton should be responsible for this cost.

Executive Session for Non-Elected Personnel

Motion by Commissioner Edwards to go into executive session for 15 minutes to discuss non-elected personnel to include the Commission, City Administrator and City Attorney. Seconded by Commissioner Krug. All aye. No action was taken in executive session.

The City Attorney left at 7:34 p.m.

KSMAP Resolution

A proposed agreement and resolution were presented to enter into a mutual aid program through the Kansas Municipal Utilities. This would allow the cities to list their available manpower, equipment and supplies in the electric, water and sewer departments so that when a disaster arises the different cities can find what they need in their respective areas to assist them.

Motion by Commissioner Forkenbrock to adopt Resolution 2010-010, Kansas Mutual Aid for Utilities. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to authorize the Mayor to sign the agreement with KMU for the mutual aid program. Seconded by Commissioner Edwards. All aye.

Charter Ordinance for Public Building Project

Motion by Commissioner Edwards to adopt Charter Ordinance 21, A CHARTER ORDINANCE EXEMPTING THE CITY OF HORTON, KANSAS, FROM THE PROVISIONS OF K.S.A. 14-570 AND K.S.A. 14-571 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT RELATING TO PUBLIC IMPROVEMENTS AND THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR SAID IMPROVEMENTS. Seconded by Commissioner Krug. All aye.

Wage Resolution—Setting Position Ranges

Motion by Commissioner Forkenbrock to adopt Resolution 2010-011, A RESOLUTION OF THE CITY OF HORTON, KANSAS, ASSIGNING VARIOUS POSITIONS TO SALARY AND WAGE RANGES and remove the seasonal workers assignment. Seconded by Commissioner Edwards. All aye.

Request for Internet Radio Station

Scott Cox sent a request that the Commission donate excess office furniture and equipment and a building to house an internet radio station. The Commission decided not to honor this request.

Staff Reports

Rex West reported the electric department is setting poles for the Dollar General store, the crews are reading meters, the pool is painted and the concrete work, doors, windows and roof are completed. The street crew is trimming trees and patching for chip and seal. Rex obtained bids to redo the concrete at the Fire Station and the Fire Chief is reviewing his budget to see if the work can be done this year. Mr. West is getting costs to have repairs done to north Central Avenue at the same time that the KLINK project is being done in June.

The resident at 1735 2nd Ave. West is requesting rock in his alley since he has built a garage. This alley has not been maintained by the City for several years. The cost to put rock in would be \$1100-\$1500. The Commission approved the upgrade to the alley.

James Stuart, Code Enforcement Officer, presented his report for 4/19/10 to 5/17/10 to the Commission. The Dollar General received their variance for the parking requirements and therefore their building permit has been approved.

28 fliers were handed out for the spot cleanup but only 2 or 3 citizens took advantage of the opportunity. The regular spring cleanup will be held June 26.

There are 59 properties to mow. This number is down from last year.

The Commission directed that the officers enforce the ordinance against mowing grass into the street.

City Administrator's Agenda

The group that is forming the Heritage Farmer's Market will meet on May 25 and the first market will be held June 12. A grand opening is planned for June 19.

Mr. Whisenant advised the Commission of the potential on-going cost of operating the 911 system. The Commission requested that Doug Brammer from the Sheriff's office come to a meeting to discuss this matter.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner Forkenbrock

Commissioner Forkenbrock asked that the police department report be completely filled out and sent directly to him one week before the first commission meeting of each month.

The Commission requested that the letter from Salih Doughramaji, Department of Commerce, be given to the media. This letter commends the volunteers for the quality of work done on the Blue Building.

Commissioner Forkenbrock requested that a picture of the dogs that are put in the pound be taken and sent to Laura Cowart by e-mail along with a description of the animal. This should also be sent to the Horton Headlight.

Motion by Commissioner Forkenbrock to purchase 4 dog beds at a cost of \$24.95 for the dog pound. Seconded by Commissioner Edwards. All aye.

The City Clerk questioned the amount of time to keep the dogs at the pound. The Commission directed that the City Clerk work with Laura Cowart on a policy. They should not be kept for a long period of time.

Commissioner Edwards

Commissioner Edwards asked for an update on the entrance to the Sweet Pro road. Mr. West reported it had been patched with asphalt and still needs new concrete to be poured.

Commissioner Davies

Not present.

Mayor Lentz

Mayor Lentz asked that the bushes at City Hall be trimmed and that the awnings be painted.

A donation has been received to install tile in the kitchen and bathrooms at the Blue Building. Mayor Lentz would like to get a bid on tiling the front hallway. The Commission was in favor of getting the bids.

Mayor Lentz received a letter from the Housing Authority requesting that the City forgive the pilot payment in lieu of taxes for 2010. They have experienced a cut in funds from HUD. Motion by Commissioner Krug to forgive the payment for 2010. Seconded by Commissioner Forkenbrock. All aye.

There has been some erosion on the south side of the CDF dam. There will be a meeting on May 24 with the dredger and state officials to find a solution to the erosion and turbidity issues. It was noted that the State stated that "Anything done at the site needs to be planned by an engineer and approved by the State agency.

The Commission directed Mr. Whisenant to set up a town meeting to keep the citizens informed on the progress of the dredging project.

The Little League is asking if the City can repair the bleachers at the small field. The City Clerk also informed the Commission that she was told that any request to use the baseball fields should go through the Little League and then they will inform the City of the events. They charge \$50 for the use of the fields, marking the fields and for use of their equipment. The City Clerk talked with Commissioner Davies about this and it was decided to follow this procedure at this time. No action was taken on the request from the Little League.

Motion by Commissioner Forkenbrock to adjourn the meeting at 9:00 p.m. Seconded by Commissioner Edwards. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor