

June 20, 2011
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, June 20, 2011 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Father Earl Dekat of St. Leo's Catholic Church. There were three Boy Scouts present who led in the Pledge of Allegiance.

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

An executive session was added to the agenda. Motion by Commissioner Forkenbrock to approve the agenda as amended. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Forkenbrock to approve the minutes from the June 6, 2011 regular meeting. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3141 (Payroll) in the amount of \$42,830.02. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3142 (Disbursements) in the amount of \$119,171.97. Seconded by Commissioner Davies. All aye.

Public Comments

No public comments.

Public Hearing on Condemnation of Structures

Mayor Lentz opened the public hearing at 5:16 p.m. on condemnation of structures at 1585 Euclid and 233 W. 8th Street. Neither owner was present. The Commission discussed the properties and it was noted that at 233 W. 8th the only structure that needed to be removed was the garage. The public hearing was closed at 5:20 p.m.

Motions by Commissioner Davies to seek bids for the demolition of structures at 1585 Euclid and to have the City crews demolish the garage at 233 W. 8th Street. Seconded by Commissioner Forkenbrock. All aye.

Bids on the Water Projects – Face of the Dam, Water Plant Improvements and the New Line to the North End of the City.

Pat Cox, BG Consultants, Inc. was present to present the bids that were received on the water projects. He advised the Commission that a letter was received from USDA/RD stating the City could bid the projects and proceed with permanent financing for the loan. The bids received were as follows:

Water Treatment Plant Improvements

Midland Contractors Inc.	\$421,000.00
Engemann Drainage Co. Inc.	\$424,656.00

Mission Lake Dam Improvements

Ohlsen Construction, LLC	\$282,600.00
Ground Breaking Excavation & Utilities LLC	\$315,703.00
JJ Westhoff Construction Company, Inc.	\$344,250.00
Kings Construction Co.	\$374,505.00
Engemann Drainage Co. Inc.	\$385,069.60
M CON, LLC	\$395,000.00

Water Distribution Improvements

Engemann Drainage Co. Inc.	\$289,656.00
M CON, LLC	\$299,648.50
Banks Construction, LLC	\$303,867.25
Van Kirk Bros. Contracting	\$342,398.00

Water System Improvements – Package Bid

Total of Individual Bids above	\$ 993,256.00
Engemann Drainage Co. Inc.	\$1,072,601.60

Motion by Commissioner Edwards to award the water treatment plant improvements to Midland Contractors Inc. and to authorize the Mayor to sign all documents and issue the notice to proceed upon approval of the contracts by the City Attorney and USDA/RD. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Krug to award the water distribution improvements to Engemann Drainage Co. Inc. and to authorize the Mayor to sign all documents and issue the notice to proceed upon approval of the contracts by the City Attorney and USDA/RD. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Forkenbrock to award the Mission Lake dam improvements to Ohlsen Construction, LLC and to authorize the Mayor to sign all documents and issue the notice to proceed upon approval of the contracts by the City Attorney and USDA/RD. Seconded by Commissioner Davies. All aye.

Approval of Bond Ordinance and Resolution for the USDA/RD Water Project

A letter was presented from USDA/RD stating all the requirements that must be met to be able to receive the loan funds. After discussion it was noted that all those requirements have been met.

Motion by Commissioner Forkenbrock to adopt Ordinance 1116, AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TAXABLE GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF HORTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to adopt Resolution 2011-008, A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF TAXABLE GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF HORTON, KANSAS, PREVIOUSLY

AUTHORIZED BY ORDINANCE NO. 1116 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. Seconded by Commissioner Davies. All aye.

Discussion of Eagle Scout Projects

Alex Calderon from Boy Scout Troop 112 presented an Eagle Scout project to paint the sign poles at Mission Lake, paint the caretaker house and the display shelter. He requested that the City pay for the paint and supplies at a cost under \$100. Motion by Commissioner Edwards to approve the project and expense. Seconded by Commissioner Forkenbrock. All aye.

Moses Tinio from Boy Scout Troop 112 presented his Eagle Scout project to sand and repaint the "Mission Lake" rocks on the dam and to paint four picnic tables. Motion by Commissioner Edwards to approve the project and the expense. Seconded by Commissioner Forkenbrock. All aye.

Austin Lovelady from Boy Scout Troop 112 presented his Eagle Scout project to repair the shelter house on the north end of Mission Lake (aka Girl Scout shelter house) and to repair and paint 5 tables. A new pole will be needed as well as paint and wood to make repairs. Motion by Commissioner Edwards to approve the project and the expense. Seconded by Commissioner Forkenbrock. All aye.

Bids on Demolition of 325 E. 12th Street

Bids for demolition of structures at 325 E. 12th Street were received. The bids were as follows:

Scott Lowe	\$7,825
Stirton Bros. Trucking	\$9,500

Motion by Commissioner Davies to award the demolition to Scott Lowe. Seconded by Commissioner Forkenbrock. All aye.

Appointments of City Treasurer and Appeals Board Members

Motion by Commissioner Forkenbrock to appoint Jennifer Stevens as City Treasurer. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Edwards to appoint Luke Pollock to the Zoning Board of Appeals. Seconded by Commissioner Forkenbrock. All aye.

Discussion of Dam Inspection Report

The completed dam inspection report has been received from BG Consultants and was presented for review by the Commission. There was discussion of prohibiting driving on the top of the dam. Currently the fireworks are displayed from the dam and this requires their trucks to drive on the dam. It was decided to allow the fireworks from the dam for this year and to review this topic at a later date. The condition of the spillway was also discussed but no decisions were made at this time.

Approval of Lease for Skid Steer Loader

Motion by Commissioner Forkenbrock to lease the Bobcat Skid Steer Loader at a cost of \$3100. Seconded by Commissioner Edwards. All aye.

Approval of Truck Purchases

Mayor Lentz advised the Commission that he found 2 vehicles at Foster Ford that he would like them to consider purchasing. The first is a 2003 Chevrolet ¾ ton truck with a utility bed. He would like to give this to the sewer department and have them use the current truck for day to day rounds and this newer truck for pulling the jetter trailer. The cost of the truck is \$9,750.

Motion by Commissioner Edwards to purchase the truck out of the sewer capital outlay fund. Seconded by Commissioner Forkenbrock. All aye.

The second vehicle is a 2006 Ford Ranger with 87,000 miles that could replace the vehicle being driven by the water department plant operator. This vehicle has a camper shell style utility box and costs \$6,550. There was also discussion of still looking for a ¾ ton truck with a utility bed for the water distribution department to use.

Motion by Commissioner Forkenbrock to purchase the Ford Ranger and another truck using \$20,000 total from the Capital Outlay fund in the Water Department. Seconded by Commissioner Davies. All aye.

Executive Session

Motion by Commissioner Forkenbrock to go into executive session for 20 minutes to discuss non-elected personnel to include the Commission, City Attorney and City Clerk. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock that no more comp time be accumulated by employees effective June 21, 2011. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to go into executive session for 5 minutes to discuss non-elected personnel to include the Commission, City attorney and City Clerk. Seconded by Commissioner Davies. All aye.

Staff Reports

Mr. West was not present but left a report with Mayor Lentz. The crews are preparing for the chip and seal process. Concrete pads were poured at the Blue Building for the metal picnic tables donated by Keith Olsen.

Interim City Administrator's Agenda

Mayor Lentz reported that KPP wants cities to sign a 20 year agreement if they purchase the Dogwood plant. Motion by Commissioner Edwards to formally notify KPP and mail the 2 year notice of withdrawal to KPP. Seconded by Commissioner Davies. All aye.

Ms. Schmitt reported that Mr. Stuart contacted the Housing Authority about the parking on the north side of West 18th Street. The administrator for the Housing Authority stated they would have funds in their 2012 budget to provide off street parking in that area.

Figures showing the employer's cost for the raises to the police officers for 2011 and the potential raises in 2012 were presented to the Commission.

City Clerk Schmitt submitted a list of materials for replacing the water line on West 11th. Bids were received from Water Products in the amount of \$5,424 and Wichita Winwater in the amount of \$5,321. Motion by Commissioner Edwards to purchase the materials from Wichita Winwater. Seconded by Commissioner Forkenbrock. All aye.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner Forkenbrock

Commissioner Forkenbrock asked that the Police Department bring the Step-Up program to the Commission for approval before automatically signing to participate again.

Commissioner Edwards

Commissioner Edwards reported that the "No Parking" sign on 1st Ave. East just north of 15th Street is missing.

Commissioner Edwards reported that Buzz Allen approached him about making the north side of E. 16th Street no parking between Central and the alley to the east for the safety of the children walking to school. Some of the Commission were in favor of the entire block being designated no parking. This will be on the agenda for the next meeting.

Commissioner Davies

Commissioner Davies reported the pool is running smoothly, the clean up for Better Beef days is completed and the fair parade is coming up.

Mayor Lentz

Mayor Lentz expressed appreciation for the hard work of the city crews.

Motion by Commissioner Davies that the meeting on July 5 be held at 6:30 a.m. Seconded by Commissioner Edwards. Aye – Mayor Lentz and Commissioners Krug, Edwards and Davies. Nay – Commissioner Forkenbrock.

Motion by Commissioner Davies to adjourn the meeting at 6:55 p.m. Seconded by Commissioner Edwards. All aye

Candy Schmitt, City Clerk

Tim Lentz, Mayor