

September 6, 2011
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for regular meeting on Tuesday, September 6, 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 Pastor Caren Loper of the United Methodist Church.

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

An executive session to discuss non-elected personnel was added to the agenda. Motion by Commissioner Davies to approve the agenda as amended. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Davies to approve the minutes from the August 15, 2011 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve the minutes from the August 22, 2011 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3152 (Payroll) in the amount of \$39,310.61. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3153 (Disbursements) in the amount of \$309,883.61. Seconded by Commissioner Forkenbrock. All aye.

Public Comments

Assistant Chief of Police Tom Williams gave a report on the activities of the Police Department. They have completed and implemented a new domestic violence policy. Assistant Chief Williams asked for permission to sign a contract for the step-up program for next year. The Commission requested this be put on the next agenda and that statistics be presented from previous years. Commissioner Davies thanked the Police Department for watching the school zones and stopping speeders.

Presentation of "Save Rural Broadband" Effort

Jason Smith, from Rainbow Communications, was present to give the Commission some facts concerning the changes being considered by the Federal Communications Commission that would take away funds from the rural America area and distribute them in the urban areas. The impact of this decision in rural areas in Kansas would mean 367 jobs lost, \$51 million lost in lost wages and an income tax loss of \$1.4 million over the next five years. There would be a loss of \$1.1 million in property tax revenue and \$1.5 million in retail sales tax collections. Mr. Smith asked the Commission for their support in trying to stop this change from being implemented. He requested that the Commission members sign letters to the legislators expressing their concern and the Commission agreed.

Approval of Pay Requests on Water Improvement Project

Brian Foster, from BG Consultants, was present to update the Commission on the progress of the water improvement projects. The repair of the Mission Lake Dam face has begun and the rock is being placed on the front of the dam. The work on the Water Plant started on September 6 and the new line on the north end of the city will be started in mid September.

Motion by Commissioner Edwards to approve the payment request from Ohlsen Construction in the amount of \$32,004.00. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the request for payment from Midland Construction in the amount of \$50,987.70. Seconded by Commissioner Forkenbrock. All aye.

Resolution, Transcript Certificate and Note Purchase Agreement for Temporary Financing on Sewer Project

Todd Burrus, from George K. Baum & Co., reported to the Commission that they were able to sell the temporary notes at an interest rate of 1.5% and they will mature on October 1, 2012.

Motion by Commissioner Forkenbrock to adopt Resolution 2011-011, A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2011-2, OF THE CITY OF HORTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; 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.

Motion by Commissioner Edwards to approve the Note Purchase Agreement with George K. Baum and Co. Seconded by Commissioner Forkenbrock. All aye.

Call for Redemption of Series 2003 Bonds on Water Improvements

Part of the conditions for receiving the USDA/RD loan and grant for the Water Improvement Projects was to redeem the bonds issued in 2003 on the water department. This requires a call for redemption. Motion by Commissioner Edwards to issue a call for redemption on the 2003 bond issue. Seconded by Commissioner Forkenbrock. All aye.

Proclamation – Designating 9/11/2011 as a Day of Service and Remembrance

Motion by Commissioner Davies to adopt the proclamation designating September 11, 2011 as a Day of Service and Remembrance of the terrorist's attack that took place in 2001. Seconded by Commissioner Forkenbrock. All aye.

Executive Session

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

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

Ordinance Adopting the Standard Traffic Ordinances

Motion by Commissioner Forkenbrock to adopt Ordinance 1119, AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HORTON, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2011 PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER 1112. Seconded by Commissioner Davies. All aye.

Ordinance Adopting the Uniform Public Offense Code

Motion by Commissioner Forkenbrock to adopt Ordinance 1120, AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF HORTON, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2011. Seconded by Commissioner Davies. All aye.

Designation of Voting Delegates for LKM Annual Meeting

Motion by Commissioner Davies to appoint Commissioner Edwards as the voting delegate for the League of Kansas Municipalities annual meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Forkenbrock to appoint Mayor Lentz as the alternate voting delegate for the League of Kansas Municipalities annual meeting. Seconded by Commissioner Edwards. All aye.

Request to Purchase Circulating Pump for Swimming Pool

The circulating pump at the swimming pool needs to be replaced. Motion by Commissioner Forkenbrock to purchase a new pump. Seconded by Commissioner Davies. All aye.

Staff Reports

Mr. West reported the crews were installing dry hydrants at Mission Lake, the Blue Building roof is leaking and the electricians will be moving the tornado siren from City Hall to the Lake area.

City Clerk's/Administrator's Agenda

Motion by Commissioner Davies to sell the surplus property on Purple Wave. Seconded by Commissioner Krug. All aye.

Ms. Schmitt reported that the Fish and Game Club moved in a storage building at the airport and asked to have electricity installed to the building. Ms. Schmitt inquired if the Commission wanted the organization to be billed for the electricity usage from Brown-Atchison electric. The consensus was that they should pay the bill. There was discussion about the building being placed at the airport and it was noted that a few years ago the Commission asked the Fish and Game Club to sign an agreement in order to have a building on the airport ground. They chose not to sign the agreement. The Commission would like to see a copy of this agreement and discuss it at the next meeting.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug reported that 63 4-H youth and adults used the firing range to qualify for State. There will be a rim fire association shoot on September 17.

Commissioner Forkenbrock

The City is advertising for a part time dispatcher and the new part time officer will also be trained to dispatch.

It appears that the Police Department will be going over their budget. The Commission would like a report from the Chief of Police showing how he plans to cut spending to stay within the budget and directed this report be turned into the City Clerk by noon on September 14. Copies will then be given to Commissioner Forkenbrock and Mayor Lentz.

Commissioner Edwards

No report.

Commissioner Davies

Commissioner Davies reported the Senior class and the Boy Scouts will be painting tables and bleachers.

Commissioner Davies left at 6:45 p.m.

Mayor Lentz

Mayor Lentz reported that he has been working on the water and lake projects. There will be 5 piers built on the west side of the lake and 3 on the east.

Mayor Lentz met with Sam Johnson from BG Consultants and discussed the sewer project. Most of the problem lines will need to be excavated but some can be slip lined during phase 1 of the project.

Information was presented on LED signs stating "Stop Ahead". It was decided to wait until Commissioner Davies could be present to discuss the purchase of these signs and explore the possibility of the School system paying for a portion of the signs.

Motion by Commissioner Forkenbrock to go into executive session for 5 minutes to discuss non-elected personnel to include the Commission, City Clerk and City Attorney. Seconded by Commissioner Edwards. All aye. No action taken after executive session.

A copy of a demand letter to be sent to the Horton Health Foundation Board concerning the Tri-County Manor and repayment of the loan to the City was presented for signatures of the Mayor and Commission. It was signed by all of the Commission.

Motion by Commissioner Forkenbrock to adjourn the meeting at 7:01 p.m. Seconded by Commissioner Edwards. All aye

Candy Schmitt, City Clerk

Tim Lentz, Mayor