

September 19, 2011  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, September 19, 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 Candy Schmitt, City Clerk.

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

Motion by Commissioner Davies to approve the agenda. Seconded by Commissioner Edwards. All aye.

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

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3154 (Payroll) in the amount of \$35,564.60. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3155 (Disbursements) in the amount of \$213,324.92. Seconded by Commissioner Davies. All aye.

#### **Public Comments**

None.

#### **Request for Repairs of Retaining Wall at Residence**

Mrs. Whitney was not present. City Clerk Schmitt explained that Mrs. Whitney had to replace her retaining wall and wanted the City to reimburse her for some of the cost. She felt the damage was caused by the Central project in 2007. It was noted by Rex West that the contractor had done some damage to the rocks and the City replaced them at the end of the project and had received a thank you note from Mrs. Whitney. Some of the Commission had been told that the contractor who replaced the current retaining wall had donated the work for Mrs. Whitney. The Commission would like to see a bill for the work done and know how much Mrs. Whitney was requesting. The City Clerk was also directed to contact the contractor, Josh Small, to see when the debris could be cleaned up. There was some concern because the retaining wall was built on the sidewalk. Mr. West and James Stuart will review the ADA regulations and see if further steps need to be taken on this situation.

#### **Discussion of Step-Up Program**

Ms. Schmitt reported that the City was reimbursed for the overtime spent on the Step-Up program for the police department. They also were given \$2050 so far to purchase equipment for traffic control. Chief Luzier does not want to do the Step-Up program until such time as the salary figures can be included in the budget, this would be in the 2013 budget year. After discussion a motion was made by Commissioner Forkenbrock to sign up for the program again since the City breaks even on the overtime and receives equipment. Seconded by Commissioner Edwards. All aye.

Ms. Schmitt suggested that the Chief of Police provide a written report for overtime at each meeting to list the reason for the overtime. The Commission agreed this would help them to understand the overtime.

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.

### **Discussion of Possible Agreement with Fish and Game Club**

Mayor Lentz will meet with the Fish and Game Club about a lease agreement for the building they placed on City property at the airport.

### **Staff Reports**

Mr. West reported the crews were working on West 16<sup>th</sup> and 17<sup>th</sup> Streets, dry hydrants were installed at Mission Lake for fire protection.

### **City Clerk's/Administrator's Agenda**

The lake caretaker, Dale Monson, submitted his resignation effective October 13, 2011.

Bill Delzeit is still researching about moving the tornado siren to the campground.

Verizon Wireless is going to build a tower south of the City and a letter was sent to the City for comment. The Commission did not have a problem with the placement of the tower.

Mary Brown from Tri-County Manor submitted a quarterly financial report. Discussion followed concerning the Tri-County Manor and the letter to the editor that was published in the Horton Headlight. The Commission felt there were some statements made that were not based on facts. The letter stated the Manor had submitted quarterly financial reports and the one that the Commission received at this meeting was the first report given to the City since the signing of the lease agreement. The letter also stated that the Manor was "almost always" on time with payment for their utilities when in fact they have been late 6 out of the last 14 months. The letter also stated that the Manor did not know they were to provide the financial reports required by the lease agreement. The City Clerk provided a list of minutes going back to 2001 which showed several times when the Commission asked for the financial reports.

Mayor Lentz was directed by the Commission in a previous meeting to approach the NEK Center for Health and Wellness Board to see if it was possible to have the Manor borrow the money owed to the City and pay the City the balance of the original \$250,000. The City has yet to receive an official response from the Board that oversees Tri-County Manor. Steve Stoltenberg was asked by the NEK Center for Health and Wellness Board to act as a mediator between themselves and the City. Mr. Stoltenberg and Mayor Lentz met and developed a plan they thought would be agreeable to both sides. Mayor Lentz intended to bring that plan to the Commission at this meeting for approval and then to present it to the Manor Board. Before that could be done the letter to the editor written by Van Norris was published.

The Commission requested that the City Clerk contact the President of the Manor Board to invite them to the next Commission meeting.

## **Commissioner's Agenda**

### **Commissioner Krug**

No report.

### **Commissioner Forkenbrock**

A report from the Chief of Police was presented showing where they are on their budget and how they propose to limit their spending. Commissioner Forkenbrock stated he agreed with the Chief's report and the department will be going over budget for 2011.

### **Executive Session**

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 Edwards. All aye. No action was taken after executive session.

### **Commissioner Edwards**

Commissioner Edwards inquired about the status of the ownership of the armory. Representative Randy Garber was supposed to contact the City Attorney to develop a proposal for a bill giving the ownership to the City of Horton. He has not made contact. The City Attorney will contact the State Representative.

### **Commissioner Davies**

Commissioner Davies reported there are 4 Boy Scouts who will be working on refurbishing the benches. The senior class will be painting the picnic tables. A pole at Lovelady's needs to be removed.

### **Mayor Lentz**

Mayor Lentz reported that repairs have been made at the tennis courts.

The work on the waterline to the north part of the City began today. There will be 3 trees that need to be removed. The contractor will notify the property owners.

The outside work at the water treatment plant is almost done. The boat ramp at the lake will be poured next week.

The excavation on the sewer project will probably begin in February of 2012.

Motion by Commissioner Forkenbrock to adjourn the meeting at 6:54 p.m. Seconded by Commissioner Davies. All aye

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor