

December 1, 2003  
6:15 P.M.  
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, December 1, 2003 at 6:15 p.m. in the Commission Room at City Hall.

Pastor Tom Stone of the Church of the Lord Jesus Christ opened the meeting with prayer and the Pledge of Allegiance.

Present: Mayor White, Commissioners Smith, Stirton, Lentz and McClain.

The agenda was approved as presented.

The minutes of the November 13, 2003 special meeting were approved as presented.

The minutes of the November 17, 2003 regular meeting were corrected as follows; the amount charged for mowing was changed from \$70 an hour to \$70 per lot; under the report on the firing range it was added that the repairs will take some time and the range will not be opened by the end of the year; under the Mayor's report it was changed to read that the City Administrator was asked to get quotes to have an engineer study on the fire hydrants. The minutes for November 17, 2003 were approved as corrected.

The minutes for the November 18, 2003 special meeting were corrected as follows; it was noted that Commissioner Smith stated that the City needs to apply for 501c3 in order to be able to have lots donated; Carl Gasper suggested that HIDC act as the steering committee for the homestead program; it was added that the Horton Heights area and the southwest area of Horton are possible sites for development. The minutes were approved as corrected.

Motion by Commissioner Lentz to approve Appropriation Ordinance #2744 (Payroll) in the amount of \$28,723.62. Seconded by Commissioner McClain. All aye. Motion by Commissioner McClain to approve Appropriation Ordinance #2745 (Disbursements) in the amount of \$45,398.19. Seconded by Commissioner Smith. All aye.

#### **Bob Carson—Carson Communications, Update on Services**

Mr. Carson was present along with Alice Tanking and Brian Boeckman from Carson Communications. The results from a recent survey that was conducted by Carson Communications were presented to the Commission. Due to the answers received from this survey, three new channels will be added this month. They are TV Land, Cartoon Network and CMT (Country Music Television). It was reported that Highland Community College would take over the community channel in the near future. Mr. Carson reported that 70-75% of the community and 100% of the Governing Body have service from Carson Communications. Carson Communications would like input from the Governing Body to help make them more appealing to the citizens.

#### **Budget Amendment**

Mr. Leighton reported that increases in overtime, chip and sealing costs, court costs and employee benefits are the reason for needing a budget amendment this year. The amount requested by the staff is \$31,123. The City of Horton amended the budget 7 out of the last 10 years and it is not an uncommon practice in government. There are unanticipated costs when budgets are made.

Mayor White stated he does not want to see this as a trend. Since the auditor recommended an \$80,000 amendment, Mayor White stated he would feel more comfortable with at least \$50,000.

After some discussion there was a motion by Commissioner Smith that the budget be amended \$35,000 with the excess over \$31,123 coming from the electric fund if necessary. Seconded by Commissioner McClain. All aye.

### **Discussion of Personnel Manual**

Mr. Leighton, after talking with the City Attorney, changed the compensation time section to indicate that compensation time would need to be taken within a 30-day period unless the Administrator or Department Head determined differently.

Motion by Commissioner Smith to eliminate compensation time from the future policy and pay overtime for overtime hours. The motion died for lack of a second.

The Commission decided they wanted to see the federal guidelines concerning compensation time along with a list of employees and how much compensation time they currently have accumulated.

Mr. Keck will write a legal opinion on compensation time for the Commission.

### **Discussion of Kickapoo Tribe Highway Project**

The Chairman and Vice-Chairwoman of the Kickapoo Tribe met with the Mayor and requested that the Horton Commission support their effort to designate Highway K-20 between 75 Highway and Horton as "Kickapoo Veterans Memorial Highway". Motion by Commissioner McClain to write a letter of support for this endeavor. Seconded by Commissioner Smith. All aye.

### **GAAP Waiver**

Motion by Commissioner Smith to adopt Resolution 03-1201, a resolution requesting to be allowed to waive the requirements of K.S.A. 75-1120a(a) as they apply to the City of Horton for the year ended 2003. Seconded by Commissioner McClain. All aye.

### **Discussion of Proposed Weed Ordinance**

This ordinance was presented to the Commission for their review. The City Attorney will make a few more changes and this ordinance will be on the next agenda.

### **Discussion of December Work Schedule**

Mr. Leighton worked with the department heads and put together a schedule for the month of December.

Mayor White stated that there was some misunderstanding of what the intent of the Commission was concerning the work schedules. He would like to see specific duties by each employee for the week. After much discussion, there was a motion by Commissioner McClain to table to the next meeting. Seconded by Commissioner Stirton. All aye.

Mayor White stated he felt the directives from the previous meeting's executive session need to be followed and this includes the work schedules.

### **City Administrator's Agenda**

Mr. Leighton reported that the City is on schedule with the law enforcement grant and the Mission Lake study grant.

There have been some problems with the easements on the CDBG water project. The Commission requested that a registered letter be sent to the attorney for those who own the required property.

There will be an informational meeting on the Lake Study on December 9, 2003 at 7:00 p.m. at City Hall.

## **Commissioner's Agenda**

### **Commissioner Smith**

Commissioner Smith reported that the County Commission will meet on December 8 and the Micro Loan Program will be on their agenda. Commissioner Smith and Mayor White will attend the meeting.

### **Commissioner Stirton**

No report.

### **Commissioner Lentz**

No Report.

### **Commissioner McClain**

Commissioner McClain asked about the status of the car confiscated in a drug raid earlier this year. Mr. Leighton advised that the City would probably trade it in when they purchase a new vehicle.

### **Mayor White**

Mayor White asked about the insurance on Mission Lake Dam. Mr. Leighton reported that the city couldn't get insurance from a private company or FEMA. There is a meeting in February that Mr. Leighton will attend and will hopefully get some information there.

The City Attorney will start on setting up a foundation for the City.

The Kickapoo Tribe will be having an engineering study on reconnecting the water line from Horton to the reservation and the possibility of the City of Horton supplying them water.

Mayor White asked if the City received a letter from KDHE on the sewer plant. Mr. Leighton will get a copy to the Mayor.

### **Executive Session to Discuss Personnel**

Motion by Commissioner Smith to go into executive session for 20 minutes to discuss personnel. Aye—Mayor White, Commissioners Smith, Stirton and Lentz. Nay—Commissioner McClain.

Upon reconvening, a motion was made by Commissioner McClain to go back into executive session for 10 minutes to discuss personnel. Seconded by Commissioner Lentz. All aye. Motion by Commissioner Smith to extend the executive session for 20 minutes. Seconded by Commissioner McClain. All aye. Motion by Commissioner Smith to extend the executive session another 10 minutes. Seconded by Commissioner McClain. All aye. Upon reconvening, Mayor White stated that no action was taken.

The meeting adjourned at 9:50 p.m.

---

Candy Schmitt, City Clerk

---

Dale A. White, Mayor