

March 15, 2004  
6:15 P.M.  
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, March 15, 2004 at 6:15 p.m. in the Commission Room at City Hall.

Mayor White opened the meeting and the prayer was given by Candy Schmitt.

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

Absent: Commissioner Lentz.

Commissioner Lentz had left a request for the discussion on the Director of Economic Revitalization to be tabled to the next meeting. It was decided to table this matter. The Agenda was adopted as amended.

Commissioner McClain requested that the minutes be amended under the discussion of the Director of Economic Revitalization Director to show that he had stated he did not vote for this position and he requested no funds be taken from the infrastructure needs. Commissioner Stirton stated that he also was absent from the meeting when the vote was taken. Motion by Commissioner McClain to approve the minutes of the March 1, 2004 meeting as corrected. Seconded by Commissioner Smith. All aye.

Motion by Commissioner Smith to approve Appropriation Ordinance #2759 (Payroll) in the amount of \$30,082.98. Seconded by Commissioner McClain. All aye.

Motion by Commissioner McClain to approve Appropriation Ordinance #2760 (Disbursements) in the amount of \$71,976.47. Seconded by Commissioner Stirton. All aye.

### **Discussions with Planning and Zoning Board**

Mayor White expressed the appreciation of the Commission for those willing to serve on the Board. There are two vacancies on the Board at this time and Mayor White will appoint replacements. In conjunction with the Strategic Plan and the Homestead Program, the Commission had asked the Planning Board to review the setback requirements. Michelle Anschutz, Chairman of the Board, reported to the Commission that they had met earlier this month and the Board was not comfortable recommending any changes to the side setbacks because of fire safety. The current ordinance states that the side yard setbacks will be 8' from the property line. This would leave a minimum of 16 feet between structures. It was noted that the State Fire Marshall and the Insurance Commissioner would possibly be making a recommendation to require 30' between houses in the future. The current front yard setback is 25' from the front property line. The reason for this is to try to have uniformity along the streets. The Commission inquired if a house burns down on a lot can a new structure be rebuilt. It was noted that the setbacks would have to be observed. However, the appeals process is in place for those who have a hardship meeting those requirements. A variance can be awarded by the Appeals Board up to one-half of the setback requirement.

Mr. Bill Willis was present to question the setbacks on a temporary structure. The Planning Board informed him that all structures must meet the setbacks. Mr. Willis stated that if you are going to enforce one ordinance you should enforce them all.

### **Recycling Program**

Judy Paden, from RSP, Inc. was present to explain a recycling program. Mary Pickerill, a citizen interested in recycling was also present. Mrs. Paden stated that it would be best to start with collecting newspapers, magazines and catalogs. There would be a need to find an area for citizens to drop off these items. She stated there are grants available to start recycling programs but she thought the City should first see what kind of interest there would be from the public. Curbside recycling is very expensive. If glass were

recycled, the City would have to purchase a crusher. The Commission instructed the City Administrator to find an area that could be used and to determine the costs.

### **Proclamation—City Cleanup Week**

The Mayor read a proclamation designating March 29-April 3 as Citywide Cleanup Week.

### **Fema Grant Application for Fire Department**

Mr. Leighton advised the Commission that the fire department would like to apply for funds through the FEMA program for equipment. The amount needed would be \$59,577. The City's matching portion would be \$5,958. Motion by Commissioner McClain to proceed with the application for a FEMA grant. Seconded by Commissioner Stirton. All aye. Mayor White requested a list of the equipment that would be purchased. Mr. Leighton will provide the Mayor with this listing.

### **Update on Wastewater Plant Study**

Mr. Leighton met with Pat Cox, engineer from BG Consultants, and KDHE. The study is underway and should be completed by the last of April.

### **Update on Firing Range**

Mr. Leighton, Harold Arnold, Rex West, and Mark Compton met at the firing range and outlined what needs to be done to repair the problem areas. This will entail placing bridge planking along the sides of the structure. Mr. Leighton has discussed these ideas with the State verbally. They will be in Horton on Thursday afternoon to go over the recommendations.

### **Update on Blue Building**

Mr. Leighton is in the process of getting cost estimates from Kreider Construction on installing heating, air conditioning, painting the exterior, insulation and new interior walls. Mr. Leighton hopes to have the estimate for the next meeting.

### **Update on Library**

Mr. Leighton reported that there are two estimates coming on the Library repairs. The two companies are Topeka Mud jacking and Kreider Construction. The estimates should be in by the next meeting.

### **Report on High School Projects**

The City crew power washed the bleachers at the baseball fields and the students will be repainting them. There is concrete being poured for sidewalks. The City crews will be assisting by doing some of the heavier work.

### **Update on Mission Lake Study**

Those doing the study will be in Horton on March 16 to take the bathymetric readings. A citizen inquired if they would be looking at the septic systems and lagoons in that area for environmental standards and it was noted that those will be addressed by the study. Mayor White again pointed out that the goal is to maintain Mission Lake as a clean secondary drinking water source. Mary Pickerill expressed that the City should keep a photographic record of its activities.

### **Update on Water Well Project**

Mr. Leighton reported that the pump building has walls and a roof completed. The drilling company was supposed to drill on March 15 but it rained.

### **Discussion of Metal Building**

The City has a metal building, 50' X 100', in storage that was purchased a few years ago. It was originally purchased by the Street Department to house equipment and a salt bin. Mr. Leighton presented the following options for placement of the building. 1.) Place at the corner of E. 15<sup>th</sup> and Wilson Drive in 2 sections; 2.) on the property south of City Hall; 3.) remove the buildings by the Lake Caretaker's house and replace with the new building; 4.) east of the blue building. There were other suggestions made such as placing it at the sewer plant or the dog pound area. This subject was tabled to the next meeting.

### **Ordinance dealing with the Director of Economic Revitalization**

Commissioner Smith inquired if this was being tabled to discuss the original vote on the position or was it to discuss other things. Commissioner McClain stated he wanted time to discuss the time limit on the contract and the financial part of the position. Commissioner Stirton wanted to discuss the salary range. It was noted that the contract and the ordinance will be discussed at the next meeting.

### **Update on Library Snow Removal Policy**

Mr. Leighton reported that he had disbursed a memo to the street department that the snow would be removed from the sidewalks, steps and ramp of the Library within 24 hours after snow cessation. The Commission directed that the memo be forwarded to the Librarian for her information. There was a question from the citizens whether or not business owners could be notified to clean their sidewalks. It was noted that there is an ordinance on snow removal. The Commission requested that a copy of the ordinance be placed in their packets for the next meeting.

The reporter from the Headlight interjected that the sidewalk from their building west to the corner belongs to the City and it is never cleared after a snowstorm. This will be addressed with the employees.

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

No report.

### **Commissioner's Agenda**

#### **Commissioner Smith**

Commissioner Smith inquired about meeting on March 29. Motion by Commissioner Stirton to meet on March 29 at 6:15 p.m. to discuss the Director of Economic Revitalization contract and ordinance. Seconded by Commissioner McClain. All aye.

Commissioner Smith reported on Bill SB547 that is before the State Senate. This bill says that if property is taken by eminent domain it cannot be sold for 30 years. Motion by Commissioner Smith to write a letter of opposition to this bill and send it to Representative Larkin and Senator Pugh. Seconded by Commissioner McClain. All aye.

Commissioner Smith requested that Mr. Leighton get information on the number of gallons of water that are drawn out of Mission Lake by the Country Club and report back to the Commission.

#### **Commissioner Stirton**

Commissioner Stirton reported that the Police Department started a policy of not giving the names of those who are arrested to the newspaper. The Chief of Police stated that he did not feel the names should be put in the paper until the court disposition of the case. Mr. Leighton will check with the City Attorney.

#### **Commissioner Lentz**

Not present.

**Commissioner McClain**

Commissioner McClain stated that he felt there was a spirit of cooperation among the Commission.

Judy Paden inquired about the policy for flushing lines. Commissioner McClain stated that it should be done once a year. The City Clerk stated that the water department tries to flush the ones on the end of a line quarterly.

Mrs. Paden also requested that a sign marking 11<sup>th</sup> Street be placed at the corner of 11<sup>th</sup> and Kingfisher Rd. It was noted that this is outside the City limits but that the City would put a sign up for safety purposes.

**Mayor White**

Mayor White requested a Code Enforcement report at the April 5 meeting. He would like to know what the process is for new buildings and rental properties. It was noted that the City does not do electrical and plumbing inspections. Mayor White would like an explanation for why the City does not do inspections.

It was decided to have a special meeting on April 3 at 10:00 a.m. at the Senior Citizen's Center to meet with the public and discuss any issues that may arise.

The Chamber of Commerce will be preparing a new brochure and will ask Sprint to pay for the brochures.

Mayor White read a thank you card from the Ministerial Alliance thanking the City for the contribution given from the Schneider Fund.

The meeting adjourned at 8:55 p.m.

---

Candy Schmitt, City Clerk

---

Dale A. White, Mayor