

May 2, 2005
6:15 P.M.
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, May 2, 2005 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 and Commissioners Krug, B. Stirton, Davies and K. Stirton.

Motion by Commissioner Davies to adopt the agenda as presented. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve the minutes of the April 18, 2005 regular meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2819 (Payroll) in the amount of \$30,507.59. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2820 (Disbursements) in the amount of \$26,857.38. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to adopt Directive 05-ADM-02, open records requests under the Kansas Open Records Act. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to adopt Directive 05-ADM-03, employees do not provide equipment, services or material to private individuals or businesses without authorization. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to authorize the Mayor to send a letter supporting the development of a feasibility study for an ethanol plant in NE Kansas. Seconded by Commissioner K. Stirton. All aye.

Oath of Office for Ken Krug

The City Clerk administered the oath of office for Ken Krug as Finance Commissioner.

Chris Burger Used Tires Complaint

Mr. Burger was not present. City Administrator, Ron Smith, reported that Mr. Burger had complained about a business that was allowing old tires to pile up and Mr. Burger is concerned about the water that collects in the tires harboring mosquitoes. The Code Enforcement Officer, James Stuart, has sent a letter to the business giving him a time frame to abate the situation.

Update on Demolition of 726-728 Central

Motion by Commissioner Davies to rebid the demolition for tear down only. Seconded by Commissioner Krug. All aye. The City Administrator was directed to make sure the bid specifications for the demolition project includes protecting the basement windows on the adjacent building and the cleanup inside the building. Mr. Smith reported that for the city to own the property after the demolition the owner would have to issue a quitclaim deed or the City would have to wait for a tax sale and purchase the property then. The owner has stated in the past that he would give the property to the City.

Update on Swimming Pool Tear Out

The deck work on the pool was supposed to have been done over the past weekend. However, it is not yet complete. The estimated date of completion is May 5, 2005. The water department will then have to cleanup the inside of the pool and the sandblasting can start next week. The pool manager has requested to be allowed to open on May 29 instead of the 28th because of the state track meet. Commissioner Davies would like to present that to the Park Board first.

Update on Sandblasting Contract for Pool

Mr. Smith reported he had negotiated with several local contractors as requested by the Commission at the last meeting. Derek Noll of DMC Coatings will be doing the sandblasting and painting at a cost of \$11,980.00. (The other bids from the local contractors were Eddie Oswald--\$12,000 for sandblasting only; Casewill Sandblasting--\$14,160 for sandblasting and \$5,989 for painting and Torrey Bros.--\$15,000 for sandblasting and painting.)

Presentation of Foundation Bylaws

The articles of incorporation have already been signed. The board needs to be appointed and the bylaws adopted. The proposed bylaws were presented to the Commission for their review. The bylaws allow for people within a 3-mile radius of the City of Horton to be on the board and to set the annual meeting of in June. The Commission recommended that only 2 or 3 members come from outside the city limits.

Mr. Smith was directed to place a notice in the newspaper explaining the foundation and asking for candidates for the board. It was also recommended that one Commissioner be on the board at all times.

Discussion, change to limits on cafeteria plan

Currently the City has a cafeteria plan with AFLAC. This plan offers an opportunity for the employees to have money held from their checks before taxes to be used for unreimbursed medical expenses. The Commission has to determine a limit on what each employee can contribute to this plan. The previous limit has been \$1200 per year and Mr. Smith requested this be raised. Motion by Commissioner Krug to increase the limit to \$2400 per year. Seconded by Commissioner Davies. All aye.

Open Bids, Chip and Seal Project

Two bids were received on the chip and seal project. They were as follows:

Vance Bros.	\$47,298.25
Andrews Asphalt	\$46,368.00

The charges from Brown County to chip and seal in 2002 were \$16,063 and in 2004 \$31,907. After much discussion, it was decided to reject the bids received. Mr. Smith was instructed to check with Brown County to see if the City can be put at the end of the list on their schedule so that maintenance can be done to the streets first by the City crews.

Commissioner K. Stirton requested that the street department reassess which streets need to be done the most and he also stated he wanted to see the radius' done as well.

Motion by Commissioner Davies to wait and have the City Administrator, Street Foreman and Commissioner K. Stirton look at the City as a whole and develop a plan for chip and sealing the streets and bring the plan back to the next meeting. Seconded by Commissioner K. Stirton. All aye.

Open Bids, Library Bathroom Project

One bid was received from Dan Isabel in the amount of \$1,735. Motion by Commissioner Davies to accept the bid from Dan Isabel. Seconded by Commissioner B. Stirton. All aye.

Mr. Smith was instructed to check with other cities on their procedures for procuring bids from local contractors and bring back a report within the next month.

Open Bids, Fire Truck and Bed

One bid for the truck was received but it did not meet the minimum bid advertised. There were no bids on the bed. The staff was instructed to readvertise as a sealed bid with the right to refuse any bids.

Hospital Request for Assistance on Costs for X-Ray Machine

A letter was presented from NEK Center for Health and Wellness requesting a donation to assist them in purchasing a new x-ray machine. Motion by Commissioner Davies to donate \$500. Seconded by Commissioner Krug. All aye.

The Commission took a 10-minute recess.

Executive Session, non-elected Personnel

Motion by Commissioner K. Stirton to go into executive session for 15 minutes to discuss personnel to include the Commission, City Administrator and City Attorney. Seconded by Commissioner Davies. All aye. Motion by Commissioner K. Stirton to extend the executive session for 10 minutes. Seconded by Commissioner Davies. All aye. No action was taken in executive session.

Motion by Commissioner K. Stirton to go into executive session for 25 minutes to discuss personnel to include the Commission and the City Administrator. Seconded by Commissioner Davies. All aye. Motion by Commissioner K. Stirton to extend the executive session for 25 minutes. Seconded by Commissioner Davies. All aye. Upon reconvening, Mayor White stated that the Commission is directing the City Administrator to advertise for a part time position in the clerk's office and to go through the interview process.

City Administrator's Agenda

Mr. Smith reported that a new picture of the Commission is needed for the website and will be taken at the next meeting.

Mr. Smith had researched the procedure that other cities use for getting on the agenda for a meeting. The City of Hiawatha uses a form to fill out listing the purpose for wanting on the agenda and they have to be turned in to the clerk's office 6 days in advance of the meeting. If someone wants on the agenda after that time, they must talk with a Commissioner to get on the agenda but they are told that there may not be any action taken if research needs to be done. The Commission requested that Mr. Smith draft a policy and bring back for the Commission to review.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug stated that during the budgeting process he would like the Commission to look at budgeting for gutters and curbs where needed.

Commissioner B. Stirton

No report.

Commissioner Davies

Commissioner Davies presented a drawing for constructing dressing rooms at the blue building that had been proposed by the Fair Board. They will pay for materials and will supply the labor. Motion by Commissioner K. Stirton to approve the request of the Fair Board. Seconded by Commissioner Davies. All aye.

A family contacted Commissioner Davies about having a fireworks program. They will meet with Mr. Smith.

Commissioner K. Stirton

Commissioner K. Stirton reported that a property owner was concerned that the water meter and electric guide wire for a new service were on his property. Mr. Smith will check into this matter but feels certain they are on the City's right of way.

It was requested that dividers be built between the toilets at the men's restroom in the blue building and that a half wall be placed at the entrance as a screening device.

Mayor White

Mayor White stated he appreciated the discussions of the Commission on topics and he also appreciates the City Administrator's efforts. Patience is needed to accomplish the tasks before the City.

The meeting adjourned at 9:44 p.m.

Candy Schmitt, City Clerk

Dale A. White, Mayor