

January 3, 2006  
6:15 P.M.  
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Tuesday, January 3, 2006 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 B. Stirton, Davies and K. Stirton. Commissioner Krug arrived at 6:30 p.m.

The agenda was approved as presented.

Motion by Commissioner Davies to approve the minutes of the December 19, 2005 regular meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2852 (payroll) in the amount of \$28,548.11. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2853 (Disbursements) in the amount of \$24,911.22. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2854 (Disbursements) in the amount of \$21,425.95. Seconded by Commissioner K. Stirton. All aye.

### **Discussion of repairs to alley by contractor**

Dirk Waser was present to ask the Commission to pay for services he rendered for Patricia Ortez. He presented an easement that was filed in 1958 and he felt this proved that the sewer line in Ms. Ortez's driveway belongs to the City. The City Attorney, Kevin Hill, expressed the opinion that this is a general utility easement and it does not prove ownership of the sanitation line. The city staff will check any maps that may be available and will report back at the next meeting.

Mr. Waser also requested that the City repair the alley because of the cost it would be to the customer. The consensus of the Commission was that the City would do the repairs.

### **Discussion of the Use of Tasers in the Police Department**

Assistant Chief of Police, Jimmy Stuart, gave a presentation on the use of tasers and the liability issues. The Commission requested that a cost amount for all equipment needed and a policy be drafted on the use and training for tasers.

The Commission requested that a training schedule for 2006 be put together for the police department.

### **Discussion of Martin Luther King Day**

City Administrator, Levi Henry, reported that the next commission meeting falls on Martin Luther King Day. Motion by Commissioner Krug to move the meeting to Tuesday, January 17, 2006. Seconded by Commissioner Davies. All aye.

### **Approval of Cereal Malt Beverage License**

Motion by Commissioner Krug to approve a renewal of the cereal malt beverage license for Peggy L. Gilkerson at Hole In The Wall Restaurant. Seconded by Commissioner K. Stirton. All aye.

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

There was discussion of the policy dealing with delinquent utility accounts. The City Attorney reported that the City has to provide due process for the customers to have an opportunity for a hearing. He will rewrite the ordinance stating the citizen has to put in writing their request for a hearing. Motion by Commissioner Krug to codify the ordinance to coincide with the policy. Seconded by Commissioner Davies. All aye.

There are several beaver in the area of the dam at Mission Lake. The Commission directed the City Administrator to take care of the issue.

The paperwork is completed so that the City Sanitation Department is running under the license of David Grimm. Mr. Henry asked the Commission if they still wanted to retain the services of Ray Meyers. The Commission agreed that they would retain the contract with Mr. Meyers on an as needed basis.

Steve Hochstetler, a citizen residing on 1<sup>st</sup> Ave. East, contacted the City Administrator about the no parking issue on the east side of 1<sup>st</sup> Ave. E. Mr. Hochstetler states that he is having problems backing out of his driveway because of the cars parked on the west side of the street. The Commission requested that the City Administrator ask Mr. Hochstetler to attend the next meeting.

The recent letters to the editor in the Horton Headlight were discussed. Mayor White had asked Mr. Henry to invite Bill Thomas to the meeting and he did not appear. The Commission feels that the open meetings are the place to resolve the issues.

## **Commissioner's Agenda**

### **Commissioner Krug**

No report.

### **Commissioner B. Stirton**

Commissioner B. Stirton requested that Mr. Henry discuss the issue of professional radio conduct with the employees.

### **Commissioner Davies**

Commissioner Davies reported that he had inspected the concrete at the swimming pool and there may be some problems after the winter season with the work that was done last year.

Commissioner Davies will recommend Brandon Moore be hired as Pool Manager and he will discuss it with the Park Board at their next meeting.

Sometime in the future, Commissioner Davies would like to discuss a policy about employees owing delinquent accounts to the city.

### **Commissioner K. Stirton**

Commissioner K. Stirton would like to see some rules and regulations developed about employees and commissioners owing the city money. The City Attorney will get with the City Administrator and look at this issue. The Commission would be regulated by the Code of Conduct and the employees by the Personnel Manual.

### **Mayor White**

Mayor White gave the City Administrator a copy of a proposed contract for him to review.

The meeting adjourned at 8:40 p.m.

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Candy Schmitt, City Clerk

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Dale A. White, Mayor