

February 21, 2006  
7:15 P.M.  
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, February 21, 2006 at 7:15 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 Krug, B. Stirton, and K. Stirton. Commissioner Davies arrived at 7:50 p.m.

An executive session was added to the agenda. Motion by Commissioner B. Stirton to adopt the agenda as modified. Seconded by Commissioner Krug. All aye.

Motion by Commissioner K. Stirton to pull the disbursements from the consent agenda. Seconded by Commissioner Krug. All aye.

Motion by Commissioner K. Stirton to approve the minutes from the February 6, 2006 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner K. Stirton to approve Ordinance #2860 (payroll) \$29,056.87. Seconded by Commissioner Krug. All aye.

### **Discussion of Sewer Line on E. 10<sup>th</sup>**

The City Administrator reported that the house at 921 1<sup>st</sup> Ave. E. does not tie into the sewer line in question but directly into the City's main in the alley. The staff has reviewed the maps, minutes and all records available and there is no indication that the line down the private drive belongs to the City but is believed to be a private line with 7 connections. The consensus of the Commission is to pay the bill to Waser plumbing for repairs made but the City will want an agreement with the landowners that the City will have no further responsibilities for future damages. The City Attorney will draft an agreement for the next meeting that will include an easement agreement between the landowners.

### **Executive Session**

Motion by Commissioner K. Stirton to go into executive session for 20 minutes to discuss attorney/client information to include the Commission and the City Attorney. Seconded by Commissioner Krug. All aye. Upon reconvening, no action was taken.

Commissioner Davies arrived during this executive session.

### **Discussion of Engineering Services**

Toni Sinker from Cook, Flatt & Strobel presented information about the services available from her engineering company.

### **Bids for Slope Protection**

Bids were opened for the spraying of City properties. The Commission requested that the City Administrator evaluate the bids and present a report and recommendation to the Commission at the next meeting.

### **Ordinance on Regulating Utility Service**

Motion by Commissioner K. Stirton to adopt Ordinance 1068, AN ORDINANCE AMENDING THE PROVISIONS OF ORDINANCE NO. 925 RELATING TO THE REGULATION OF UTILITY SERVICE IN THE CITY OF HORTON, KANSAS; AND PROVIDING FOR SUBSTITUTE PROVISIONS THEREOF. Seconded by Commissioner Krug. All aye.

The Mayor emphasized that it is not the intention of the Commission to make property owners responsible for tenant's bills.

### **Items pulled from Consent Agenda**

There was some discussion of the invoices. Motion by Commissioner Krug to approve Appropriation Ordinance #2861 (Disbursements) in the amount of \$35,480.39.

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

Kansas Power Pool—Mr. Henry presented an ordinance and resolution to join the Kansas Power Pool. This will be voted on at the next meeting.

Rules and Regulations for Multi-Purpose Small Lakes Program—The rules and regulations for the lake project were given to the Commission for review. A bathymetric survey will be required. The City Administrator was directed to write a letter to BG Consultants and ask why the City did not receive the bathymetric results that were taken during the study they completed. The study that was done will be sent to the State to see if it will be adequate to meet the rule and regulations.

Mr. Henry reported that the proposed regulations give priority to lakes that are water supplies. The City will need a new contact basin at the water plant to be able to treat lake water. Another requirement of the regulations is to submit a phase II letter of intent, a plan for renovation and easements and land acquisition if applicable.

The Commission will review the rules and will bring back comments within three weeks.

Request from City of Willis to Attend a Meeting. Mr. Henry received a request from the City of Willis to attend their monthly meeting on March 1, 2006 to discuss the water

rates. The Commission approved Mr. Henry's attendance at the meeting. The Commission would like to see the City of Willis rates comparable to the City of Horton rates.

Mosquito Problem Denise Lundin and Chris Burger were present to discuss the issue of used tires being stored by a businessman in their neighborhood. The tires collect water, which breeds mosquitoes. The City codes prohibit storage of tires when it affects the health and welfare of the citizens. The Commission recognizes that the west Nile virus is a threat. The Code Enforcement Officer will inspect all tire facilities and report back to the Commission.

Bids for Sanitation Plant Rehabilitation Bids specifications for the sanitation plant rehabilitation were sent to contractors and will be opened on March 20. Mr. Henry recommended that an inspector be hired for the project. The Commission requested that Mr. Henry check with Fort Scott Community College to see if they provide these services.

Mowing Proposal The City received a proposal from Roger Tollefson for mowing of the cemetery, airport and lake areas. The Commission decided they were not interested at this time.

New Full Time Position in Clerk's Office Mr. Henry recommended that the Utility Billing Clerk, Lisa Merz, be made full time. Mayor White requested justification for making a part time position a full time one. Mr. Henry reported that this position could assist him in several ways that would give him more time to deal with the issues at hand. The position would be approximately a \$12,500 increase. Motion by Commissioner K. Stirton to make the Utility Billing Clerk position full time as recommended by the City Administrator. All aye.

## **Commissioner's Agenda**

### **Commissioner Krug**

No report.

### **Commissioner B. Stirton**

No report.

### **Commissioner Davies**

Commissioner Davies inquired about the sidewalk at 8<sup>th</sup> and Central. Mr. Henry has received no response from the individuals involved. Commissioner Davies advised that a deadline should be given to them to respond.

The caretaker's garage and workshop was discussed. A 50' X 30' building will cost approximately \$16-18,000 and a 50' X 20' building will cost approximately \$11,000. The Commission inquired where the funds would come to pay for the building. Mr. Henry will bring back a proposal at the next meeting with a recommendation.

### **Commissioner K. Stirton**

Commissioner K. Stirton commended the street department for the work done on the ditches.

Commissioner K. Stirton stated that he felt if the City purchases a skid steer loader that they need to get rid of one of the backhoes.

### **Mayor White**

Mayor White thanked Shawn Mercer for his well thought out letter to the editor.

Mayor White reemphasized that the lake project will be competitively bid. When decisions are made by the Commission, they shouldn't have to be readdressed.

Hammersmith Manufacturing does not have enough water pressure to make their sprinkler system work. The water department will research how to solve this issue.

Mayor White appointed the following people to the Zoning and Planning Commission.

Tom Kidwell	term expires May 2008
Steve Stoltenberg	term expires May 2008
Michelle McClaskey	term expires May 2008
Ellen Demeray	term expires May 2007

Motion by Commissioner B. Stirton to approve the appointments. Seconded by Commissioner Krug. All aye.

The Commission recessed for 10 minutes.

Upon reconvening, Commissioner B. Stirton made a motion to go into executive session to discuss non-elected personnel for 10 minutes. Seconded by Commissioner K. Stirton. All aye. There was no action taken in executive session.

Mr. Henry reported that the cost of surveying for the sidewalk on E. 16<sup>th</sup> Street would be estimated at \$1-2,000. The Street Foreman, Rex West and Harold Arnold, a retired engineer know from previous surveys where the property line is located.

The Commission directed Mr. Henry to write a letter to Chris Burger advising him of the ordinances concerning removal and replacement of sidewalks and advising him he has 2 weeks to replace the sidewalk he removed at his residence.

Mr. Henry was asked if he had any comments for the Commission. He advised them that it is difficult to do everything that is asked by each individual commissioner and requested that directions be given during meetings

No further business being brought before the Commission the meeting was adjourned

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Candy Schmitt, City Clerk

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Dale A. White, Mayor