

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

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, April 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 Lila Wilson, Chaplain for the Lighthouse Hospice.

Present: Mayor White, Commissioners Krug, B. Stirton, Davies and K. Stirton.

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

Motion by Commissioner Davies to approve the minutes from the March 20, 2006 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Ordinance #2866 (payroll) \$29,681.75. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Ordinance #2867 (disbursements) \$21,149.43. Seconded by Commissioner Krug. All aye.

### **Appointment of Director #2 and an Alternate for the KMEA Board of Directors**

Motion by Commissioner Davies to appoint Levi Henry to the Director #2 position on the KMEA Board of Directors and Kevin Dalen as the alternate. Seconded by Commissioner Krug. All aye.

### **Discussion of Request for Assistance on Setting the Memorial for Wisdom and Clary at the National Guard Armory**

The National Guard requested that the City assist them in placing a memorial to Wisdom and Clary, two soldiers who died in Iraq. They asked that the City tear out the existing concrete, dig the hole, fill with material provided by the guard, and tamp the material.

Motion by Commissioner Krug to grant the request from the National Guard concerning the memorial and request that the City of Horton be placed on the list of contributors. Seconded by Commissioner B. Stirton. All aye.

### **Request from Better Beef Days to Pay the Boy Scouts to Clean the Civic Center**

Motion by Commissioner Krug to pay the Boy Scouts the same as last year to clean up the Civic Center after Better Beef Days. Seconded by Commissioner B. Stirton. All aye.

## **City Administrator's Agenda**

Survey of Commercial Electric Rates—A review of the electric rates for other cities was put together and given to the Commission for their information. Mr. Henry was directed to publish a table of the rate comparisons in the Horton Headlight to inform the public. It was noted that the City would need to look at incentives for businesses while developing the Comprehensive Plan.

Kansas Power Pool—Motion by Commissioner Krug to adopt Resolution 06-007, appointing Levi Henry as director #1 and Bill Delzeit as director #2 to the Kansas Power Pool Board. Seconded by Commissioner B. Stirton. All aye.

Mission Lake Update Report. Mr. Henry reported that a bathymetric study would be part of the Lake project. Mayor White reported that the State has designated \$375,000 toward the lake restoration program and there should be other funds next year from the clear drinking water fund. There will be a Watershed Restoration and Protection Strategies (WRAPS) meeting at the blue building on April 11, 2006. A notice will be made that members of the Commission will be attending this meeting.

1565 1<sup>st</sup> Ave. E. Sidewalk Landowners have been notified that if the sidewalk that was removed is not replaced by a certain date the City will replace it and they will be charged for the amount of the labor, materials and equipment costs. The part of the sidewalk that curves is too close to the curb and will be moved back to a distance consistent with the rest of the sidewalk.

Road Grader The street department is in need of a grader. A used grader has been found. It is a 2000 model with 635 hours at a cost of \$69,500. The Commission took a 10-minute recess to call and check on the warranty. Upon reconvening, it was stated that there was not an answer to the call. The Commission directed that the staff obtain bids from the three local banks for interest on a lease purchase. Mr. Henry is to talk with the company on the used grader to see if the price includes delivery, at least a 30-day warranty and an inspection period. Commissioner K. Stirton, City Clerk Schmitt and City Administrator Henry will open the bids.

The current grader will be bid out. Mr. Henry will compare the prices on new and used graders the interest rates and the length of payment terms to present to the Commission.

Signage at Uncontrolled Intersections. There are 75 uncontrolled intersections in the City of Horton, which would mean that if each intersection was to be controlled it would take 150 signs. The estimated cost for these signs would be \$5,000. It was decided that a study would be needed and it should be part of the planning process.

Extended Parking at the Blue Building. The cost to extend the parking area at the blue building would be \$1,100 for rock. Mr. Henry was directed to check with Brown County to see if they would share some of the cost since this area is used for the fair. The street

foreman will go ahead and spray the area and the decision to rock will be tabled to the next meeting.

Report on Sign Regulations. It was noted that Ms. Wilkerson, Hole in the Wall, was informed that the sign she wished to place on Central would not meet the criteria of the Zoning Ordinances and she would have to apply to the Appeals Board for a variance.

Update on Progress on MED #4 Generator The engineer submitted a bill for services that should have been at their own expense. Motion by Commissioner Davies to deny paying the invoice submitted by Olsson and Associates. Seconded by Commissioner Krug. All aye

Mr. Henry was directed to research and talk with the engineer about this bill. Mr. Henry reported that the oil leak on the generator has been fixed.

Backup Power Supply for Water Wells Motion by Commissioner Davies to direct the Administrator to request bids for a backup generator at the new well site. Seconded by Commissioner K. Stirton. All aye.

Yates Avenue County Proposal The Commission confirmed that they do appreciate the offer from the County Commission to share the cost of chip and sealing Yates Avenue but that cost is not in the budget for the current year for the City of Horton.

Utility Deposits. The State of Kansas annually sets the percentage of interest that the City has to pay customers for utility deposits. This year's rate is 4.4%. The City Administrator and City Clerk recommended that funds be put into a CD that would earn more interest than the checking account. Mr. Henry received interest rates from all three banks for a CD and Union State Bank's rate was the highest at 4.75%.

Motion by Commissioner Davies to purchase a \$100,000 Certificate of Deposit at Union State Bank. Seconded by Commissioner B. Stirton. All aye.

Rural Development Association Neighborhood Revitalization A public hearing is required to adopt the Neighborhood Revitalization program. A notice must be published twice and then a hearing held 15 days after the last publication. Mr. Henry will be looking at the areas that might be included in the revitalization area. The Commission approved the publication of the notice for a public hearing.

Trickling Filter Replacement The upper bearing on the trickling filter was replaced on April 1 and is back in service. A bid was received from Horton Metal Products to replace the trickling filter at a cost of \$33,264.82. Motion by Commissioner Krug to award the bid to Horton Metal Products. Seconded by Commissioner B. Stirton. All aye.

First Quarter Report Mr. Henry gave the Commission a report on the budget for the first quarter. He reported that the Court budget might need to be amended later this year. The report will be discussed at the next meeting after the Commission has time to review.

## **Commissioner's Agenda**

### **Commissioner Krug**

No report.

### **Commissioner B. Stirton**

No report.

### **Commissioner Davies**

Commissioner Davies reported that soccer has begun and the bleachers have been painted. Little League is about to start up and some of the bleachers at the field have been painted.

Commissioner Davies will get with Mr. Henry concerning the cement on the baby pool and other items at the swimming pool. People are driving around the speed bumps by the pool and soccer fields. Mr. Henry will check into chaining of the areas. The Commission would like to get some recommendations on fines and some solutions to the problem.

Commissioner Davies received a complaint from an individual camper at Mission Lake. The staff will investigate the situation and report back at the next meeting.

There was a question about the vacant lot on Central where the building was demolished and the condition of the building to the north of that lot. Mr. Henry will have the Code Enforcement Officer check into this matter.

### **Commissioner K. Stirton**

Otho Stevens would like to put in a lay down curb in front of the Hole in the Wall Antiques store. Motion by Commissioner K. Stirton to allow the lay down curb provided it transitions into matching the curbs on either end. Seconded by Commissioner Davies. All aye.

Commissioner K. Stirton inquired about the sewer line agreement with the property owners on E. 10<sup>th</sup>. The City Attorney advised he needs to get some further information and should have it at the next meeting.

### **Mayor White**

Mayor White addressed the issue of citizens writing letters to the editor complaining about the City Government. Mayor White stated that trying to make the Commission aware of a situation through this method does not work. The citizens need to come

through the proper channels. It is much more constructive to go through the office or the Commission.

**The Commission took a 10-minute recess.**

**Executive Session for Attorney/Client Information**

Motion by Commissioner K. Stirton to go into executive session for 5 minutes to discuss Attorney/Client information to include the Commission, City Attorney, and City Administrator. Seconded by Commissioner Davies. All aye. No action was taken in executive session.

**Executive Session for Non-elected Personnel**

Motion by Commissioner K. Stirton to go into executive session for 15 minutes to discuss non-elected personnel to include the City Attorney, City Administrator and the Commission. 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. Motion by Commissioner Davies to extend the executive session for 5 minutes. Seconded by Commissioner K. Stirton. All aye. No action taken in executive session.

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

Chris Burger appeared to discuss the sidewalk replacement at his residence. He was told to talk to the City Administrator and if he needed on the agenda, it would have to be at the next meeting.

The meeting adjourned at 9:20 p.m.

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Candy Schmitt, City Clerk

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Dale A. White, Mayor