

April 17, 2006
7:15 P.M.
City Hall Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, April 17, 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, City Clerk.

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

Mayor White read a letter from an anonymous citizen requesting his resignation or threatening a recall. The letter is made a part of these minutes and will be attached at the end.

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 from the April 3, 2006 regular meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve the minutes from the April 5, 2006 special meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Ordinance #2868 (payroll) \$31,170.02. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Ordinance #2869 (disbursements) \$142,024.55. Seconded by Commissioner K. Stirton. All aye.

Update on Enterprise Facilitator

Janet Griesel updated the Commission on the progress of the Enterprise Facilitation Program. The City of Horton had 5 new or expanded businesses, which created 8 jobs. A request was made for the City to continue to support the program in the amount of \$3,200 for the year. Motion by Commissioner Davies to fund the program if they continue to help Horton. Seconded by Commissioner K. Stirton. All aye.

Discussion of repairs to the Scout's Shelter House

Tana Wymer reported to the Commission that the Girl Scouts program has recently been reestablished. They would like to use the shelter house at Mission Lake that was donated to the Girl Scouts several years ago. The shelter house is in need of repairs, the Girl Scout troop has raised the funds to make the repairs, and they will furnish the labor. There was no objection from the Commission.

Discussion of Police Department

Matt Howell, a local business owner, appeared before the Commission to complain about the performance of the Police Department. Mr. Howell stated that in the past, he has made reports to the Police Department about suspicious activities and the officer told him there was nothing that could be done. The Chief of Police was asked to contact Mr. Howell about a situation and he did not respond. More recently, Mr. Howell had some items stolen from his business and he was not happy with the way things were handled by the Chief of Police. The Commission advised Mr. Howell that they would look into the issue and it will be investigated.

Discussion of Yates

Mr. Henry reviewed the Brown County proposal of sharing the cost of chip and sealing Yates Ave. Mr. Henry attended the County Commission meeting and requested that the County pay for the materials to apply rock and magnesium chloride to the road and the City will supply the labor and equipment to complete the project. The County Commission will review the request for 2 weeks.

Commissioner Davies would like to make sure the width is adequate and that the County's proposal should be made in writing.

The Commission instructed Mr. Henry to ask for a meeting between the County Commission and the City Commission.

The Commission took a 10-minute recess at 8:15 p.m.

Bids on East Lift Station

Mr. Henry is still reviewing the bids in order to make a recommendation.

Appointment to Housing Authority Board

Motion by Commissioner B. Stirton to appoint Dale Baker to the Housing Authority Board. Seconded by Commissioner Krug. All aye.

Earth Day Proclamation

Motion by Commissioner K. Stirton to proclaim April 22, 2006 as Earth Day in Horton, Kansas. Seconded by Commissioner B. Stirton. All aye.

Discussion of Resolution to demolish structure at 1245 5th Avenue West

City Attorney, Kevin Hill, advised the Commission that Bill Thomas lost his appeal in the District Court and the structure on his property has to be torn down by May 8 or the City can demolish the structure. This would require a resolution to authorize the City to tear down the structure. Mr. Hill will prepare a resolution for the next meeting.

City Administrator's Agenda

Resolution for Lease Purchase—Motion by Commissioner Davies to adopt Resolution 06-008 to enter into a lease purchase agreement for a road grader. Seconded by Commissioner Krug. All aye.

Motion by Commissioner B. Stirton to authorize the Mayor to execute the lease agreement. Seconded by Commissioner K. Stirton. All aye.

Letter from Corp of Engineers—The City received a letter from the Corp of Engineers stating that the City will need a permit before dredging Mission Lake. The City will be asking the State of Kansas to assist the City in applications and fees for permits when the project is selected for approval.

Recommendation of City Spraying Bids.—The bids for spraying of weeds on City properties. The bids were as follows:

Urban Lawn Care	Shooting Range	\$305.63
	Cemetery	\$1,428.45
	Water Works & Dam	\$2,103.63
	Soccer field & Pool	\$886.63
	Ball Parks	\$329.94
	Soil Sterilant	\$90.30
	Total	\$5,144.58

Weed Free Lawns	Shooting Range	\$511.98
	Cemetery	\$1,570.86
	Water Works & Dam	\$2,234.11
	Soccer field & Pool	\$942.52
	Ball Parks	\$552.71
	Soil Sterilant	\$151.27
	Total	\$5,963.45

Grass Roots #1	Shooting Range	\$448.88
	Cemetery	\$1,377.00
	Water Works & Dam	\$1,958.40
	Soccer field & Pool	\$826.20
	Ball Parks	\$552.71
	Soil Sterilant	\$151.27
	Total	\$5,314.46

Grass Roots #2	Shooting Range	\$363.66
	Cemetery	\$1,115.78
	Water Works & Dam	\$1,586.88
	Soccer field & Pool	\$669.47
	Ball Parks	\$392.59
	Soil Sterilant	\$107.45
	Total	\$4,235.83

Gamble's	Shooting Range	\$315.92
	Cemetery	\$1,340.55
	Water Works & Dam	\$1,906.56
	Soccer field & Pool	\$804.33
	Ball Parks	\$341.05
	Soil Sterilant	\$93.43
Total		\$4,801.84

Motion by Commissioner K. Stirton to accept the Grass Roots #2 bid. Seconded by Commissioner Davies. All aye.

Recommendation of Bid for Lake Caretaker's Building.—The bids on material and labor to erect a building at the Lake Caretaker's were as follows:

Review of Bids for Materials Only

Sterny Lumber	\$7,799.00
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Review of Bids for Materials and Construction

Compton Hardware & Lumber Co.	\$25,790.60
Morton Buildings	\$16,598.00 to \$17,118.00
Duncan Construction	\$12,150.00 to \$12,750.00

Motion by Commissioner Krug to award the bid to Duncan Construction. Seconded by Commissioner Davies. All aye.

Trickling Filter Replacement Schedule—The repair to the trickling filter will begin on May 1 and will be completed by May 5.

Assistance for Firefighters Grant—Mr. Henry applied for a \$95,000 grant to purchase a new brush truck for the fire department. The City's share of the grant would be \$4,750. Motion by Commissioner Davies to apply for the grant. Seconded by Commissioner K. Stirton. All aye.

NIMS Resolution—Motion by Commissioner Krug to adopt Resolution 06-009, to adopt the National Incident Management System. Seconded by Commissioner B. Stirton. All aye.

The Commission directed that the current brush truck be brought into safety compliance. It is overloaded.

KMEA Phase II Grid Study—KMEA informed the City that a grid study could cost \$25,000 but in the past, the amount has been much less. This study will give the City the options for purchasing power for the years 2010 to 2026. Motion by Commissioner K. Stirton to proceed with the Phase II Grid Study. Seconded by Commissioner Davies. All aye.

East 7th Street & Drainage Project—East 7th Street needs some major work in order to have proper drainage. The cost for this project will be \$10,296. Motion by Commissioner K. Stirton to proceed with the project. Seconded by Commissioner Krug. All aye.

Mr. Henry will attend the Kansas Municipal Utilities Conference and Kansas Power Pool meeting on May 3-5.

The Planning Commission will hold training sessions on April 27 at 6:00 p.m.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug asked why there was a power outage in the City. He was advised that squirrel got into the transformer.

Commissioner B. Stirton

No report.

Commissioner Davies

Commissioner Davies reported that the flagpole is up at the Mission Lake Dam. The swimming pool is looking good and lifeguard chairs have been ordered. The senior projects have been postponed due to the inclement weather. The school district received a donation of a refrigerator and it will be used at the soccer field. The large sign at the baseball field has dry rot and will be replaced. The screen door on the concession stand is in bad shape.

Commissioner K. Stirton

Commissioner K. Stirton commended the water department for working on a water leak until 1:00 a.m.

Commissioner K. Stirton asked Mr. Henry to check on whether the City crews would need a CDL to drive the sludge truck since it has air brakes.

Mayor White

Mayor White commended the city staff on their response during the recent tornado weather.

The Commission took a 5-minute recess.

Motion by Commissioner Davies to go into executive session for 15 minutes to discuss personnel to include the Commission and City Attorney. Seconded by Commissioner K.

Stirton. All aye. Motion by Commissioner B. Stirton to extend the executive session for 5 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 10 minutes to discuss personnel to include the Commission, City Attorney and Jerry Stewart. Seconded by Commissioner Krug. All aye. No action was taken in executive session.

Motion by Commissioner K. Stirton to go into executive session for 15 minutes to discuss personnel to include the Commission, City Attorney and the City Administrator. Seconded by Commissioner Davies. All aye. Motion by Commissioner K. Stirton to extend the executive session for 10 minutes. Seconded by Commissioner B. Stirton. All aye. Motion by Commissioner B. Stirton to extend the executive session for 5 minutes. Seconded by Commissioner K. Stirton. All aye. No action was taken in executive session.

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

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

Motion by Commissioner K. Stirton to go into executive session for 5 minutes to discuss personnel to include the Commission, City Attorney and the City Administration. Seconded by Commissioner B. Stirton. All aye. Motion by Commissioner K. Stirton to extend the executive session for 5 minutes and to include the Chief of Police. Seconded by Commissioner Krug. All aye. Motion by Commissioner K. Stirton to extend the executive session for 15 minutes. Seconded by Commissioner B. Stirton. All aye. No action was taken in executive session.

The meeting adjourned at 11:47 p.m.

Candy Schmitt, City Clerk

Dale A. White, Mayor