

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

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, May 15, 2006 at 7:15 p.m. in the Commission Room at City Hall.

Mayor White opened the meeting and the prayer was given by Pastor Chris Conklin from the Christian Church.

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

Absent: Commissioner Krug.

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

Motion by Commissioner Davies to approve the minutes of the May 1, 2006 regular commission meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Ordinance #2872 (payroll) \$27,549.39. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Ordinance #2873 (disbursements) \$68,653.10. Seconded by Commissioner K. Stirton. All aye.

### **Bids on East Lift Station**

Bids for the repair of the east lift station were as follows:

ASC Equipment	\$22,899.71
Lee Mathews Equipment, Inc	\$22,383.00
Alliance Pump & Mechanical Service, Inc.	\$17,547.00
Haynes Equipment	\$27,870.00
Blaze Mechanical, Inc	\$39,703.00

Motion by Commissioner K. Stirton to accept the bid from Lee Mathews Equipment, Inc. Seconded by Commissioner B. Stirton. All aye.

### **Discussion of Police Officer**

David Allen was present to complain about a ticket his son received for loud sound amplification and the conduct of the officer. He reported that Officer Keller grabbed his son, yelled at him and took his vehicle keys. He stated that she peeled out after the confrontation, told others in the community about the incident and was driving in the downtown area at a fast rate of speed in the rain. The Commission instructed Mr. Allen to put his complaint in writing and give it to the City Administrator and an investigation will be conducted.

## **City Administrator's Agenda**

GRDA Power Purchase Update Mr. Henry attended the KMU conference and discovered that the power cost could be as high as \$.052 to \$.059 per KWH. It is currently \$.035 per KWH. The City's contract with Westar ends in 2008. GRDA will make power available to the City from 2010 to 2026 at \$.045 per KWH. In order to be eligible for this power the Commission would need to authorize the City Administrator to tell KMEA the City desires to remain committed and to place a financial security with the SPP in the amount of \$75,464.00. This can be in the form of cash or a letter of credit.

Motion by Commissioner K. Stirton to approve the agreement with a letter of credit, subject to the approval of the GRDA contract by the City Attorney. Seconded by Commissioner Davies. All aye.

Trickling Filter Update The trickling filter has been replaced and is working very well.

Result of Mission Lake Complaint Mr. Henry investigated the complaint about parking tickets written at Mission Lake on the 31 of March. He recommended that the tickets be rescinded and fines returned. The Commission agreed and letters will be sent to everyone involved.

Brown County Intergovernmental Meeting Request Mr. Henry made a request for a joint meeting with Brown County Commission and Horton City Commission. The County Commission rejected any joint meeting until the City has completed their Comprehensive Plan.

The County Commission did agree to split the cost of rock for the Blue Building parking area and will haul the rock for the City.

Mosquito Ordinance An ordinance amending Chapter 8 of the City Code was presented. This ordinance added subsection (i) to section 1 ("Nuisances"). The section reads "Any owner or operator of a site that contains a waste tire, used tire or new tire accumulation of any size, as those terms are defined in K.S.A. 65-3424, who fails to control mosquito breeding and other disease vectors, as set out in K.S.A. 65-3424b." Motion by Commissioner B. Stirton to adopt Ordinance 1070, AN ORDINANCE AMENDING SECTION 8-201 OF THE CODE OF THE CITY OF HORTON TO INCLUDE STORAGE OF TIRES WITHOUT CONTROLLING MOSQUITO BREEDING AND OTHER DISEASE VECTORS WITHIN THE DEFINITION OF UNLAWFUL NUISANCES. Seconded by Commissioner Davies. All aye.

Trade-in on Administration Copier Motion by Commissioner B. Stirton to upgrade the copier in the administration office. Seconded by Commissioner Davies. All aye.

Removal Surplus Road Oil Tanks The City has two road oil tanks that were previously but out for bids and no bids were received. Since that time the Brown County Road Department has inquired about obtaining those tanks. Motion by Commissioner K.

Stirton to give the tanks to the County if they will remove both tanks at their own expense. Seconded by Commissioner B. Stirton. All aye.

FY 2007 CDBG Recommendation The City Administrator recommended to the Commission that the City apply for a sewer grant. This will require an engineering study. The Commission directed Mr. Henry to send out Request for Qualifications from engineering firms.

### **Commissioner's Agenda**

#### **Commissioner Krug**

Not present.

#### **Commissioner B. Stirton**

No report.

#### **Commissioner Davies**

Commissioner Davies reported that Mr. Henry is getting bids on repairing the baby pool. There are two valves that need to be replaced at the pool.

The sidewalk on E. 16<sup>th</sup> Street will be installed sometime in June.

The E. 7<sup>th</sup> Street project should be completed by May 26.

Commissioner Davies inquired about the condition of the Dad's Donut Shop building downtown. There are some code violations that need to be addressed.

The shed at the lake has been demolished and construction on the new building will start May 16.

#### **Commissioner K. Stirton**

Commissioner K. Stirton commended the City Administrator for mowing over the weekend at Mission Lake.

The street crews will start patching June 12.

#### **Mayor White**

Mayor White suggested that possibly some dirt or gravel could be placed on top of the larger rocks at the Little Lake to make it easier to walk on to get closer to the water.

It was noted that several special meetings need to be setup to plan and prepare the budget, a workshop on energy markets and a town hall meeting . Mr. Henry will work on scheduling these meetings.

A letter to Representative Lukert was presented for signatures. This letter thanked the representative for the resolution passed recognizing Horton's 120<sup>th</sup> birthday. The Mayor and all of the Commissioners signed the letter.

**Executive Session for Attorney/Client information**

Motion by Commissioner K. Stirton to go into executive session for 3 minutes to discuss attorney/client information to include the Commission and the City Attorney. Seconded by Commissioner B. Stirton. All aye. There was no action taken during executive session.

**Executive Session for Personnel**

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

The meeting adjourned at 9:21 p.m.

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Candy Schmitt, City Clerk

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Dale A. White, Mayor