

July 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, July 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 Pastor Tom Stone of the Church of the Lord Jesus Christ. Pastor Stone then led everyone in the Pledge of Allegiance.

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

Absent: Commissioner B. Stirton.

An executive session was added to the agenda after the discussion of Willis water contract. Motion by Commissioner K. Stirton to adopt the agenda as amended. Seconded by Commissioner Davies. All aye.

Motion by Commissioner K. Stirton to approve the minutes of the June 19, 2006 regular meeting. Seconded by Commissioner Davies. All aye.

Motion by Commissioner K Stirton to approve Ordinance #2878 (payroll) \$35,651.96. Seconded by Commissioner Davies. All aye.

Motion by Commissioner K Stirton to approve Ordinance #2879 (disbursements) \$27,491.26. Seconded by Commissioner Davies. All aye.

### **Discussion of Willis Water Contract**

Members of the City of Willis Council were present, with their attorney, to discuss the proposed increase in water rates. The proposed rate would be an increase of 52.78% and the City of Willis does not feel this increase is warranted. Mayor Keighley recommended a 6% increase.

The City Attorney for the City of Horton, Kevin Hill, reminded the Commission that he was the City Attorney for the City of Willis in 1994 when the last increase was made and therefore is not giving an opinion on either side.

Mr. Henry recommended that the City of Horton hire an engineer to do a rate study in order to show demonstrable cause for the increase. The City of Willis agreed this would be acceptable.

Motion by Commissioner Krug to get an engineering firm to determine a cost and rate structure. Seconded by Commissioner Davies. All aye.

## **Executive Session**

Motion by Commissioner K. Stirton to go into executive session for 15 minutes for attorney/client information to include the Commission and the City Attorney. Seconded by Commissioner Krug. All aye. There was no action taken in the executive session.

## **Discussion of idea for parking lot downtown**

Keith Wolfenbarger brought a drawing to the Commission showing the placement of a retaining wall, benches, trees and shrubs in the area of the parking east of the blue building. He felt this would beautify the area. Commissioner Davies volunteered to put together a committee to put the plan into effect.

## **Discussion of Lake Caretaker's Contract**

Questions have arisen concerning the duties of the Lake Caretaker. Commissioner Davies suggested that Mr. Henry research what has been done in the past and write a new contract. The Commission directed that the Caretaker keep a log of actual hours worked. The Lake Caretaker should attend the meeting on July 17 to discuss the contract.

## **Resolution to set a hearing date for dangerous structures**

Motion by Commissioner K. Stirton to adopt Resolution 06-011, a resolution setting a hearing date for dangerous and unfit structures. Seconded by Commissioner Davies. All aye.

## **City Administrator's Agenda**

Bids were received for a generator and transfer switch at the water wells. The bids were as follows:

Martin Tractor	\$37,816.49
Cummins Central Power, L.L.C.	\$24,915.00
Central Power Systems & Services	\$30,705.00

Motion by Commissioner Krug to accept the low bid. Seconded by Commissioner K. Stirton. All aye.

Mr. Henry reported that the repair of the clarifiers at the Sanitation Plant can be done by Mark Gaskell and the City crews. Mr. Gaskell will cap the areas where the handrail meets the concrete at a cost of \$8,815.46 and the crews can do the cement repair and painting at a cost of approximately \$3,000.00. Motion by Commissioner K. Stirton to approve the repairs to the clarifier at a cost of approximately \$12,000. Seconded by Commissioner Davies. All aye.

There is a need for a cover for the solid contacts basin at the water treatment plant. Mark Gaskell has submitted a cost of \$28,640.00 to manufacture and install the 40' aluminum

cover. Motion by Commissioner Krug to follow the recommendation of the City Administrator to award Mark Gaskell the project for the basin cover at a cost of \$28,640.00. Seconded by Commissioner K. Stirton. All aye.

Mr. Henry met with the Grasshopper Township and they have agreed to increase their payment for fire services from \$1,200 to \$2,000. Motion by Commissioner Krug to approve the \$2,000 amount for fire service to Grasshopper Township. Seconded by Commissioner Davies. All aye.

The vacuum truck (monster truck) has a blown pump and needs to be repaired. The Commission requested that Mr. Henry get a cost estimate for the repairs or replacement and then do a phone poll of the Commission to get approval since the truck is needed for hauling sludge at the wastewater treatment plant.

### **Commissioner's Agenda**

#### **Commissioner Krug**

Commissioner Krug brought up the baseball tournaments that were held over the 4<sup>th</sup> of July weekend. There were several problems involving alcohol. It was agreed that the City needs an event agreement form that should be filled out for all events held on City property. This should show the contact people so that when there are problems the City will know who to contact. This would include events like the mud-a-thon, demolition derby, baseball and soccer events, etc.

Commissioner Krug inquired whether or not KDHE had tested for gasoline in the soil dumped at the creek by contractors. A city employee had given the contractors permission to dump concrete only along the creek bank. The contractor dumped concrete with rebar and pipe included. The contractor was made to clean up the area and Mr. Henry and the City Attorney requested that KDHE test the soil that was dumped at the same time. This material was from a renovation of a convenience store with underground tanks.

Kenny Molt from Kenny's Tire and Auto is planning to demolish the building located at 1500 Central. There are underground tanks at this location and it was noted that he has to remove the tanks. Mr. Molt has already removed a fence that was enclosing waste tires, however the tires are still on the premises. The Commission agreed that the ordinances need to be enforced on the cleanup of the tires, building and underground tanks.

There have been reports of threats made by Tom Molt towards the City Administrator. This needs to be referred to the City Attorney for action.

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

Not present.

### **Commissioner Davies**

Commissioner Davies reported that he has received comments from the public that they appreciate what the City did at the Little Lake but they would like to see the pier extended.

Commissioner Davies received a call asking why the Little Lake was not closed to fishing before the fishing derby on the 4<sup>th</sup> of July. It was explained that the Fish and Game Club used to ask the City to close the Little Lake to fishing before the Derby so they could restock the lake. They no longer are stocking the Little Lake and did not request that it be closed. Commissioner Davies reiterated that an event agreement would solve some of these issues.

Commissioner Davies will meet with the Baseball and Soccer Associations to determine who is responsible for the different areas.

### **Commissioner K. Stirton**

Commissioner K. Stirton stated that he understood the City had one mower that wasn't showing up for work and he feels that person should be replaced so the mowing can get done.

The Commission agreed that the old grader should be sold and to use a starting price of \$17,000.

### **Mayor Dale White**

Mayor White expressed that he felt the City staff is doing a good job and that the Commission is working well together to accomplish many things.

Luke Pollock was present to discuss the curbing in the downtown area. The policy was explained to Mr. Pollock.

Officer Stuart announced that the NIMS (National Incident Management System) training and the C100 training will be held July 6, 2006 from 1-5 at City Hall. The Mayor and all Commissioners will be required to test for the NIMS certification in order to be eligible for any federal funding.

The meeting adjourned at 8:47 p.m.

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Candy Schmitt, City Clerk

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Dale A. White, Mayor