

October 2, 2006
6:15 P.M.
Horton High School Auditorium

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, October 2, 2006 at 6:15 p.m. in the auditorium of the Horton High School. There was almost a full house of citizens present to show support to keep Tri-County Manor from closing.

Mayor White welcomed the crowd and stated the procedural rules of the meeting.

Mayor White opened the meeting and the prayer was given by Pastor Richard Crooks of the First Baptist Church.

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

Absent: Commissioner B. Stirton.

The discussion of Tri-County Manor was moved to the first item on the agenda. Motion by Commissioner Krug to approve the agenda as amended. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Davies to approve the minutes of the September 18, 2006 regular meeting. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2890 (Payroll) \$29,296.66. Seconded by Commissioner K. Stirton. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2891 (disbursements) \$77,588.27. Seconded by Commissioner K. Stirton. All aye.

Discussion of Tri-County Manor

Mayor White began the discussion by informing the group that he was notified by a citizen that the Manor was notifying patients and their families that the Manor would be closing its doors on October 20, 2006. The City had not received notice of this action. The closing of the Manor will affect the hospital, clinics, pharmacy and ambulance services as well as all the businesses in Horton. The patient count 10 years ago was 80-90 but that has dwindled in the recent years. The bonds were in default and foreclosure procedures were started. The board members resigned and a management company came in and appointed their own board. There will be a hearing on Thursday, October 5 to rule on a restraining order to stop the closing. Mayor White made a 3 step proposal 1.) that the City structure an offer to the bond holders on the assets and the Hospital would oversee the day to day operations of the Manor; 2.) that the 3 local banks come together to develop a plan for loan for operating expenses; 3.) that the citizens of Horton support the Manor, Hospital and other medical facilities.

Commissioner Davies asked if the City would be absorbing the bonds and debts of the Manor. Mayor White advised that they would not they would only be purchasing the building and assets. It would take 35 to 40 patients to break even. Mayor White's proposal would be to lease the Manor to the hospital for \$1 for a period of 5 years and then renegotiate at that time. The hospital is currently breaking even. The Manor has had some deficiencies in the past but the current administrator said that they have corrected all of those deficiencies.

Commissioner Krug asked what kind of money the City would have to raise. The Mayor stated he thought \$250,000 would be a good offer. The best option would be to keep the facility open during the interim. The Mayor advised everyone that there were petitions in the back of the room ready for signatures.

Commissioner K. Stirton stated that he would like to look at the budget and get firm figures before committing the City to funds.

The floor was then opened to public comments.

There was a question of who the management company answers to and it was advised that they answer to the bond holders. Someone asked what it was going to cost the individual citizen. The cost is not known at this time but it will cost jobs and a great effect on the businesses in Horton if the manor closes. Some other questions and answers were as follows:

Why did the board resign? We don't have that answer.

Who owns the building? The bond holders.

What are some ways to increase the resident count? Through marketing and a positive community attitude.

Is the legal hearing open to the public? Yes it is.

Is the Manor keeping a staff at the current time? Yes.

If the City purchases the assets and leases to the hospital would the board be the same as the hospital's board or would they be separate? As it stands now it would be the same board but they would get a separate administrator for the manor.

Who would bear the operating expenses during the time before the patient census could be increased to break even? The banks would give a line of credit for operating expenses and the hospital would be responsible to pay back the loans.

Motion by Commissioner Krug to propose the adoption of a resolution to pursue the purchase of Tri-County Manor. Seconded by Commissioner Davies. All aye.

The Commission took a 15 minute recess.

Ordinance for Rezoning

The Planning Commission made a recommendation to change the zoning from R1 to R3 for Lots 1-6, Block O, Mann, Shaw, Wirts Addition, Lots 7 & 8, Block M West, Horton Addition,

and Lots 1 & 2, Block 2 of the Mann, Shaw, Wirts Addition. This property is located on West 11th between 6th and 7th Avenue West.

Motion by Commissioner K. Stirton to adopt Ordinance 1072, AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF HORTON, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Davies. All aye.

Resolution on 101 E. 8th

Motion by Commissioner Davies to adopt Resolution 06-013, A RESOLUTION FINDING THAT A CERTAIN STRUCTURE LOCATED WITHIN THE CITY OF HORTON, KANSAS, IS IN VIOLATION OF THE ENVIRONMENTAL CODES OF THE CITY OF HORTON, KANSAS AND DIRECTING THE STRUCTURE TO BE REPAIRED. Seconded by Commissioner Krug. All aye.

Mr. Henry presented a letter from the attorney for Ms. Lucero stating that she isn't sure the contractors will be able to complete the job in 30 days.

City Administrator's Agenda

- a. Mr. Henry reported that a public hearing is scheduled for October 16 for the CDBG application to fund the Central Avenue project. The City's match will be \$400,000 is cash and in-kind. Mr. Henry was asking for direction on the thickness of material for the street. The Commission asked that Mr. Henry check with Harold Arnold for his recommendation. Motion by Commissioner K. Stirton to go with 8" asphalt unless Mr. Arnold recommends differently. Seconded by Commissioner Krug. All aye. The grant application will be available for review at the next meeting. Mr. Henry advised the Commission that he did not feel he would have time to administer this grant and the KANSTEP grant. The Commission advised him to check with RDA for a cost to administer the grants.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner Davies

Commissioner Davies inquired about the change in the plan for the water outage on October 2. Mr. Henry reported that it was discovered that we could not bypass the water tower and the employees recommended repacking the valve with graphite for now and changing the valve next year instead. Mr. Davies was upset that he had not been notified

of the change. In the future when changes of this sort are made the Commission wants to be notified.

Mr. Henry will notify Commissioner Davies whether the water will be back on or not by 6:00 am on October 9 for the school schedule.

The City Clerk will check the records to see which Park Board member's terms are expired.

Commissioner Davies requested that the discussion of Tim Lentz's street at his new property be placed on the agenda for the next meeting. Mr. Henry reported that a land survey was done on that street and he will have the information at the next meeting.

Commissioner Davies inquired about the repair of the sewer line at the pool an Mr. Henry advised that the staff is hauling sludge so the repair will wait until 2007.

Commissioner B. Stirton

Not present.

Commissioner K. Stirton

The Commission K. Stirton expressed his disappointment that the valves at the water tower would not be replaced this year. He felt it was the instruction of the Commission that those valves be replaced now. He also wanted Mr. Henry to be aware that the Commission needs to be kept informed on major projects. Commissioner K. Stirton asked that KRWA be asked to assist in changing the valves at 8th and Central.

Mayor Dale White

No report.

The meeting adjourned at 8:44 p.m.

Candy Schmitt, City Clerk

Dale A. White, Mayor