

June 18, 2007
7:15 P.M.
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, June 18, 2007 at 7:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Pastor Alice Purvis of the United Methodist Church.

Present: Mayor Lentz, Commissioners Krug, Forkenbrock, and Luscombe.

Absent: Commissioner Davies.

Oath of Office

The City Clerk administered the oath of office to Jeremy Forkenbrock the new Police Commissioner.

An executive session was added to the City Administrator's agenda. Motion by Commissioner Krug to adopt the agenda as amended. Seconded by Commissioner Luscombe. All aye.

Motion by Commissioner Luscombe to approve the minutes of the June 4, 2007 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Luscombe to approve the minutes of the June 12, 2007 special commission meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Luscombe to approve Appropriation Ordinance #2925 (payroll) \$40,059.56. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Luscombe to approve Appropriation Ordinance #2926 (Disbursements) \$107,644.44. Seconded by Commissioner Krug. All aye.

Discussion of Water and Sewer Bill

Roger Allen, Jr. was present to complain of a high water and sewer bill. He stated that he had no leaks and yet his water usage was high. The City Clerk advised the meter reading was checked several times and was correct. The water department had monitored the readings on a daily basis for one week and noticed quite a variation from one day to the next. The Commission directed that the meter be changed and sent to be tested and then the results be brought back to the Commission for a decision. Mr. Allen will pay the electric and trash and no penalty will be assessed to the unpaid balance of the current bill.

Discussion of Water Bill for Ron Kautz

The city crews were sent to the residence and when the valve was turned on in the residence there was no evidence of a leak. The Commission directed that this meter be changed and sent to be tested and then the results be brought back to the Commission for a decision.

Discussion of Utility Rates

Jim O'Neal, owner of Pat's Thriftway, was present to request that the City consider changing their electric rate structure to include a commercial rate. Mr. Henry was directed to gather as much information as possible and to compare other cities with like services and bring the information back to the next meeting. Commissioner Krug stated he would like to have some input from other high volume users.

Information of Vacating Street and Alley

Pictures and maps were shown of the property of John Rokita at 700 E. 2nd Street. Mr. Rokita was requesting that 6th Avenue East be vacated so that he could build a building in the current road right of way. The City Attorney advised that to vacate a street or alley a public hearing had to be held and it would need to be published 20 days in advance.

Motion by Commissioner Forkenbrock to publish notice of a public hearing to consider vacating the alleys on the eastern lots owned by John Rokita and to retain the easements and public right of ways. Seconded by Commissioner Krug. All aye. A hearing date of July 30th was set.

Sidewalk repair in the 700 block of Central

It was noted that there is a drainage problem behind 101 E. 8th Street which has caused the soil to erode from under the sidewalk making it collapse. The Commission discussed the ordinance concerning nuisance abatement. Motion by Commissioner Krug to give notice to the property owners abutting the sidewalk to give 5 days notice to repair the sidewalk. Seconded by Commissioner Luscombe. All aye.

Ordinance requiring addresses on residences

Motion by Commissioner Luscombe to adopt Ordinance 1077, AN ORDINANCE REQUIRING PREMISES LOCATIONS TO BE CONSPICUOUSLY DISPLAYED ON EACH PHYSICAL STRUCTURE WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Forkenbrock. All aye.

Approval of Contract for Lake Caretaker

There was some discussion about the compensation for the Lake Caretaker. It was decided that the housing and utilities would be provided at no charge.

Motion by Commissioner Krug to offer a contract to Tracy Merz for the position of Lake Caretaker. Seconded by Commissioner Forkenbrock. Aye—Mayor Lentz and Commissioners Krug and Forkenbrock. Nay—Commissioner Luscombe.

Resolution to authorize the sale of temporary notes for the Mission Lake Dredging Project

Mr. Henry reported that several samples and tests need to be performed at Mission Lake in order for the engineers to determine what permits will be required to dredge the lake. The costs of these tests will be approximately \$12,000

Funds are needed to pay for the engineering and the testing and Mr. Henry is not recommending that bonds be issued at this time because interest rates may go down. He requested that the City issue \$200,000 in temporary notes.

Motion by Commissioner Luscombe to adopt Resolution No. 2007-008, A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF TEMPORARY NOTES, SERIES 2007, OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Krug to authorize the sediment coring of 10 sites and the water quality testing in an amount not to exceed \$12,000. Seconded by Commissioner Luscombe. All aye.

City Administrator's Agenda

Mr. Henry reported that the amount of the letter of credit required for the cost of the GRDA study for purchase of power was decreased from \$322,000 to \$5,983.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug inquired about the status of work at the sanitation plant. Mr. Henry advised that the raw sewage pumps still need to be replaced and bids will be taken on it.

Commissioner Forkenbrock

Commissioner Forkenbrock thanked the Commission for the appointment to the Commission position.

Commissioner Luscombe

Commissioner Luscombe reported that a neighbor had some sewer line work done and the alley was sinking. He was advised that the contractor should repair it.

Commissioner Luscombe reported water running across the street and was advised that there are 4 leaks that the water crew is currently working on.

Commissioner Davies

Not present.

Mayor Tim Lentz

Mayor Lentz requested an update on the KANSTEP project. Mr. Henry reported that the environmental assessment was almost completed and a core committee meeting will be scheduled for the near future.

A letter was received from the KRWA stating their concerns that the city crews are not capable of completing the work on the Central Avenue Project in the allotted time. The City Administrator assured the Commission that he felt it could be done by the city crews. The Commission requested that the letter be forwarded on to the engineer for confirmation of the ability of the crews to complete the work.

Mayor Lentz asked who maintains the Horton website and Mr. Henry advised that city staff does that and that the site is hosted by Spinnakerweb.

Mayor Lentz asked about the work at the pool. Mr. Henry advised that the filter has been changed, a new motor installed and air conditioning in the concession stand.

Commissioner Forkenbrock stated that he was told that the baseball tournament will be held on July 6-July 8. He will talk with Chief Luzier about enforcement of the codes at the tournament. Alcohol will not be allowed on the City property and signs have been ordered for that purpose.

Scott Harlan was present to request that the Commission allow parking on the south side of E. 12th Street for one day during his wedding on July 7. The City Attorney advised that would take an ordinance and the Commission did not feel they should do that. The City Attorney will bring back more information at the next meeting. Mr. Harlan also requested to be allowed to have outdoor sound amplification during the evening on July 7 in his yard for a guitar. The Commission advised they would decide at the next meeting along with the parking issue.

Motion by Commissioner Krug to go into executive session for 10 minutes to discuss personnel to include the Commission, City Administrator and City Attorney. Seconded by Commissioner Forkenbrock. All aye. No action was taken.

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

Motion by Commissioner Luscombe to go into executive session for 10 minutes to discuss potential acquisition of real estate to include Commission, City Administrator, City Attorney and City Clerk. Seconded by Commissioner Krug. All aye. Motion by Commissioner Krug to extend the executive session for 10 minutes to include the same

parties. Seconded by Commissioner Forkenbrock. All aye. No action was taken in executive session.

Motion by Commissioner Forkenbrock to adjourn at 11:15 p.m. Seconded by Commissioner Krug. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor