

September 4, 2007  
6:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Tuesday, September 4, 2007 at 6:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Candy Schmitt.

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

Mr. Henry reported that Black and Veatch withdrew their proposal due to a conflict of interest because they represent Westar Energy. The agenda was approved as amended.

A question was raised by Commissioner Krug concerning the purchase of a digital camera and lens. It was decided that the camera would be paid for but the lens needs to be returned.

Motion by Commissioner Forkenbrock to approve the minutes of the August 20, 2007 regular Commission meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to approve the minutes of the August 22, 2007 special Commission meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to approve Appropriation Ordinance #2937 (Payroll) \$34,151.12. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to approve Appropriation Ordinance #2938 (Disbursements) \$45,547.09. Seconded by Commissioner Krug. All aye.

### **Public Hearing on Vacating Alley**

John Rokita was present and discuss took place concerning where he wanted to build a garage. It was noted that if the alleys were vacated the City would still retain the easements and right of ways. It was decided that Mr. Rokita would get with the City Administrator and determine exactly what utilities were located in the alleyways and where Mr. Rokita would be able to build. Motion by Commissioner Davies to recess the public hearing to September 17, 2007 at 7:20 pm. Seconded by Commissioner Krug. All aye.

**Commissioner Davies left the meeting at 7:00 pm for another meeting.**

### **Interview of Burns & McDonnell**

The Commission conducted an interview with representatives of the engineering firm, Burns & McDonnell for the study on the electric system and the purchase of power.

## **Central Avenue Bids for Street Portion of Project**

A representative from Meadows Construction was present to discuss the bid for asphalt construction of Central Avenue, curbs and storm drains. The bid from Meadows Construction was the lowest bid at \$539,000. The representative expressed a willingness to have a crew come and help the City crews finish the water line portion of the project which would include boring under Central for the service lines.

The Commission requested that this be tabled until Commissioner Davies could be present. (Commissioner Davies re-entered the meeting at approximately 8:00 pm and a decision was made at that time. See below)

## **Designation of Delegate and Alternate for LKM Annual Meeting**

Motion by Commissioner Forkenbrock to designate Levi Henry at the voting delegate for the City of Horton and Candy Schmitt as the alternate delegate for the City of Horton. Seconded by Commissioner Luscombe. All a ye.

## **Resolution to adopt 457 Deferred Compensation Plan Documents**

Motion by Commissioner Krug to adopt Resolution 2007-012, A RESOLUTION TO ADOPT PLAN DOCUMENTS TO MAKE THE BENEFITS OF THE SECURITY BENEFIT 457 DEFERRED COMPENSATION PLAN AVAILABLE TO ITS EMPLOYEES. Seconded by Commissioner Forkenbrock. All aye.

## **Request to use Fairgrounds for Camping Group in April 2009—will need electric hookups.**

A camping group requested to be allowed to have a group of campers park at the Fairgrounds in April of 2009 for a couple of weeks. They would need electric hookups. There are some already in place on the Fairgrounds but not enough. Also a cost would need to be set for the use of the facilities. The Commission would like to have more information on the cost to install temporary poles and would like the Park Board to be involved in the decision.

## **City Administrator's Agenda**

Mr. Henry gave a report on the consultants that have been used this year and the costs of those services.

Several permits will be required for the Mission Lake Restoration Project. The Corps of Engineers will require a permit and KDHE will require 7 different permits. A special meeting will be needed to review the engineering report.

Commissioner Davies was updated on the bid from Meadows Construction. Motion by Commissioner Davies to award the contract for the streets, curbs and storm drains to

Meadows Construction at a cost of \$539,531. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve the alternate bid for aggregate materials at a cost of \$50,625. Seconded by Commissioner Luscombe. All aye.

Motion by Commissioner Davies to authorize the Mayor to execute a contract with Meadows Construction for \$7,500 to assist our crews to complete the 10" main and the service lines. Seconded by Commissioner Forkenbrock. All aye.

City Attorney, Kevin Hill, informed the Commission that the Brown County Commissioners had requested he write a document for Yates Avenue but they had not given him any details and he wanted to make sure that the City Commission was still interested in doing the project even though the County will not maintain the road after the first Chip and Seal. The Commission requested that records be gathered that show the current maintenance costs on the road and an estimate of the cost for chip and sealing the road.

A meeting will be held on the blue building project on September 10. The City currently has 49 volunteers. A color for the outside of the building needs to be recommended to the Commission for final decision.

The Commission directed Mr. Henry to get a response from Bruce Gaskell on the fabrication of the basket at the Grit Chamber by September 5 or move ahead to find someone else to make the item.

Mr. Henry is in the process of rewriting the procurement code for the Kansas Department of Commerce.

### **Commissioner's Agenda**

#### **Commissioner Krug**

No report.

#### **Commissioner Forkenbrock**

Commissioner Forkenbrock expressed that he felt the City Administrator should not have to write a report for the packets and then go through the report at the meeting as well.

Commissioner Forkenbrock inquired about the purpose of the Diversion Fund and how the monies can be used. It was noted that the funds are controlled by the Commission and can be used as they designate.

The address ordinance states that addresses need to be in place on all residents by August 28 and the Code Enforcement Officer will begin to give out warnings soon.

### **Commissioner Luscombe**

Commissioner Luscombe would like for the City to join the Missouri Association of Municipal Utilities because he feels they would be beneficial in the utility area. The Consensus of the Commission was to proceed to join the organization.

The consensus of the Commission is to negotiate with EMG for the electric study. Mr. Henry will contact them and begin the process.

### **Commissioner Davies**

Commissioner Davies reported that 50 red maple trees will be donated to be used around the cemetery and the person making the donation will pay someone to water them once a month.

The YMCA now wants the City to pay \$20,000 up front to open a branch in Horton.

The Boy Scouts used the swimming pool for canoeing and life saving instructions. They will clean up the area around the pool.

The fire department is draining the pool and using the water on the football field.

### **Mayor Tim Lentz**

No report.

Motion by Mayor Lentz to adjourn the meeting at 9:54 pm. Seconded by Commissioner Davies. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor