

May 5, 2008  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, May 5, 2008 at 5:15 p.m. in the City Hall Commission Room.

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

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

Absent: Commissioner Luscombe.

The executive session was moved to the beginning of the agenda. Motion by Commissioner Davies to approve the agenda as amended. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve the minutes of the April 21, 2008 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve the minutes of the April 30, 2008 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2971 (payroll) \$28,790.15. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2972 (Disbursements) \$110,019.24. Seconded by Commissioner Forkenbrock. All aye.

#### **Executive Session to Discuss Personnel**

Motion by Commissioner Davies to go into executive session for 10 minutes to discuss personnel to include the Commission, City Attorney Kevin Hill by phone, Mike Schmitt, and Rex West. Seconded by Commissioner Forkenbrock. Closed at 5:31 pm and opened at 5:41 pm. Not action was taken in executive session.

#### **Oath of Office for Commissioner of Streets and Utilities**

Commissioner Luscombe was not present due to illness.

#### **Decision on sewer bill adjustment for Mary Massieon**

It was discovered that the water leak was at an outside water hose and therefore the water went into the ground and not the sewer system. Motion by Commissioner Krug to adjust the sewer bill to an average of the previous sewer bills. Seconded by Commissioner Forkenbrock. All aye.

#### **Decision on water bill adjustment for Kenneth Knudson**

This matter was tabled until the meter testing results come back.

#### **Bids for Debris Removal**

FEMA advised that the City did not have to take the lowest bid if there were a legitimate reason, such as time constraints. Motion by Commissioner Davies to award the contract to Custom Tree Care because they can start immediately. Seconded by Commissioner Krug. All aye.

### **Discussion of Bobcat Lease—ends May 17, 2008**

This will be tabled to the next agenda for further information.

### **Ventilators at the Civic Center**

A written plan has not yet been received from the Fair Board.

### **City Administrator's Agenda**

EMG Contracting—EMG is wanting a contract to retain them for the duration of 1 year at 20 hours for \$2000/month for the 1<sup>st</sup> 6 month and 10 hours for \$1000/month for 2<sup>nd</sup> 6 months. The City wants to have them do a rate study, work with top key accounts and recommend new rates, and integrate KPP/SPP requirements.

Motion by Commissioner Krug to enter into a contract for \$18,000 for 1 year and additional hourly amount as needed. Seconded by Commissioner Forkenbrock. All aye.

Annual Audit—The annual audit is scheduled for next week. The City staff in administration will be reviewing documents during this week to prepare for the audit.

FEMA will be in the City Wednesday to close out the electric portion of the project.

Central Avenue Project—The grant can be closed out without finishing the sidewalks first. Then the City can proceed with an application for the spillway repair. The monitoring on the grant will be held on Tuesday.

A KIAC meeting is scheduled for August 18<sup>th</sup>. This meeting has to take place before applying for the spillway grant.

The pool contract is almost finalized.

Mr. Henry requested to be allowed to send a formal letter to HMC, JE Dunn and Horton Community Hospital, Dale White spelling out what the City needs in order to proceed on this project. We need annexation to begin. A redevelopment plan is required for TIF. An engineer should not be hired until the property is inside the City limits. The consensus of the Commission was to direct Mr. Henry to send a letter to those mentioned above.

Blue Building—The geo technical studies are completed; a survey is being conducted on May 6. All the data should be to BG Consultants by Friday, May 9. BG has represented a 7 to 10 day turn around once the data is received. It was announced that May 17 would be a work day on removing the red iron and Mayor Lentz would notify people. Mr. Henry requested and received a contract amendment on the KANSTEP grant for a 1 year extension to December 31, 2009. Motion by Commissioner Davies to approve the contract amendment. Seconded by Commissioner Krug. All aye.

Electric Hydro Change—The City has opted out of the 1987 Hydro Pooling Agreement managed by KMEA in order to try to receive transmission within a 3 year period. An additional 500 KW of hydro by 2011. The transmission request was made on April 29 via KPP.

Mission Dam Inspection—No new damage was evidenced at the dam after the earthquakes. Some weathering has occurred causing undercutting to the concrete cap that was installed in 1984. Mr. Henry recommended that the lake levels be lowered for investigation of the dam. The Commission directed that Mr. Henry check with BG Consultants on cost to inspect the dam.

Mission Lake—The Kansas Water Office and the SCC along with the Watershed Institute has performed field work associated with the geomorphology of North Mission Creek reporting on out of stream bank and

bed sedimentation predictions and estimations. The KSCC and Brown County Conservation Commission have agreed to not require repayment for the cost share for the structures that will be removed because of construction of the confined disposal facility. This will save the City about \$18,000.

**Commissioner Luscombe left the meeting at 8:25 pm.**

**Commissioner's Agenda**

**Commissioner Krug**

No report.

**Commissioner Forkenbrock**

Commissioner Forkenbrock presented a proclamation for Mayor Lentz to sign declaring May 18-24 EMS Appreciation Week.

The Lake Caretaker, David Merz, has asked to be deputized to enforce the ordinances around the lake. The Commission agreed.

**Commissioner Davies**

Commissioner Davies reported the trees are in at the cemetery and the Scouts will be doing the watering of the trees.

The city crews did a good job of repairing the swimming pool.

A memorial for George Strube will be used to donate benches around the lake.

The bleachers at the baseball field will be painted by students and the backstops have been repaired by the City crews.

**Commissioner Luscombe**

Not present.

**Mayor Tim Lentz**

No report.

Father Earl Dekat arrived late and was asked to give a prayer.

Motion by Commissioner Davies to go into executive session for 30 minutes to discuss personnel to include the Commission, Mike Schmitt and Kevin Hill by phone. Seconded by Commissioner Forkenbrock. All aye. No action was taken.

Mr. Henry was asked to have his proposed contract to the Commission by May 9 at 2:00 pm. He was also requested to give the Commission a list of all projects and the contact persons for those projects.

Motion by Commissioner Davies to adjourn at 7:05 pm. Seconded by Commissioner Krug. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor