

June 16, 2008
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, June 16, 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 Forkenbrock, Davies and Luscombe. Commissioner Krug entered the meeting at 5:54 p.m.

Report on Enterprise Facilitation was added to the agenda. Motion by Commissioner Davies to adopt the agenda as amended. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve the minutes of the June 2, 2008 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve the minutes of the June 4, 2008 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve the minutes of the June 9, 2008 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2977 (payroll) \$34,947.68. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #2978 (Disbursements) \$94,718.04. Seconded by Commissioner Forkenbrock. All aye.

Bids on Temporary Notes

David Arteberry was present to present the bids received for the sale of \$500,000 in temporary notes. These funds will be used to refinance \$200,000 in temporary notes previously issued and \$300,000 to pay for engineering on the Mission Lake Dredging project. The bids received were:

| | |
|--------------------------|----------|
| Commerce Bank | 2.7465% |
| UMB | 3.2813% |
| Dewaay Financial Network | 2.65414% |

Motion by Commissioner Davies to award the bid to Dewaay Financial Network. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to adopt Resolution 2008-004, A RESOLUTION
Seconded by Commissioner Forkenbrock. All aye. The closing on the temporary notes is set for July 9, 2008.

Bids on Sidewalk on Central Avenue Improvement Project

The bids received were:

| | |
|--------------------------|------------------------|
| Bottorff Construction | \$5.50 per square foot |
| J & B Construction | \$5.83 per square foot |
| Meadows Construction Co. | \$7.15 per square foot |

Commissioner Davies reminded the Commission that the City was not satisfied with the work done by Bottorff Construction on the swimming pool. After discussion, a motion was made by Commissioner Davies to award the contract to J & B Construction. Seconded by Commissioner Luscombe. Aye—Mayor Lentz, Commissioners Davies and Luscombe. Commissioner Forkenbrock abstained.

Discussion of Event Insurance

Representatives from Maximum Insurance were present to explain event insurance. The City's insurance will cover bodily injury and property damage on the premises up to \$1,000 but there is no coverage for events such as Rodeos, racing, carnivals, demolition derbys and mud runs. Parades can be added at a cost of \$50-\$100 to the City. Baseball tournaments are covered under the City's insurance.

Report on Enterprise Facilitation

Janet Griesel and Gary Satter were present to report on the progress of the enterprise facilitation program. The program has been active for 5 years. They requested that the City continue to fund the program in the amount of \$3,200 for this year.

Motion by Commissioner Davies to give \$3,200 to the enterprise facilitation program for 2008. Seconded by Commissioner Forkenbrock. All aye.

Outline of Designing a City Flag Contest Rules

Representatives from the Chamber of Commerce were present to give the Commission a review of the rules for the contest to design a city flag. Motion by Commissioner Davies to support the Chamber of Commerce on the design of the city flag. Seconded by Commission Luscombe. All aye.

Commissioner Krug arrived at 5:54 p.m.

Discussion of Library Drainage Problem

Rex West discussed what he had discovered when investigating water damage in the basement of the Library. He had consulted with a contractor and was told that the landscaping could be causing some of the problem and that the building may need to have some tuck pointing done in some areas. There is rotted trim on the windows in the basement as well. The Commission directed Rex West to prepare a list of what needs to be done and bring back to the Commission at their next meeting.

Request for Water Service Outside City Limits

Kirk Gaskell had previously requested that the City supply water to his son's residence south of the City. Kansas Rural Water conducted pressure and volume testing for the previous two week period. Mr. West advised the Commission that the pressure did not drop below 20% until he had the sanitation department turn on both hydrants at the plant. This is not a normal procedure but it did cause one of the other residents on the line to lose water completely. Mr. West recommended that the city not add Mr. Gaskell's residence to the water line.

Discussion of use of airport for Mud Run

The Mud Bidders group requested to be allowed to use the airport ground for a Mud Run on July 12. They provided event insurance to the City. The consensus of the Commission was to allow the use of the airport ground and to have the group pay \$1200 to the City and if the area is cleaned up and put back in the same condition the \$1200 would be returned.

Discussion of Purchase of Bucket Truck

Bill Delzeit advised the Commission that Altec brought a demo bucket truck to Horton for inspection by the electric department. They would need a new bucket truck and a new unit cost \$149,180 and the demo unit was \$101,263. Commissioner Luscombe stated that this item needs to be put out for bids. The truck needs to have a height of 50'. The Commission directed Bill Delzeit to write specs and bring back to the Commission. This should be put in the budget for 2009 and Commissioner Luscombe would like to look into a lease purchase.

Discussion of Interim or Acting City Administrator

Motion by Commissioner Davies to appoint Paul Evans as interim City Administrator. Seconded by Commissioner Krug. All aye. The salary will be discussed at the next meeting.

City Staff's Agenda

Candy Schmitt reported that the City received notice they received the Kansas Forestry grant for the fire department. The total amount of the grant is \$9,983 with the City's share being 50% or \$4,991.50.

The electric department requested permission to purchase a battery charger for the generators at a cost of \$3,556. Motion by Commissioner Luscombe to approve the purchase. Seconded by Commissioner Krug. All aye.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug inquired about information on storm sirens. Assistant Chief Stuart had checked with the emergency preparedness director and found there are no grants available at this time. The Commission directed that the City check on grants.

Commissioner Forkenbrock

Commissioner Forkenbrock requested that the procedures for tornado warnings being sounded be reviewed. The Chief of Police is getting bids to get the patrol car evaluated.

Commissioner Forkenbrock stated that those in violation of the ordinances on trash containers and grass should be noted by all officers not just the Code Enforcement Officer.

Commissioner Davies

Commissioner Davies reported that he had looked at the pickup that Kevin Stirton offered to donate and felt it was a good vehicle. Motion by Commissioner Davies to accept the vehicle and that it be used for the purpose Mr. Stirton specified. Commissioner Luscombe seconded the motion. There was discussion with the Director of Streets and Utilities and he stated the City did not need a truck. After the discussion Commissioner Davies withdrew his motion.

Motion by Commissioner Davies to table the decision and place the matter on the next agenda. Seconded by Commissioner Luscombe. All aye.

Commissioner Luscombe

Commissioner Luscombe commended Rex West for a good job.

Commissioner Luscombe would like the City staff to look for a grant for a chipper

Commissioner Luscombe would like to see licensing for electrical and plumbing examinations and inspections.

Mayor Tim Lentz

Mayor Lentz reported that he and Kevin Hill met with the representatives from the Horton Community Hospital concerning the annexation of property. They had misinformation from the previous administrator. He told them they would have to have a county resolution, that TIF could be used and the bond counsel says this does not apply here, he told them the property was in an enterprise zone and Brown County does not have an Enterprise Zone. They are requesting annexation by letter. Mr. Hill will have an ordinance for annexation at the next meeting.

The City Clerk was directed to set up a meeting with Rod Gerdes for the next Commission Meeting.

Black and Veatch was contacted and said they were waiting for further action. They sent a scope of services to the City Administrator in March and had not heard back from him. Mayor Lentz and Kevin Hill will have a telephone conference with the state and Black and Veatch this week.

Mayor Lentz and Commissioner Forkenbrock met with the Acting Sheriff and feel there is more interaction between Horton and the Sheriff's Department.

A letter was received from KDHE suggesting the City set up a reserve fund for the sewer department. Mayor Lentz asked that this be put on the agenda for the next meeting.

Michelle Anschutz contacted Mayor Lentz and advised of a company that KDOT uses to stabilize the ground under the roads. She felt this might work for the Blue Building structure. The consensus of the Commission was to have the company look at the Blue Building and E. 8th Street where the ground is eroding under the concrete street.

The Commission went into recess for 5 minutes

Motion by Commissioner Davies to go into executive session for 5 minutes for Attorney/Client privilege to include the Commission and City Attorney. Seconded by Commissioner Krug. All aye. No action was taken, information purposes only.

Motion by Commissioner Davies to hire Donna Crawford, Governmental Assistance, to administer the KANSTEP grant. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to go into executive session for 10 minutes to discuss non-elected personnel to include the Commission, City Attorney, Rex West and Candy Schmitt. Seconded by Commissioner Forkenbrock. All aye. No action was taken after the executive session.

The City Clerk requested to work overtime as needed until an administrator is hired. The Commission agreed.

Motion by Commissioner Davies to go into executive session for 2 minutes to discuss non-elected personnel to include the Commission and the City Attorney. Seconded by Commissioner Forkenbrock. All aye. No action was taken in executive session.

Motion by Commissioner Davies to adjourn at 8:16 p.m. Seconded by Commissioner Krug. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor