

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

The Commissioners of the City of Horton met for a regularly scheduled meeting on Monday, December 15, 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, Krug and Luscombe.

Motion by Commissioner Davies to adopt the agenda as presented. Seconded by Commissioner Luscombe. All aye.

Motion by Commissioner Davies to approve the minutes of the December 1, 2008 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3003 (payroll) \$33,548.36. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3004 (Disbursements) \$112,639.87. Seconded by Commissioner Forkenbrock. All aye.

Request for Adjustment to Sewer Bill

Darlene Stirton was present to request an adjustment of her sewer bill. Someone had turned on the yard hydrant and left it running. Ms. Stirton paid the water bill but would like the sewer bill to be forgiven. Motion by Commissioner Krug to remove the sewer charges from Darlene Stirton's bill since we knew the water did not go down the sewer. Seconded by Commissioner Davies. All aye.

Recommendation on Personnel Hiring

City Administrator, Jim Whisenant, informed the Commission that 5 people were interviewed for the Sewer Maintenance Operator I position and that he recommends hiring Richard (Bill) White be hired and due to his previous experience be given the salary on range 8, step C. Motion by Commissioner Krug to follow the recommendation of the City Administrator. Seconded by Commissioner Davies. All aye.

After some discussion, the Commission directed the City Attorney to amend the ordinance to give the City Administrator the authority to hire and fire all employees without coming to the Commission for approval except the department heads, which would require the approval of the Commission. The City Attorney will have the ordinance amendment for the December 29 meeting.

Ordinance for Zoning Change at 605 Central

Motion by Commissioner Forkenbrock to adopt Ordinance 1091, 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 Krug. All aye.

Purchase of Hose Reels on Fire Truck

At a previous meeting the Commission had approved the purchase of a new rescue/combo truck for the Fire Department, but did not make a formal decision on the optional hose reels at a cost of \$8,261. Mr. Whisenant received word from USDA/RD that the City was eligible for a \$14,000 grant on their application with the balance of the funds being a loan. After checking with local lenders and comparing the

costs, Mr. Whisenant recommended that the financing for the fire truck and storm sirens be with USDA/RD and that the hose reel be paid from the capital outlay line item in the fire department's 2009 budget. The first payment on the loan will be made in 2010.

Motion by Commissioner Davies to approve the recommendation of the City Administrator. Seconded by Commissioner Luscombe. All aye.

It was announced that Gary Behrnes was stepping down as Fire Chief and would be serving as First Assistant Chief. Rex Lockwood will be the new Fire Chief beginning January 1, 2009. Mayor Lentz and the Commission expressed their appreciation for what Chief Behrnes had done for the community.

Bids for Tornado Sirens

Bids were received for the 2 new tornado sirens. They were as follows:

Blue Valley Public Safety	\$37,228.90
Federal Signal Corporation	\$45,080.00

Motion by Commissioner Forkenbrock to approve the purchase of 2 tornado sirens from Blue Valley Public Safety in the amount of \$37,228.90. Seconded by Commissioner Krug. All aye.

Charge Off List for 2008

City Clerk, Candy Schmitt, presented a list of the delinquent utility accounts to be charged off of the books for 2008. This list included a bill from Tri-County Manor that had not received a payment since 2004. The Commission requested that this account be removed from the charge off list and that the staff try to collect the monies from the Manor.

Motion by Commissioner Krug to approve the charge off list as amended. Seconded by Commissioner Davies. All aye.

Approval of Cereal Malt Beverage Licenses

The City Clerk presented applications for renewal of Cereal Malt Beverage licenses for Lyle Kirlin, Super Store; Jim Gormley, Horton Pool Hall and Christopher DuPuis, Wagon Wheel Bar and Grill. There was discussion about whether or not Lyle Kirlin was an employee of the Super Store. The Commission tabled this matter until December 29 and asked that the Chief of Police investigate whether or not Mr. Kirlin was an employee of the Super Store.

Publication for Budget Amendment Hearing

Motion by Commissioner Davies to publish the notice for the Budget Amendment Hearing on December 29th at 5:15 p.m. Seconded by Commissioner Forkenbrock. All aye.

Staff Report

Rex West reported that Savannah Machine will be in Horton to repair the comminuter at the Sewer Plant, the water tower overflowed during the night and it was found that there was a failure in the electronic control due to cold weather. Steps have been taken to heat the area so that this will not happen again.

Mr. West reported that the staff had not yet moved the water meter from the Rodvelt property to the Tom Stirton property because they found that the line under the road was not put in properly and they wanted the Commission to be aware of the situation. This could cause more of an expense in the future if a leak develops. The Commission reiterated that they want the meter moved because the whole process was not

handled properly in the beginning and Ms. Rodvelt does not want the meter in her yard. The Commission directed that the meter be moved as soon as possible.

City Administrator's Agenda

Mr. Whisenant received an e-mail from Scott Shreve showing that the City should save about \$150,000 on power costs next year. This is about \$.01/kwh.

A local contractor has stated that he would treat the Blue Building site for termite control and would donate everything except the cost of the chemicals, which is about \$900. Mr. Whisenant will check to see if this has to be put out for bid since some of it is donated.

The Mayor and City Administrator will attend a meeting on Wednesday in Topeka concerning the Mission Lake Project.

There was discussion about cars being parked in the front yards of residences. The Commission would like to prohibit this practice. The City Attorney will develop an ordinance prohibiting parking in the front and side yards unless there is a paved or graveled drive.

Mr. Whisenant thanked Officer Stuart for his work on the power point presentation on Mission Lake.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug requested an executive session after the Commissioner's Agenda.

Commissioner Forkenbrock

Commissioner Forkenbrock suggested that the minutes of the meetings be given to the Department Heads after each meeting. The City Clerk advised that the Department Heads receive a copy of the Commissioners packets which includes the minutes.

Commissioner Forkenbrock would like to see Rex West placed at the beginning of the agenda so that he doesn't have to stay for the whole meeting. Mr. West stated he thought his contract included he attend all meetings in case there was something brought up that would require his attention. The rest of the Commission felt they wanted Mr. West to attend the entire meeting.

Commissioner Forkenbrock suggested that the pool manager be hired to also organize recreational events such as soccer, baseball, volleyball and basketball events. Mr. Whisenant stated that he had thought about possibly using in-house staff for the purpose of facilitating the activities. He would like time to review the possibilities.

Commissioner Davies

Commissioner Davies reported that they had an additional site possibility for the new swimming pool and he would be checking into the options.

Commissioner Davies has a list of people who want to work at the pool this season.

The Senior Class will be working at the base of the dam to cut brush and burn it and to cut the trees out of the creek channel for up to 200 yards.

Commissioner Luscombe

Commissioner Luscombe stated he would like to see the City try to collect the bills that are being charged off. He was informed that these bills are still submitted to the State Setoff program and if the resident returns to Horton they are required to pay their old bill before receiving service again.

Commissioner Luscombe also said he felt the City Administrator was doing a good job.

Mayor Lentz

No report.

Motion by Commissioner Krug to go into executive session for 10 minutes to discuss non-elected personnel to include the Commission, City Administrator, City Attorney and Rex West. Seconded by Commissioner Davies. All aye. No action was taken in executive session if was for information only.

Motion by Commissioner Davies to adjourn at 7:26 p.m. Seconded by Commissioner Luscombe. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor