

March 2, 2009
5:15 P.M.
Commission Room

The regularly scheduled meeting for the Horton Commissioners was held on Monday, March 2, 2009 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and Father Earl Dekat of St. Leo's Catholic Church read I Peter 2:21-24 and then offered the prayer. There was a Boy Scout present who led in the Pledge of Allegiance.

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

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

Commissioner Forkenbrock corrected the minutes to show he voted nay on the purchase of the storage container for the firing range. Motion by Commissioner Davies to approve the minutes of the February 17, 2009 regular meeting as corrected. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve the minutes of the February 23, 2009 special meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3017 (payroll) \$33,083.88. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve Appropriation Ordinance #3018 (Disbursements) \$54,176.59. Seconded by Commissioner Krug. All aye.

Request to have Sewer Bill Adjusted

This matter was tabled because the resident, Charles Hedrick, did not attend the meeting to make the request.

Request to Adjust Water Bill

The Lakeview Country Club did not have a representative present so this matter was tabled.

Donation for Fireworks Display

Motion by Commissioner Luscombe to donate \$500 to the Lion's Club for the community fireworks display. Seconded by Commissioner Davies. All aye.

Selection of Mission Lake Dredging Project Team

Hakim Saadi and Susan Metzger from the State of Kansas were present. Mr. Whisenant reported that the interview team had met with all the teams that made a proposal. The bids received for the removal of 1,000,000 cubic yards of material were as follows:

Dredge America	\$ 4,890,000
Hamm, Inc	\$ 9,353,361
King Construction Co. Inc	\$ 6,560,000
L.W. Matteson, Inc	\$10,805,728

Motion by Commissioner Davies to approve the proposal from Dredge America, Inc as recommended by the interview team. Seconded by Commissioner Krug. All aye.

Ordinance for Franchise Agreement with Kansas Gas Service

Margaret Steele from Kansas Gas Service was present to answer any questions. Commissioner Krug had inquired earlier about having something in the ordinance to require they bring the service to the property line of the resident. City Attorney, Kevin Hill, stated that this type of language is not found in the franchise agreement. Ms. Steele reported that they provide the service line free of charge up to 60' and then charge \$3.50 per foot.

Motion by Commissioner Davies to adopt Ordinance 1095, AN ORDINANCE GRANTING TO KANSAS GAS SERVICE, A DIVISION OF ONEOK, INC., ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE, PRESCRIBING THE TERMS OF THE FRANCHISE, AND REPEALING ORDINANCE NO. 901. Seconded by Commissioner Forkenbrock. All aye.

Discussion of Administrative Handling of Utility Bill Adjustments

Motion by Commissioner Krug to have the sewer and water adjustments for leaks handled in the Clerk's Office. Seconded by Commissioner Forkenbrock. All aye.

Approval of Agreement Documents for KLINK Project

Motion by Commissioner Davies to approve the agreement for the KLINK Project for fiscal year 2011. Seconded by Commissioner Forkenbrock. All aye.

This is a 75/25 match with the City's share being approximately \$65,000. The funds will come from the Special Highway Fund.

Staff Report

Rex West reported that dirt work started on the Blue Building site. The compaction test done by KDOT was good. They have hauled 1200 cubic yards of dirt so far.

City Administrator's Agenda

The roof bids for the shelter houses at the Lake are due March 13.

The Lake Caretaker, Tracy Merz, resigned and it will be advertised for a replacement.

Executive Session

Motion by Commissioner Forkenbrock to go into executive session to discuss personnel to include the Commission, City Attorney, City Administrator, City Clerk and Rex West. Seconded by Commissioner Davies. All aye.

Commissioner Davies left the meeting at 6:42 pm

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner Forkenbrock

Commissioner Forkenbrock brought up the overtime in the police department and the dispatch. It was noted that some of the overtime was for training.

Commissioner Forkenbrock questioned the coverage of the new storm sirens that are being purchased. A representative of the company will be contacted to come to the next meeting to answer questions.

The east side of the Lake needs to be cleaned up.

Commissioner Forkenbrock questioned whether or not the City should pay the claim made by Tricia Nioce on her plumbing bill for a sewer backup. The City's insurance denied the claim stating that the City was not negligent. Commissioner Forkenbrock disagrees with the denial of the claim and feels the City should pay because it was eventually found there was a blockage of some kind in the main line.

Commissioner Davies

Not present.

Commissioner Luscombe

No report.

Mayor Lentz

Reported he took part in the ribbon cutting ceremony at the fitness center.

There will be a volunteer meeting at the High School auditorium on March 7 at 10:00 am for the Blue Building project.

Motion by Commissioner Forkenbrock to adjourn at 7:12 p.m. Seconded by Commissioner Krug. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor