

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

The Commissioners of the City of Horton met for regular meeting on Monday, November 2, 2009 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Father Earl Dekat of St. Leo's Catholic Church. Moses Tinio, a Boy Scout, led everyone in saying the Pledge of Allegiance.

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

Motion by Commissioner Davies to approve the agenda. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes of the October 19, 2009 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve appropriation ordinance #3051 (Payroll) in the amount of \$31,100.96. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve appropriation ordinance #3052 (Disbursements) in the amount of \$17,324.88. All aye.

Request by the Fair Board to Install a PA System

Matt Young from the Brown County Extension Office was present to make a request on behalf of the Fair Board. They would like to install a new PA system at the Civic Center. This would include 6 speakers, wire and the PA system. The total cost estimate is \$2,383.39 and \$750 of that is labor. The Fair Board requests that the City crews do the labor for installing the system. Motion by Commissioner Davies to work with the Fair Board and provide the labor to install the PA system and speakers. Seconded by Commissioner Edwards. All aye.

Report on US Corp of Engineers Watershed Mitigation

Chris Mammoliti of the Watershed Institute was present to report on the process for the study required by the Corp of Engineers. He will be looking at the streams in general area of Horton for improvements that might be needed. He will look at the City areas first. The goal is to use as much of the funds paid by the City as possible on City areas. The whole process will be overseen by the Corp of Engineers. Mr. Mammoliti will work closely with the City Administrator.

Report on Water Rate Analysis

Mr. Cox was unable to attend the meeting due to illness. A special meeting will be scheduled at a later date.

Ordinance Allowing Possession and Consumption of Alcohol and Cereal Malt Beverages at the Community Building

Motion by Commissioner Davies to adopt Ordinance 1103, AN ORDINANCE AMENDING SECTION 3-104 OF THE HORTON MUNICIPAL CODE BY MAKING IT LAWFUL TO CONSUME ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGES ON CERTAIN DESIGNATED PROPERTY OWNED BY THE CITY OF HORTON, KANSAS. Seconded by Commissioner Edwards. All aye. Guidelines for the policies of this ordinance will be developed by the City Attorney and presented to the Commission at a later time.

Request for Payment of Repair Bill for Water Leak

A property owner was told they had a water leak on their side of the meter. They hired a contractor to make the repairs. When the contractor dug up the line they felt the leak was on the City's side of the meter and called the city crews to make the repairs. The property owner is requesting that the City pay the contractor's bill in the amount of \$125.00. The Commission requested more information and Rex West will gather the information and bring back at the next meeting.

Report on Derelict Properties

The Commission had directed a few months ago to proceed with the demolition process on three properties. Those properties are 129 West 9th, 339 East 8th and 149 West 15th. Code Enforcement Officer Stuart presented a description of the violations for each property and recommended they be demolished. Motion by Commissioner Davies to adopt Resolution 09-013 and setting the hearing date for December 21, 2009 at 5:15 p.m. Seconded by Commissioner Forkenbrock. All aye.

Discussion of KPP Contractual Agreement

The City Attorney recommended that the City wait to consider the agreement presented by the KPP until the rate study conducted by KPP is completed. This could be 3-4 weeks.

Staff Report

The crews worked on the sewer plant and grit chamber. The sheet rock is in for the blue building. The patch material for winter has been delivered.

Executive Session—Possible Acquisition of Land

Motion by Commissioner Forkenbrock to go into executive session for 5 minutes to discuss the possible acquisition of land to include the Commission, City Administrator and City Clerk. Seconded by Commissioner Edwards. All aye. No action was taken in executive session.

City Administrator's Agenda

Mr. Whisenant reported that the retailer that is going to be locating in Horton has worked with KDOT to resolve any issues on setback requirements. Commissioner Krug questioned the number of employees that the company said they would be hiring. The Commission would like a representative to be at the next meeting. There was a discussion about whether to require sidewalks at the location for this business. The Commission would like to have sidewalks on both the Central Ave. and 15th Street sides of the property.

A new electric lineman has been hired. His name is Brandon Ryff and he has 13 years experience. He plans to start within 2-3 weeks.

Mr. Whisenant has been asked to be on the Board for the Chamber of Commerce and he wanted to inform the Commission. He had not yet decided whether he would accept the position or not.

The League of Municipalities has still not sent the contract for the pay study. They advised Mr. Whisenant it is on the attorney's desk.

A task list has been developed for the Blue Building projects. Several students from the high school helped over the weekend.

The State is requesting periodic update meetings on the Mission Lake project. Mayor Lentz wants to be included as well as the City Administrator. They will update the Commission after each meeting.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug mentioned a report he heard on KNZA about a new disposal facility going on line in Nebraska. He requested that the staff look into why they did what they did and the options of a mechanical versus a lagoon system. He advised the staff to call KNZA and see what city this facility is located in.

Logs were received from Chief Luzier and Assistant Chief Stuart. Commissioner Krug stated he felt these were a waste of time. If there is a question about their performance they should be called into a meeting with the Commission to explain and answer questions. There was discussion about the actual time spent on Code Enforcement and Mr. Whisenant advised that they needed a minimum of 16 hours a week on Code Enforcement. There was discussion about what fund these hours should be paid from. There is confusion over who oversees the Code Enforcement Officer. It was decided that Commissioner Forkenbrock, Chief Luzier, Assistant Chief Stuart and City Administrator Whisenant will meet and work out the details and report back to the Commission.

Commissioner Krug was concerned that there was mention of a water facilities study and dam study at the last meeting. He does not feel that money should be spent for this type of engineering. Mayor Lentz expressed that he also was frustrated because he does not want to spend \$30,000.

Commissioner Krug asked if there was a meeting called where people were asked to donate to a commercial kitchen. Mr. Whisenant advised that there was a meeting called by Gary Satter of the RC&D, Glacial Hills group to advise potential investors of a tax benefit program. It did not have anything to do with the commercial kitchen. That project will be funded by Glacial Hills.

Commissioner Forkenbrock

Commissioner Forkenbrock advised that the Chief and Assistant Chief do not have to complete the logs until after the meeting takes place.

Commissioner Edwards

No report.

Commissioner Davies

Commissioner Davies reported that the students worked at the Blue Building.

He inquired about who was in charge of the Girl Scouts. City Clerk Schmitt reported that it is Barb Pederson and she had not been able to contact her yet.

There are dumpsters protruding into the alley behind the Meyers residence. Officer Stuart advised he thought they belonged to Hole in the Wall. Commissioner Davies directed that they need to be moved.

Mayor Lentz

Tom Stirton requested that he be allowed to continue the contract for the rental of the crop ground by the confined disposal facility. He will pay the same price per acre as the last two years and he would get the dozing done that is needed on the property. No action was taken on this matter.

There is additional fencing that needs to be done at the confined disposal facility and Dredge America advised they would pay the additional costs.

Larry Pottroff advised that there is a need for more electric outlets in the kitchen area of the Blue Building. A question arose as to who oversees the electric work being done at the building. No one has been found to head this area. Mayor Lentz made a phone call and announced that Karl Gaskell has accepted the responsibility of being lead on the electric crew for the KANSTEP project.

Motion by Commissioner Davies to adjourn at 8:08 p.m. Seconded by Commissioner Forkenbrock. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor