

February 16, 2010  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for regular meeting on Tuesday, February 16, 2010 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.

Present: Mayor Lentz and Commissioners Krug, Edwards and Davies. Commissioner Forkenbrock arrived at 5:45 p.m.

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

Commissioner Edwards asked that the minutes be pulled from the consent agenda.

Motion by Commissioner Davies to approve appropriation ordinance #3068 (Payroll) in the amount of \$32,923.77. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3069 (Disbursements) in the amount of \$41,489.74. Seconded by Commissioner Krug. All aye.

Commissioner Edwards corrected the minutes to show that the budget for the Kansas National Guard was for maintenance operations. Motion by Commissioner Edwards to approve the minutes of the February 1, 2010 regular meeting as amended. Seconded by Commissioner Davies. All aye.

### **Public Comments**

Jerry Stewart appeared before the Commission to speak about a letter to the editor that he wrote in the Horton Headlight for the previous week. Mr. Stewart questioned why the City is going to go back to surface water when he feels it is cheaper to treat well water. He stated he felt the money could have been used to build more wells rather than dredging the lake for a water source. Mayor Lentz asked Mr. Stewart who he had spoken with at KRWA and KDHE and he replied that he spoke with Pat McCool at KRWA and Earl Lewis and Vic Montgomery at KDHE. Commissioner Edwards stated that Mr. Stewart's comments would have been better given a few years ago before the project began and Mr. Stewart said he didn't know anything about water at that time but now he has more knowledge. The Commission informed Mr. Stewart that the lake water will be used as a backup supply for emergencies or future growth and the City is currently doing a study to determine what will be required to update the water treatment facility.

Mitchell Meyer, a local Boy Scout, was in attendance to observe the meeting for his citizenship and community badge.

### **Bids for Temporary Renewal Notes and Resolution Authorizing the Sale**

Todd Burrus from George K. Baum and Company was present to give the Commission the results of the sale of temporary notes in the amount of \$995,000. The interest on the current notes is 4% and the amount is \$41,347.78 and the cost of issuing the new notes will be \$10,215.00. The

interest on the new notes will be 3.5% which will be an interest amount of \$36,179.31 on March 15, 2011.

Motion by Commissioner Davies to adopt Resolution No. 2010-004, A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$995,000 PRINCIPAL AMOUNT OF TAXABLE GENERAL OBLIGATION RENEWAL NOTES, SERIES 2010-1, OF THE CITY OF HORTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. Seconded by Commissioner Krug. All aye.

### **Code Enforcement Report**

Code Enforcement Officer Stuart gave the Commission a written report of actions taken on code violations. The City is in the process of soliciting bids for demolition of 3 structures and the bids will be opened at the March 15 meeting. The court system will be reporting more diligently to the Horton Headlight so that citizens will be aware that the City is enforcing the codes.

There will be a Storm Spotter Training in Horton on March 22. There were 70 people who took this training last year.

The Horton Dispatch is the backup for the Brown County Sheriff's dispatching in case of an emergency. There will be a paging and radio upgrade to the City's system that will be paid for by the County with 911 funds. They are also looking at a grant to break up the 911 system so that Horton will receive the 911 calls directly with the County being the backup. Currently our 911 calls go through the County first.

### **Bids on Farm Ground Lease**

Bids were received for the lease of the farm ground around the CDF site. They were as follows:

Tom Stirton	\$191/acre
Compton Bros.	\$186/acre
Aaron Reichart	\$133/acre

Motion by Commissioner Krug to accept the bid from Tom Stirton in the amount of \$191/acre. Seconded by Commissioner Davies. All aye.

Mr. Whisenant advised the Commission that the dirt the City was donating to the new hospital for construction purposes can come from inside the fenced area. It will take 2 acres—16 to 18' deep to supply what they need. This will not affect the farm ground.

**Commissioner Forkenbrock entered the meeting at 5:45 p.m.**

### **Bids on Street Materials**

Bids were received from Bromley Quarry and Stirton Bros. for the purchase of street materials. The bids were as follows:

DESCRIPTION	STIRTON BROS. Delivered	BROMLEY Material Only	BROMLEY Delivered
1/2" crusher run (gray)	\$ 14.65	\$ 9.65	14.59
1/2" screened chat (gray)	\$ 15.98	\$ 10.98	15.92
1" crusher run (gray)	\$ 14.65	\$ 9.65	14.59
1 1/2" crusher run (gray)	\$ 14.65	\$ 9.65	14.59
3" crusher run	\$ 15.00	\$ 10.00	14.94
Sand--Mason or Brick	\$ 22.15	\$ -	
Sand--Pit	\$ 6.00	\$ -	
CMK	no bid	no bid	no bid
Cold Patch	no bid	no bid	no bid
AB3		\$ 10.20	15.14
Per ton, per mile for hauling	0.1774	\$ 0.19	0.19

There was discussion about awarding the bid to the local contractor since the difference in the bids was just a few cents. Motion by Commissioner Forkenbrock to award the bid to Stirton Brothers for all of the materials that they bid on. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to award the bid on AB3 to Bromley Quarry. Seconded by Commissioner Krug. All aye.

### **Proposed Agreement with Land Owner for Sludge Application**

This matter was tabled for more information from David Grimm; the City's contracted Wastewater Plant Operator.

### **Request for Repair of High Service Pump at Water Plant**

A bid for repair of one of the high service pumps at the water plant was presented. Motion by Commissioner Edwards to purchase the repair from Alliance Pump at a cost of \$12,376.97. Seconded by Commissioner Forkenbrock. All aye.

### **Blue Building—Moveable Wall Sections**

Mr. Whisenant reported that the accordion style partitions for the blue building will cost \$11,900. Mayor Lentz had talked with the representative from the company about what is needed for the structure to hold up the walls. The Commission would like the company representative to come to Horton and check on the structure at the Blue Building. It was decided to paint with neutral colors that match the light switch covers.

### **Blue Building—Purchase of Batteries for Man Lift**

The City borrowed a man lift for work on the Blue Building and the batteries were damaged during the storage. The cost of replacing them is approximately \$450. Motion by Commissioner Forkenbrock to purchase new batteries for the borrowed man lift. Seconded by Commissioner Davies. All aye.

### **Blue Building—Media/Communications Installations**

Rainbow Communications has offered to install a phone line, provide a phone, install cable television and internet service to the Blue Building. They will donate their labor and materials for this installation. The only cost will be a monthly fee of approximately \$28 for the phone

service. Motion by Commissioner Edwards to accept the donation from Rainbow Communications. Seconded by Commissioner Davies. All aye.

### **Report of Costs on Metered Public Facilities**

A report showing the costs for electric and water usage at the publicly owned facilities was presented to the Commission. It was noted that the large baseball field is not metered at this time because it requires primary metering which is costly. These figures will be looked at during budget time. The costs of utilities at the National Guard Armory last year were approximately \$6,500 and this will be absorbed by the City when they receive possession of the building.

Kevin Hill reported that he spoke with Lt. Col. Gully and they will have a draft of the lease on the armory in mid March.

### **Ordinance—designating “No Parking” Area**

Motion by Commissioner Edwards to adopt Ordinance 1106, AN ORDINANCE AMENDING SECTION 14-205 OF THE HORTON MUNICIPAL CODE REGARDING NO PARKING ZONES IN THE CITY LIMITS OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Forkenbrock. All aye.

### **Ordinance—Setting Water Rates**

Motion by Commissioner Edwards to adopt Ordinance 1107, AN ORDINANCE AMENDING SECTION 15-316 AND SECTION 15-317 OF THE HORTON MUNICIPAL CODE REGARDING THE RATES FOR WATER SERVICE FOR CONSUMERS LOCATED WITHIN AND WITHOUT OF THE CITY LIMITS OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Davies. All aye.

### **Approval of Ambulance Agreement**

Motion by Commissioner Davies to approve the agreement with the Horton Ambulance Service in the amount of \$5,000. Seconded by Commissioner Krug. Aye—Mayor Lentz and Commissioners Krug, Edwards and Davies. Abstain—Commissioner Forkenbrock.

It was reported that 45% of the ambulance calls are in the City of Horton.

**Commissioner Davies left the meeting at 6:35 p.m.**

### **Staff Report**

Mr. West was not present. Mr. Whisenant reported that BG Consultants would be conducting the water flow tests next week. The street crews are trying to keep up with the potholes caused by the freezing weather.

### **City Administrator’s Agenda**

Mr. Whisenant reported that Glacial Hills has put out a survey for those interested in using the Commercial Kitchen.

Mr. Whisenant is working on the formation of a farmer's market and he is trying to gather a list of interested parties.

Mr. Whisenant will attend the KPP meeting in Wichita later this week.

There are discussions on providing bulk water to the Kickapoo Tribe and information is being gathered for the Indian Health Services in order to apply for partial funding for the project.

Louis Funk from Bartlett and West Engineering firm has made contact to see if the City of Horton is interested in buying well water from another source. There is no further information at this time.

KMU has requested that cities voluntarily donate to a lobbying fund. The recommended donation for the City of Horton is \$186-\$371. Our membership dues are paid through KPP. The Commission agreed that they did not want to donate at this time.

### **Commissioner's Agenda**

#### **Commissioner Krug**

No report.

#### **Commissioner Forkenbrock**

Commissioner Forkenbrock inquired about the delinquent utility accounts and the collections that we have received through TEKCOLLECT and the State Setoff Program. The City Clerk will provide a report at the next meeting.

Commissioner Forkenbrock requested that the description on the report of accounts payable that is presented to the Commission for approval be more specific. The staff will see if the software will allow for more detail.

#### **Commissioner Edwards**

Commissioner Edwards asked about the use of the armory during Head Start hours. It was noted that due to regulations no one can be in the immediate area during Head Start.

Commissioner Edwards asked if there were a cash carryover from the 2009 budget in any of the funds. The City Clerk will prepare a report for the Commission.

#### **Commissioner Davies**

Not present during this time.

#### **Mayor Lentz**

Mayor Lentz thanked all the volunteers working on the Blue Building and the Headlight for the pictures and articles in the paper.

Mayor Lentz and Commissioner Edwards attended a meeting in Atchison where the Adjutant General was present. It was presented that the Armory will be closed.

Jerry Stewart's letter to the editor stated that the water plant is out of compliance. Mayor Lentz contacted Vic Montgomery from KDHE and he stated the City of Horton's water plant is not out of compliance. It will need some upgrades to treat surface water but it is in no way out of compliance.

The dredging company hopes to start back on dredging in about 2 weeks.

Mayor Lentz introduced David Allen, Sr. who was in the audience and is running for the Police Commissioner position.

Motion by Commissioner Edwards to adjourn the meeting at 7:08 p.m. Seconded by Commissioner Forkenbrock. All aye.

---

Candy Schmitt, City Clerk

---

Tim Lentz, Mayor