

April 5, 2010
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, April 5, 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 Candy Schmitt, City Clerk.

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

The Tri-County Manor report will be tabled to the next meeting and a report from Mickey Gruber on the grant application for the 911 system and patrol vehicles was added to the agenda. Motion by Commissioner Davies to approve the agenda as amended. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Forkenbrock to approve the minutes from the March 29, 2010 regular meeting. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3076 (Disbursements) in the amount of \$100,986.96. Seconded by Commissioner Edwards. All aye.

Public Comments

Rita Higley, librarian, presented the Commission with a report from the architect on the pros and cons of the three sites the Library Board recommended for building a new library. Their first choice is 125 E. 12th Street, the second choice is 722 1st Ave. East and the third choice is 225 E. 8th Street. The consensus of the Commission is to follow the recommendation of the library board. The pre-applications for USDA/RD funds will be sent on Tuesday.

Report on 911 System and Patrol Vehicle Grant Application

Mickey Gruber from the Brown County Sheriff's Department was present to report information to the Commission on the proposed 911 systems and purchase of patrol vehicles. There is an opportunity to apply for USDA/RD funds to purchase these items. If the City of Horton purchases a 911 system then they could act as a backup for Brown County and the Horton 911 calls would come directly to the Horton Dispatcher instead of to the Sheriff's Department and then being transferred to the Horton Police Department. Deputy Gruber reported the 911 system would cost approximately \$75,000 and the monthly maintenance would be about \$500 per month.

The application requires three bids on the patrol vehicles. The Commission would like to see the purchase of police interceptor cars since they are more heavy duty.

Mitigation Report

Chris Mammolitti, the Watershed Institute, gave the Commission copies of maps showing where he feels the mitigation of required credits for stream channel loss could be used. When the Confined Disposal Site was built for the dredging project the formula showed the City had to mitigate 11,500 credits for the loss of stream channel. This cost the City \$320,000. The sites that could be mitigated are the stream in the northeast corner and the stream just below the CDF site on that property, the stream north of the lake and the stream south of Mission Lake Dam. Mr.

Mammolitti informed the Commission that he was certain that all of those credits could be accomplished on City property. He recommended that the credits be used on the property where the CDF Site is located. But he would like to know which area the City is more comfortable with using.

This program also requires a perpetual conservation easement and a template of the easement they use will be sent to Kevin Hill the City Attorney. There was a question about using the credits in the spillway area of Mission Lake. Mr. Mammolitti stated this would be more of an engineering restoration than a natural habitat enhancement and restoration. He will check with those who make the decision but he did not think it would be the priority site.

Update on Blue Building

Donna Crawford, grant administrator, reported that the City applied for a 2 month extension on the KANSTEP grant to complete the paperwork and closing hearing. The final monitoring will be held April 28. She also submitted a draw for payment of \$92,658.00. The local match has to be 40% of the project and the City is currently at 35.314% and all of the bills and time have not been recorded yet. Salih Doughramaji wanted Ms. Crawford to express how pleased he is with the City of Horton and how hard they have worked on this project.

Code Enforcement Issues

Randy Beach informed the Commission that he was taken to court over “stuff” he does at his business. He was ticketed and fined through the court system for a nuisance violation. Mr. Beach stated he stores cars, makes cabinets, sells aluminum cans at his business on West 15th Street. He was advised by the Code Enforcement Officer, in November 2008 that he was in violation of the ordinance because he had 6 vehicles on his property that were not registered and tagged. He was notified to put them in a building or behind a fence. He did not abide by the ordinance and was found guilty and fined in November 2009. Mr. Beach feels his rights are being violated. He told the Commission he won't stop what he is doing. The City Attorney advised the Commission of the process that was followed and that Mr. Beach had his opportunity in court to present his case. There was no further action taken.

Bids on Demolition of Structures

The Commission was reminded of the bids for demolition of structures. Commissioner Davies would like the opportunity to look at the structures on West 15th Street and West 9th Street to see if it is something the school could use as a project. The matter was tabled to the next meeting.

Appointment of Director #2 and Alternate to KMEA Board of Directors

Motion by Commissioner Forkenbrock to appoint Jim Martin to the Director #2 position and Brent Shaffer to the Alternate position. Seconded by Commissioner Davies. All aye.

Water Supply Contract with City of Willis

Kevin Hill reported that he and Mayor Lentz would be attending the Commission meeting for the City of Willis on Wednesday at 6:30 p.m. and they would be on the agenda to discuss the water supply contract.

Discussion of Changes to Utility Ordinance

The Commission had reviewed the suggested changes to the utility ordinances and decided they would like the City Attorney to develop an ordinance that would implement the changes.

Ordinance—Establishing Fees for Outside Collection of Delinquent Accounts

A proposed ordinance that would allow the City to charge the customer a 25% collection fee if a delinquent account is turned over to collections or the state setoff program.

Discussion of Other USDA/RD Opportunities

Some of the potential projects eligible for funding from USDA/RD include not only the Library but also 911 system and patrol cars, the armory renovation, renovations of City Hall, completion of the street by Sweet Pro and safe rooms for disasters. The Commission would like to see the safe room incorporated with the new library. Mr. Whisenant will check with professionals about the cost to evaluate the different projects.

Employee Wage Information

Commissioner Forkenbrock reported that the spreadsheet he presented at the last meeting needed some revamping and he asked that this matter be tabled to the next meeting. The Commission agreed.

Staff Reports

Rex West reported the west lift station has a new float system that was installed. The sewer plant is having some problems with the UV system but they have diagnosed the problem and will order the needed parts. The high service pump will be installed at the water plant on Thursday. There have been 2 new employees hired for the summer mowing crew that will start on Tuesday. They will start spraying and then mowing the baseball fields and the cemetery. The repairs at the pool will start this week. Mr. West will have crews work on the drainage issue at the area between the dame and the Little Lake.

There was a question about the repair of the storm sirens. There will be a report on this at the next meeting.

City Administrator's Agenda

The City Administrator and Code Enforcement Officer attended a FEMA kickoff meeting concerning the snow storm in December and January. They will reimburse for snow plowing if the City can show logs where the crews were called out for emergency removal.

The Commission was given an advertisement for a manger for a retail store in Horton. This ad was on the internet and shows that the retail store is still moving forward with their plan to build in Horton.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner Forkenbrock

Commissioner Forkenbrock reminded the City Clerk that there was to be a report on the responses to the auditor's recommendations made in September of 2009. The City Clerk will try to have this available at a future meeting.

Commissioner Edwards

Commissioner Edwards inquired if Tom Stirton had presented a copy of the bill for installation of a water line that went under the road at his residence. Mr. Stirton previously requested the City pay ½ of the bill. The Commission requested a copy of the original bill. The City Clerk advised that the City had not yet received a copy of the bill from Mr. Stirton.

Commissioner Edwards had reviewed Resolution 01-0102, a resolution allowing a utility reduction for an economic development incentive. This resolution gives the reduction if a new or existing business created 10 new jobs. Commissioner Edwards would like the Commission to consider revising the number to 5 new jobs. There was no action at this time.

Commissioner Edwards discussed the process of having the Commission review the delinquent accounts. He would like to start this process of being informed of the total amount of the delinquent accounts without any names or addresses being stated to the Commission. This report will be given to the Commission on the first meeting of each month. The first report will include the prior 3 months.

Commissioner Davies

Commissioner Davies reported he has Eagle Scouts that would like to redo the shelter houses at the lake. The pool is ready to paint and has been cleaned. Some of the edges of the pool are chipping off and they would like to use stainless steel to repair, maybe this could be done next year. There will be a tile line on the east side of the pool and they would like guttering installed on the pool shower house when the roofing and overhang are done.

On the budget it was decided that Commissioner Krug will oversee the firing range and Mayor Lentz will oversee the blue building budgets.

Mayor Lentz

Mayor Lentz commended Jim Martin for his work at the dog pound. Brown County Commissioner Ploeger turned down the grant application for the spay/neuter program for which the Humane Society was requesting a letter of support.

Motion by Commissioner Edwards to allow the high school seniors to use the blue building free of charge for their senior graduation party since they helped with the construction of the building.

Mayor Lentz requested that Mr. Whisenant e-mail the information for the contact on the retail store.

The moveable walls for the blue building have been ordered and will be here in 3 weeks.

Executive Session—Non-elected Personnel

Motion by Commissioner Edwards to go into executive session for 30 minutes to discuss non-elected personnel, to include the Commission and the City Attorney. Seconded by Commissioner Davies. All aye. No action was taken in executive session.

Motion by Commissioner Forkenbrock to go into executive session for 20 minutes to discuss non-elected personnel, to include the Commission, City Administrator and the City Attorney. Seconded by Commissioner Edwards. All aye. No action was taken in executive session.

Motion by Commissioner Forkenbrock to go into executive session for 20 minutes to discuss non-elected personnel, to include the Commission, City Administrator and the City Attorney. Seconded by Commissioner Davies. All aye. No action was taken in executive session.

Motion by Commissioner Forkenbrock to go into executive session for 15 minutes to discuss non-elected personnel, to include the Commission, City Administrator and the City Attorney. Seconded by Commissioner Davies. All aye. No action was taken in executive session.

Motion by Commissioner Davies to go into executive session for 3 minutes to discuss non-elected personnel, to include the Commission and the City Attorney. Seconded by Commissioner Edwards. All aye. No action was taken in executive session.

Motion by Commissioner Davies to go into executive session for 4 minutes to discuss non-elected personnel, to include the Commission, City Administrator and the City Attorney. Seconded by Commissioner Edwards. All aye. No action was taken in executive session.

Motion by Commissioner Edwards to adjourn the meeting at 9:46 p.m. Seconded by Commissioner Davies. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor