

June 7, 2010
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, June 7, 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 Forkenbrock, Edwards and Davies.

Absent: Commissioner Krug

A report from the Brown County Sheriff's Department was added to the agenda. Motion by Commissioner Forkenbrock to approve the agenda as amended. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Davies to approve the minutes from the May 17, 2010 regular meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3083 (Payroll) in the amount of \$33,874.03. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3084 (Payroll) in the amount of \$36,989.18. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3085 (Disbursements) in the amount of \$668,864.10. Seconded by Commissioner Forkenbrock. All aye.

Public Comments

Connie Werner reported to the Commission that the Pony Express will be celebrating their 150th anniversary this year and will be riding through Horton on June 22 and will stop here at noon. She requested permission to use the Blue Building to serve lunch to the Pony Express members and the community and that the rental fee be waived since it is a community event.

Motion by Commissioner Edwards that the fees for the Blue Building be waived for the Pony Express event. Seconded by Commissioner Davies. All aye.

A proclamation declaring June 22 as Pony Express Day in Horton was read by Mayor Lentz. Motion by Commissioner Forkenbrock to have the Mayor sign the proclamation. Seconded by Commissioner Edwards. All aye.

Public Hearing on CDBG Application for the Lake Face Dam Improvements and Approval of Supporting Documents

Mayor Lentz opened the public hearing at 5:23 p.m. Donna Crawford, Governmental Assistance Services, informed everyone that the City wanted to apply for a grant to repair the face of Mission Lake Dam. The total cost of the project will be \$667,621 and the grant amount applied for is \$500,000. The balance will be paid through a loan from USDA/RD. The City must hire an engineer and grant administrator and will then have 35 points. The environmental will begin

immediately after submitting the application so as to be ready when the grant is awarded. The City of Willis will be included in the benefit area. Pat Cox, BG Consultants, reminded the Commission that there is an erosion problem on the dam and the Commission chose the repair as their number one priority. This bonus round of grant applications came available. The flexible concrete mat on the face of the dam has erosion underneath. This needs to be repaired. The best alternative is to put 24" rip rap on the entire face of the dam. This can be accomplished with water in the lake. The decision on the grant will be made by August 1 and the project could be under construction shortly thereafter. All other alternatives would require that the lake be drained. The rip rap will be placed at the toe of the dam and work upwards. The existing concrete will be crushed in so that material will fill the voids.

With no comments from the public the hearing was closed at 5:43 p.m.

Motion by Commissioner Forkenbrock to adopt Resolution 2010-012, A RESOLUTION CERTIFYING LEGAL AUTHORITY AND AUTHORIZATION TO APPLY FOR CDBG FROM THE KANSAS DEPARTMENT OF COMMERCE, and to approve the statement of assurances and certifications and the anti-displacement and relocation assistance plan and all other supporting documents. Seconded by Commissioner Davies. All aye.

Execution of Engineering Contacts for USDA/RD Funding

Pat Cox advised the Commission that USDA/RD will provide a letter of intent on the application for funds for the dredging project and the other water system repairs. Originally the amount available was thought to be \$4.9 million; the amount has now increased to a loan of \$4,320,000 and grant funds of \$1,934,000.

Mr. Cox presented the required USDA/RD agreement for services between the City of Horton, the Engineer and USDA/RD. This is a standard USDA/RD form. This agreement does not authorize BG to do any work until the funds are committed by the letter of intent. The signed agreement is needed to receive readiness points for the grant application. City Attorney, Kevin Hill, had concerns on Exhibit I of the agreement dealing with the limit on liability of the engineer.

Motion by Commissioner Davies to approve the agreement between the City of Horton and the engineer for professional services subject to amendment of Exhibit I and the authorized USDA/RD representative's signature. Seconded by Commissioner Forkenbrock. All aye.

Proposals for Grant Administration on the Lake Face Dam Improvement

Proposals for grant administration were received from Virginia Dienstbier from Rural Development Association and Donna Crawford from Governmental Assistance Services. After discussion of the qualifications a motion was made by Commissioner Edwards to award the contract to Donna Crawford. Seconded by Commissioner Forkenbrock. Aye—Mayor Lentz, Commissioners Forkenbrock and Edwards. Commissioner Davies abstained because he is on the board of Rural Development Association.

The Water Institute Report

Chris Mammoliti was not able to come to the meeting. City Administrator, Jim Whisenant, reported that Mr. Mammoliti is waiting on the easement agreement. Kevin Hill, City Attorney, will review the draft and have at the next meeting.

Proposed Housing Project

Dale White, CEO of the Horton Community Hospital, was present to inform the Commission of a proposed housing project. The hospital owns property south of the hospital and they have been approached by a developer to purchase the land for construction of independent senior housing. This would include 24 units (quadplexes) with a garage and the units are 2 bedrooms, there is a safe room and laundry facilities. These units are similar to those built in Everest. The project would be part of the Kansas Housing Resource Commission low-moderate income housing for senior citizens tax credit program. This will require a housing analysis to be completed. The cost for the analysis is \$4000. The application is due in August. Mr. White requested that the City pay for the housing analysis. The analysis will be done by Development Initiatives Group. The City staff will check with the Housing Authority for their input and this will be put on the next agenda.

Report on 911 System

Sheriff John Merchant and Doug Brammer were present to discuss the ongoing maintenance costs for the 911 system. This system will be a backup for the Brown County Sheriff's office. The monthly fees include a payment of \$545.42 a month to Embarq and \$336 a month for the T1 line. This totals \$10,577.04 per year. They reported that in 2009 there were 4,120 calls on 911 out of those 109 calls were for the City of Horton. There is a possibility that there would be more 911 calls because some citizens call the police department directly, rather than go through 911 in Brown County.

The cost could be less if there is a DSL line rather than a T1 or if spread spectrum microwave is available. There was a question if the 911 funds charged to phone lines could be used to pay for these charges. Sheriff Merchant will check on this. There was no action taken at this time.

Bids on Truck Purchase for Street Department

Rex West presented bids received on the purchase of a one ton truck for the street department. The bids received were:

Foster Ford	\$21,082.00
Hiawatha Ford	\$21,586.00
Aberle Ford	\$22,100.00

Mr. West also requested to be allowed to purchase a flat bed. He received bids from a company in Holton for \$2,300 and from Fenton's for \$1,600.

Motion by Commissioner Forkenbrock to authorize the purchase of the truck from Foster Ford and the flat bed from Fenton's. Seconded by Commissioner Edwards. All aye.

Request for Purchase of Transformers

Bill Delzeit requested to be allowed to purchase 4 transformers at a cost of \$4,560. These transformers would be used for the Dollar General Store. Motion by Commissioner Edwards to approve the purchase. Seconded by Commissioner Davies. All aye.

Request to Repair the North End of Central Avenue

Rex West asked to have the north end of Central Avenue from 18th Street to the north city limits repaired by Herzog Construction when they are in town to do the KLINK project on 1st Ave. E. The cost would be \$28,121,000. These funds are available in the Special Highway fund. Motion by Commissioner Edwards to approve the repair. Seconded by Commissioner Forkenbrock. All aye.

Designate Pay Range for Janitor Positions

Job descriptions for the janitor positions were presented to the Commission and Mr. Whisenant requested that the Commission designate the pay range for these positions. After some discussion, a motion was made by Commissioner Davies to place these positions on Range 5 and that this range be used for seasonal and temporary positions. Seconded by Commissioner Edwards.

City Clerk, Candy Schmitt, asked for permission to hire a college student over the summer to input data into the cemetery program. The current staff has not been able to complete this task. Commissioner Forkenbrock requested that the proposal for this position be put in writing for the next meeting.

Utility Ordinance

Motion by Commissioner Edwards to adopt Ordinance 1111, AN ORDINANCE AMENDING SECTIONS 15-103(b)(2), 15-104, 15-105 AND 15-109 OF THE HORTON MUNICIPAL CODE REGARDING UTILITIES IN THE CITY LIMITS OF THE CITY OF HORTON, KANSAS. Seconded by Commissioner Forkenbrock. All aye.

Staff Reports

Rex West reported that the lease on the skid steer loader is due to renew. The cost for this year is \$300 more than last year. The lease provides for unlimited hours of use. The cost is \$2,783. Motion by Commissioner Edwards to approve the new lease. Seconded by Commissioner Davies. All aye.

The crews will be pulling the docks at Mission Lake to allow the dredger to be in that area. The electric department is working on the lines for Dollar General. The grass is growing at the Blue Building. The streets are being prepared for the chip and sealing. Trees are being trimmed. The cement work on the entrance to Sweet Pro will be completed after the chip and seal is done and before school starts. The water department has 4 small leaks. The truck in the water department has a rear main seal leaking and it will be repaired at Al's Motor Service at a cost of \$550. There will be 3 valve replacements on the east side of town. The preparation of the sites will be done June 21-25 and they will be changed during the night time hours June 28-July 2. This will require the water to be turned off in those areas.

City Administrator's Agenda

The City of Willis dropped their request for assistance with the cost of a customer's water leak.

The department heads will meet with the Commissioners on the budgets in the next two weeks.

The pool opened on time. Commissioner Davies asked why the concession stand was closing at 6:00 p.m. Mr. Whisenant advised that was a decision made last year. Commissioner Davies will

check into this with the Park and Recreation Board. He also inquired about swim lessons. The pool manager is checking on the costs involved in offering swim lessons. This will also be discussed at the Park and Recreation Board meeting.

The Farmer's Market will open June 12. The Community Garden has all plots in use. There has not been a request for more lots. The Commission asked for a report on the water usage at the garden at the next meeting.

The utilities at the National Guard Armory have been disconnected at the direction of the Guard. The building is being used by different groups even though the utilities are off. Col. Silsby has been notified of this fact. The Commission directed that the inspection must be done on the building by the next meeting. There is a possibility of getting a temporary lease until the other lease can be completed. There are a number of keys out and no one is sure who all has possession of keys. The Guard should have a book that shows who has the keys. The Commission also directed that the staff get the cost estimate to change the locks. This will be on the agenda for the next meeting.

Blue Building Update—Mr. Whisenant has 2 quotes from local vendors on chain link fence for around the air conditioning units and this will be on the next agenda. The gas meter will be removed. We are still waiting on a bid for the tile in the front hallway.

An independent bathymetric study will be done on Mission Lake to check the amount of silt being removed. A town hall meeting is being planned to discuss the conservation practices in streams. Those agencies that will be invited will be KDWP, TWI, the Park Board, Fish and Game Club and the Dredger. This will be the wrap up meeting. The dredging project is 2/3 complete and should be finished mid to late August.

Commissioner's Agenda

Commissioner Krug

No report.

Commissioner Forkenbrock

Commissioner Forkenbrock reported he would not be able to attend the next meeting on June 21.

The City Clerk was asked to contact Sheila Gibson, President of the Hospital Auxiliary, and advise her of the cost of the appliances for the Blue Building. The Auxiliary is considering paying for some or all of the expense.

Commissioner Edwards

Commissioner Edwards complimented the crews on the appearance of the lake area over the holidays.

The KLINK project will begin approximately June 28.

Commissioner Davies

Commissioner Davies stated that demolition that was done on West 15th has improved that area. He would like to see \$13,000 put in the budget for 2011 for building demolition.

Commissioner Davies inquired about the cleanup of the creek channel below the spillway—how far down stream is the requirement and what is the date that it needs to be completed. The Boy Scouts will do some of the clearing of trees and brush. Staff will report back with the information.

The Better Beef Day cleanup is done.

There is rebar sticking up in the alley at the exit to the High School parking lot. Rex will look at what needs to be done. The concrete in front of City Hall is in need of repair. Rex will get costs for redoing the sidewalk, ramp and parking lot.

The school would like to move their radio antenna to the water tower. There is a grant available to fund this project. Commissioner Davies would like permission to pursue the grant application. The City has an agreement with Utility Services for management of the antenna installations on the City's water tower. The staff will report back on that agreement.

Mayor Lentz

Mayor Lentz complimented the city crews on the appearance of the lake area and the cemetery.

The Kimmi family needed a facility to host the community after the funeral of Pat Kimmi and the Blue Building was already reserved. The National Guard agreed to allow them to use the armory if the family would pay the utilities. The family has agreed to those terms.

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

Candy Schmitt presented a written request for permission to hire an individual to enter data into the cemetery program. The position would last from June 14 to August 16. At a wage of \$7.52 an hour (Range 5, step 1) the total cost would be \$2,914.30. These funds could come from the remaining funds in the \$10,500 that was set aside in the 2010 budget for salary increases. Motion by Commissioner Davies to allow the hiring of an individual for entering data into the cemetery program and follow the recommendation of the City Clerk on wages. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Davies to adjourn the meeting at 8:27 p.m. Seconded by Commissioner Edwards. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor