

June 21, 2010
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, June 21, 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, St. Leo's Catholic Church after reading Colossians 1:15-17.

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

Absent: Commissioner Forkenbrock.

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

Motion by Commissioner Davies to approve the minutes from the June 7, 2010 regular meeting. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3086 (Payroll) in the amount of \$40,124.50. Seconded by Commissioner Krug. All aye.

Motion by Commissioner Davies to approve appropriation ordinance #3087 (Disbursements) in the amount of \$393,491.17. Seconded by Commissioner Krug. All aye.

Public Comments

None

Customer Energy Efficiency Program

Scott Shreve with EMG Consulting and Ryan and Nickie from the State Energy Office were present to explain the Energy Efficiency Program that is available for customers of utilities. The program started approximately 1 year ago. It is a loan program that can go through financial lenders or utility companies. The loan payment is attached to the meter so payment is made by whoever has the utilities in their name. There is a Memorandum of Agreement that the utility must enter into to participate. The program starts with an energy audit at a cost of \$500 which is paid by the resident. There is a rebate of \$350 available for those who qualify. A loan for 90% of the repair costs needed to improve the energy efficiency of the home will be made by the State Energy Office. The payments will be added to the monthly utility bills and the utility will forward the payments to the State Energy Office.

To qualify for this program the resident will have to be current on their utility bill and may not have been shut off in the last 12 months. The utility will receive \$1 per month for a processing fee and the State will receive \$2 per month for a processing fee. The State Energy Office will help with marketing the program and EMG Consulting will administer the program.

The City Attorney, Kevin Hill had some suggested changes to the Memorandum of Agreement. Motion by Commissioner Davies to enter into the agreement with the changes suggested by the City Attorney. Seconded by Commissioner Edwards. All aye.

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

Proposed Housing Project

Brian Collins with Cougar Capital, LLC was present to discuss the Senior Housing Project that the Horton Hospital had brought to the Commission at a previous meeting. There will be 24 two bedroom units built using Affordable Housing Tax Credits. The application is due August 6 and requires an independent market study. The hospital will pay \$2,000 of the cost of the study and they are asking the City to pay the other \$2,000. Mr. Collins advised that after a period of approximately 15 years they would like to turn the properties over to a non-profit organization such as the Housing Authority. Mr. Collins will be talking with them soon. He assured the Commission that they would try to use local contractors during the construction.

Motion by Commissioner Davies for the City to pay the \$2,000 for the market study to be paid from the Industrial Fund. Seconded by Commissioner Edwards. All aye.

Discussion of FY 2010 Fire Department Expenses

Gary Behrnes appeared before the Commission to request to explain how the Fire Department would like to use funds from this year's budget. \$16,000 was budgeted to make a payment on the new fire truck. This payment will not be due until 2011. The members of the Fire Department would like to use approximately \$5,000 for concrete and rebar to repair the driveway at the Fire Station. The firemen will volunteer the labor required for this project. They would like the remainder of the funds to be used for equipment to help improve the ISO rating. They are looking at purchasing a used truck to house in the City of Willis and/or the City of Muscotah. If a truck is placed in these locations the ISO rating will improve for a 5 mile radius of those cities. This would lower the insurance costs to those residents. It will help the business insurance rates in Horton.

Motion by Commissioner Davies to approve the repair of the driveway with the assistance of City staff and equipment and with a plan for the remainder of the funds to be brought back to the Commission for approval from the FY 2010 budget. Seconded by Commissioner Edwards. All aye.

Discussion of Street and Alley Policies

Randy Thornton, a resident from 1550 Central, inquired why the City had placed speed bumps in his alley. He felt it was a waste of money and would not allow the crews to grade the alleys at a later time. Commissioner Edwards stated he had received a complaint from a citizen about speeding in that alley and felt it was a safety concern for the children in that neighborhood. Mr. Thornton also was concerned about the 4 way stop that was implemented at the intersection of 1st Ave. East and East 17th Street. He felt it created a parking problem on those streets. Commissioner Edwards had received a complaint of speeding in that area as well and the Commission decided to put up stop signs to protect the children. Mr. Thornton stated he felt these problems should be solved with law enforcement officers enforcing the existing laws.

Discussion of Tobacco Use Policy on City Owned Property

The new smoking law passed by the State of Kansas goes into effect July 1, 2010. The City must have a written policy. This law bans smoking in public buildings and enclosed areas. Enclosed areas does include vehicles. Mr. Hill advised this applies to all building accesses not just the ones used by the public. The state law does not apply to smokeless tobacco but it could be included in the City's policy.

Motion by Commissioner Edwards that the no smoking policy would include smokeless tobacco and city vehicles. Seconded by Commissioner Davies. All aye.

Easement Agreement with The Water Institute

Kevin Hill had made some suggested changes to the perpetual easement agreement but The Water Institute was not agreeable to those suggestions. He recommended that the Commission review the agreement for the next meeting. The Commission requested that Frank Austenfeld from The Water Institute be present at the meeting or available by telephone conference call.

Report on Armory Lease, Change of Locks and Inspection

The walk through inspection report for the Armory was presented to the Commission. The inspection was completed by the building inspector from the City of Atchison. He recommended that a structural engineer look at the building. The Commission directed that Mr. Whisenant check with BG Engineering for someone to conduct a structural inspection and list recommendations.

The locks on the building may not need to be changed. The National Guard believes they can collect all of the keys that are checked out.

KDHE is in the process of performing an EPA assessment at the Armory through the Brownfield's Assessment program.

Discussion of School Moving Antenna to Water Tower

There are no legal issues to prevent the School District from installing an antenna on the City's water tower. Commissioner Davies will apply for a grant to fund this project. He advised that possibly the Police Department antenna could be mounted on the same tower.

Dog Pound Policies

Officer Stuart advised the Commission that the current ordinance states that the City will keep an impounded dog for 3 days and if not claimed it will be disposed of. In the recent past there have been dogs held for up to 53 days because Laura Cowart stated there was a pending adoption. He suggested that the policy be to keep the dogs for 10 days if there is a pending adoption and not to keep more than 15 days. The Commission directed that a policy be written and brought back to the Commission for approval.

Officer Stuart expressed concern about purchasing the cheaper dog beds because they are easily chewed up by the dogs. The Commission directed that one of the dog beds be ordered and used on a trial basis. They also asked that a bed made of plywood be made and tried as well.

Bids on Chain Link Fence at Blue Building

Bids were received for chain link fencing to enclose the HVAC units at the Blue Building. The bids were as follows:

Lowes	\$975.12
Compton's Hardware	\$1209.02 (12.5 gauge wire)
Compton's Hardware	\$1269.02 (11.5 gauge wire)
Stallbaumers	\$1300.00
Menards	\$1301.93

Motion by Commissioner Davies to purchase the materials from Compton Hardware at a cost of \$1,209.02 to keep the business local. Seconded by Commissioner Edwards. All aye.

Approval of Contracts for Grant Administration

Motion by Commissioner Davies to authorize the Mayor to sign the contracts with Governmental Assistance Services for grant administration. Seconded by Commissioner Krug. All aye.

Financing on the Truck for the Street Department

Motion by Commissioner Edwards to finance the vehicle purchase through Union State Bank at 5.25% for 4 years. Seconded by Commissioner Davies. All aye.

Staff Reports

Mr. West was not present but provided a written report to the Commission. That report is attached to these minutes.

1. ✓ Klink Overlay on 1st Ave East Start 6-28-10
John Krider will be putting in cement gutter
in front of fire station ahead of the overlay.
Cost ~~1300.00~~ 1,300.00
2. Chip Seal Planned to be here Friday 6-25-10
or Monday 6-28-10 Take 2 days streets north
of 15^E street, will be putting notices on doors
next week to keep cars off streets the County are
2-men short this year our staff will need to be
able to help on traffic control
3. water Dept is on schedule for starting preping
for the valve replacement this week
4. I have got trackhoe rental prices and land fill fees
as requested for city staff to demo houses next year
Trackhoe rental 1,500.00 per week and average
land fill price per house is 1,000.00 to 1,200.00
this doesn't count trucking charge if we don't own
a truck big enough I figure to start it will take
us around 1-week per house because we have never
done this before
5. Herzog Contracting will be milling and overlaying north
city limits sometime as the Klink project the
price from them is 27,752.10 \$368.80 less than B & G.
Estimate of \$28,121.00 But there will be a
slight amount of extra for striping that neither
one had figured in

6. Community Garden Report as Requested
Figures Provided on Seperate Paper

7. Ramp and Parking Lot At City Hall

I ASK 4 LOCAL CONTRACTORS FOR PRICE QUOTES FOR
RAMP AND PARKING LOT SEPERATLY 2 OF THEM GAVE ME
A BID KRIDER CONST AND BRAD ROSENBERGER
I HAVE INCLUDED THERE BID SHEETS ALONG WITH
A BID FROM BRUCE GIBSKEL FOR THE A.D.A. HAND
RAIL

City Administrator's Agenda

There is still a need for some follow-up meetings between the department heads and the Commissioner.

It was decided to offer swimming lessons this year at the swimming pool.

A citizen on the east side of Mission Lake requested dust control on the road. Mr. Whisenant advised the Commission that some counties will do this but at the owners expense. He will obtain a copy of an agreement that is used and will bring back to the Commission.

Commissioner's Agenda

Commissioner Krug

Commissioner Krug discussed the monthly maintenance fee that is attached to the 911 system. He was advised that the Sheriff's Department is looking into alternative ways to fund this fee and no decision has been made at this time.

The question of whether non-profit organizations should be allowed to use the Blue Building with no fee was discussed. The Park and Recreation Board will review this matter and report back to the Commission.

Commissioner Krug expressed some concern about Commissioners knowing what their duties are and what boundaries are set. He will discuss this at a later date.

Commissioner Forkenbrock

Commissioner Forkenbrock was not able to attend the meeting but had left word to express his thanks for the staff and volunteers that helped clean up after the wind storm this past weekend. He also wanted to thank those who worked on the Blue Building. He had received many compliments on the building during its use for his wedding reception.

Commissioner Edwards

Commissioner Edwards asked if a 501c3 organization was using the Blue Building at no cost, would they have the right to bring someone else in to use the building under their non-profit status. Commissioner Davies will talk with the Park Board.

Commissioner Davies

The Horseshoe Pits need to be cleaned up and the Community Service workers could be used for that purpose.

The Senior Class can paint the basketball court at the end of the summer.

A pump was installed at the swimming pool to apply the acid. The cost of the pump was \$241 and he would like his salary to go towards payment of that pump.

Commissioner Davies would like to see Welcome flags at the intersection of 8th Street and Central for the Pony Express riders tomorrow. The City does not have Welcome flags but will check with the Chamber of Commerce or local stores.

The budget hearings with department heads went well and Mr. Whisenant did a good job.

Mayor Lentz

Mayor Lentz stated that storage racks for the tables and chairs are needed at the Blue Building.

Mayor Lentz also thanked those who came out to help with the storm damage this weekend.

There is a need to develop a policy on call out of employees in emergency situations. There was some difficulty finding employees during the storm.

Mayor Lentz asked that the City Administrator come to City Hall during storms to help in making sure there is enough help.

Officer Stuart presented his Code Enforcement report to the Commission.

It was noted that the newest bucket truck was sent back for repairs for the second time. It is still under warranty.

Motion by Commissioner Davies to adjourn the meeting at 8:30 p.m. Seconded by Commissioner Edwards. All aye.

Candy Schmitt, City Clerk

Tim Lentz, Mayor