

August 2, 2010  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for regular meeting on Monday, August 2, 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.

A discussion with the Chief of Police was added to the agenda and the discussion with Pat Cox was moved to the beginning. Motion by Commissioner Forkenbrock to approve the agenda as amended. Seconded by Commissioner Davies. All aye.

Commissioner Forkenbrock asked that the minutes of the July 27 meeting be corrected to reflect that he was late to the meeting and entered during the discussion on Tri-County Manor. Motion by Commissioner Forkenbrock to approve the minutes from the July 27, 2010 special meeting as corrected. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3093 (Payroll) in the amount of \$37,629.64. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve appropriation ordinance #3094 (Disbursements) in the amount of \$10,620.32. Seconded by Commissioner Edwards. All aye.

### **Public Comments**

No comments from the public.

### **Report on Wastewater Collection System**

Pat Cox, BG Consultants, reported that the City should hear on the 3<sup>rd</sup> about the results of the grant application that was submitted. Mr. Cox also advised the Commission that he would set a meeting time for Randy Smith from USDA/RD to come and make a formal presentation to the Commission about the funding possibilities for the sewer system.

The needed repairs and updates to the City's wastewater collection system would cost approximately \$8 million dollars. This includes 96,000 linear feet of main line and 300 manholes. This could be done in phases over 3-4 years using grants and low interest loans from USDA/RD or KDHE. Mr. Cox advised these improvements could be done and still keep the average sewer cost at \$42-\$45 per month for the customer.

Motion by Commissioner Edwards to proceed with the grant application for CDBG in the amount of \$500,000. Seconded by Commissioner Davies. All aye.

Mr. Cox will update the Commission on the projects at the next meeting.

### **Report from KDWP on the Mission Lake Project**

Kirk Tjelmeland from KDWP gave a presentation on the Mission Lake project. The City received grant funds to build fishing piers and a boat ramp and to use rotenone to kill fish and restock. Commissioner Davies will work with the Park Board, KDWP and Fish and Game Club on the placement of the fishing piers and boat ramp.

### **Report on Senior Housing Analysis and the Housing Project**

Brian Collins from Cougar Capital presented copies of the completed market study. They used a 20 mile radius as the area to draw from for tenants. Within that area there were 198 households that were age and income qualified. The company has decided to reduce the number of units to 16. The Horton Health Foundation will sponsor the project and act as the non-profit management agency. The Housing Authority did not wish to serve in that capacity. Mr. Collins advised that they are postponing the application for tax credits to January due to the economic climate.

### **Discussion of Dog Pound Inspection and Needed Updates to Policies and Procedures**

Carmen Simon, Kansas Animal Health Department, appeared to discuss the failed inspection on the dog pound. The physical pound passed inspection. There was a problem in the record keeping of the pound. Some dogs were released to Laura Cowart to take to rescue facilities or to individuals who adopted the dogs. In order for Ms. Cowart to perform these services she would be required to have a foster license. The animals have to be neutered or spayed before being taken to other facilities. This type of license has to be approved by the City and the City would have to monitor the person who has the foster license to ensure compliance with all of the regulations. Records showing alteration and shots need to be maintained at the City.

The Commission requested copies of the regulations and they will review them and decide which direction to take.

### **Discussion of Overtime with the Chief of Police**

Chief Luzier was present to discuss the overtime issue with the Commission. The Commission is concerned with the amount of overtime being used in the police department. Commissioner Forkenbrock will work with Chief Luzier to eliminate the “D” shifts from the schedule. The Commission requested that the Chief report back at the first meeting in September on the results of his efforts to lower overtime costs.

### **Discussion of FLSA as it applies to Emergency Personnel**

City Attorney Kevin Hill explained the FLSA rules on the payment of overtime for police officers. The City can adopt a policy of no overtime paid until the following have been worked—43 hours in a 7 day period or 86 hours in a 14 day period. This would only apply to police officers and not to dispatchers. The Commission chose not to invoke this policy at this time.

### **Bids on ramps, sidewalk, parking lot and handrail repairs**

Rex West presented updated information on the bids for the concrete work and the handrail in front of City Hall. The Commission requested that he talk to the low bidder on the concrete and see how much he would take off the bid if the City crews did the tear out and removal of the old concrete.

### **Discussion of Grant Writer for the Wastewater Collection System Project**

The City Clerk had contacted Governmental Assistance Services to determine the cost of writing a grant for the sewer collection system repairs. Donna Crawford advised the cost would be \$6,950. Motion by Commissioner Krug to approve the contract with Governmental Assistance Services at a cost of \$6,950 to write a CDBG application. Seconded by Commissioner Edwards. All aye.

### **Discussion of FY 2011 Budget and Designation of Public Hearing Date**

Commissioner Edwards requested that 5% be added to the street budget to allow for some needed projects. And to include a 2% increase for COLA in wages. Mayor Lentz stated that he felt the City would have to raise the mill levy some this year and probably some in 2012. There was discussion whether or not a City Administrator is needed and whether the City should change their form of government. No final decision was made. The consensus was to wait 3 months before considering advertising for a City Administrator.

It was decided to include a 2% increase for salary increases, 5% increase in streets for some projects, remove \$12,000 from the administration capital outlay that was planned for a vehicle and to take out \$6,000 from the salary planned for an administrator. This would mean an increase of 2.796 in the mill levy for 2011. Commissioner Krug did not want to see an increase in the mill levy.

Motion by Commissioner Forkenbrock to approve the publication of the budget with a 2.796 mill levy increase and to set the hearing date for August 16, 2010 at 5:15 p.m. Seconded by Commissioner Edwards. Aye—Mayor Lentz and Commissioners Forkenbrock, Edwards and Davies. Nay—Commissioner Krug.

### **Staff Reports**

Rex West reported the electric crews were working on the 7200 line and the Dollar General electric. The sewer personnel are in training in Lawrence. There are 2 on vacation in the water department and the mowing crew is short 2 people. Drew Matthias will be hired to be on the mowing crew beginning August 9.

### **Interim City Administrator's Agenda**

A letter was received from RWD #5 concerning a meeting on August 18 to discuss quality and quantity of water in the future. The Commission has been invited to attend the meeting.

The City received a request from another city to write a letter of support in their efforts to get the legislature to change the time frame for the budgeting process. This would allow for better financial information when preparing the budget for the next year. The Commission agreed to send a letter of support.

The City will hold a swimming party and BBQ on August 6 for City employees and Commission.

### **Commissioner's Agenda**

#### **Commissioner Krug**

No report.

**Commissioner Forkenbrock**

Commissioner Forkenbrock would like to discuss the holiday policy for the police department on the next agenda.

**Commissioner Edwards**

Commissioner Edwards inquired about the mitigation area and the City Clerk was directed to set up a meeting with Chris Mammoliti and Mayor Lentz and Commissioner Krug.

**Commissioner Davies**

Commissioner Davies reported that the Senior class will begin painting the 3<sup>rd</sup> week of school.

The City has still not received the signed lease agreement from the National Guard on the Armory. The City Attorney has made several attempts to contact Colonel Silsby and has not received an answer back.

**Mayor Lentz**

Mayor Lentz informed the Commission that there will be new lease with Scott Cowley and Carl Gasper for the Lakeview Country Club and Fitness Center. The Mayor would like to look at the water agreement with the Country Club and the lease agreement with the Christian Camp at the next meeting.

Commissioner Forkenbrock thanked Candy Schmitt for her work the past 2 weeks. There was discussion of salary for Ms. Schmitt while serving as the interim City Administrator. Motion by Commissioner Edwards to pay Candy Schmitt the same rate of pay as the previous City Administrator. Seconded by Commissioner Davies. All aye.

Motion by Commissioner Davies to adjourn the meeting at 9:00 p.m. Seconded by Commissioner Edwards. All aye.

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Candy Schmitt, City Clerk

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Tim Lentz, Mayor