

# Agenda of Horton City Administrator

Commission Chambers, Board of the Horton City Commission,  
Horton City Hall, 205 East 8<sup>th</sup> Street, P.O. Box 30  
Horton, Kans. 66439-0030

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Regularly Scheduled Meeting: **7:15 p.m., Tuesday, February 19, 2008.**

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## AGENDA OF THE CITY ADMINISTRATOR:

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**ACTION AGENDA**

1. Corporate Authorization Resolution for Union State Bank. The authorization forms for the City of Horton’s accounts, including a \$100,000.00 certificate of deposit, need to be updated to reflect changes in the Mayoral and Treasurer’s positions. This change is necessary in order for the City Treasurer to perform new job duties of procuring the best interest rates for City investments. City Administration suggests immediate action on this authorization in order to provide sufficient time to competitively bid current investments before the March 4 meeting. A copy of the resolution has been attached under Attachment No. 1.

2. Proposed Charter Ordinance No. 20. Proposed C.O. No. 20 will charter the City of Horton out from under state law regarding the statutorily authorized uses for a public building commission, as is authorized under the Kansas Constitution.

State law does provide for the creation of public building commissions (PBC) by municipalities, K.S.A. 12-1757 et seq.; however, state law limits the use of PBCs to the acquisition and construction of government office buildings, jails, and parking facilities of a revenue generating character. Not included under the state law is a provision for the use of PBCs to acquire and construction swimming pools or, more broadly, 'aquatic recreation facilities'.

Additionally, state law requires for a protest and election procedure prior to the issuance of any revenue bonds used to finance projects. K.S.A. 12-1767. However, if a sales tax question is submitted to the citizens of Horton, then a double election would be required to construct the aquatic recreation facility, which is not only burdensome and expensive, but could also lead to interesting results, e.g., voters approving the sales tax, but not the issuance of revenue bonds. Therefore, because K.S.A. 12-1767 is within the total enactment of K.S.A. 12-1757 et seq., municipalities may also choose to charter out from the protest period and election procedure for the issuance of revenue bonds.

Charter Ordinance No. 20 will allow the City to charter out from state law and provide substitute language to state law allowing for the use of a PBC for aquatic recreation facilities. The Kansas Constitution provides that municipalities have the right to determine its local affairs and government and to elect by Charter Ordinance to opt-out of any *enactments* of state law that are *not uniformly applicable to all cities*. In this instance, the Public Building Commission Act is not uniformly applicable to all cities, see K.S.A. 12-1761 and 1763., and the city may, therefore, opt-out or provide for substitute language in any part of the act. The Charter Ordinance has been reviewed by both City Attorney Kevin Hill and Bond Counsel Kevin Cowen with Gilmore & Bell of Wichita. Amendments have been made as recommended by the counselors.

City Administration recommends a first reading of the Charter Ordinance at the February 19, 2008, meeting and public comment review and final action on March 4, 2008. There will be a 60-day period before the C.O. will take effect, which will allow the PBC to be formed just prior to the conclusion of a preliminary engineering report for a new aquatic recreational facility. Charter Ordinance No. 20 is attached under Attachment No. 2.

3. Proposed Ordinance No. 1079. Proposed Ordinance No. 1079 would change the time for meetings of the City Commission from 6:15 p.m. on the first Monday and 7:15 p.m. on the second Monday to 5:15 p.m. on both Mondays. City Administration recommends a first reading of Ordinance No. 1079 and schedule for public comment review and final action at the Commission meeting on March 4, 2008. Proposed Ordinance No. 1079 has been attached under Attachment No. 3.

4. Proposed Ordinance No. 1080. Proposed Ordinance No. 1080 provides for the adoption of the International Building Code of 2006 in lieu of the existing confusion regarding the applicable building code for the City of Horton: the Uniform Building Code of 1997 or the International Building Code of 2000. While specific ordinance establishes the UBC1997 as the building code, a subsequent ordinance adopting the 2001 codification of the Horton City Code adopts, by reference within the codification, the International Building Code of 2000.

Assistant Chief Stuart and City Administrator have thoroughly reviewed the provisions of the International Building Code of 2006 (the “code”). The code, while being more thorough, is better designed for non-engineering professionals and contractors—it provides for building code procedures and methods in plain language instead of in engineering language.

Amendments and substitute language have been provided within the statute in order to provide for an alternative method of administration—a method of administration that is more closely tailored to the City’s method of building enforcement administration. This will prevent unduly reorganizing departments within the City that are functioning well.

City Administration recommends a first reading of Ordinance No. 1080 and schedule for public comment review final action at the Commission meeting on March 4, 2008. Proposed Ordinance No. 1080 has been attached under Attachment No. 4.

5. Proposed Ordinance No. 1081. Proposed Ordinance No. 1081 provides for substituted building permit fees. These fees, which have not been amended since 1967, currently are \$1.00 per \$1,000.00 of valued construction. Because (i) most building permits are for small items that do not provide appropriate return to match the City’s costs in processing the permit and performing the inspections; and (ii) the proposed rates closely mirror or match the fee schedules of most other communities in the region, the ordinance is recommended for consideration among the City Commission.

City Administration recommends a first reading of Ordinance No. 1081 and to schedule the proposed ordinance for public comment review and final action at the Commission meeting on March 4, 2008. Proposed Ordinance No. 1081 has been attached under Attachment No. 5.

6. Proposed Ordinance No. 1082. Proposed Ordinance No. 1082 amends, as was previously requested by the City Commission, the fees for new installation water tapping within and outside of the corporate limits of the City of Horton. The costs have been reviewed by Water Treatment Manager and there is agreement that amended fees provide for a break-even cost for the City of Horton when making new water installations.

City Administration recommends a first reading of proposed Ordinance No. 1082 and to schedule the proposed ordinance for public comment review and final action at the Commission meeting on March 4, 2008. Proposed Ordinance No. 1083 has been attached as Attachment No. 6.

7. Proposed Ordinance No. 1083. Proposed Ordinance No. 1083 amends the rates for the purchase of single spaces, half-lots (four spaces) and whole lots (eight spaces), burial fees, and grave marking fees. According to the City Clerk, these prices have not been amended since she began employment with the City in 1988, and the closest date that can be found since this ordinance was amended by a previous resolution is 1990.

The prices, costs and fees amended within proposed Ordinance No. 1083 are based on competitive market rates for similar cemeteries. Municipalities tend to differ on pricing, either charging minimal

prices for the purchase of the property and rather large pricing for the actual burial or evenly splitting the costs, charges and other fees. This is the method that has been used by City Administration in developing these proposed costs, charges and fees. Analysis of this issue was presented within the FY2006 budget report to the City Commission under Part I, §12.2, page 15, which is available on hortonkansas.net.

City Administration recommends a first reading of proposed Ordinance No. 1082 and to schedule the proposed ordinance for public comment and final action at the Commission meeting on March 4, 2008. Proposed Ordinance No. 1083 has been attached as Attachment No. 7.

8. Proposed Ordinance No. 1084. Proposed Ordinance No. 1084 provides for allowing the City, which purchased an all-terrain vehicle ("ATV") in FY2007 for purposes of conducting city noxious weed spraying in-house, to use the City's ATV for delivery of municipal services. The language within the proposed ordinance has been left fairly broad in order to not limit future uses that may become available for the use of the ATV, such as snow removal.

As of current, it is illegal for any City staff to use the ATV on the municipal streets and alleys of the City pursuant to Senate Bill 8 of 2007, which only provided for use by county noxious weed departments or contractors thereof. Senate Bill 8, fortunately, also, provided for municipalities to make determinations on local issues regarding ATVs, and proposed Ordinance No. 1084 is the instrument for providing the City Commission with the self-determination over the issue.

City Administration recommends a first reading of the proposed Ordinance No. 1084 and to schedule the proposed ordinance for public comment and final action at the Commission meeting on March 4, 2008. Proposed Ordinance No. 1084 has been attached as Attachment No. 8.

### **ADVISORY AGENDA**

1. Fleet Bulletin. Chief Luzier has conducted research into the acquisition of both a new police cruiser and a new police truck. The Partnering program through the Kansas Highway Patrol, which allows political sub-divisions of the State of Kansas, such as the City of Horton, is likely the best value for the procurement of new vehicles for the Police Department.

As reported by Chief Luzier, under the program a 2008 Chevrolet Impala would run approximately \$16,500.00 and a 2008 Chevrolet Silverado (4x4, Crew Cab) would run approximately \$18,500.00. There are other used vehicle options that are available; however, the used vehicle options do not provide for a manufacturer's warranty and, therefore, much research has not been conducted in this arena.

There is, additionally, an upcoming auction where the City may be able to obtain an alternative Street Department truck that is diesel and better equipped for meeting the needs of the Street Department. Further information will be available regarding Street Department vehicles; however, City Administrator and Streets Superintendent due plan to view the vehicle on Tuesday, February 19, 2008. Further information will be available at the Commission meeting regarding this vehicle.

2. Post-Disaster Recovery Bulletin. On February 7, 2008, Assistant Chief Stuart and City Administrator Henry attended and participated in yet another FEMA post-disaster recovery meeting. This meeting was aimed specifically at procurement procedures that must be followed when hiring contractors for helping in cleaning up the debris. While the City could follow its own procurement code for this hiring, it is necessary that we abide by federal regulations regarding procurement during this process to ensure that we are awarded the full 75 percent reimbursement available.

There have been several proposals received for the performance of debris removal services; however, not one of these proposals has met the requirements under the Code of Federal Regulations (“CFRs”) and City Administrator will be sending correspondence to each of the individuals and entities that submitted proposals to instruct the proposing parties on how to make the proposals comply with the provisions of the CFRs. Additionally, competitive procurement of contractors may be required for some debris removal contracts; however, the City Administrator and Assistant Chief of Police are still working to determine what contracts are going to require an extended competitive procurement process.

3. Surplus Municipal Real Property. Assistant Chief of the Police and Codes Enforcement Officer Stuart has submitted a list of surplus real property owned by the City that is available for sale. Those properties are

- a. 300 West 8th lots 8-10 (e.g., former City rock pile located on adjacent property to Mayor Lentz’s home);
- b. 11th & Kingfisher Road (former municipal tree dump having approximately 2.25 acres);
- c. 722 1st Ave West lots 26-28 (behind City Hall); and
- d. 424 West 10th lots 21-22 (10th Street Park that was deeded to the City under the condition that it be used as municipal park).

4. Blue Building KANSTEP Project. After meeting with several administrators at the Kansas Department of Commerce, Kansas Legislature, and Kansas Governor’s Office on Friday, February 8, 2008, the City was awarded an additional \$10,000.00 in grant monies under the Blue Building KANSTEP award to perform the engineering services that the Kansas Department of Commerce felt was necessary, yet no other entity felt was necessary, including unnamed members of the State Board of Technical Professions. Final engineering, which was procured by the Kansas Department of Commerce, will be completed by March 1, 2008; however, City volunteers are being organized currently to help in the deconstruction of the southeastern piers of the building. Taking these actions now will speed the process once the weather becomes warm enough to pour the necessary concrete.

5. Meter Reading Personnel & Equipment. There has been much discussion among the City Administrator and Water Treatment Operator department head, Mrs. Succi, regarding the need for more personnel that are assigned monthly to meter reading. Specifically, discussions have centered around the need to (i) have meter reads available at a quicker rate for billing purposes; and (ii) the use of water fund employees to make reads on electric meters, where most of the meter revenues are

directed. Administration and Water will continue to plan, but preliminary planning is focusing on providing an additional one (1) employee from Water Pollution Control-Sewer and an additional one (1) employee from Electric. It is believed that these amendments can be done within the confines of current staff and no extra personnel would be required to be hired for this amendment in meter reading activities, and total cost for two new meter reading 'pods' would be approximately \$2,800.00. Additional information will be forthcoming as a formal proposal is presented by the City Administrator and Water Treatment Operator for increasing meter reading staff.

There is additional consideration being made towards the institutional, though not fund, consolidation of water and wastewater in order to provide for increased staff available to make weekend checks on water and wastewater and to also provide for increased cross-training between the departments. The practice of water and wastewater department consolidation appears to be the widespread trend among municipalities, and other City Administrators, City Managers and Public Utility Directors that have been consulted regarding the subject consistently agree that a better product for less money has been achieved via the consolidation. City Administration would welcome comments from both the public and City Commission regarding a possible formal proposal to merge the water and wastewater departments into a single, institutional department, but yet maintain separate funds for each of the departments in order to isolate the regulatory and infrastructure risks that each department may face in the coming years.

6. Human Resources Tracking & Scheduling. City staff during the week of February 11 converted all municipal, individual calendars to a group consolidated calendar and scheduling system that required no expenditures outside of human resources by the City (original estimates for this technology exceeded \$10,000.00). It is hoped, depending on the schedule of webmaster Mike Burgess, who also chairs the Governmental Organizations and Elections Committee in the Kansas House (the committee directly responsible for legislation relating to municipalities), that RSS automatic feeds to the HortonKansas.net website will be available before April. Allowing for automatic feeds to the website will update the City Administrator's calendar, at the very least, every 15-minutes so that citizens, members of the Commission, and other interested individuals can review and schedule appointments.

Posting current calendars online has become a popular mechanism among many public managers, starting with the posting of such calendars by United States Senator John Tester (MT), who recently was elected and began the institutional habit of updating calendars online for accountability purposes. This practice has began to grow and, now, even the International City Managers Association ("ICMA") has endorsed the practice. It is the hope of the City Administrator in Horton that this practice will help to create some transparency in scheduling and accountability for time among City Commissioners and taxpayers of Horton.

If any member of the Commission is interested in viewing all calendars of the City of Horton, including police scheduling, it will be necessary for the individual commissioners wishing to have such access to have hortonkansas.net domain e-mail addresses. These addresses can be set-up upon request to the City Administrator.

7. Upcoming Tasks and Calendar Items. The City Administrator will be working over the next two weeks to complete administration items on federal grants, which are subject to audit on March 14 by the Kansas Department of Commerce; completing the USDA-RD revolving loan application for alternative financing for the Mission Lake Restoration Project (115 page application); writing the grant to Kansas Forestry for Fire PPEs (Personal Protective Equipment); assembling necessary information and writing the grant for the Assistance for Firefighters Grant ("AFG") available from DHS-FEMA; and beginning the CDBG grant writing for the remediation of the Mission Lake Dam spillway, which was originally bid at \$100,000.00 in 2005 (\$80,000 over budget) and now may carry a price tag of approximately \$500,000.00 to correct. Because the spillway improvements are not included in the current budget of the MLRP, it is necessary that additional financing be secured prior to the beginning of dredging, when water levels will lower and spillway work can occur. Moreover, because the City has met the investment threshold for the project (1:1 spending to qualify for CDBG funding), the City will not need to commit additional funds, besides those already committed, in order to qualify for the CDBG grant to correct the spillway.

Firm dates and tentative scheduling within the calendar currently filled until March 4, 2008, are included under Attachment No. 9.

8. Mission Lake Restoration Project Pre-Submittal Conference. There were two firms represented at the February 12, 2008, Pre-Submittal Conference: Black & Veatch was represented by Mr. Dick Kaufman and Olsson Associates was represented by Mr. Tony Stanton. These firms scored, respectively, number 1 and number 2 in rankings after the last procurement process for the Mission Lake Restoration Preliminary Plan. Budget for the design engineering, project permitting, construction administration, construction inspection and permitting administration is \$1M to \$1.2M.

Statements of Qualifications are required to be submitted by February 22, 2008. Qualifications will be submitted in the March 4 packet for Commission review in order to make a short-listing decision, if necessary, and to schedule interviews with shortlisted firms.

Mr. David Arteberry, George K. Baum Associates, the City's Financial Planner for the Mission Lake debt issuance sent an updated e-mail from the Tuesday, February 12, 2008 Commission meeting. In his e-mail, he explained that, after discussions with Bond Counsel Kevin Cowen, "[a]pparently, when Rural Development is providing a loan or grant to a city they will occasionally want to have a say in the engineering/design of the project. Additionally, they may want to see that the project has reached a particular stage (i.e. construction bids opened) before the city sells temporary notes."

*END OF DOCUMENT*

**Attachment No. 1**

**Copy of Updated Corporate Authorization Resolution  
For Union State Bank Accounts**



Attachment No. 2

Proposed Charter Ordinance No. 20

Relating to the Amendment of the  
Public Building Commission Act, K.S.A. 12-1757 *et seq.*

(Published 2x in *The Horton Headlight* on \_\_\_\_\_, 2008 and \_\_\_\_\_, 2008)

**Charter Ordinance No. 20**

A CHARTER ORDINANCE OF THE CITY OF HORTON, KANSAS EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 12-1758(a) and 12-1767 AND PROVIDING SUBSTITUTE PROVISIONS THEREFORE ON THE SAME SUBJECT RELATING TO PUBLIC BUILDING COMMISSIONS.

**WHEREAS**, the governing body of the City of Horton, Kansas (the “City”) is authorized by Kan. Const. art. 12, §5 to determine its local affairs and government and to elect by Charter Ordinance that the whole or any part of a statutory enactment applicable to the City but not uniformly applicable to all cities shall not apply to the City; and

**WHEREAS**, the City of Horton, Kansas is a municipal city, as defined by the Kan. Const. art. 12, §5, duly created and organized under the laws of the State of Kansas; and

**WHEREAS**, the Kansas Supreme Court has held, in City of Junction City v. Griffin, 227 Kan. 332, 335-36, 607 P.2d 459, 464 (1980), the term *enactment* in Kan. Const. art. 12, §5 refers to the entire act of the Kansas Legislature and “[t]he division into chapter, article and sections in the Kansas Statute Annotated does not have the effect of making separate enactments of a single bill passed by the legislature...”; and

**WHEREAS**, the Public Building Commission Act, K.S.A. 12-1257 et seq., as amended (the “enactment”), applies to the operation of public building commissions within cities in the State of Kansas and certain provisions of the enactment are not uniformly applicable to all cities in that (i) certain provisions of K.S.A. 12-1761, as amended, apply only to cities having a population between 175,000 and 200,000; and (ii) certain provisions of K.S.A. 12-1763 apply only to cities having a population in excess of 50,000 and that lie within a designated urban area; and

**WHEREAS**, because certain provisions of the enactment are not uniformly applicable to all classes of cities, the entire enactment is not uniform under the principles of Junction City v. Griffin, and the City may exempt out of portions of or the entire enactment; and

**WHEREAS**, the governing body of the City desires, by Charter Ordinance, to exempt the City from the provisions of K.S.A. 12-1758, 12-1760, and 12-1767 of the enactment, and to provide substitute and additional provisions therefor in order to provide (a) additional and alternative methods of financing certain public buildings in the City and (b) an exemption from a protest period relating to the authorization of certain revenue bonds for the financing of certain public buildings.

**NOW, THEREFOR, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON,  
KANSAS, AS FOLLOWS:**

**Section 1. Exemption from K.S.A. 12-1758(a) and Enactment of Substitute Provisions.**

Pursuant to the authority vested in the City under Kan. Const. art. 12, §5, the City hereby elects to exempt from the provisions of K.S.A. 12-1758(a) of the Act, and to provide the substitute and additional provisions in place thereof as follows:

(a) The City, by appropriate ordinance, may create a public building commission for the purpose of acquiring a site or sites for and constructing, reconstructing, equipping and furnishing, or purchasing or otherwise acquiring, a building or buildings or other facilities of a revenue producing character. Such building or buildings or facilities shall be maintained and operated for (i) a county courthouse, (ii) the housing and accommodation of county agencies, (iii) city offices and such other purposes as are generally carried on in connection with such facilities, (iv) general city buildings, and (v) *public recreational facilities*.

**Section 2. Exemption from K.S.A. 12-1767 and Enactment of Substitute Provisions.** Pursuant to the authority vested in the City under the Constitution, the City hereby elects to exempt from the provisions of K.S.A. 12-1767 of the Act, and to provide the substitute and additional provisions in place thereof as follows:

(a) Any revenue bonds proposed to be issued by a public building commission created by the City shall be issued as provided in K.S.A. 10-1201 *et seq.* and amendments thereto, except to the extent that such statutes are in conflict with *this Charter Ordinance* or K.S.A. 12-1757 *et seq.* Before any revenue bonds are authorized or issued under the provisions of *this Charter Ordinance* and K.S.A. 12-1757 *et seq.*, the public building commission shall adopt a resolution specifying the amounts of such bonds and the purpose of the issuance thereof.

(b)(1) *Except as otherwise provided in subsection (b)(2) of this section*, the resolution shall provide that if within 30 days after the last date of publication of the resolution a petition in opposition to the resolution, signed by not less than 5% of the electors of the City or by not less than 5% of the electors of the county or school district if the lease is with such entity, is filed with the county election officer, the board of county commissioners shall submit the question to the voters at an election called for that purpose or at the next general election. *Except as otherwise provided in subsection (b)(2) of this section*, such resolution shall be published once a week for two consecutive weeks in the official city newspaper or in a newspaper having general circulation in the county if the lease with a county or school district.

(b)(2) *Notwithstanding the provisions of subsection (b)(1) of this Section, a resolution of a public building commission adopted within one year from the date of this Charter Ordinance authorizing the issuance of revenue bonds to finance the acquisition and construction of a community aquatic recreational facility for the City shall be published one time in the official City newspaper and shall not be subject to the protest and election provided for in subsection (b)(1) of this section.*

(c) No construction contract shall be let or approved by a public building commission until after the expiration of the protest period provided under this section; *provided that, with respect to revenue bonds authorized by a resolution described in subsection (b)(2) of this section, the public building commission may let or approve a construction contract upon publication of such resolution once in the official City newspaper.*

**Section 3. Severability.** Any provision or section of this Charter Ordinance that is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this Charter Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**Section 4. Effective Date.** This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper. This Charter Ordinance shall take effect sixty-one (61) days after its final publication unless a petition signed by not less than 10% of the electors who voted at the last preceding regular City election is filed with the City Clerk requiring a referendum to be held on this Charter Ordinance as provided in Kan. Const. art 12, §5, in which case this Charter Ordinance shall become effective if approved by a majority of the electors voting thereon. Upon its effective date this Charter Ordinance shall be recorded by the City Clerk in a book maintained for Charter Ordinances of the City and shall be filed with the Secretary of State of the State of Kansas.

**PASSED** by the Governing Body of the City of Horton, Kansas, this 4<sup>th</sup> day of March, 2008, and **APPROVED** and **SIGNED** by the Mayor.

CITY OF HORTON, KANSAS

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*Tim Lentz, Mayor, City of Horton, Kansas*

ATTEST:

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*Candy Schmitt, City Clerk, City of Horton, Kansas*

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EXCERPT OF MINUTES

The governing body of the City of Horton, Kansas, met at the City Hall at the usual place in the City on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, with Mayor Tim Lentz presiding and the following members of the governing body present:

\_\_\_\_\_  
\_\_\_\_\_

The following members of the governing body were absent:

\_\_\_\_\_  
\_\_\_\_\_

**THEREUPON**, and among other business, there was presented to the governing body, a Charter Ordinance entitled:

A CHARTER ORDINANCE OF THE CITY OF HORTON, KANSAS EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 12-1758(a) and 12-1767 AND PROVIDING SUBSTITUTE PROVISIONS THEREFORE ON THE SAME SUBJECT RELATING TO PUBLIC BUILDING COMMISSIONS.

The Charter Ordinance was considered and discussed, and on motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Charter Ordinance was adopted by a two-thirds majority vote of all members elect of the governing body.

The Charter Ordinance was assigned No. 20 and directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Ordinance twice as set forth therein and required by law.

*[Remainder of Page Intentionally Left Blank]*

CITY CLERK'S CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the \_\_\_\_\_ meeting of the governing body of the City of Horton, Kansas

(SEAL)

By: \_\_\_\_\_  
Candy Schmitt, City Clerk, City of Horton, Kansas

PASSED, APPROVED AND ADOPTED by two-thirds majority of the governing body of the City of Horton, Kansas on this \_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF HORTON, KANSAS

By: \_\_\_\_\_  
*Tim Lentz, Mayor, City of Horton, Kansas*

ATTEST:

By \_\_\_\_\_  
*Candy Schmitt, City Clerk, City of Horton, Kansas*

Attachment No. 3

Proposed Ordinance No. 1079

Amending Commission Meeting Times

CHANGE IN TIME OF  
COMMISSION MEETINGS.

(First Published in the Horton Headlight on the \_\_\_\_ day of \_\_\_\_\_, 2008, 1x)

ORDINANCE NO. 1079

**AN ORDINANCE REPEALING SECTION 1 OF MUNICIPAL ORDINANCE 1008 (1999), AND PROVIDING SUBSTITUTE LANGUAGE FOR THE TIME OF MEETINGS OF THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS, THAT:**

SECTION 1. Section 1(A) of Ordinance No. 1008 shall be amended to read: "~~The commission~~ *Governing Body of the City of Horton, Kansas (the "City")*, shall meet on each and every first and third Monday of each month, and also on any fifth Monday occurring in any month, in regular meeting in the Commission Chambers of the Horton City Hall at 5:15 P.M. and take under advisement and act upon such business that may come before it, provided that if the regular meeting falls on a ~~legal~~ *legally recognized federal, state or municipal* holiday, ~~the such~~ meeting shall be held on the next succeeding business day."

SECTION 2. Section 1(B) of Ordinance No. 1008 shall be amended to read: "~~The majority of the Commission shall constitute a quorum~~ *Four-fifths of the Governing Body shall constitute a quorum, as required under Charter Ordinance No. 19*, for the transaction of business, but no final action shall be taken ~~in~~ *on any manner* matter respecting the department of any absent ~~commissioner~~ *member of the Governing Body* unless such special order with notice to such ~~commissioner~~ *member*, of such contemplated action, or unless such action is taken at a regular meeting of the ~~commission~~ *Governing Body*."

SECTION 3. This Ordinance amends Section 1, Ordinance No. 1008. This Ordinance shall take effect and be in force from and after its passage, approval and publication in The Horton Headlight, the official newspaper of the City of Horton, Kansas.

**Passed by the Governing Body of the City of Horton, Kansas, this 19<sup>th</sup> day of February, 2008.**

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Mr. Tim Lentz, Mayor, City of Horton, Kansas

ATTEST:

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Ms. Candy Schmitt, City Clerk, City of Horton, Kansas

Attachment No. 4

Proposed Ordinance No. 1080

Relating to the Adoption of the  
International Building Code of 2006

(First Published in the Horton Headlight on the \_\_\_\_ day of \_\_\_\_\_, 2008, 1x)

ORDINANCE NO. 1080

**An ordinance of the City of Horton, Kansas, adopting the International Building Code (Ed. 2006), regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Horton, Kansas; providing for the issuance of permits and collection of fees therefore; repealing Horton City Code §4-202 (2001 Edition) the City of Horton, Kansas, and all other ordinances and parts of the ordinances in conflict therewith.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:**

**Section 1.** That a certain document, two (2) copies of which are on file in the Office of the Horton City Clerk of the City of Horton, being marked and designated as the International Building Code (Ed. 2006), excluding all Appendix Chapters, as published by the International Code Council (the "ICC"), be and is hereby adopted as the Building Code of the City of Horton, in the State of Kansas, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the Office of the Horton City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** That the following sections are hereby repealed in part or in whole or otherwise amendments of the International Building Code (Ed. 2006).

(a) Section 101.1 is hereby hereby amended to read: "These regulations shall be known as the *Building Code of [NAME OF JURISDICTION]-the City of Horton, Kansas*, hereinafter referred to as "this code."

(b) Section 102.1 is hereby amended to read: "The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. *This code shall not be construed in a*

ADOPTION OF INTERNATIONAL  
BUILDING CODE OF 2006.

*manner that would remove effect to any local ordinance, unless the legislative intent to remove such effect is clearly authorized. Users of this code are advised that the Zoning and Subdivision Regulations ("Zoning Regulations") of the City remain in effect, and the Zoning Regulations shall prevail where there is a conflict between this code and the Zoning Regulations."*

(c) Section 103.1 is hereby repealed, and substitute language shall read, pursuant to Ordinance 706, §2: "This and other articles of the City relating to building and structures shall be administered and enforced by the City Administrator. The building inspector shall prepare such application, permit, inspection and record forms as may be required for the purposes of this article. The building inspector may make and promulgate the necessary rules and regulations to obtain conformity with the International Building Code (2006 Edition) and the applicable and relevant Zoning and Subdivision Regulations, as may be amended."

(d) Section 103.2 is hereby repealed, and substitute language shall read, pursuant to Ordinance 706, §2: "The City Administrator shall act as chief building official and may assume the responsibilities of or appoint a building inspector and such other assistants as may be advisable for the issuance of building permits and the inspection of building work."

(e) Section 104 is hereby repealed, and substitute language shall read, pursuant to Ordinance 706, §3: "The building inspector shall have the duties to (i) enforce all applicable laws and regulations relating to construction, alteration, repair, removal and demolition of buildings and structures; (ii) permit, with the approval of the Governing Body, on the basis of duly authenticated reports from recognized sources, the use of new materials or modes of construction, not provided for in this ordinance, and may, for the purpose of carrying out the intent of this ordinance, adopt an accepted standard of material or workmanlike practices of federal and state bureaus, national, technical organizations or fire underwriters; (iii) examine all buildings in the process of erection, construction, alteration or relocation in the City for the purpose of determining whether the work is in compliance with the permit given and in compliance with the applicable laws and regulations of the City pertaining to such work, including zoning regulations; and (iv) keep comprehensive records of applications, permits or certificates issued, inspections made, reports rendered and notices or orders issued. All such records shall be open to public inspection during stated office hours, but shall not be removed from the office of the building official without his or her permission.

(f) Section 105.1 is hereby amended to read: "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the ~~building official~~ *Office of the Horton City Clerk* and obtain the required permit."

ADOPTION OF INTERNATIONAL  
BUILDING CODE OF 2006.

(g) Section 105.3 is hereby amended to read: "To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the ~~department of building safety~~ *Office of the Horton City Clerk* for that purpose.

(h) Section 1612.3 is hereby amended to read: "To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled 'The Flood Insurance Study for ~~{INSERT NAME OF JURISDICTION}~~ *the City of Horton, Kansas,*' dated ~~{INSERT DATE OF ISSUANCE}~~, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM), *if existing*, and related supporting data along with any revisions thereto. The *existing, if any*, adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section."

(i) Section 3410.2 is hereby amended to read: "Structures existing prior to ~~{DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION}~~ *April 1, 2008*, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I."

**Section 3.** Horton City Code §4-202 is hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of the ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Body of the City of Horton, Kansas, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

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BUILDING CODE OF 2006.

**Section 6.** That the Horton City Clerk is hereby ordered and directed to cause this ordinance to be published at least once in The Horton Headlight, the newspaper of general circulation for the City of Horton, Kansas.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

**Passed by the Governing Body of the City of Horton, Kansas, this 19<sup>th</sup> day of February, 2008.**

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Mr. Tim Lentz, Mayor, City of Horton, Kansas

ATTEST:

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Ms. Candy Schmitt, City Clerk, City of Horton, Kansas

Attachment No. 5

Proposed Ordinance No. 1081

Relating to the Adoption Updated  
Building Permit Fees

(First Published in the Horton Headlight on the \_\_\_\_ day of \_\_\_\_\_, 2008, 1x)

ORDINANCE NO. 1081

**AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 706, §7, AND ESTABLISHING AMENDED BUILDING PERMIT FEES WITHIN THE CORPORATE TERRITORIAL LIMITS OF THE CITY OF HORTON, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS, THAT:**

**Section 1.** Section 7, Municipal Ordinance No. 706 (May 22, 1967), is hereby repealed and following substitute language is adopted:

“No building shall be erected, enlarged or altered within the city without applying for a permit therefor from the Building Official, as provided in Section 105 of the International Building Code, 2006 Edition, as amended by Ordinance No. 1080 (2008), and paying the permit fee therefor.”

“The fees prescribed in this section shall be paid with the submission of the permit, and no permit shall be considered as submitted until such permit fee has been paid. All fees prescribed and collected shall be paid to the City Clerk or designees of the City Clerk.”

“The following building fees shall be applicable for all permits submitted to the Office of the Horton City Clerk, City of Horton, prior to the consideration of any permit submitted. Such fees are based on the estimated valuation of the construction as estimated by the Building Official.”

- (a) Estimated valuation of \$1.00 to \$500.00.....\$25.00.
- (b) Estimated valuation of a \$501.00 to \$2,000.00.....\$25.00  
for the first \$500.00 plus \$2.00 per additional \$100.00 or fraction thereof, to and including \$2,000.00.
- (c) Estimated valuation of \$2,001 to \$25,000.00.....\$50.00  
for the first \$2,000.00 plus \$5.00 per additional \$1,000.00 or fraction thereof, to and including \$25,000.00.
- (d) Estimated valuation of \$100,001.00 to 500,000.00.....\$200.00  
for the first \$50,000.00 plus \$3.00 per additional \$1,000.00 or fraction thereof, to and including \$100,000.00.

(e) Estimated valuation in excess of \$500,001.00.....\$1,000  
for the first \$500,000.00 plus \$2.00 per additional \$1,000.00 or fraction thereof.

**Section 3.** All building permits issued prior to the effective date of this ordinance shall remain in effect until abandoned after 180 days of inactivity or completion of the scope of construction within original permit. All permits issued after the effective date of this ordinance shall be subject to the permit schedule within section 2 of this Ordinance.

**Section 4.** The Governing Body of the City of Horton, Kansas, shall have the authority to waive any of the building permit fees hereinbefore ordained where the Governing Body has made a finding by resolution that such waiver of fees is (i) in pursuit of a legitimate economic development interest; (ii) for the benefit of a benevolent association that is registered as not for profit under the United States Internal Revenue Code; or (iii) for the benefit of increasing affordable housing for low and moderate income individuals and households.

**Section 5.** The Horton City Clerk is hereby ordered and directed to cause this ordinance to be published at least once in The Horton Headlight, the newspaper of general circulation for the City of Horton, Kansas.

**Section 6.** This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

**Passed by the Governing Body of the City of Horton, Kansas, this 19<sup>th</sup> day of February, 2008.**

\_\_\_\_\_  
Mr. Tim Lentz, Mayor, City of Horton, Kansas

ATTEST:

\_\_\_\_\_  
Ms. Candy Schmitt, City Clerk, City of Horton, Kansas

Attachment No. 6

Proposed Ordinance No. 1082

Relating to Amended Fees for  
New Water Tapping Installation

Ordinance No. 1082

WATER SYSTEM NEW  
INSTALLATION TAPPING  
FEES.

(First Published in *The Horton Headlight* on the \_\_\_\_ day of \_\_\_\_\_, 2008, 1x)

**ORDINANCE NO.1082**

**AN ORDINANCE AMENDING GENERAL MUNICIPAL ORDINANCE NO. 842 (1982), AND PROVIDING FOR AMENDED TAPPING FEES FOR THE INSTALLATION OF NEW WATER SERVICE TO BOTH SERVICE CUSTOMERS IN-TOWN AND OUT-OF-TOWN.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:**

SECTION 1. Section 3 of Ordinance No. 842 shall be amended to read:

Before the City of Horton, Kansas, shall make any new installation for water service to serve any premises with water, there first shall be paid a tapping fee to the City of Horton, Kansas, for water service based on the following schedule:

<b>Size of Service</b>	<b>Inside City Limits</b>	<b>Outside of City Limits</b>	<b>Maximum Service Length</b>
¾ inch	<del>\$225.00</del> \$450.00	<del>\$350.00</del> \$800.00	100 Feet
1 inch	<del>\$325.00</del> \$650.00	<del>\$450.00</del> \$1,000.00	80 Feet
2 inch	<del>\$600.00</del> \$1,200.00	<del>\$850.00</del> \$1,800.00	50 Feet
4 inch	<del>\$1,200.00</del> \$2,400.00	<del>\$2,000.00</del> \$4,100.00	50 Feet
6 inch	<del>\$2,500.00</del> \$5,000.00	<del>\$3,000.00</del> \$6,100.00	50 Feet

**Passed by the Governing Body of the City of Horton, Kansas, this 19<sup>th</sup> day of February, 2008.**

\_\_\_\_\_  
Tim Lentz, Mayor  
City of Horton, Kansas

ATTEST:

\_\_\_\_\_  
Candy Schmitt, City Clerk  
City of Horton, Kansas

Attachment No. 7

Proposed Ordinance No. 1083

Relating to the Amendment of  
Horton City Cemetery Charges, Fees  
And Other Costs.

PRICES, FEES AND COSTS  
ASSOCIATED WITH THE  
HORTON CEMETERY.

(First Published in *The Horton Headlight* on the \_\_\_\_ day of \_\_\_\_\_, 2008, 1x)

**ORDINANCE NO. 1083**

**AN ORDINANCE AMENDING SECTIONS 5 AND 6 OF GENERAL MUNICIPAL ORDINANCE NO. 920 (1990),  
AND PROVIDING FOR AMENDED, SUBSTITUTE LANGUAGE PERTAINING TO PRICES TO BE CHARGED FOR  
LOTS IN THE HORTON CITY CEMETERY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:**

SECTION 1. Section 5 of General Municipal Ordinance No. 920 shall be amended and substitute language provided as follows: "The prices to be charged *by the City of Horton (the "City")* for lots in The Horton City Cemetery shall be ~~established by the governing body of the City of Horton at such time as needed~~ (i) *\$250.00 per single grave space, (ii) \$900.00 per one-half lot consisting of four spaces, and (iii) \$1,600.00 per lot consisting of eight (8) spaces.* No person, firm, corporation or association shall be allowed to own more than one full lot in Section "K" or "L". No deed shall be issued to any lot, half lot or single grave space until the purchase price of the same shall have been paid in full to the City. A full lot shall contain eight grave spaces. The prices established for the lots shall include continued services of mowing grass and the filling of graves. The prices established for the lots shall included continued services of mowing grass and the filling of graves on the property by the sexton at the first reasonable opportunity. Upon payment as hereinbefore provided, the City Clerk *or his or her designee* is hereby authorized and directed to prepare a deed to the purchaser of cemetery property, upon forms to be provided for that purpose, which said deed shall be signed by the Mayor and attested by the City Clerk, who shall ~~deliver~~ *cause to be delivered* the same to said purchaser; provided, however, that the Governing Body is reserved the right to refuse the sale of any lot or half lot to any person, firm, corporation or association when in their judgment the sale of the same would prove detrimental to said cemetery or to the owners of lots therein. All deeds to the cemetery property shall recite that the execution of the same is subject to all of the rules and regulations governing said cemetery. All graves shall be dug by a regularly employed or approved sexton of said cemetery or by an independent contractor who is solely responsible for this service and who has met the insurance requirements established by the Governing Body of the City of Horton. The charge for opening and closing each grave shall be in the sum of ~~Two Hundred Dollars (\$200.00)~~ *Two Hundred-Fifty Dollars (\$250.00)* and shall be payable to the City Clerk before burial takes place. The opening and closing for infant burial or inurnment shall be One Hundred Twenty-Five Dollars (\$125.00) provided the grave does not exceed three (3) feet in length. Inurnment does not include the burial of cremains in a stone foundation."

SECTION 2. Section 6(e) of General Municipal Ordinance No. 920 shall be amended as follows: "Monument dealers or any person desiring to erect monuments or grave markers in said cemetery must first submit to the City Clerk specifications showing the size of said monument or marker to be used and the plan and materials to be used in constructing the base upon which said monument or marker is placed, together with the location of the same, and no work shall be done until the construction of the same is authorized by the ~~City Clerk on behalf of the Governing Body~~ *cemetery sexton*. No headstone shall be higher than thirty-two (32) inches above ground level in Sections "K" and "L". All headstones shall be placed at the head of the graves. All corner lot markers shall be no higher than ground level. All headstones and all corner lot markers shall have four (4) inch borders. There will be a charge of ~~Twenty-Five Dollars (\$25.00)~~ *Fifty Dollars (\$50.00)* for marking out headstone and/or corner markers and/or footstone locations."

SECTION 3. The City Clerk or his or her designee shall cause the production and publication of all necessary forms required for the proper administration and record keeping of The Horton City Cemetery.

Ordinance No. 1083

PRICES, FEES AND COSTS  
ASSOCIATED WITH THE  
HORTON CEMETERY.

SECTION 4. Sections 5 and 6(e) of General Municipal Ordinance No. 920 are amended as hereinbefore described.

SECTION 5. This ordinance shall take effect and be in force from and after its publication in The Horton Headlight, the official city newspaper.

**PASSED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS, THIS 19<sup>th</sup> DAY OF FEBRUARY, 2008.**

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Tim Lentz, Mayor  
City of Horton, Kansas

ATTEST:

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Candy Schmitt, City Clerk  
City of Horton, Kansas

Attachment No. 8

Proposed Ordinance No. 1084

Relating to the Authorization of the  
Use of a Municipally-Owned and -Operated  
All-Terrain Vehicle on City Streets and Alleys  
For the Performance of Municipal Services

OPERATION OF CITY-OWNED  
AND -OPERATED ALL-TERRAIN  
VEHICLES FOR CITY PURPOSES.

(First Published in *The Horton Headlight* on the \_\_\_\_ day of \_\_\_\_\_, 2008, 1x)

**ORDINANCE NO. 1084**

**AN ORDINANCE PROVIDING FOR THE USE OF MUNICIPALLY-OWNED and -OPERATED ALL-TERRAIN VEHICLES FOR THE PURPOSE OF CONDUCTING NOXIOUS WEED SPRAYING, SNOW REMOVAL, AND ANY OTHER PURPOSES DEEMED NECESSARY FOR THE PERFORMANCE AND DELIVERY OF MUNICIPAL SERVICES.**

**WHEREAS**, the Governing Body of the City of Horton, Kansas, has determined that it is necessary to own and operate an all-terrain vehicle, for the performance of conducting noxious weed spraying, snow removal and other necessary municipal services purposes; and

**WHEREAS**, the Kansas Legislature passed and the Governor of Kansas signed into law Senate Bill 8 (2007), which prohibited the operation of all-terrain vehicles within the corporate city limits of any city unless authorized by such city, 2007 Kan. Sess. Laws Ch. 140, §7; and

**WHEREAS**, Chapter 140, §7 of the 2007 Kansas Session Laws (S.B. 8) provides that cities may authorize certain uses of all-terrain vehicles within the corporate territorial limits of the cities.

**NOW, THEREFOR, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:**

**SECTION 1.** OPERATION OF MUNICIPALLY-OWNED AND -OPERATED ON CITY STREETS. (a) All-terrain vehicles, which are owned by the City of Horton, Kansas (the "City"), may be operated by agents of the City who meet the other requirements of this Ordinance, upon the streets, roads and alleys within the corporate territorial limits of the City, for the performance and delivery of municipal services.

(b) The term *municipal services*, for purposes of this Ordinance, are defined as services that are necessary for the protection of the health, safety or welfare of the residents of the City of Horton, Kansas, including, but not limited to, the spraying of noxious weeds, mosquito fogging, and snow removal; and such other services as may be deemed necessary by the City Administrator, in consultation with the Governing Body, for the safe and efficient operations of the City.

**SECTION 2.** REQUIREMENTS AND RESTRICTIONS. (a) Each municipal agent who operates a municipally owned all-terrain vehicle on public streets, roads and alleys in conformance with the provisions of this Ordinance shall:

(1) Be subject to all of the duties applicable to a driver of a vehicle imposed by law;

(2) Ride only upon the permanent and regular seat attached thereto, and such agent-operator shall not carry any other person nor shall any other person ride on a all-terrain vehicle, unless such all-terrain vehicle is designed to carry more than one (1) person, in which event a

OPERATION OF CITY-OWNED  
AND -OPERATED ALL-TERRAIN  
VEHICLES FOR CITY PURPOSES.

passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the all-terrain vehicle at the rear or side of the operator;

(3) Operate municipal all-terrain vehicle(s) in conformance with the terms hereinbefore defined by this ordinance; and

(4) Ride upon an all-terrain vehicle only while sitting astride the seat, facing forward, with one leg on each side of the all-terrain vehicle.

(b) No municipal agent who operates an all-terrain vehicle on municipal streets, roads and alleys, and who is otherwise in conformance with the provisions of this Ordinance, shall:

(1) Operate an all-terrain vehicle while carrying any package, bundle, or other article which prevents such person from keeping both hands on the handlebars; or

(2) Carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the all-terrain vehicle or the view of the operator.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in The Horton Headlight, the official city newspaper.

**PASSED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS, THIS 19<sup>th</sup> DAY OF FEBRUARY, 2008.**

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Tim Lentz, Mayor  
City of Horton, Kansas

ATTEST:

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Candy Schmitt, City Clerk  
City of Horton, Kansas

Attachment No. 9

Upcoming Task and Calendar Items

	Sunday 2/10	Monday 2/11	Tuesday 2/12	Wednesday 2/13	Thursday 2/14	Friday 2/15	Saturday 2/16
			Lincoln's Birthday	City Payday	Valentine's Day	SEND IN SALES TAX	Forecast for 66439 ...
12am				Copier Payment Due	Valentine's Day	Forecast for 66439 ...	
1am			CDBG Research 12am - 2am				
8am		Chiropractor's Appointment 8am - 9am	Organize for 's Pre-Submittal Meeting and Special Meeting with City Commission 8am - 10am	Chiropractor Apptment @ Farr's 8am - 9am			
9am		Prepare Parks & Recreation Board Municipal Pool Proposals 9am - 1:30pm	Continue to Prepare Procurement Code 10am - 12pm	Review Mission Lake Report 9am - 10am	Prepare Ordinances 1082 & 1083 (Exemption for Municipal ATV) 8:30am - 1:30pm	Consultation and Meeting with Water Pollution Control Personnel at WWTP RE: Pumps & Testing @ WWTP RE: Pumps & Testing	
10am				Review Mission Lake Report by KBS; Make Follow-Up Phone Calls on Mission Lake Inquiries. 10am - 1pm		Prepare City Commission Packets 10am - 2pm	Develop SAY Soccer Plan for Spring Soccer 10am - 5pm
11am							
12pm			Financial Advisory Commi... Work S...	Financial Advisory Commi... Work S...			
1pm			Mission Lake Pre-Submittal Meeting @ City Hall, Commission Chambers 1pm - 3pm	Prepare Ordinance 1079 (Changing Time of Commission Meetings); Ord. 1080 (Adoption of ICC 2006); Ord. 1081 (Adoption of New Building Inspection Fees); Ord. 1082 (Allowing for Use of	KDOC-CDBG Follow-Up Phone C...		
2pm		Set-Up New Online Calendars 1:30pm - 3pm			Mission Lake Engineering Teleph...	Prepare USDA-RD Water Revolving Loan Pre-Application for Alternative Mission Lake Financing	
3pm					Prepare City Commi		
		3pm - 4pm Prepare for 4pm - 4:30pm Review 4:30pm - 8pm Continue 8pm - 12pm CDBG Re...	3pm - 6pm Evaluation 8pm - 12pm Federal P...	6pm - 8:30pm Parks & 6:30pm - 8:30pm Lion's	2:30pm - 9:30pm Pre... 6pm - 8pm Firing Ra...		

	Sunday 2/17	Monday 2/18	Tuesday 2/19	Wednesday 2/20	Thursday 2/21	Friday 2/22	Saturday 2/23
	Forecast for 66439 ...	Municipal Holiday for Forecast for 66439 ... President's Day		ACT Training		Washington's Birth...	
8am		Municipal Holiday for City Employees 8am - 5pm	USDA-RD Grant/Loan Application (Tentative) 8am - 12pm	Department Heads Meeting 8am - 9am		Procurement of Independent Contractors for Debris Removal & Management (Tentative Scheduling) 8am - 12pm	
9am				Meet with DRWRAPS Reps & K-State Students for Kansas WaterLink Project for Mission Lake (Firm Schedule--Do Not Amend) 9am - 4pm	FEMA One-o... meeting (Firm Schedule--Do Not Amend) @ Horton City Hall 9:30am ...		
10am							
11am							
12pm							
1pm			Review Invoice Dispute for Rogers & Sons Electric and Write Follow-Up Letter (Tentative Scheduling) 12:30pm - 5pm			Finalize Complete Draft of Procurement Code (Tentative Scheduling) 1pm - 6pm	
2pm					Storm Spotter Training @ Fisher Commu... Center, H...et		
3pm							
4pm							
5pm							
6pm							
			7:15pm - 10:15pm H...				

	Sunday 2/24	Monday 2/25	Tuesday 2/26	Wednesday 2/27	Thursday 2/28	Friday 2/29	Saturday 3/1
			Kansas Bar Spring Bar Examination	USDA-RD Loan App...			
8am			Prepare City of Whiting Mutual Aid Agreement 8am - 11am		Prepare City Commission Packets (Tentative) 8am - 6pm		
9am							
10am							
11am			Write Kansas Forestry Grant, If Information Is Available From Fire Chief (Tentative Scheduling) 11am - 6pm				
12pm							
1pm							
2pm							
3pm							
4pm							
5pm							
6pm							