

May 7, 2018
5:15 P.M.
Commission Room

The Commissioners of the City of Horton met for a regular meeting on Monday, May 7, 2018 at 5:15 p.m. in the City Hall Commission Room.

Mayor Stirton called the meeting to order and the prayer was led by Lila Wilson. The Pledge of Allegiance was recited by all.

Present: Mayor Stirton, Commissioner Edwards, Forkenbrock, West, and Krug. City Clerk/Administrator Kim Knudson and Attorney Kevin Hill were also present.

Motion by Commissioner Edwards to adopt the agenda. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes from the April 16, 2018 regular meeting after requesting that the minutes from the April 2, 2018 regular meeting be changed to show that he requested that Kim add "to protect the privacy interests of the employee" when an executive session is held to discuss personnel matters of non-elected personnel . Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve the minutes from the April 30, 2018 special meeting. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3505 (Payroll) for the amount of \$33,447.40. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards approve Appropriation Ordinance #3506 (Disbursements) for the amount of \$76,978.50. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Edwards approve Appropriation Ordinance #3507 (Disbursements) for the amount of \$56,888.28. Seconded by Commissioner Forkenbrock. All aye.

Public Comments

Bill Goins was happy to see that there is an opening prayer and Pledge of Allegiance at the beginning of the Commission meeting. Mr. Goins resides at 1635 4th Avenue West and said that the house next to him is in terrible shape and needs to be torn down. Mr. Goins says that he has a nice house and tends to his yard, and the house next to him is an eyesore.

Rick Clement inquired about the alley repair behind Autos 4 U and other businesses along the alley. The Commission said that there is money budgeted in 2018 to repair.

Rick also asked if the city crew could repair pot holes in the parking lot at Mission Village. The Commission wants to see what the cost would be to repair and bring back to them to discuss.

Discuss Sewer Issue

Bill Stirton was present to discuss his sewer issue at 501 East 15th Street. The city crew performed a dye test on his sewer line, but it was after the line had been cleaned out by Waser. Commissioner West still stands firm that it isn't the city's responsibility to fix since we did not install. West said that in his opinion they need a new sewer line. If they want a new sewer line and want it closer to their building and tap into the main that he would make that motion, but it would come with conditions. The conditions are they can't use the old sewer line to do it; they would need to put a new sewer line in from the building to the main at the same time.

Bill Stirton stated that he will come back to the Commission meeting if he has an issue with the sewer line in the future.

KMEA – Discuss Contract Quantity

Gerry Bieker and Tom Saitta presented the Commission with an overview of the city's billing with KMEA, monthly load information, energy supplied load, and their recommendation that the city of Horton purchase 250 KW per hour at \$25.72 per MW through 2027. Scott Shreve recommended that the city purchase 150 KW per hour. KMEA will await a decision and a motion from the Commission on May 21st on the Contract Quantity. Commissioner Edwards requested more time to review the contract information that was provided to them by KMEA.

Revisit Discussion on Powhattan Contract

Luke Pollock inadvertently provided the wrong agreement to the Commission for review. He will provide the correct agreement to Kim and Kim will forward to Lamar to present at the fire department meeting in June. Lamar will let the Commission know if changes are needed, or if he is satisfied with it. He will let the Commission know either way.

Approve Payment Request No. 11 for Pool, and Vacuum

Motion by Commissioner Krug to approve payment request No. 11 for the pool project in the amount of \$133,463.70. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Forkenbrock to approve the proposal for a vacuum for the pool in the amount of \$1,885.00. Seconded by Commissioner Edwards. All aye.

Revisit Bids for Repairs on Well #1

Shorty Holliday from Shorty & Mics Pump Service LLC was present to provide the Commission with requested information. Shorty provided an estimate for the amount that he would be out for work provided to the city to date for \$4,093.79. He also provided an estimate for the cost to install the pump for \$4,798.79. This is in addition to the estimate already received for the amount of \$6552.85 to brush and clean the well with acid and chlorine. Because he can't brush it due to the opening being too small, he will need to dig up the well, disconnect the line, brush it, and put it back. A tree by the well will also need to be removed by the city, and provide backhoe work.

Motion by Commissioner Krug for Shorty & Mics Pump Service LLC to proceed with the repairs based on the provided estimates. Seconded by Commissioner Forkenbrock. All aye. Shorty said that he could start next week.

Ski Clinic Approval

The Commission is receptive to the proposal presented on 04/16/18. They would like a firm date and time for the clinic. There may be a motion to suspend the city's current Ordinance during the ski clinic to allow three skiers at once.

15 Minute Executive Session to Discuss Attorney-Client Privilege

Motion by Commissioner Edwards to go into a 15 minute executive session to discuss attorney client privilege to include Mayor Stirton, Commissioners Edwards, Krug, West, and Forkenbrock, Kevin Hill and Kim Knudson. Seconded by Commissioner West. All aye. After executive session, per the recommendation of Kevin Hill, Motion was made by Commissioner Edwards to proceed with the counterclaim as suggested in the email from Fisher Patterson and advise if a city official needs to sign anything pertaining to the counterclaim or answer on behalf of the city for the Coady lawsuit. Seconded by Commissioner West. All aye.

City Attorney Hill provided a detailed timeline to the Commission regarding some misinformation about the Mission Lake Christian Camp and where things stand. Initial meetings began on September 15, 2017. Attorney Linus Baker currently represents the camp (as of September 24, 2017); Fisher Patterson is representing the city of Horton since they were threatening legal action (as of October 4, 2017). On October 16, 2017 a letter was sent from Mr. Baker asking what the city is offering or suggesting. On November 6, 2017 a letter was sent to the Mission Lake Christian Camp's attorney outlining our legal position. On January 15, 2018 another letter was sent to see if the camp is still interested in resolving the matter with the city of Horton. Mr. Hill heard back from Mr. Baker stating that he would like to see copies of leases, and they were provided to him by January 30, 2018. Nothing has been heard of from Mr. Baker since January 30, 2018. March 22, 2018 Kevin Hill followed up again with Mr. Baker and still received no response.

15 Minute Executive Session to Discuss Non-Elected Personnel

Motion by Commissioner Edwards to go into a 10 minute executive session to discuss personnel matters of non-elected personnel to protect the privacy interests of the employee to include Mayor Stirton, Commissioners Edwards, Forkenbrock, West, and Krug, Kevin Hill, and Kim Knudson. Seconded by Commissioner Forkenbrock. All aye. No action taken after executive session.

Motion by Commissioner Edwards to go into a 10 minute executive session to discuss personnel matters of non-elected personnel to protect the privacy interests of the employee to include Mayor Stirton, Commissioners Edwards, Forkenbrock, West, and Krug, Kevin Hill, and Kim Knudson. Seconded by Commissioner West. All aye. After executive session Motion by Commissioner Forkenbrock for Kim to prepare a budget impact study pertaining to raises that are recommended. Seconded by Commissioner West. All aye.

Randy Mayfield was present and provided the Commission with updates from his team.

Chief Calhoon

Not present.

Kim asked for approval on behalf of Chief Calhoon to accept the bid from Cameron Mayer Flooring to replace the carpet in the dispatch area with vinyl plank flooring. Motion by Commissioner West to proceed with the replacement of the flooring in the dispatch office area. Seconded by Commissioner Forkenbrock. All aye.

Mayor Stirton

Mayor Stirton has invited the Economic Developer from Falls City to attend the Commission meeting on May 21st. He will also invite members of HIDC to attend.

Delaware Valley is seeking fundraising ideas such as a 5K run. They may ask to be placed on the agenda at a future meeting.

Should the city revisit the curfew Ordinance and possibly extend the time for curfew?

The city should discuss how to provide light to the pool for evening swims and parties. Could we possibly reuse the lights that were used downtown and refurbish them?

Can we use community service workers to pick up trash in town? Commissioner Edwards stated that is the city has community service workers, someone from the city needs to manage them.

City Clerk/Administrator

Elaine Salverson asked Kim to ask for permission to approve Relay for Life to collect money on May 26th. Motion by Commissioner Forkenbrock to allow Relay for Life to stand at the intersection of 15th

& Central and collect donations the morning of May 26th. Seconded by Commissioner Edwards. All aye.

Kim's first grandbaby is due at the end of the month and she will take a few days to go to Omaha and visit once he is born.

The auditors will be here on June 15th.

Commissioner Forkenbrock

Commissioner Forkenbrock suggested that Tim Lentz attend the punch list meeting at the pool on Friday as an advisor, not as an employee of the city. If he sees items that need to be fixed he would advise Kim or the Commission.

Commissioner West

Commissioner West requested that going forward that the Public Comments section of the meeting only be used for announcements or atta boys, etc. Anything that would need to be voted on would need to be placed on the agenda with an official "Request to be placed on Agenda" form. Commissioner West also suggested setting a time limit for Public Comments.

Commissioner Edwards

Commissioner Edwards is embarrassed that Tim Lentz served as mayor and other capacities for the city of Horton for several years and wasn't recognized by the Commission when he resigned. Motion by Commissioner Edwards for Tim Lentz to receive a letter of commendation and be recognized by the Commission. Seconded by Commissioner Forkenbrock. All aye.

Commissioner Krug

No comment.

Motion by Commissioner Edwards to adjourn at 8:39 p.m. Seconded by Commissioner Forkenbrock. All aye.

Kim Knudson, City Clerk

Bryan Stirton, Mayor