

March 2, 2020  
5:15 P.M.  
City Hall

The Commissioners of the City of Horton met for a regular meeting on Monday, March 2, 2020 at 5:15 p.m. at City Hall.

Mayor Stirton called the meeting to order and the opening prayer was led by Father Dan. The Pledge of Allegiance was recited by all.

Present: Mayor Stirton, Commissioners Wade Edwards, Rex West, Richard Lovelady, and Ken Krug. City Administrator John Calhoon and Attorney Kevin Hill were also present.

Motion by Commissioner Edwards to adopt the agenda after adding a 5-minute executive session to discuss non-elected personnel. Seconded by Commissioner West. All aye.

Motion by Commissioner West to approve the minutes from the February 18, 2020 regular meeting. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner West to approve Appropriation Ordinance #3599(Payroll) for the amount of \$33,444.22. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner West to approve Appropriation Ordinance #3600 (Disbursements) for the amount of \$107,450.28. Seconded by Commissioner Lovelady. All aye.

#### **Public Comments**

John Kress, the new pastor at First Baptist of Horton introduced himself to the Commission.

#### **Rainbow Communications (Pole and Franchise Agreement)**

Angie Kreider was present to field questions from the Commission as they considered approval of the Franchise Ordinance and Pole Attachment Agreement with Rainbow Communications.

Motion by Commissioner Edwards to approve Ordinance No. 1187, A NON-EXCLUSIVE CONTRACT FRANCHISE ORDINANCE GRANTED TO RAINBOW COMMUNICATIONS, L.L.C., A TELECOMMUNICATIONS LOCAL EXCHANGE SERVICE PROVIDER PROVIDING LOCAL EXCHANGE SERVICE WITHIN THE CITY OF HORTON for a 10-year period. Seconded by Commissioner West. All aye.

Motion by Commissioner Edwards to approve the Master License Agreement for Attachment to City Facilities with Rainbow Communications for a 10-year period of time. Seconded by Commissioner West. All aye.

#### **Hiawatha Hospital Update**

Julie Rosa was present to share the Hiawatha Community Hospital Leadership Report with the Commissioners.

#### **Request to be Placed on Agenda**

Bobby Bacon inquired about purchasing properties at 905 4<sup>th</sup> Avenue West, and 510 & 520 West 9<sup>th</sup>. The Commission and Kevin Hill recommended that he contact the county or the owner(s) of the properties about purchasing the properties, or wait until the next tax sale.

West stated the streets that are on the snow route, and the reason those streets were chosen.

West and Edwards discussed the possibility to plow more of the side streets if accumulation reaches 2" or more, as time permits. Bobby explained that his road has been taken care of for the last ten years until recently.

### **Request to be Placed on Agenda**

Don Groshong was present on behalf of Reinvent Horton to share the idea of hosting a flea market at Mission Lake. They currently have nine vendors and would like to make this an annual event. The flea market will be held on the last weekend of March (Fri, Sat, & Sun), also on the first weekend in November. There will be various billboards around the area advertising for the events. Motion by Commissioner Edwards to accept the proposal from Reinvent Horton to hold a flea market as described by the presenters. Seconded by Commissioner Lovelady. All aye. Upon reviewing average daily electric costs of the campers, Calhoon had suggested to Groshong a \$10.00 charge for the 3 days to each registered vendor.

Connie Werner provided updates on the Big Kansas Road Trip. The website is active and there will be a press release soon. Werner reminded the Commission that they would like to have scheduled tours of the generation plant if possible. The Commission agreed to work with staff to get the plant ready and have staff available for tours.

### **Revisit Code Enforcement Discussion**

The Commission discussed in length the possibility of hiring a Code Enforcement officer and asked Calhoon to come up with a recommendation.

Officer Boller has cited five dilapidated properties in the last week, and is going to set a goal of citing five properties a week until they get up to twenty properties. They will then present to the Commission for consideration of Kevin Hill drafting a resolution to demolish the homes. Calhoon said that obviously the city does not have the funds at this time to demolish properties this year, but if the city finds money, we will tackle it.

### **Mission Village Lease Purchase Agreement**

Calhoon provided the Commission with the county appraised value of Mission Village. Calhoon said he needs to approach the management team and give them a copy of the appraisal and say here is a starting point, as well as having them do a survey to split up the property. Calhoon will also reiterate that this is where the Commission wants to start and see if they want to throw an offer to the Commission.

Edwards said that if he was wanting to buy the nursing home and he thought he could buy it for \$70,000 (which is what he thinks Jefferson County Memorial Hospital believes they can do), and the city came to him with a figure of \$600,000, he wouldn't even negotiate. He thinks that is too big of a spread to talk about.

Edwards thinks that the Commission needs to lower their expectations, and would be happy with a figure of \$250,000 to start negotiations with, separating out the land that the city wants, and the building that we want. Mayor Stirton requested that the Commissioners send their figures to Clerk Knudson within the next week, and she will forward onto Kevin Hill. Hill reminded the Commission to keep the lease term in mind as well.

Motion by Commissioner Edwards to table the Lease Purchase Agreement discussion until the next Commission meeting. Seconded by Commissioner Lovelady. All aye.

### **Review Revised Airport Lease**

City attorney Kevin Hill said this agreement will replace the existing lease agreement. Motion by Commissioner Krug to approve execution of the Contractual Lease Agreement on behalf of the city.

Seconded by Commissioner Edwards. All aye. The term of the lease is for a period of five (5) years which shall be from March 1, 2020 and terminate on March 1, 2025 unless sooner terminated, as hereinafter provided.

#### **Consider Appointment of Horton Housing Authority Board Member**

Motion by Commissioner West to appoint Lonnie Boller to the Horton Housing Authority Board. Seconded by Commissioner Lovelady. All aye. David Kooser resigned from the board on 02/10/2020, so Lonnie will fill the remainder of his unexpired term for 1 year and 1 month.

#### **Fish and Game Agreement**

Bryan would like to reach out to the Fish and Game Club about cohosting a demo derby with the fire department. Motion by Commissioner Edwards to table the discussion until the next meeting. Seconded by Commissioner West. All aye. There was also discussion on reviewing any current or previous lease agreements with the Fish and Game Club.

#### **Review of Terms & Appointments for the City**

The discussion regarding terms and appointments will be revisited at the next Commission meeting.

Motion by Commissioner Edwards to go into a 5minute executive session to discuss attorney client privilege to include Mayor Stirton, Commissioners Edwards, Krug, West, and Lovelady, John Calhoon, Kim Knudson, and Kevin Hill. Seconded by Commissioner Lovelady. All aye. After executive session no action taken, information only.

#### **City Administrator/Chief of Police Calhoon**

Calhoon visited with Sam Johnson and received tentative dates regarding Phase III of the sewer project. Advertising will be done this week with bid opening in mid-April, and awarding the project on April 20<sup>th</sup>. They hope to break ground by June 1<sup>st</sup>.

Calhoon will be working with Carol Stirton to schedule a date for spring cleanup.

There are 25 spots open for the 2020 season at Mission Lake. Signups will take place at 6:00 p.m. on 03/20 at the Blue Building.

Picnic tables are currently being refurbished by the city crews. Calhoon is considering announcing at lake signup day the possibility of having a work day at the lake for campers to assemble their picnic table and the city will provide supplies. The city staff will not have time to complete work on all of the picnic tables.

There are currently open positions for seasonal mowers, Police Officers, and Public Works. Krug will continue to mow the airport grounds for \$120 each time as he did last year.

The cost of the recent demolition of the buildings downtown cost a little over \$100,000. Calhoon is working on assessing the costs against the properties, and will work with Kevin Hill on the matter.

#### **Mayor Stirton**

Mayor Stirton said that Jason Gibson is interested in animal control for the city. He has not specified a price yet.

**Commissioner Lovelady**

No report.

**Commissioner West**

After looking at a couple power poles by the electric plant, the city crews determined that one of the poles is rotted out. They were able to stabilize the pole until money is budgeted to replace it. Commissioner West would like to meet with Calhoon and Edwards next week and work with the city crews to check the power poles in “the loop” and identify the area, rate them, and develop a plan for the budget. West said that the city crews can change out the majority of the poles.

**Commissioner Edwards**

Commissioner Edwards would like the Commission to consider a work session to evaluate the City Administrator. Calhoon said that he needs feedback just as much as anybody else.

Edwards also discussed a letter received from the Kansas Department of Revenue pertaining to sales tax being collected at Special Events such as craft shows, farmers markets, fairs, concerts, etc. Kevin Hill reviewed the document and said that after reviewing the provided documentation that he doesn't think it is a requirement of the city.

**Commissioner Krug**

Commissioner Krug revisited the discussion regarding the city bidding process and what has to be bid out, and what has to be submitted to the newspaper. Calhoon said that there are recommendations from the League of Kansas Municipalities, but statutorily there are guidelines that requires the city to get written bids. Krug requested that Calhoon get with the League of Kansas Municipalities and provide the Commission with their recommendations, and to place the discussion on the next agenda. Discussion was held on that there are other ways of soliciting bids, and Krug thought it would be a good idea to post on the front door with meeting notices.

Motion by Commissioner Edwards to adjourn at 6:55 p.m. Seconded by Commissioner West. All aye.

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Kim Knudson, City Clerk

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Bryan Stirton, Mayor