

March 5, 2018
5:15 P.M.
Commission Room

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

Commissioner Krug called the meeting to order and the prayer was led by Al Schirmacher. The Pledge of Allegiance was recited by all.

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

Motion by Commissioner Edwards to adopt the agenda after adding accepting the resignation of Police Commissioner and a 5 minute executive session to discuss non-elected personnel to the agenda. Seconded by Commissioner Forkenbrock. All aye.

Motion by Commissioner Forkenbrock to approve the minutes from the February 19, 2018 regular meeting after recommending additional notes be added to Public Comments regarding Guy Galley, and to Review Seasonal Mower Discussion to be reviewed at the next Commission meeting. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve the minutes from the February 22, 2018 special meeting. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve the minutes from the March 1, 2018 special meeting. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to approve Appropriation Ordinance #3497 (Payroll) for the amount of \$33,784.51. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock approve Appropriation Ordinance #3498 (Disbursements) for the amount of \$145,483.17. Seconded by Commissioner Edwards. All aye.

Public Comments

David Koozer was present to voice several concerns with a few of the Commissioners regarding the possibility of hiring Tim Lentz back as project coordinator after his recent resignation.

Accept Resignation of Police Commissioner

Motion by Commissioner Forkenbrock to accept the resignation of Bryan Stirton as Police Commissioner. Seconded by Commissioner Edwards. All aye.

Swear in Mayor

City Clerk/Administrator Kim Knudson swore in Bryan Stirton as Mayor.

Request to be placed on Agenda

Shelley Lowe was present to ask that the rental fee at the Blue Building be waived for the Bags of Hope Fundraiser on April 14th from 8:00 a.m. to 4:00 p.m. Motion by Commissioner Edwards to waive the rental fee, but still pay the \$50.00 utility charge. Seconded by Commissioner Forkenbrock. All aye.

Waste Management Representative

John Blessing and another representative were present to update the Commission on the status of trash pickup in Horton. Two of the previous helpers that worked for RSP Trash Disposal were unable to pass the qualifications to work for Waste Management, which left the city of Horton without any helpers. Horton now has two trucks working the trash route rather than one, but there are still no helpers. Trash will still be collected on the same day (Wednesday), but John said to not rely on the previous times for pickup. John stated that if necessary the collectors will take pictures as proof of trash issues. He requested that if city employees know of a residence that didn't get their trash picked up to make a list and let them know as soon as possible so they can correct while they are here in Horton. John said that Waste Management would honor the citywide cleanup dates for 2018 and provide the dumpsters like RSP did, and they will visit about future dates later.

Powhattan Fire Department Discussion

Luke Pollock and Lamar Shoemaker were present to field questions and provide updates regarding the contract between the city of Horton and Powhattan Township. Luke has the new agreement ready and is going to the Powhattan meeting tonight to get signatures. Lamar is worried about the lower budget that he has to respond. He would like more time to review before they obligate. Commissioner Krug suggested that the contracts get revisited with townships, etc. Motion by Commissioner Edwards to table agreements and discussion for 30 days. Seconded by Commissioner Krug. All aye.

Well #1 Repairs

Shorty Holliday from Shorty & Mics Pump Service LLC was present to present a bid for repairs on well #1. Shorty will need to brush the well and clean with muriatic acid and chlorine. He will provide a quote on different horsepower of pumps at a later date.

Motion by Commissioner Edwards to approve the bid presented for labor only, and be updated on the cost of repair for the pump. Seconded by Commissioner Krug. All aye.

Pool, Phase III Sewer, and Handicapped Accessible Restroom Updates

Sam Johnson was present to provide updates on open projects with the city.

Pool Project:

- No Change orders to date
- This week 03/09/18 – decking, drains, water features and door frames
- Next week 03/16/18 – decking, windows, and equipment
City Staff Coordination Items - water and sewer connection, and electrical utility line removal above slide
- City Project Coordinator Discussion - there have been no bills on value engineering on project. BG Consultants, Inc. waived construction administrative fees. Tim provided day to day updates to BG Consultants, Inc. Sam stated that we have a good contractor on the project. A minimum of ten hours a week will be needed to provide feedback on what is being done and observation. Commissioner Edwards is worried that someone else might not have the critical thinking that Tim had. Per Commissioner Forkenbrock Tim never resigned as the Project Coordinator, only his Mayor duties
- Final completion is Memorial Day: May 28, 2018

Wastewater Project:

- Technical design memo submitted to KDHE by 04/01/18
- Equipment procurement document and supporting information submitted to USDA by 04/01/18
- Sewer construction to begin Spring 2019

City Hall ADA Bathroom Update:

- Initial feasibility evaluation was performed in 2016
- USDA funds from WWTF project can be utilized
- Engineering/Architecture/MEP design services can be minimized with a design/build arrangement with a local contractor familiar with this work
- Commissioners requested a scope of work be put together by BG Consultants, Inc. for approval

Revisit Discussion on Pool Project Coordinator

Mayor Stirton suggested to the Commissioners that they wait to make a decision on the pool project manager until the 5th seat (police commissioner) is filled. Commissioners Forkenbrock and Edwards did not want to wait until the seat is filled.

Motion by Commissioner Edwards for Tim Lentz to continue as pool project manager for the same salary he was receiving prior. Seconded by Commissioner Forkenbrock. Aye – Commissioners Edwards and Forkenbrock. Nay – Commissioner Krug and Mayor Stirton. Motion died for no majority vote.

Moving forward Sam Johnson will work with Kim Knudson on the pool project.

Sara Hutfles was present to request the use of the Blue Building for Prom at no charge. Motion by Commissioner Krug to waive the fees for the use of the Blue Building for prom on April 21st. Seconded by Commissioner Forkenbrock. All aye. They will start decorating the building on April 19th.

Discuss Storm Drain Pipe at 1301 Central Ave

There was a lengthy discussion on who is responsible for relocating/rerouting the storm drain at 1301 Central Avenue. To date there is no evidence that this is a city line. Kevin Hill said it would be a Commission policy decision. He also said that the property would need a survey with legal description. The discussion was tabled until the Special Meeting on March 8, 2018 at 9:00 a.m.

First Reading of Revised Ordinance 1172

The first reading was done for Ordinance No. 1172. The Ordinance will be considered for approval on March 19th.

Consider Approval of KMEA GRDA Sell Back Option

Scott Shreve explained the GRDA Energy Sell-Back Directive:

Kansas Municipal Energy Agency (“KMEA”) and the Grand River Dam Authority (“GRDA”) are parties to a Power Purchase and Sale Agreement effective May 11, 2005 whereby KMEA, on behalf of certain member cities, purchases up to 84 megawatts of capacity and energy. Likewise, the City of Horton (“City”) and KMEA are parties to a Power Purchase Agreement – Grand River Dam Authority Power Supply, effective May 11, 2005, which provides for the City’s purchase of up to 1 megawatt of the GRDA capacity and energy. KMEA and GRDA have entered into a separate “Agreement for the Purchase and Sale of Electric Energy” dated October 20, 2017 (“Sell-Back Agreement”) attached

hereto and incorporated herein by reference. Under the Sell-Back Agreement, KMEA has the right, but not the obligation, to sell back all or a portion of the contract energy amount to GRDA on a day-ahead schedule at a price determined pursuant to the terms of the Sell-Back Agreement. The Sell-Back Agreement will permit KMEA to schedule energy sales on behalf of the City using the Day-Ahead Energy Schedule. KMEA will schedule only the capacity and energy amount of the cities that elect to have KMEA implement the Sell-Back. KMEA will credit the net revenues/costs generated under the Sell-Back Agreement on a pro rata basis to those cities that participate in the Sell-Back. KMEA is requesting that the City execute this Directive if your City would like your contract capacity to be included as part capacity and energy amount under the Sell-Back Agreement. The City can terminate this arrangement with KMEA at any time with a 10-day prior notice.

Motion by Commissioner Edwards to approve the GRDA Energy Sell-Back Directive provided by KMEA and opt in through calendar year 2018. Seconded by Commissioner Krug. All aye.

Chief Calhoon

No comment.

Mayor Stirton

Mayor Stirton had a county commissioner ask him about chip sealing for the city. Motion by Commissioner Edwards for the city of Horton to be placed on the schedule for chip seal with the county. Seconded by Commissioner Krug. All aye. Randy Mayfield will need to lay out the chip seal route and measurements.

Mayor Stirton received a bid for the hog barn roof repair and for a fan. This will be revisited at the next meeting on March 19th.

City Clerk/Administrator

Motion by Commissioner Forkenbrock to appoint Bryan Stirton as Director #2, and Jeremy Forkenbrock as an Alternate on the KMEA Board of Directors. Seconded by Commissioner Edwards. Aye – Commissioners Forkenbrock, Krug, and Edwards. Abstain – Mayor Stirton.

Commissioner Krug

Commissioner Krug asked about the pool lift that was purchased for the old pool that won't be needed in the new pool. Kim is going to advertise the lift for sale on her city clerk listserv.

Commissioner Edwards

Commissioner Edwards asked about Double Time on the Payroll History Report in January. Kim explained that it was for the officers and dispatchers who worked the New Year's Day holiday.

Commissioner Edwards also asked why employees were working on Presidents Day. Kim gave permission to Ray Wahwasuck and Todd Swendson to repair a water leak at 145 East 11th. This was approved because of the short week ahead, meter reading, rereads, and inclement weather moving in.

Commissioner Forkenbrock

Commissioner Forkenbrock suggested that the city administrator duties be amended to include supervise all non-elected city employees, except the city attorney, municipal judge, *chief of police*, and city treasurer. Motion by Commissioner Edwards to authorize the revision of Ordinance No. 1150, section 1-310 of the city code to reflect the chief of police. Seconded by Commissioner Forkenbrock. All aye.

5 Minute Executive Session to Discuss Non-Elected Personnel

Motion by Commissioner Krug to go into a 5 minute executive session to discuss non-elected personnel to include Mayor Stirton, Commissioners Edwards, Forkenbrock and Krug, and Kevin Hill. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Forkenbrock to have a special meeting on March 8, 2018 at 9:00 a.m. to appoint vacancy for Police Commissioner and revisit storm drain discussion at 1301 Central Avenue. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner Edwards to adjourn at 9:08 p.m. Seconded by Commissioner Krug. All aye.

Kim Knudson, City Clerk

Bryan Stirton, Mayor