

November 18, 2019
5:15 P.M.
City Hall

The Commissioners of the City of Horton met for a regular meeting on Monday, November 18, 2019 at 5:15 p.m. at City Hall.

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

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

Motion by Commissioner West to adopt the agenda. Seconded by Commissioner Bacon. All aye.

Motion by Commissioner West to approve the minutes from the November 4, 2019 regular meeting. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner West to approve Appropriation Ordinance #3583 (Payroll) for the amount of \$32,040.80. Seconded by Commissioner Edwards. All aye.

Motion by Commissioner West to approve Appropriation Ordinance #3584 (Disbursements) for the amount of \$109,862.96. Seconded by Commissioner Edwards. All aye.

Public Comments

LaMont Cook, manager of Mission Village Living Center, was present to provide updates on the facility. The guttering on the outside of the building is complete, interior repairs affected by water damage will begin on November 19th. There are currently 26 residents and they are still trending in a good positive direction. The VA contract for long term care services of individuals who have VA benefits has come to fruition at Mission Village. They now have a contract in place that is effective January 1, 2020.

Request to be Placed on Agenda

Tatum Lockwood visited with John Calhoon prior to the meeting for approval of use of the Blue Building for an after-prom fundraiser.

Consider Approval of Demolition Proposal

Calhoon placed two bids in front of the Commission to demolish the collapsing buildings downtown, one from Martin Construction for \$75,850, and one from Madget Demolition, Inc. for \$81,000.

After the Commission meeting on November 4th, shortly after the meeting, Martin Construction showed interest in submitting a proposal, Madget Demolition, Inc. had already submitted a bid at that point. Calhoon said that was fine because nothing had been decided positively yet, however Calhoon's conversation with Andrew had been that it appeared that he was unofficially going to be the only bidder and the city wanted to move pretty quickly after the 18th and the Commission would make an official decision on November 18th. So, unofficially Calhoon told Madget that the city would likely be going with him and to tentatively make some plans to get started soon after the 18th. Calhoon said that he couldn't officially give the go ahead until the Commissioners make that decision official on November 18th.

Andrew Madget, who was present stated that Calhoon verbally indicated that he would likely get the bid on more than one occasion. Andrew also voiced concern about the 10-working day notice being given to KDHE for asbestos removal, since asbestos removal started today, and that Martin

Construction knew what his bid was prior to submitting theirs. Calhoon said that Martin Construction was unaware of what Madget's bid was because it didn't come out in the newspaper and wasn't made public until after their bid was submitted.

Martin Construction's bid included the dumping fees, which is the big difference between the total cost of the two bids.

When Edwards asked Calhoon for his recommendation he said that Madget has done work for the city and has always been reputable. He did clarify that in the past Madget was contacted by administration to demolish a building for the city without going through the bidding process. Calhoon thought that after the dumping fees were added on Madget's bid, the cost would be well over \$100,000, and that didn't set well with him because it is at tax payers expense. Martin has the advantage to dump at his own site. The Commission again requested we ask for a waiver of dumping fees from the county.

Motion by Commissioner Edwards to award the contract to Martin Construction for \$75,850 to begin work on or about November 27th. Motion died for lack of second.

Motion by Commissioner Edwards to award the contract to Madget Demolition, Inc. for \$81,000. Seconded by Commissioner Krug. All aye. Mr. Madget stated that he would do his best to separate debris to help with dumping fees.

1st Reading of Renewable Parallel Generation Policy

The first reading of Ordinance No. 1185 was done. The Ordinance will be considered for approval at the next Commission meeting on December 2nd.

Sewer Budget Amendment

Motion by Commissioner Edwards to approve the clerk's recommendation to amend the sewer budget by \$18,000. Seconded by Commissioner Bacon. All aye. The adopted budget for 2019 was \$423,844. The proposed amended amount is \$441,844. The Budget Hearing will be held on 12/16/2019 @ 5:15 p.m. to hear any objections of taxpayers relating to the proposed amended use of funds.

Consider Approval of CMB License - Dollar General

The application received was from Dollar General, which is a corporation. Calhoon stated that he believes that the city Ordinance says that you have to be a Brown County resident for at least six months and usually put the application in that name. City attorney Kevin Hill said that a corporation is a person under Kansas statute, and because he didn't have the documents or application in question to review prior to the meeting he would like more time. He also advised the city to call him if they have legal questions in the future.

Motion by Commissioner West to table the discussion until the city attorney reviews. Seconded by Commissioner Edwards. All aye.

Ballot for Accepting or Rejecting Plan of Reorganization

The motion is for authorization to sell the hospital at sale. The Commission was being asked to vote on the plan itself, which they did not have in time for the meeting to review.

Deadline for the ballot is December 2nd for the Commission to vote to accept or reject the plan, which they didn't have in front of them for review. If the ballot isn't received on or before December 2nd the vote wouldn't count as either acceptance or rejection of the plan.

If the city were to opt to contest it and object to the plan, they would probably have to pay for council from N.C. to litigate on behalf of the city.

Because the Commission didn't have the detailed plan in front of them for review, they opted not to respond.

Discuss Annual Bonus Options

Calhoon presented bonus options for city employees to the Commission. The options included giving a \$300 bonus to fulltime employees, and \$150 to part time employees (based on hours worked), or give a longevity raise to employees who have been employed with the city for 5 consecutive years or more, or no bonus at all.

Since funds were planned in the 2020 budget, Motion was made by Commissioner West to Leave the employee bonuses the same as previous years and award after the first of the year. Seconded by Commissioner Krug. Aye – Commissioners West, Krug, Edwards, and Bacon. Abstain – Mayor Stirton.

City Administrator/Chief of Police Calhoon

Matt Watkins from KDOT contacted Calhoon and said that they would assist with the the overlay on North Central and tentatively begin on Wednesday.

The Parks & Recreation will discuss the lake caretaker's salary at their Tuesday night meeting. He has interest in coming back next year, however he is requesting more money because he is losing money in the taxes that he has to pay.

Calhoon granted the school permission to use the Armory for basketball practice at no charge from 3:30 – 5:00 p.m. The school will help with janitorial and labor and maintenance issues as needed, and they were asked to leave the outside doors closed during practices. The Commission will discuss potential charges to the school for use of the building at the beginning of 2020 after a review of operating costs at the Armory.

Jarvis Ramirez submitted his two-week resignation to the city making his last day the 22nd. Since it was the end of a pay period, Calhoon made his last Friday, the 15th. Calhoon said that he voluntarily left. Calhoon will be utilizing Isaiah Cortes for janitorial services to get the city through the rest of the year and fill the position if needed in 2020.

Two part time dispatchers have been hired and are in training. This will hopefully allow the fulltime dispatchers to use vacation time that they have accrued and not been able to take.

Kim Knudson will send Richard Lovelady a packet for the Commission meetings going forward since he will take his seat as Parks & Recreation Commissioner in January.

The city budgeted 3% for raises for 2020. Calhoon thinks that the good employees need to be rewarded, but more importantly other employees need to be on the scale comparable with other municipalities in small cities.

West and Edwards feel that since Calhoon works with the people every day that he determines the raises. Calhoon would like to present to the Commission before he makes it official.

Motion by Commissioner Edwards to authorize the administrator to use the 3% budgeted pay increase utilizing his method evaluating the employees. Seconded by Commissioner West. All aye. Aye – Commissioners West, Krug, Edwards, and Bacon. Abstain – Mayor Stirton.

Mayor Stirton

Mayor Stirton said that the school zone signs on 1st Avenue East are going off at night and on the weekends. Officer Boller will follow up with the city crews.

Commissioner Bacon

Commissioner Bacon said that the work that part time city employee Isaiah Cortes did to clean brush at the northern part of the Little Lake looks good and he gives him a lot of credit.

Commissioner West

West would like the city administrator to provide the Commission with reports for the Fair Building, Blue Building, Armory, Pool, and Mission Lake showing expenditures and any adjustments of user fees and present at the first meeting in January with recommendations. Then the Commission can decide if changes need to be made to at least cover costs.

Commissioner Edwards

The city sales tax remains at 9.5%, which is higher than other towns in the area. Edwards has been lobbied pretty heavily about the ½% sales tax that we have that was adopted several years ago without a sunset clause, and he hasn't been able to find out what it was for. Edwards recommended that the Commission considers dropping that 1/2%, which would drop us down to 9%. He said it would cost the city about \$40,000 out of the budget which could either be cut out of the budget or transferred from the electric fund. He thinks it would be a wonderful gift from the Commission to the citizens of Horton, the business owners, and the visitors, if we dropped the sales tax to 9%.

City Clerk, Kim Knudson said that the initial ½ percent was approved by vote in 1980, and the other ½ percent was approved by vote in 1986 to provide adequate public services for the city. Kim stated that 1% brings in roughly \$156,611 annually for the city, and without it the funds would have to be made up some other way in order for the city to survive financially. The other 1% city tax that was voted on and approved is to pay back the sales tax revenue bonds for the pool. Kim shared that the city also receives a share from county tax monthly.

Commissioner Krug

No report.

Motion by Commissioner Edwards to adjourn at 6:51 p.m. Seconded by Commissioner West. All aye.

Kim Knudson, City Clerk

Bryan Stirton, Mayor