

August 5, 2019
5:15 P.M.
City Hall

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

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

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

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

Motion by Commissioner Bacon to approve the minutes from the July 15, 2019 regular meeting. Seconded by Commissioner West. All aye.

Motion by Commissioner Bacon to approve the minutes from the July 23, 2019 special meeting. Seconded by Commissioner West. All aye.

Motion by Commissioner Bacon to approve Appropriation Ordinance #3568 (Payroll) for the amount of \$41,782.45. Seconded by Commissioner West. All aye.

Motion by Commissioner Bacon to approve Appropriation Ordinance #3569 (Payroll) for the amount of \$40,803.49. Seconded by Commissioner West. All aye.

Motion by Commissioner Bacon to approve Appropriation Ordinance #3570 (Disbursements) for the amount of \$161,156.58. Seconded by Commissioner West. All aye.

Public Comments

None.

Hiawatha Hospital Updates

John Broberg shared specifics from the Hiawatha Community Hospitals City Commission Report that was held on July 31, 2019.

Community Needs Health Assessment - The stakeholders in the community were sent an email inviting them to participate in their assessment survey. The survey closed on July 29th and they were approaching 300 participants. The goal of the assessment is to understand progress in addressing community health and to collect up-to-date community health perceptions. They will be holding a Community Town Hall Meeting at the Fisher Center on August 15th 5:30 to 7:00 pm.

During the Board meeting, they will be discussing the Sales Tax 2.0. There have been multiple meetings with leaders from Horton and Hiawatha including a conversation with representatives from Atchison FQHC about opening a FQHC at the nursing home. The funding through grants is not an option for two years. ACHC will have to look to the community for other funding. They are continuing to meet with community leaders to refine their Plan B. During the last campaign, they heard a lot of concerns from voters about 20% of the taxes being allocated to the City of Horton without a solid plan in place for how those dollars would be spent. There does not appear to be a plan in place for Horton to re-establish healthcare in their community. With the hospital performing better, and that fact that they are not able to generate the needed cash to replace the capital equipment, the hospital is considering requesting tax support vote again.

Broberg requested a written plan from the Commission stating what their intentions are for the money should the sales tax pass. Edwards requested a couple of weeks to formulate a plan because some other things might come to fruition.

The Hiawatha Hospital would like to do a petition to get the sales tax put on the November ballot, but there is a process, so they are under time constraints. The Commission agreed to form a committee and get Broberg something by Friday, August 9th.

Broberg stated that they haven't made up their mind on if Hiawatha would get all 100%, or if they would give Horton 20%.

Consider Approval of Project and Sale Resolution-Phase III

The Resolution and Ordinance approval was postponed to a later date due to a delay on the Letter of Conditions.

Sam Johnson provided the Commission updates on Phase III of the sewer project. He stated that the design portion is on schedule and he anticipates a November-December bid date.

Sam will be back in September to provide another update.

Resolution for 105 East 8th – Razo

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

Motion by Commissioner Edwards to approve Resolution No. 2019-005 A RESOLUTION AUTHORIZING THE PUBLIC OFFICER OR AGENTS OF THE CITY OF HORTON, KANSAS TO ABATE CONDITIONS OF THE FOLLOWING DESCRIBED PROPERTIES THAT ARE INJURIOUS TO THE HEALTH, SAFETY OR GENERAL WELFARE OF THE COMMUNITY OR DETRIMENTAL TO ADJOINING PROPERTIES, THE NEIGHBORHOOD OR THE CITY BY REPAIRING, DEMOLISHING OR REMOVING THE SAME AFTER THE PASSAGE OF 30 DAYS FROM THE DATE THIS RESOLUTION IS PASSED; FIXING THE TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS, AT WHICH TIME THE OWNER, HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS OR OTHERS WITH CHARGE, CARE, CONTROL OR RESPONSIBILITY FOR MAINTENANCE OF THE PREMISES, REGARDLESS OF STATUS AS OWNER, RENTER, TENANT OR LESSEE, WHETHER OR NOT IN POSSESSION OF THE FOLLOWING DESCRIBED REAL ESTATE MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURES AND CONDITIONS SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, DEMOLISHED OR REMOVED OR MADE SAFE AS TO THE SAID DANGEROUS STRUCTURES OR DANGEROUS CONDITIONS. Seconded by Commissioner Bacon. All Aye.

A hearing will be held on 09/23/2019 before the Governing Body of the City of Horton, Kansas, at 5:15 p.m. in the City Commission Room, 1st Floor, Horton City Hall, Horton, Kansas 66439, at which time the owners, their agents, any lienholders of record, any occupant and/or other persons who have charge, care, control or responsibility for maintenance of the structure located at 105 East 8th in Horton, Kansas may appear and show cause why such structure should not be condemned as being an unsafe or dangerous structure, or being a structure in a dangerous condition with conditions that are injurious to the health, safety or general welfare of the community or detrimental to adjoining properties, the neighborhood or the City, and ordered repaired, demolished or removed, or said conditions made safe.

Revisit Skid Steer Discussion

Calhoon visited with the rep from KanEquip and he decided that with the overages on the hours on the cities skid steer, it would make sense to purchase it. Calhoon received interest rates and terms from Pony Express Community Bank for an initial rate of 2.62% for three years, GNBANK quoted 2.99% - 3.25%, and Union State Bank quoted around 3.45%.

Motion by Commissioner West to go with the city administrator's recommendation. Seconded by Commissioner Krug. All aye.

Consider Appointment of Library Board Member

Per the recommendation of the Library Board, Motion by Commissioner Edwards to appoint Barbara McClain to the Library Board of Trustees. Seconded by Commissioner West. All aye.

Consider Approval of 2019 Standard Traffic Ordinance and Uniform Public Offense Code

Motion by Commissioner West to approve Ordinance No. 1181 **AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF HORTON, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2019.** Seconded by Commissioner Bacon. All aye.

Motion by Commissioner West to approve Ordinance No. 1182 **AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HORTON, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2019 PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER 1176.** Seconded by Commissioner Bacon. All aye.

Consider Approval of Dock Request

Motion by Commissioner Bacon to approve the dock installation request from Jim Streeter that was presented to the Park Board, and allow him to sign the Boat Dock Agreement. Seconded by Commissioner West. All aye.

City Administrator/Chief of Police Calhoon

The Commission discussed the Water Supply Contract again that Rodney Paden requested. The Commission opted to keep the current in place, and have Rodney Paden sign a separate agreement stating that he has one year to locate line and set a meter pit at 1527 120th Street, at their cost, so the city can install their meter. If he plans on selling the house within prior to the one year, the meter pit would need to be installed prior. Once that is done the Water Supply Contract that was drafted would be followed 100%.

Since the Water Supply Contract has already been approved at a prior meeting it was the consensus of the Commission is that they are agreeable to work something out with Rodney Paden on a temporary basis for the house located at 1527 120th Street. Kim, John, and Rex will draft a temporary agreement and send to Kevin Hill for review so it can be approved at the next meeting.

On behalf of Keith Olsen, Calhoon asked if each of the flag football referees could be paid \$10.00 per game for the upcoming season. Motion by Commissioner Bacon to approve the referees to be paid for the flag football season. Seconded by Commissioner Edwards.

The Chapter 11 Trustee is currently in the process of requesting CMS to consider granting CAH certification for the Horton CAH (Horton Hospital). The Chapter 11 Trustee believes it would be very helpful to obtain letters from KDHE, Governor Kelly's office and the City of Horton expressing its support to reopen the hospitals as a CAH. Calhoon shared the letter that he drafted to Mike Flanagan at Flanagan & Associates L.L.C requesting to recertify the Horton Community Hospital as a Critical Access Hospital in the immediate future.

Motion by Commissioner West to reduce the fee by 1/2 at the Armory for Faith & Fun (Church of the Lord Jesus Christ). Seconded by Commissioner Bacon. All aye.

Motion by Commissioner Edwards to authorize Kim Knudson to sign off on the Health Insurance Renewal for the city employees effective 09/01/2019. Seconded by Commissioner West. All aye.

Calhoon found a contractor out of Topeka, Derik Kesler, to install an ADA compliant bathroom, breakroom, and additional office at City Hall for around \$58,400.00. Motion by Commissioner Edwards to authorize Calhoon to move forward with construction. Seconded by Commissioner West. All aye. Construction should be completed by the end of the year.

Mayor Stirton

Mayor Stirton asked if the Mexican Restaurant, El Cazador Mexican Grill & Cantina is on schedule to open soon. Calhoon thinks they are going to open around the 1st of September.

Commissioner Bacon

Commissioner Bacon finished painting all of the ballfield dugouts. He said that he has over 100 hours in and hopes that everybody likes them.

Commissioner West

Commissioner West said that the overnight outage regarding the football field went well on July 27th. He said that he heard no complaints and that it was well thought out by the city crews.

Commissioner Edwards

No report.

Commissioner Krug

No report.

Motion by Commissioner Edwards to adjourn at 7:35 p.m. Seconded by Commissioner West. All aye.

Kim Knudson, City Clerk

Bryan Stirton, Mayor