

July 1, 2019
5:15 P.M.
City Hall

The Commissioners of the City of Horton met for a regular meeting on Monday, July 1, 2019 at 5:15 p.m. at City Hall.

Mayor Stirton called the meeting to order and the 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 Attorney Kevin Hill and City Administrator John Calhoon were also present.

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

Motion by Commissioner Edwards to approve the minutes from the June 17, 2019 regular meeting. Seconded by Commissioner Bacon. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3564 (Payroll) for the amount of \$49,537.21. Seconded by Commissioner Bacon. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3565 (Disbursements) for the amount of \$140,005.09. Seconded by Commissioner Bacon. All aye.

Public Comments

On behalf of HIDC, Tim Lentz presented a design of the proposed ballfields. Lentz asked for more time before the 2020 budget is finalized by the city so they have a better idea of what funds are committed. As of now the cost of the ballfields is roughly \$560,000 with a 50/50 match with a Community Development Block Grant.

Lentz has a hard commitment of \$100,000, which would leave \$150,000 to \$160,000 in community money needed in order to move forward with the project.

Motion by Commissioner Edwards to hold a special meeting on July 29th at 5:15 p.m. to finalize the budget. Seconded by Commissioner West. All aye.

Request to be placed on Agenda

Jacquie Kerl, Hiawatha Clinic Manager provided Hiawatha Community Hospital updates to the Commission in John Broberg's absence.

Baseball Field Drawings & Cost Estimates

Sam Johnson was not present.

Revisit Discussion about Recreation Commission/Advisory Board – Notice of Intention

Motion by Commissioner Edwards to approve the publication of the Notice of Intention to Combine Administration and Operation of Park System and Recreation System. Seconded by Commissioner Bacon. All aye.

Review and Consider Approval of Paden Water Supply Contract

Motion by Commissioner Edwards to approve the Water Supply Contract with the additions and corrections that were discussed tonight. Seconded by Commissioner West. All aye. The Commission still needed to determine the minimum PSI pressure, and a description of where the master meter is

located on the Oswald property. The administrative fee was set at \$250.00 to cover costs associated with the agreement, and the length of the contract will be for a period of 10 years. The customers will review and sign the Water Supply Contract, fill out utility paperwork with the city of Horton, and pay a \$150 deposit and \$20 connect fee.

Revisit Brown County Invoice Request

Motion by Commissioner Edwards to reject the claim from Brown County based on the fact that there was no prior arrangement for the city to help pay for the cost of the special election. Seconded by Commissioner Bacon. All aye. The city received an invoice for \$5,677.05 from Brown County requesting that we pay 1/3 of the cost (split between Brown County, City of Horton, and City of Hiawatha) for the special election that was held on May 21st.

Discussion of Proposed Ordinance Regarding Customer Owned Renewable Electric Generation

Motion by Commissioner Edwards to table discussion until the city can obtain more reliable information. Seconded by Commissioner West. All aye.

Consider Approval of CMB License

Motion by Commissioner West to approve CMB (Cereal Malt Beverage) license request from Ashlee Munoz for the Mexican Restaurant (El Cazador Mexican Grill & Cantina) due to open at 1445 4th Avenue East. Seconded by Commissioner Edwards. All aye.

Discuss Lease/Purchase Options for Skid Loader

Motion by Commissioner Edwards to table the discussion pending receipt of more information and pending negotiation with current vendor. Seconded by Commissioner West. All aye. The city has the option to return the current skid loader and go with a different vendor, re-lease the current skid loader for another year, buy the current skid loader outright, or lease a new skid loader.

City Administrator/Chief of Police Calhoon

The Commission would like to match the same contribution that they made last year for the Kickapoo Tribe in Kansas Traditional Pow-Wow that will take place on August 22nd – 23rd. Funds will be used to host a gathering of Native American dancers in northeast Kansas. The city contributed \$250 in 2018.

Reinvent Horton is interested in putting in a Veteran's Memorial Wall at the 4 corners downtown. The Commission agreed as long as they meet the city setback and Ordinance requirements.

Calhoon stated that Donnie Groshong would like to help patrol at Mission Lake on a volunteer basis. Donnie would be provided a radio and can give feedback to the other officers if assistance is needed.

Motion by Commissioner Krug for Calhoon to submit the Special Events Questionnaire to KCAMP (Kansas County Association Multiline Pool). Seconded by Commissioner Bacon. All aye. This will provide liability coverage for city sponsored events in town.

The speed bumps at the lake were stolen last weekend, which is a criminal offense and the officers are working a criminal case. Calhoon says the perpetrator could also be charged with tampering with traffic control devices. The Commission would like to have more patrols, and utilize radar guns and the speed trailer to help alleviate speeding around the lakes.

The Commission approved the purchase of more sand for the volleyball courts for the upcoming volleyball tournament over the 4th. The sand will cost between \$500 - \$800.

Mayor Stirton

Mayor Stirton requested that the Calhoon get with the state about relocating the 50MPH sign to the other side of the bridge heading east out of town.

Mayor Stirton asked for a status on the commercial grade fence installation around the falling building downtown. Calhoon said that he needs to call on bids for the demolition of the building, and would hopefully have them install the fence prior to the fair.

Commissioner Bacon

No report.

Commissioner West

No report.

Commissioner Edwards

Commissioner Edwards will contact KMEA (Kansas Municipal Energy Agency) to see if the alternate member for the Board of Directors needs to reside within city limits.

Commissioner Krug

Commissioner Krug requested to have an explanation of the process for the demolition of the building that is falling downtown. He wants the residents to be aware of the city's legal process, and that they cannot just tear down a building that isn't owned by the city.

City Attorney, Kevin Hill provided this timeline-

May 4, 2019 Certified mailing sent by Jimmy Stuart to Razo advising of violation of environmental code—Stuart gave Razo until May 27, 2019 to remedy.

May 28, 2019, resolution approved by City Commission on the first possible day following Razo's failure to remedy the violation by May 27, 2019. Pursuant to Ordinance and Kansas Statute, a resolution must be published two weeks in the official city newspaper with at least 30 days elapsing between the last publication and the hearing in front of the city commission at which the owner can appear and show cause why the property should not be condemned and ordered repaired or demolished. When the paper could not publish on the Thursday following Memorial Day, the resolution had to be published the following week, which made July 15th the first possible date the Commission could have the hearing by statute and city ordinance.

Razo is currently set for hearing on July 15th at 5:15 pm which is the earliest possible date based on the date the notice was originally served by Officer Stuart giving Razo until May 27, 2019 to remedy the situation.

Motion by Commissioner Edwards to adjourn at 7:26 p.m. Seconded by Commissioner Bacon. All aye.

Kim Knudson, City Clerk

Bryan Stirton, Mayor