

April 15, 2013  
5:15 P.M.  
Commission Room

The Commissioners of the City of Horton met for a regular meeting on Monday, April 15, 2013 at 5:15 p.m. in the City Hall Commission Room.

Mayor Lentz called the meeting to order and the prayer was given by Candy Schmitt.

Present: Mayor Lentz, and Commissioners Krug, Forkenbrock, Edwards and Barton.

Motion by Commissioner Edwards to approve the agenda. Seconded by Commissioner Krug. All aye.

Commissioner Edwards made the motion to pull #1 off of the Consent Agenda seconded by Commissioner Barton. All aye.

Commissioner Edwards requested that the minutes from April 1, 2013 be amended to show the approval of Appropriation Ordinances #3239 (Payroll) and #3240 (Disbursements). Also to show that Commissioner Barton made the motion to release the Housing PILOT payment and was seconded by Commissioner Forkenbrock.

Commissioner Edwards made the motion to approve the minutes of April 1, 2013 as corrected. Seconded by Commissioner Forkenbrock. All aye.

Commissioner Forkenbrock made the motion to approve the Appropriation Ordinance #3239 (Payroll) in the amount of \$38,786.15. Seconded by Commissioner Barton. All aye.

Commissioner Forkenbrock made the motion to approve the Appropriation Ordinance #3240(Disbursements) in the amount of \$290,100.21. Seconded by Commissioner Barton. All aye.

#### **Public Comments**

None.

#### **Pat Cox from B & G**

Mr. Cox found federal funding for Phase II of the sewer project. This project would add anywhere from \$11.00 to \$14.00 on the monthly bills. This funding would not include CDBG funds. The project would rehabilitate remaining sewer lines and repair screening and grit removal issues. Funding would include a grant in the amount of 1.3 – 1.8 million dollars. Commissioner Edwards made the motion to authorize consultant to proceed with further financing and planning of Phase II of the sewer project. Seconded by Commissioner Barton. All aye.

#### **Public Hearing**

Open 5:34 p.m. Commissioner Edwards made the motion to have city crews proceed with the demolition of 228 W 14<sup>th</sup> St, and 1024 2<sup>nd</sup> Ave. West. Seconded by Forkenbrock. All aye. Mayor Lentz closed the public hearing at 5:36 p.m.

#### **Manor Update**

Lesa Duryea provided an update about the manor. She stated they currently have 36 long term residents, and 8 assisted living residents.

### **Chief of Police Update**

Beau provided the Commissioners with an overtime report. Kickapoo has requested that the Horton Police take over their dispatching for them. They have already shut down and Brown County is currently dispatching for them in the interim. Kickapoo will transfer their dispatch equipment to us, which is valued between \$150,000 to \$200,000. In exchange for the equipment, Horton will dispatch for them for 4 ½ years for free, and then we will charge Kickapoo \$20,000 a year after that. Installation of the new equipment will be around \$10,000, and Kickapoo would like to add ½ year of dispatching in return for them installing the equipment. Mayor Lentz stated that we need a plan in place on who will be responsible for repairs for the life of the equipment after 4 ½ to 5 years. Kevin Hill is going to update the Dispatch Agreement with necessary changes and provide it to Beau.

Beau stated that his officers could trade their current glocks straight across for brand new FN's. They would just have to purchase the holsters, which would be about \$750 for all. Commissioner Forkenbrock made the motion to approve new guns for the police department. Seconded by Commissioner Barton. All aye.

### **Request for 5 Minute Executive Session by Commissioner Forkenbrock**

Motion by Commissioner Forkenbrock to go into executive session for 5 minutes to discuss non-elected personnel to include the Commission, City Attorney, City Clerk Clausen, Candy Schmitt and Chief of Police Hasenohr. Seconded by Commissioner Edwards. No action taken after executive session.

### **Community Garden Update**

Judy Stone was present and requested the use of property and water for the Community Garden again this year. Judy would be interested in purchasing the property on Euclid if the city provided water. If the city were to deed the property over to Judy, Kevin Hill would look at adding an addendum to the deed for the property. This topic will be placed on the agenda for May 6<sup>th</sup>. Motion was made by Commissioner Edwards that the city provides water for 1595 Euclid and that Judy Stone supervise. Seconded by Commissioner Barton. All aye.

### **Update on Farmers Market**

Jake Johannes was present at the meeting and would like the city to proceed with the power and water at the Farmers Market site. Rex West said there would be no problem with a quick turnaround on the electrical, but stated the water would take longer and be completed at the convenience of the city. Motion was made by Commissioner Edwards to provide water and electrical to the Farmers Market. Seconded by Commissioner Forkenbrock. All aye.

### **Update on Pay Request to Sapulpa Digging Inc.**

Motion by Commissioner Forkenbrock to pay Sapulpa Digging in the amount of \$242,991.87. Seconded by Commissioner Barton. All aye.

### **Update on Director #1 for KMEA Board of Directors**

Motion by Commissioner Forkenbrock to appoint Commissioner Wade Edwards as Director #1. Seconded by Commissioner Barton. Aye—Mayor Lentz and Commissioners Krug, Forkenbrock and Barton. Abstain—Commissioner Edwards.

### **Sweet Pro Property Update**

James Stuart staked out the property lines of the requested property. Craig Wischropp from Sweet Pro would like to extend out to second fence on property. Mayor Tim Lentz and Rex West observed vegetable oil leaking into the soil on the land, so they advised Sweet Pro that they need to remove the affected soil

from the area. The property in question would need to be rezoned. The city proposed that we wave the \$200.00 zoning fee. Sweet Pro would be responsible for relocating the high voltage utilities. The council would like to invite Craig Wischropp to the next Commission Meeting for questions and updates.

### **KMEA Pool**

Mayor Lentz and Commissioner Edwards reported on a meeting with Scott Shreve from EMG and a representative from Midstates concerning the cost of communication fees and metering. The cost that will be charged to the City of Horton will be for recurring telephone costs. They stated our meters are fine. Next meeting will be held in Horton in June. They also were advised that the City will be exempt from the Rice Rules.

### **CDBG Conflict of Interest Policy**

Commissioner Edwards made the motion to approve the addition of the Conflict of Interest Policy to the Code of Ethics that has already passed. Seconded by Commissioner Barton. All aye.

### **Update on Sale of Church Property**

Rick Clements would like us to sell him the property east of the Baptist church to him for \$1.00 and he would put some sort of picnic shelter on there, or would like to use the area to plant and sell alfalfa. If this property were to be used for alfalfa, it would need a utility easement and would need to be rezoned as agriculture. Commissioner Edwards would like a request for the property to come from the church, rather from one individual.

### **Update on Sandblasting Bids**

The city received one bid for sandblasting the restrooms at the city pool. The bid was from May Sandblasting out of Hoyt for \$6500.00. Motion was made by Commissioner Krug to move forward with the sandblasting. Seconded by Commissioner Barton. Aye—Commissioners Krug, Forkenbrock, Edwards and Barton. Nay by Mayor Lentz.

### **Update Surplus Property**

Commissioner Forkenbrock made the motion to allow the sale of bulk tanks and ball lights on Purple Wave. Seconded by Commissioner Barton. All aye.

### **Update on Animal Excrement Ordinance**

Discussed complaints of horses leaving waste in street, and leaving marks and walking in people's yards. Kevin Hill will have an updated draft of the ordinance in the next meeting stating some changes, including corrective actions. Those riding the horses have been spotted drinking alcohol on City streets. This is in violation of the City codes sections 3-104 and 3-105c. The Commission directed that the Police Department cite those in violation of these codes.

### **Update on Proposed New Position**

Commissioner Edwards is in favor of new position. Now that we have a job description, he requested a starting wage and starting date. After further discussion, this position will be tabled until it gets closer to Candy's retirement date.

### **Staff Reports**

Rex West stated that everyone is working on installing meters Monday – Thursday, and that the pool has been drained and cleaned.

### **Motion to Reconsider Sandblasting Bid**

After further discussion a motion was made by Commissioner Edwards to reconsider the motion to sandblast at the swimming pool. Seconded by Commissioner Krug. All aye. Motion was made to withdraw the sandblasting bid for the restrooms at the city pool, and power wash and paint instead. Seconded by Commissioner Krug. All aye.

### **City Clerk's/Administrator's Agenda**

A request for a donation for fireworks was received by the Lion's Club. Motion by Commissioner Forkenbrock to donate \$500.00 to the Lion's Club for fireworks. Seconded by Commissioner Edwards. All aye.

### **Commissioner's Agenda**

#### **Commissioner Krug**

Voiced concern of people getting in line for their site at the lake and getting a number and not staying in line. Commissioner Barton advised that the numbers that were given out were the position in line and they did not leave the building. Motion by Commissioner Krug to go into executive session to discuss non-elected personnel to include the Commission, City Attorney, City Clerk Clausen and Candy Schmitt. Seconded by Commissioner Barton. All aye. Executive session ended at 7:36 p.m. with no action taken.

#### **Commissioner Forkenbrock**

Commissioner Forkenbrock offered his condolences for the tragedy in the city of Boston.

#### **Commissioner Edwards**

No comment.

#### **Commissioner Barton**

Commissioner Barton brought to the commission that Tom Coffman and Mike Wilburn would like to move their docks because they didn't get the same site as they did last year. Commissioner Forkenbrock made a motion that Coffman and Wilburn can move their docks at the lake because they didn't get their old spot back. Seconded by Commissioner Barton. All aye. Discussed having a need for specs before we can approve anyone building new docks at the lake.

#### **Mayor Lentz**

Mayor Lentz stated that there have been 331 water meters installed to date. Asked how many summer help applications we have received. Ron and Ellen Demaray voiced their concern over the dust on the east side of the lake. It was suggest by Rex West that we prep the road for the dust control by grading it and they incur the cost of the dust control. David Zeit requested concrete rubble for the conservation dam. Mayor Lentz suggested that he could get the rock from the manholes that were torn out. Mayor Lentz is working with him to determine if that will work. Commissioner Barton made the motion for Mayor Lentz to sign the contracts for the geometric improvement project. Seconded by Commissioner Forkenbrock. All aye. Commissioner Edwards made the motion for Mayor Lentz to sign documents for the 2015 KLINK project from 15<sup>th</sup> and Central east to the bridge. Seconded by Commissioner Forkenbrock. All aye. Mayor Lentz and Commissioner Barton are to meet with the Park and Rec Board to discuss adding more stalls at Mission Lake. Rex West confirmed it is \$275.00 to run electricity for two camping stalls. Mayor Lentz recommended that we all keep Bridget Streeter in our thoughts and prayers.

Motion by Commissioner Edwards to adjourn the meeting at 8:12 p.m. Seconded by Commissioner Barton. All aye.

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Kim Clausen, City Clerk

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Tim Lentz, Mayor