

September 5, 2023  
5:15 P.M.  
City Hall

The Commissioners of the City of Horton met for a regular meeting on Tuesday, September 5, 2023, at 5:15 p.m.

Mayor Stirton called the meeting to order, and the opening prayer was led by Pastor Nick Marsh from the First United Methodist Church. The Pledge of Allegiance was recited by all.

Present: Mayor Stirton, Commissioner Rex West, Tina Nigh and Richard Lovelady. City Administrator John Calhoon and City Attorney Kevin Hill were also present. Commissioner Carmela Boller was absent.

Motion by Commissioner West to adopt the agenda as presented. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner Nigh to approve the minutes from the August 21, 2023, regular meeting. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner Nigh to approve Appropriation Ordinance #3775 (Payroll) for \$43,692.47. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner Nigh to approve Appropriation Ordinance #3776(Disbursements) for \$47,095.48. Seconded by Commissioner Lovelady. All aye.

#### **Public Comments**

USD #430 Superintendent Dr. Rebecca Kramer was present on behalf of the school district to thank the city for help and use of porta potties last week when they experienced plumbing issues at the stadium. She thanked the city for their continued support, and reminded everyone how she values our partnership. She also extended a warm thank you to Randy Mayfield for all that he did for them last week.

#### **2024 Revenue Neutral Rate Hearing and Approval of Resolution No. 2022-004**

The hearing was opened by Mayor Stirton. Motion by Commissioner Nigh to approve Resolution No. 2023-004, A RESOLUTION OF THE CITY OF HORTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE. Seconded by Commissioner Lovelady. All aye. The RNR rate for the City of Horton was calculated as 56.443 mills by the Brown County Clerk. After several Budget Workshops, the Commission approved to not exceed 56.443 mills for the 2024 budget.

#### **Consider Approval of Final Payment Request to AHRS Construction**

Motion by Commissioner West to approve final payment request No. 24 from AHRS Construction for Phase III Sewer Project in the amount of \$291,744.22 pending final approval from USDA. Seconded by Commissioner Nigh. All aye.

#### **Public Works Updates**

Public Works Superintendent Randy Mayfield was present to provide updates to the Commission on the water, sewer, electric, and street departments. Detailed reports

showing the summary of work orders created, and the status of work orders by department were provided.

Calhoon shared a letter that he drafted to USD #430 Superintendent Dr. Rebecca Kramer regarding the ballfield that read: during a recent grading, and new gravel being brought in to make improvements upon the city owned ballfield complex parking area, it became necessary to address some drainage issues, to divert the water run off towards the Northeast corner of the parking lot. Elevation Earthworx from Hoyt, Kansas performed the grading on the parking lot and road that runs to the East in between the Charger Football Field and Horton Ballfield Complex. Dr. Kramer and Calhoon made the decision to move forward with the recommendation of City Public Works Superintendent Randy Mayfield, in completing the drainage system with the city staff pouring concrete around the newly installed drain tile and spray foam, as opposed to ordering and locating a precast inlet box. The city accepts responsibility for the work completed, and should there be any failure of the work performed at any time in the future, the City of Horton agrees to make the necessary repairs at their expense, as long as the USD #430 School Board and/or their designee agrees, prior to the work being done, unless an emergency repair is deemed necessary. Calhoon said that the letter provides assurance if there are any future problems.

Assistant Chief of Police, Cody Spire announced that Officer David Spain has accepted a position elsewhere, and his last day with the city will be Monday, September 11<sup>th</sup>. Calhoon thanked Spain for his time with the city, and wished him well in his future endeavors.

The Commission discussed the option of naming Assistant Police Chief Cody Spire as acting Police Chief. Spire said that the only item that he isn't able to do is the CPOST (Commission on Peace Officers) paperwork. Kevin Hill made the recommendation for the Commission to appoint Spire as the acting Police Chief so he is able to submit the CPOST related items until the city hires someone. West asked Hill for clarification on whether CPOST requires Spire to be appointed as acting Chief. Mayor Stirton asked West if there was an objection to appointing Spire as acting Chief. West said he isn't ready to do that just yet, and he would discuss further in an executive session because he doesn't feel like discussing it in open meeting. An executive session to discuss personnel matters of non-elected personnel was requested to be placed at the end of the agenda.

#### **City Administrator**

No report.

#### **Mayor Stirton**

Mayor Stirton asked if the new ballfield lights are on schedule. Calhoon said that the city crews will begin prepping for them for when they arrive possibly next week.

#### **Commissioner Lovelady**

No report.

#### **Commissioner West**

West asked the Commission on behalf of the police department to give approval to give Jon Boller his service sidearm back that he carried while he was on duty for his years of service on the police force. The police department would like to foot the cost to have it engraved and present it to him. The Commission had no issue with it.

**Commissioner Boller**

Not present.

**Commissioner Nigh**

Commissioner Nigh asked Calhoon to provide any updates on repairs of the Mission Lake dam.

Motion by Commissioner Nigh to go into a 10-minute executive session to discuss personnel matters of non-elected personnel to protect the privacy interests of the employee to include the Commission and Kevin Hill. Seconded by Commissioner Lovelady. All aye. After executive session no action taken, information only.

Motion by Commissioner West for Kevin Hill to contact CPOST regarding the requirements of having an interim or acting police chief. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner West to adjourn the meeting at 5:53 p.m. Seconded by Commissioner Lovelady. All aye.

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Kim Knudson, City Clerk

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Bryan Stirton, Mayor