

June 1, 2020  
5:15 P.M.  
City Hall

The Commissioners of the City of Horton met for a regular meeting on Monday, June 1, 2020 at 5:15 p.m. at City Hall.

Mayor Stirton called the meeting to order and the opening prayer was led by Pastor John Kress from the First Baptist Church. The Pledge of Allegiance was recited by all.

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

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

Motion by Commissioner West to approve the minutes from the May 18, 2020 regular meeting. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner West to approve the minutes from the May 21, 2020 special meeting. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner West to approve Appropriation Ordinance #3611 (Payroll) for the amount of \$33,541.39. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner West to approve Appropriation Ordinance #3612 (Disbursements) for the amount of \$81,972.51. Seconded by Commissioner Lovelady. All aye.

### **Public Comments**

None.

### **Public Works Updates**

Randy Mayfield was present to provide updates to the Commission on Public Works. Randy handed out a detailed report showing past and present projects broken down by department. Mayor Stirton asked the team to repair the Super Store's north entrance with patch material.

### **Trey Dishon Proclamation**

Mayor Stirton read aloud, and presented a Proclamation to Trey Dishon recognizing his outstanding achievements. Mayor Stirton asked all of the city residents to join him in proudly honoring and celebrating Trey Dishon for his profound accomplishments and inspiring example of commitment to excellence, and officially proclaim June 1<sup>st</sup> as Trey Dishon Day!

Trey will tentatively be signing autographs on the morning of June 13th. The site and time are yet to be determined.

### **Discuss Mission Village Contract for Sale of Real Estate**

LaMont Cook and Bruce Bird were present to revisit the discussion on the Contract for Sale of Real Estate between the City of Horton and Jefferson County Memorial Hospital Foundation, Inc. Calhoon informed the Commission that the Atchison Hospital sent an e-mail showing interest in potentially submitting a proposal as well, and asked if the city wants to entertain another proposal and table their decision on awarding a contract until the next Commission meeting on June 15th.

As stated in the previous meeting, Bruce reiterated that the Mission Village Board of Directors authorized LaMont to negotiate the sale of the property adjacent to the nursing home that contains the metal building in good faith to the City of Horton. \$10,000 was the request, and LaMont said that

they would like to hear a counterproposal from the city. Bruce said the money would be used to pay down the bed tax.

Edwards said that he is appreciative of the effort that has been put forth by Bruce and LaMont in their management of the nursing home. He is trying to balance that against his responsibility to the taxpayers and to the citizens in the City of Horton and requested another two weeks to entertain another proposal.

Bruce said that they have been in good faith with the city since early on. They upped the price of the contract, and the Atchison Hospital coming in at the 11<sup>th</sup> hour, after this deal has been set up and done, is unconscionable. They have done all the work and verbal commitments were made and didn't cost the city. Bruce said that they can't outbid Atchison, they have millions. Bruce challenged the Commission to make a decision tonight.

Calhoun suggested that Jefferson County Memorial Hospital Foundation, Inc. should have the right to submit an enhanced proposal before the next meeting if they choose.

Krug stated that he would like to have something in writing that pertains to the property that the city is requesting to obtain. LaMont said that has been the discussion all along and without them the city wouldn't have a nursing home. They have proven to be honorable and they are not interested in playing games.

Edwards discussed deferred loan payments and late utility payments for the facility and it bothers him that current management can't pay their utility bill every month. He is concerned about their ability to stay in business if they can't meet day to day obligations. Bruce said they are better situated today and have the largest surplus of cash right now. LaMont said that the Commission needs to see the trend and the direction that it is going financially and understand what that represents.

Lovelady thinks the Commission would be doing the citizens a disservice if they didn't consider the other proposal.

Mayor Stirton said that the Commission has three options.... approve and sell the facility tonight to Jefferson County Memorial Hospital Foundation, Inc., table the discussion until they look at the other offer, or don't sell that facility at all and pay a management company to run it. Krug said that the city doesn't want to be in the nursing home business and he is not ready to do anything tonight.

Jeff Perry, Atchison Hospital CEO was present and said that they just recently found out that the nursing home was for sale and that the nursing home facility plays a major part in their strategy for Horton Healthcare. They have already invested over \$550,000 in Horton and he personally believes that they deserve and would appreciate the opportunity to submit a proposal. Perry said that he has a lot of respect for Bruce and LaMont.

Motion by Commissioner Krug to table the discussion until the next meeting and hopefully make a decision at that time. Seconded by Commissioner Edwards. All aye.

### **Consider Purchase of Property at 1585 Euclid**

Randy Vaughan showed interest to the city in purchasing the property at 1585 Euclid. Calhoun will provide details for Kevin Hill to review at the next meeting.

### **Discuss Summer Street Maintenance**

Notice for Street Bids will be sent out to Vance Bothers, Approved Paving, Mid-America Road Builders to chip and seal 66 Blocks within the city. There was a discussion on specifics that should be placed on the bid sheet for the contractors. Commissioner West and Phil from Approved Paving weighed in on their suggestions. After lengthy conversation, it was determined that the city would provide the washed limestone chips, MC 800 oil would be used, work must be completed within 5 days after start date, and contractor will do their own measuring and sweep the streets.

### **Select Qualified CDBG Administrator for CDBG-CV Funds**

Motion by Commissioner Edwards to select Garrett Nordstrom, Governmental Assistance Services as the qualified CDBG Administrator for CDBG-CV Funds. Seconded by Commissioner West. All aye.

### **Consider Approval of Resolution 2020-002(CDBG-CV Certifying Legal Authority)**

Motion by Commissioner Edwards to approve Resolution No. 2020-002, a Resolution certifying legal authority and authorization to apply for the CDBG-CV from the Kansas Department of Commerce. Seconded by Commissioner Lovelady. All aye.

### **Discussion on Pool Opening/Closing**

Calhoon said that deciding whether or not to open the pool this season is not an easy decision. He said that he can recommend action, but ultimately it is up to the Commission. Calhoon said that the pool would need 3 to 4 weeks to get the water chemicals regulated and warm. Most pools within a 30-mile radius are not opening their pools. The Commission discussed in length the extensive sanitizing that would need to be done throughout the day, the regulated number of people that can be in the pool at the same time, the limited items that can be sold at the concession stand, all while practicing social distancing.

Motion by Commissioner Edwards to not open the pool for the 2020 season. Seconded by Commissioner Lovelady. Aye – Commissioner Lovelady, Krug, West, and Edwards. Nay – Mayor Stirton.

West suggested easing swimming restrictions at the lake because that is where people will likely go to swim. Kevin Hill said that current Ordinances would need to be amended to do so. The Commission decided that they wanted the Parks & Recreation Board to provide input on swimming at Mission Lake.

### **City Administrator/Chief of Police Calhoon**

City Hall doors will remain locked over the next few weeks, but the city won't be as restrictive. Calhoon said that the City Hall employees are critical to operations and we will proceed with caution.

Letters were sent out to customers who have delinquent utility bills notifying them that the previously issued statewide State of Disaster Emergency proclaimed on April 30, 2020, relating to COVID-19 has expired. Therefore, the order to suspend utility disconnects for non-pay is no longer in effect. Utilities that remain unpaid after 10:00 am on Monday, June 8th, 2020 will be disconnected. If the utility customer wishes to request a hearing for a payment arrangement on the bill, said customer will need to provide proof of a hardship due to COVID-19, showing why they are unable to pay the utility bill at this time. Hearings with the Utility Billing Clerk and City Administrator will be held on Friday, June 5th.

### **Mayor Stirton**

Mayor Stirton asked if weeds have been sprayed throughout town. Calhoon said that they were early on, but probably needs done again.

The goal of \$5,000 for firework donations has almost been met. Mayor Stirton asked if the city would be willing to donate anything. Other than Edwards, the Commission was in favor of the city contributing the difference for fireworks if needed.

Stirton asked about individuals lighting fireworks off the Sunday after the 4<sup>th</sup> this year since it falls on a weekend. The Commission was not in favor.

### **Commissioner Lovelady**

No report.

**Commissioner West**

No report.

**Commissioner Edwards**

No report.

**Commissioner Krug**

No report.

Motion by Commissioner Edwards to adjourn at 7:43p.m. Seconded by Commissioner West. All aye.

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Kim Knudson, City Clerk

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Bryan Stirton, Mayor