

September 21, 2020
5:15 P.M.
City Hall

The Commissioners of the City of Horton met for a regular meeting on Monday, September 21, 2020 at 5:15 p.m. at City Hall.

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

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

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

Motion by Commissioner Edwards to approve the minutes from the September 8, 2020 regular meeting after adding a statement to the minutes as they were published, and it should read that Edwards doesn't want it to be portrayed that he is against the people that need the free food program to get help, He is in favor of that. What he is not in favor of is that anybody coming from anywhere around the world coming to Horton, KS to pick up free food. We have a grocery store with a local business man that has invested quite a bit of money into our town and Edwards thinks it is wrong to hurt any local business. Seconded by Commissioner West. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3626(Payroll) for the amount of \$35,597.54. Seconded by Commissioner West. All aye.

Motion by Commissioner Edwards to approve Appropriation Ordinance #3627 (Disbursements) for the amount of \$364,138.09. Seconded by Commissioner West. All aye.

Public Comments

Calhoon introduced the new Police Officer in training, Brock Becker, to the Commission. Becker will ride along with other officers for the next month before heading to the academy at the end of October.

Closing Documents for Phase III Sewer

Motion by Commissioner Edwards to adopt the Certification to be Executed at Loan Closing that was provided by USDA. Seconded by Commissioner Lovelady. All aye.

Motion by Commissioner Edwards to approve payment request No. 1 for Phase III Sewer Project in the amount of \$270,512.50. Seconded by Commissioner Lovelady. All aye.

Once signed by the Mayor, all Pay Apps must have USDA approval before payments are disbursed. Sarah Hines from USDA will review, sign and return payment requests right away, so payments can be disbursed.

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.

Mayfield said that the backup generator that runs the wells is currently down, and will need to be replaced soon. West thanked the city crews for replacing the cable at the entrance at the tree dump, making it easier to open and close.

Request to be Placed on Agenda

Grace Ross, a member of the Kickapoo Tribe, and a candidate in the recent tribal elections, was present to voice concerns about the Kickapoo Tribe Police Department misusing dispatch services of the Horton Police Department. Ross submitted a formal complaint because she believes that her privacy and civil rights were violated by the Kickapoo Tribe and Officer Nathan Gray, who requested the dispatcher from the Horton P.D. have a Triple I background check ran on her. It is Ross's understanding that this can only be done for criminal justice reasons and believes that the background search was conducted to find something to discredit or disqualify her as a candidate in the 2020 Tribal Council Election.

Calhoon stated that he has a call into the Highway Patrol, but has not heard back from them yet. Once Calhoon speaks with them he will share his findings with City Attorney, Kevin Hill and decide what he wants to release to Ross. Calhoon said that if need be, the Highway Patrol would take action if in violation.

Request to be Placed on Agenda Acquisition of City Owned Property

Jennifer Johnson was not present, but Calhoon spoke on her behalf. Johnson is an investor who wants to acquire some properties that she can repair and invest in. The properties in Horton that she showed interest in were either owned by the county, not owned by the city, or have special assessments against them. Kevin Hill said that the city Commission would have to waive the special assessments in order for them to be removed by the County Clerk. The only property on her proposed list that was available is at 433 West 12th Street. Calhoon doesn't know if she is still interested and will suggest that she come to the Commission if she is. The Commission would then determine a purchase price and discuss the possibility of waiving special assessments.

Amended Snow Route Ordinance Follow-up

Kevin Hill prepared a rough draft Ordinance that addressed yellow highlights on the sheets that Calhoon gave to him, and asked for Calhoon and Knudson to e-mail thoughts and suggested revisions. Since the Ordinance was not included for the Commissioners to review, it will be revised and considered for a first reading at the next meeting on 10/05. Edwards and West will meet with Calhoon after tonight's Commission meeting to discuss further.

Discuss Use of Diversion Funds to Purchase New Server and Desktop

Calhoon said that the Court Clerk is in need of a new computer, and the front office staff which includes the Court Clerk are in need of a new server. Calhoon spoke briefly to Kevin Hill about the city utilizing the Diversion Fund to purchase these items. Kevin recommended authorization to use the Diversion Fund to fund the computer and server since it is traditionally used for law enforcement purposes. Calhoon said that the items should not exceed \$3500.00.

Motion by Commissioner Edwards to authorize the expenditure from the Diversion Fund to purchase a server and desktop for the Court Clerk. Seconded by Commissioner West. All aye.

Revisit Quarterly Sewer Rate Increase

Motion by Commissioner Edwards to not increase the sewer rate 2% as planned for October. Seconded by Commissioner Lovelady. All aye.

At the Commission meeting on 06/15/2020 Sam Johnson recommended that the city defer any sewer rate increases until KRWA performs a water rate analysis. Motion by Commissioner Edwards to defer the automatic sewer rate increase for the month of July, with potentially considering another increase in September. Seconded by Commissioner West. All aye.

Calhoon thinks the city will be okay without the 2% increase for one more quarter.

Appoint League of Kansas Municipalities Voting Delegate and Alternate

The Commission took no action on electing city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities. One of the deciding factors in the decision is because the convention will be held virtually.

City Administrator/Chief of Police Calhoon

A couple of applications have been received for review for open positions in the Police Department.

This week Horton Kansas Topics posted on Facebook that a utility bill had been paid on time on the 16th, and the bill was either misplaced by the front office, or not posted to his account on time. Calhoon and Knudson spent hours reviewing City Hall video camera footage and determined that the utility bill was paid in the early morning hours of the 17th, not the due date of the 16th as was stated. Calhoon said that the video helped in this situation, as in other situations, and that it was no fault of the front office.

Calhoon encourages every resident to go to <https://my2020census.gov/> and complete the 2020 census if you haven't already done so.

The 2020 Census questionnaire will take about 10 minutes to complete.

It's safe, secure, and confidential. Your information and privacy are protected.

Your response helps to direct billions of dollars in federal funds to local communities for schools, roads, and other public services.

Results from the 2020 Census will be used to determine the number of seats each state has in Congress and your political representation at all levels of government.

Ray Wahwasuck submitted his resignation with the city. His last day will be October 2nd. The city is currently taking applications to fill his position as Utility/Maintenance Worker. The city also has an opening for a part-time janitor position.

Calhoon has 54 hours of vacation that needs to be used by the end of September. He said it is not uncommon for him to have to carry over hours with the Commissioners permission. Calhoon said he may have to cover a shift for the police department since they are short-handed in the next week or two. He will take off a day or two in the coming weeks if possible.

Mayor Stirton

No report.

Commissioner Lovelady

Lovelady asked what was ever decided on painting the striping downtown. Calhoon said it was initially planned to be done next Spring, but will be done hopefully this week.

Commissioner West

Over the past several months, West has noticed cars parked on the sidewalks in the downtown area. He said that the city spent a lot of money and work on the sidewalks and would like the police officers to patrol and ask them to remove the cars from the sidewalks.

West asked Calhoon if the city crews could paint the curbs red by the fire hydrants downtown.

Commissioner Edwards

Edwards shared that The Bureau of Air in the Kansas Department of Health and Environment (KDHE) is exploring options to supplement a currently unsustainable emissions fee funding mechanism for the agency. KDHE has provided Kansas Municipal Utilities (KMU) with a summary of several options for the Air Quality Fee Fund to help cover the operating costs for the program.

Although all municipal electric emission permits are likely to be impacted in some manner by the fee structure, the systems with a Class II Emission Fee and Base fee will go from no fees to an average of over \$1,700 per year. KMU (Kansas Municipal Utilities) will be assembling comments and suggestions to the Bureau of Air based upon the feedback and comments that we receive from those systems impacted by the options being considered for the Air Quality Fee Fund.

Commissioner Krug

Krug commended the city crews on how nice that the firing range looks, especially in the past couple of months. He said that this past Sunday a former KBI instructor presented an educational session on conceal and carry. Krug stated that it was a nice use of the facility and he would like to see more things like this in the future.

Motion by Commissioner Edwards to adjourn at 6:19p.m. Seconded by Commissioner West. All aye.

Kim Knudson, City Clerk

Bryan Stirton, Mayor