

**November 7, 2011
City Council Meeting
Regular Council Meeting**

The regular council meeting for the City of Cimarron convened November 7, 2011 at 6:30 p.m. at the regular meeting place and was called to order by Mayor Gilbert Benton. The following councilmembers were present: Darrell Dupree, Alan Riney, Sandy Pickle, Judy Hilker, and Tammy Richardson. Employees present: Patty Duncan, John Gleason, Rickie Schiffner, Shannon Hoskinson, Candi Hemel, Mike Doll and Randall Cummins. Guests that were present were Rex Beemer, Beverly Benton, Troy Presley, Joey Duncan, Jeff Sharp, Tom Claar, Melani Kliewer, Tanya Schiffner, Matt Peters, T.J. Curtis, Phillip Woods, Mike Stumps, and Mark Renick.

Jeff Sharp gave an update on the police department. He reported 96 stops and 32 tickets for the Municipal Court and 44 tickets went through District Court.

Rex Beemer discussed the need for the city council and key city employees to take training for disasters and the chain of command needed and the process that would take place should that occur. The training will take place locally beginning next month. There will be classes held on December 12, 2011 from 1 to 5 p.m. and 6 to 10 p.m. at the 4-H building in Cimarron. Classes will also be held in Montezuma on December 19, 2011 at 1 to 5 p.m. and 6 to 10 p.m. at the EMS building. Mr. Beemer also discussed the need for the fire fighters to become certified in the fire fighter 1 class. Mr. Beemer requested \$1,200.00 incentives monies to each fire fighter that completed the course. Mr. Beemer also presented a bid for \$5982.24 plus freight for the equipment needed to bring the city fire truck up to standards.

Comp time and holiday pay were discussed.

Motion was made by councilmember Sandy and seconded by councilmember Judy Hilker to allow comp time up to 80 hours to be used within a six (6) month time period. The water department will receive 4 hours a day for on call weekends and the electric department will receive 3 hours a day for on call weekends. All in favor. Motion carried.

Troy Presley from Pride Ag stated that they would be putting up gates to close off the road north of the elevator. Rex Beemer and Mike Swartz discussed the concerns about the EMS and Fire Department being able to respond in a timely manner with the gates and the issues have been resolved.

Attorney Mike Doll presented ordinances.

Motion was made by councilmember Alan Riney and seconded by councilmember Sandy Pickle to adopt Ordinance 1003 "An ordinance regulating traffic within the corporate limits of the City of Cimarron, Kansas and incorporating by reference the "Standard traffic ordinance for Kansas cities, edition 2011" and Ordinance 1004 "An ordinance regulating public offenses within the corporate limits of the City of Cimarron, Kansas, and incorporating by reference the uniform public offense code for Kansas cities edition 2011" All in favor. Motion carried.

Randall Cummins gave an update on the Wagner easement. It was revised and sent back for signature.

Councilmember Darrell Dupree presented a plaque to Tom Claar for his work at the park shelter house and bathrooms. The city is grateful for his hard work and efforts to make the park a nicer place for families.

Phillip Woods discussed the need for fuel at the airport. Councilmember Alan Riney will contact Joel Krosschell and Darin Neufeld to see what can be done through the airport grant. They would like to see a card pump put in place. Until something permanent can be put in place Rex Beemer will work with the airport board on this to make sure all the regulations will be met if a temporary fuel container is to be used.

Councilmember Judy Hilker discussed the airport board. Mayor Benton appointed Phillip Woods, T.J. Curtis, David Hilker, and Rusty Woods.

Motion was made by councilmember Alan Riney and seconded by councilmember Sandy Pickle to accept the appointments made by Mayor Benton to the airport board. All in favor. Motion carried.

The law enforcement contract was discussed. The paragraph 3.3 would need to come out of the contract before it would be signed.

Motion was made by councilmember Sandy Pickle and seconded by councilmember Judy Hilker to approve the law enforcement contract without the 3.3 paragraph in it, if the county commissioners would approve that change. Vote was taken councilmembers with Alan Riney, Sandy Pickle, Tammy Richardson voting yea, councilmember Darrell Dupree voting nay.

Mike Stumps addressed the council concerning leasing city property for oil and gas. Mr. Stumps will put together more information and present at the December meeting.

Councilmember Judy Hilker discussed illegal dumping and the cleanup needed in areas of the city. KDHE has a program to help cities clean up area yards. The cost to the city would be 25%. The costs to the city could be taken care of by in kind work. KDHE would do the enforcing of the cleanups. Councilmember Judy Hilker would like to form a committee to start on the clean-up process.

Councilmember Judy Hilker would like the general budget published in the newspaper. It will be published the first part of 2012. Water usage will be posted on the web site.

The lease on the farm ground was discussed. The city will advertise after the first of the year for a new lease.

Councilmember Darrell Dupree discussed the Soule canal being deeded to the city by Mr. Brady. The city would maintain and clean out the canal if it became city property. On November 14, 2010 Jeff Hancock will be discussing RHID. The City Clerk will contact the Appraiser, County Clerk and Treasurer asking them to attend the meeting.

Councilmember Darrell Dupree discussed the building permit process. Randall Cummins and councilmember Darrell Dupree will meet and review the process and present to the council in the December meeting.

Randall Cummins stated that the baler has been sold to Pawnee County for \$13,500.00. He requested buying two (2) more balers for the recycle center. The costs for each balers would be \$6,500.00 plus \$750.00 for delivery.

Motion was made by councilmember Alan Riney and seconded by councilmember Darrell Dupree to purchase the balers for the recycle center. All in favor. Motion carried.

Repair of 5th street was discussed. JAG will try and get it repaired within the next 30 days.

Mayor Benton appointed a new recreation committee consisting of Tammy Richardson, Matthew Peters, Steve Pickle, Shawn Harmon, Michelle Frink, and Chad Burman.

Motion was made by councilmember Judy Hilker and seconded by councilmember Darrell Dupree to accept the appointments made by Mayor Benton. All in favor. Motion carried.

Neighborhood Revitalization was discussed.

Motion was made by councilmember Alan Riney and seconded by councilmember Darrell Dupree to approve the application from Rodger Davis for Neighborhood Revitalization. Vote was taken, Councilmembers Alan Riney and Darrell Dupree voted yea councilmembers Sandy Pickle, Tammy Richardson and Judy Hilker voting nay. Motion did not carry application denied.

Ordinance 894 concerning annexation into the city to acquire city water was discussed.

The water, sewer, trash and electric committees will need to meet to discuss rates and costs before the December meeting.

Motion was made by councilmember Judy Hilker and seconded by councilmember Tammy Richardson to approve acquiring the equipment needed for the city fire truck in the amount of \$5,982.25 plus freight to be paid from the Equipment Reserve fund. All in favor. Motion carried.

Mark Renick requested a culvert be placed in Penner Street by his home.

Motion was made by councilmember Judy Hilker and seconded by councilmember Sandy Pickle to go into execution session to discuss personnel at 8:50 p.m. for 15 minutes. All in favor. Motion carried.

Reconvened at 9:05 p.m. No decision made.

Motion was made by council member Judy Hilker and seconded by councilmember Sandy Pickle to accept the consent agenda. All in favor. Motion carried.

Mayor Benton discussed the use of lap tops for the council.

The \$1,200.00 for incentive to the fire fighters was not approved at this time.

This meeting will reconvene on November 14, 2011 at 6:30 p.m.

The regular council meeting for the City of Cimarron reconvened November 14, 2011 at 6:30 p.m. at the regular meeting place and was called to order by Mayor Gilbert Benton. The following councilmembers were present: Darrell Dupree, Alan Riney, Sandy Pickle, Judy Hilker, and Tammy Richardson. Employees present: Patty Duncan, Shannon Hoskinson, Randall Cummins, Jeff Acton. Guests that were present were Joey Duncan, Matt Peters, Kimberly Monical, Rodger Davis, Sarah Steele, Emily Feldt, Scott Feldt, Jeff Monical, Celeste Lacy, Steve Pickle, Chad Burman, Shawn Harmon, Michelle Frink, and Mark Detter.

Jeff Monical requested to have the building next to his business be annexed into the City of Cimarron.

Motion was made by councilmember Sandy Pickle and seconded by councilmember Judy Hilker to approve the annexation requested. All in favor. Motion carried.

Sarah Steele from Gilmore and Bell discussed the sales tax and the election. The sales tax will be for general purposes such as capital improvements for the city and the swimming pool. There will not be a sunset on the sales tax.

Motion was made by councilmember Sandy Pickle and seconded by councilmember Darrell Dupree to adopt Resolution 278 "A RESOLUTION AUTHOURIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF CIMARRON, KANSAS FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A ONE AND ONE-QUARTER PERCENT (1.25%) CITYWIDE RETAILERS' SALES TAX FOR GENERAL PURPOSES; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID SPECIAL QUESTION ELECTION" . All in favor. Motion carried.

Sarah Steele discussed the revised petition stating that the detention pond added to the North West corner will benefit the entire Bainter addition; therefore, costs would be spread to all the lots in the addition.

Motion was made by councilmember Sandy Pickle and seconded by councilmember Tammy Richardson to adopt Resolution 279 "A RESOLUTION AMENDING RESOLUTION NO. 271 DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CIMARRON; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET/SEWER/WATER/DRAINAGE DETENTION/HIGHWAY ACCESS, ELECTRIC IMPROVEMENTS/ BANTER ADDITION). All in favor. Motion carried.

Sarah Steele discussed the waiver of assessment. Mr. Bainter owns all the property at this time and has waived his 30 day waiting period and public hearing.

Motion was made by councilmember Sandy Pickle and seconded by councilmember Darrell Dupree to approve the Statement of Final Costs and the Assessment Roll Certification. All in favor. Motion carried.

Motion was made by councilmember Tammy Richardson and seconded by councilmember Judy Hilker to adopt Ordinance 1006 "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF CIMARRON, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. 271 & 279 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS". All in favor. Motion carried.

Mark Detter discussed the underwriting agreement.

Motion was made by councilmember Darrell Dupree and seconded by councilmember Tammy Richardson to approve the Underwriting Agreement. All in favor. Motion carried.

Motion was made by councilmember Sandy Pickle and seconded by councilmember Judy Hilker to combine the 2003 Cedar Ridge bonds with the Bainter bonds. All in favor. Motion carried.

Jeff Hancock discussed RHID. Rural Housing Incentive District is a new option for the city to create quality housing. The presentation was for information only to the council for consideration.

Kyle McCawley presented a slide show on the options for the pool. Amenities were discussed and diving boards. The time line for the construction of the pool, should the sales tax issue pass in January, would have the opening in the summer of 2013. The council would like to have two (2) more public meetings to discuss the pool. Brochures will be made and given out.

Motion was made by councilmember Judy Hilker and seconded by Sandy Pickle to approve the changes made to the City of Cimarron employee handbook. All in favor. Motion carried.

Randall Cummins discussed the bids he received for a generator for well 5.

Motion was made by councilmember Judy Hilker and seconded by councilmember Sandy Pickle to accept the bid from Osborn Electric for a generator in the amount of \$32,230.00. Councilmember Alan Riney abstained from the vote. Councilmembers Judy Hilker, Sandy Pickle, Tammy Richardson and Darrell Dupree vote yes. Motion carried.

Motion made by councilmember Judy Hilker and seconded by councilmember Tammy Richardson to pay for the generator out of the capital improvement fund. All in favor. Motion carried.

Rodger Davis addressed the council concerning the neighborhood revitalization application that was rejected on Monday, November 7, 2011.

Motion was made by councilmember Alan Riney and seconded by councilmember Darrell Dupree to approve the neighborhood revitalization application for Rodger Davis due to lack of proper procedure of the neighborhood revitalization, this motion does not create a precedent for the future. All in favor. Motion carried.

**Mayor
Gilbert Benton**

ATTEST:

Patty Duncan City Clerk