

The Moran City Council met in regular session on Tuesday, September 6, 2022. Mayor Jerry Wallis called the meeting to order at 7:00 PM.

### **ELECTED OFFICIALS PRESENT**

Mayor

Jerry D. Wallis

Council Members Present

Bill C. Bigelow

Kenneth D. Kale

Corliss E. Lynes

James A. Mueller

Kris R. Smith

Council Members Absent

City Staff Present: Bret Heim, City Attorney; Craig Miller, Assistant Superintendent; Shane Smith, Police Chief; and Lori Evans, City Clerk

Visitors Present: Lee Roberts, Mitch Bolling, Arlyn Briggs, Ron Gill, Gloria Gill, and Jeff Lamfers of the Kansas Rural Water Association.

### **CONSENT AGENDA**

Council member Mueller moved to approve the September 2022 consent agenda as follows:

- August 2022 Minutes
- August 2022 Petty Cash Report
- September 2022 Pay Ordinance of \$86,081.76
- August 2022 Utility Audit Trail Report
- August 2022 Certificate of Deposit Report
- August 2022 Utility Billing and Use Report

Lynes seconded the motion, motion passed with all approving.

### **HEARING**

Briggs Mow Notice Appeal - Arlyn Briggs spoke with the Council about the grass height of his properties on Cedar St. Mr. Briggs said he has 3 lawn mowers and all are broken down and he is having difficulty finding parts. Mr. Briggs said he now has the parts and plans to have the property mowed as soon as he can. Mayor Wallis reviewed the Code regulations regarding grass height and suggested Mr. Briggs keep note of the grass height as the Moran Day celebration will take place in a few days. No action was taken.

### **VISITORS**

Gloria Gill said she and her husband Ron were just present to hear what was going to happen with the Briggs property. She noted his property in the down town area is particularly messy.

### **OLD BUSINESS**

Sewer Lagoon Operations – Jeff Lamfers introduced himself and discussed his role with the Kansas Rural Water Association (KRWA). He informed the Council that he has been working with the City crew trying to resolve the ongoing problems with the

sewer lagoons not meeting operational limits. Mr. Lamfers said he believes the problem stems from the local locker discharging whole blood into the lagoons. Assistant Superintendent Miller suggest the solution would be for the locker to cut the drain in the kill floor and to discharge the blood to an exterior tank. Mr. Lamfers related similar issues that were faced by another small community in Kansas. The local locker in this community installed a 1000 gallon tank and the tank was emptied by a disposal company. The lagoon issues were resolved and test results were within the allowed limits.

Mitch Bolling informed the Council that Sinclair Plumbing was going to cut the drain on the Locker's kill floor and install a diverter switch so the staff could direct blood waste to an exterior tank and still have access to the public sewer system for cleaning purposes. Discussion followed and some concern was voiced that the only way to keep the blood out of the lagoons was to completely disconnect the kill floor from the sewer system. The Council ultimately agreed to allow the locker to install a diverter as planned. If this action does not resolve issues at the lagoon the locker will be prohibited from discharging any waste to the sewer system until an exterior collection tank is installed to collect the blood.

Moran Museum – Attorney Heim reported he has been unable to make contact with the Siefker family regarding the building. Topic was tabled until the October meeting.

Charter Ordinance 10 – Council member Smith moved the City adopt Charter Ordinance 10 *a Charter Ordinance Exempting the City of Moran, Kansas From The Provisions Of K.S.A. 12-1651, Providing Substitute And Additional Provisions Which Relate To The Naming Of An Official City Newspaper, And Repealing Any Ordinance In Conflict Therewith.* Bigelow seconded the motion, motion passed with all approving.

Charter Ordinance 11 – Council member Kale moved the City adopt Charter Ordinance 11 *A Charter Ordinance Exempting The City Of Moran, Kansas, From The Provisions Of K.S.A. 15-204 Insofar As Said Statute Applies To The Time Frame Of Appointment Of Officers Of The City; And Providing A Substitute Provision On The Same Subject, Allowing Appointment Of City Officers To Take Place In January Of Each Year.* Mueller seconded the motion, motion passed with all approving.

Charter Ordinances 10 and 11 will be published once each week for two consecutive weeks and will take effect 60 days after the final publication date unless a petition is filed calling for an election vote on the Ordinance action.

Ordinance 2029 – Council member Bigelow moved the City adopt Ordinance 2029 *An Ordinance Regulating Traffic Within The Corporate Limits Of The City Of Moran, Kansas; Incorporating By Reference The Standard Traffic Ordinance For Kansas Cities, 49th Edition, Providing Certain Penalties And Repealing Ordinance Number 2019.* Kale seconded the motion, motion passed with all approving.

Ordinance 2030 – Council member Smith moved the City adopt Ordinance 2030 *An Ordinance Regulating Public Offenses Within The Corporate Limits Of The City Of*

*Moran, Kansas; Incorporating By Reference The Uniform Public Offense Code For Kansas Cities, 38th Edition, Providing Certain Penalties And Repealing Ordinance Number 2020.* Bigelow seconded the motion, motion passed with all approving.

Property Conditions at 103 S Pine St – Chief Smith reported he had spoken with the land owner about needed roof repairs and advised the roof needed to be brought up to City code by the October meeting. If repairs are not made as discussed the land owner will attend the October meeting. Topic was tabled until the October meeting.

## **NEW BUSINESS**

KwiKom Pole Attachment Agreement – The Council reviewed the proposed agreement presented by KwiKom that would allow them to attach their equipment to the City electric poles. Assistant Superintendent Miller noted concern as the majority of Moran’s electric poles are 35’ and having additional attachments to the poles could present a safety issue. Discussion followed with Council member Mueller moved the City decline to enter into the agreement. Smith seconded the motion, motion passed with all approving.

54 Fitness A/C Repairs – The Council reviewed the following bids to replace the air conditioning unit at the fitness center:

Dale’s Sheet Metal	\$ 7,928.04
Tholen HVAC	\$13,569.99
Climate Pros of SEK	\$ 8,350.00

After review and discussion Council member Lynes moved the City delay replacing the unit until Gratz Peters has his maintenance crew look at the unit. Kale seconded the motion, motion passed with all approving.

Allen County Land Bank – Council member Bigelow moved to decline the offer to participate in plans for developing a county land bank. Kale seconded the motion, motion passed with all approving.

ATV/UTV/Golf Cart Permits – Chief Smith suggested the Council consider changing the permit period from January 1- December 31 to May 1 - April 30. Council member Bigelow moved to amend the dates as suggested. Smith seconded the motion, motion passed with all approving. Council will adopt the ordinance making this change at the November meeting.

Police Training Opportunity – Chief Smith requested approval to attend the Kansas Peace Officer’s Conference in Manhattan September 20-23. Conference fees are \$150.00 with hotel costs of \$360.00. Council member Mueller moved to approve Chief Smith’s training request. Lynes seconded the motion, motion passed with all approving.

Moran Days – The Council reviewed an email request from the Moran Day Chairman asking approval to have a street dance at the park tennis court from 8:00 PM to dusk following the Moran Day festivities. Bigelow moved to approve the request with

the provision that Chief Smith be given the name and phone number of the person in charge of the dance. Smith seconded the motion, motion passed with all approving.

## **DEPARTMENTAL REPORTS**

Police Chief – Chief Smith reported he would be participating in the Bucks for Buckles program within the month. Smith also reported that he has loaned out all of his available live traps due to residents due to an increase in nuisance animals.

Superintendent – Superintendent Stodgell submitted the following activity report for the month of August :

- Replaced SL bulb at Cedar & Franklin, Ag Choice at Locust
- Unhooked service for Ginn's on Spruce to tear down old trailer
- Met with KMEA for electric information
- Change out meter at Allen Co. Regional Clinic
- Replaced transformer on Oak in the alley
- Derrick Digger truck is down, called Altec on valve to lower boom
- Called Altec on leaking cylinder on 2 stages and looking for used truck to bucket truck will not pass test in 2023 due to the truck being old
- Cut limbs off sec lines at 313 North Linn
- Took 2nd stage cylinder off #2 bucket truck
- Mowed and picked up trash • Sprayed for weeds at City Park & Ball Fields
- Took spreader off dump truck and went to Mound City for cold patch
- Filled in pot holes
- Cut tree limbs on South Cedar and hauled off
- Hauled two loads of spoil pile to the landfill Sewer Department
- KS Gas bored up by school North to Pete's
- Brush hogged and sprayed lagoons
- Made brackets for sickle mower to mount on tractor, sickled lagoons
- Repaired service line at 315 W Church
- Marked locates and exposed 4" PVC Water Lines at Birch & Oak
- Gas company bored under services going to school alley
- Located 2" water line main on the North side of the school
- KS Gas located service lines on Birch and Oak Streets
- Repaired a water leak in front of Moran Locker
- Repaired water leak on Hill Street
- Poured cement back on side walk in two places due to previous water leaks

Assistant Superintendent informed the Council that the cylinder seal on the digger derrick truck failed and repairs were quoted at \$20,000. Miller reported he ordered replacement parts and with Prairie Land Partners replacing the seal the truck was repaired for \$1309.00.

Miller also reported the City bucket trucks were recently tested by Protective Equipment Testing Laboratory. Both trucks passed all tests. During the inspection the City crew was informed that the trucks will not pass the new side test that will be added

to the inspection requirements for 2023. Discussion followed with the Council agreeing the City crew should start looking for replacement trucks.

City Clerk – Clerk Evans reported income for the month of August 2022 as follows:

<b>General Fund</b>		<b>Water Fund</b>	
Charges For Services	4.75	Sales To Customers	17,451.49
Refuse	2,009.00	Water Protection Fee	45.29
Court Fines	1,005.00	Connect Fee	50.00
Reimbursed Expense	304.00	Bulk Water Sales	401.72
Building Permit	60.00	Penalties	1,041.92
Miscellaneous Receipts	20.00	Water Tower Fee	50.00
KS Sales Tax*	Pending	<b>Sewer Fund</b>	
54 Fitness Fee/Fobs/Ovpd	1,130.00	Sales To Customers	7,530.64
Interest Earned Checking/CDL	67.26	<b>Sales Tax</b>	
Dog Tag	4.00	Sales Tax Receipts	1,743.77
Franchise	100.00	<b>Gross Sales</b>	<b>95,263.77</b>
<b>Electric Fund</b>		<i>Add: Interest to CD 44526614</i>	11.03
Sales To Customers	59,306.88	<b>Gross Receipts</b>	<b>95,274.80</b>
Connect Fee	49.14	<i>Less: LIEAP Credit</i>	1,376.40
Overpaid	704.11	<i>Setoff Fees</i>	14.43
Fuel Adjustment	1,958.74	<i>Utility Credits</i>	572.49
Light Rent	204.75	<i>Recreation Fee Credit</i>	130.00
Setoff Fees	21.31	<b>Net Receipts</b>	<b>93,181.48</b>

\*July Kansas Sales Tax will be deposited 9/1/2022

Council member Mueller moved the Council meet in executive session at 9:30 PM for 10 minutes to discuss personnel matters of non-elected personnel regarding employee insurance coverage. Kale seconded the motion, motion carried with all approving. Assistant Superintendent Miller was asked to attend the session. The Council returned to open meeting at 9:40 PM. Council member Kale moved to return to executive session at 9:42 PM for an additional 10 minutes to continue the prior discussion. Bigelow seconded the motion, motion passed with all approving. The Council returned to open meeting at 9:48 PM and the meeting resumed at 9:52 PM. Council member Kale moved to increase Assistant Superintendent Miller's rate of pay from \$20.00 to \$22.00. Bigelow seconded the motion, motion passed with Kale, Bigelow, Lynes, and Smith approving and Mueller opposed.

There being no further business to discuss, Council member Smith moved, seconded by Bigelow, to adjourn the meeting at 9:53 PM. Motion passed with unanimous approval.