

The Moran City Council met in regular session on Monday, August 7, 2023. Mayor Jerry Wallis called the meeting to order at 7:00 PM.

ELECTED OFFICIALS PRESENT

<u>Mayor</u>	<u>Council Members Present</u>	<u>Council Members Absent</u>
Jerry D. Wallis	Warren L. Johnson Kenneth D. Kale Corliss E. Lynes James A. Mueller Kris R. Smith	

City Staff Present: Bret Heim, City Attorney; Michael Stodgell, City Superintendent; Shane Smith, Police Chief; Jerad Maley, and Lori Evans, City Clerk

Visitors Present: Brad Barrere, Lee Roberts, Stephanie Robertson, Joe Robertson, Kids x2, and Mitch Bolling.

BUDGET HEARING

Mayor Wallis opened the hearing for the 2024 Budget at 7:00 PM and called for comments. No comments were voiced and the public hearing was closed at 7:04 PM. Council member Johnson moved the Council adopt the 2024 budget as published in the Lola Register on July 8, 2023. Lynes seconded the motion, motion carried with all approving.

CONSENT AGENDA

Council member Lynes moved to approve the August 2023 consent agenda as follows:

- July 2023 Minutes
- July 2023 Petty Cash Report
- August 2023 Pay Ordinance totaling \$258,758.74
- July 2023 Utility Audit Trail Report
- July 2023 Certificate of Deposit Report
- July 2023 Utility Billing and Use Report

Mueller seconded the motion, motion passed with all approving.

VISITORS

No new business was brought before the Council.

OLD BUSINESS

Building Permits – The Council continued discussion regarding the moratorium on building permits. Joe Robertson informed the Council that he had taken down two storage buildings and replaced them with two new storage buildings. Mr. Robertson noted the buildings will be for storage use only. The Council agreed to issue a building permit as requested with the understanding that no utilities will be connected to the buildings. The Council also approved to issue a building permit to Brad Barrere to build a 24' x 50' pole barn on his property. Council member Smith moved to approve the building permits requested by Dale Owens and Nick Sanders to place a storage container on their properties with the understanding that the containers must be painted if there are logos on the containers or if the paint is faded or scarred from use. Kale seconded the motion, motion passed with all approving. The Council agreed to include these restrictions in the City Code and to all future building permits issued for the placement of containers.

KwiKom Agreement – Eric Vogel presented an updated pole attachment for the Council review. Mr. Vogel noted KwiKom has worked with the Cities of Lola and Garnett to install services for residents and their policy is to replace the poles at no cost to the City if the poles are not tall enough for KwiKom to safely attach their service lines. If the pole they are replacing is bad, then the City would be responsible for the cost of replacing the pole. Mr. Vogel also noted KwiKom could install service lines using directional boring or street side installation. He also offered to contract with a 3rd party to conduct a pole analysis should the City prefer to have an outside source weigh in on the matter. Mayor Wallis asked attorney Heim for his opinion on the agreement. Bret Heim said he reviewed the agreement and didn't find any concerns. Council member Lynes moved to accept the agreement at present. Kale seconded the motion, motion passed with Lynes, Kale, Mueller, and Johnson approving. Smith voted against the motion.

Tiny Home Regulations – Attorney Heim suggested the City insert a section in Chapter 4, Article 6 in the Mobile Home section of the City Code regulating tiny homes. As an alternative, the City could add a new section Article 7 to Chapter 4 to address regulations. Heim suggested the Council consider the minimum size for a tiny home along with the lot size requirements. The Council agreed conex storage containers could not be used to construct a tiny home. Mayor Wallis suggested allowing one tiny home on a standard 50' x 140' lot. Discussion followed with Council member Johnson moving to extend the moratorium on residential home building permits until the September 5th meeting. Smith seconded the motion, motion passed with all approving. Topic was tabled until the September meeting.

Electric Substation and Generation – Project was discussed and topic was tabled until the September meeting. Council member Johnson will speak with the land owner of the proposed location to see if he would be willing to sell a portion of his property. Topic tabled until the September meeting.

Garage Sale Regulations – Mayor Wallis spoke with the Council about a local resident who purchases unclaimed storage units and then resales items at their home. He noted items are setting in their yard and neighbors are upset with the continuous sales. Council member Johnson asked Chief Smith for his thoughts. Kris Smith suggested the City require a permit be filed when residents have a garage sale, but there would be no charge for the permit process. Council member Kale moved to adopt an Ordinance requiring that residents obtain a permit for each garage sale and to restrict garage sales to a period of three days with one sale allowed in a 60-day period. Johnson seconded the motion, motion passed with all approving.

Water Project Update – Clerk Evans noted Susan Galemore from Southeast Kansas Regional Planning Commission (SEKRPC) is working with the Kansas Department of Commerce (KDOC) to prepare a letter to the local tribes as required by KDOC. Evans noted the letters must be approved by the US Dept of Housing and Development and should be ready to send within the next few days. Clerk Evans reported the City had received notice that \$302.52 in interest has accrued on the Kansas Department of Health and Environment (KDHE) loan between January and July. KDHE has asked if the City would like to include the interest due in the total loan amount or to pay the interested due for the period. Council member Mueller moved to pay the interest due. Kale seconded the motion, motion passed with all approving.

NEW BUSINESS

Moran Day's – Brad Barrere spoke with the Council about his plans for setting up a beer garden at the City park during the planned concert. The concert will take place between