

The Moran City Council met in regular session on Monday, October 3, 2016. Mayor Phillip Merkel 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>
Phillip L. Merkel	Bill C. Bigelow Chad A. Lawson James A. Mueller Kris R. Smith Jerry D. Wallis	

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

Visitors Present: Bob Johnson, Bessie Mathews, Ann Houk, Kathy Ward, Nelda Cuppy, Larry Manes, Kim LaPorte, Bill LaPorte, April Jackson, Lori Holman, Damaris Kunkler, Sandra Drake, and Joshua Maley.

#### CONSENT AGENDA

Council member Wallis pointed out a correction to the September 2016 minutes. Council member Bigelow is shown both moving and seconding the September Consent Agenda. Council member Smith was the correct seconded for the motion. After noting the correction, Council member Wallis moved to approve the October 2016 consent agenda as follows with the minutes corrected as noted above:

- September 2016 Minutes
- September 2016 Petty Cash Reimbursement Report
- October 2016 Pay Ordinance totaling \$ 89,077.01
- September 2016 Jayhawk Utility Audit Trail Report
- September 2016 Certificate of Deposit Report
- Public funds resolution to purchase a \$30,000.00 certificate of deposit (CD) to replace a CD maturing 2016

Lawson seconded the motion, motion passed with all approving.

#### VISITORS

Bessie Mathews addressed the Council to voice her thanks to Mayor/Chief Merkel and Asst. Chief Craig Miller for taking care of a hazardous open burn in her neighborhood that occurred both October 1<sup>st</sup> & 2<sup>nd</sup>. Mrs. Mathews reported the incident on the 1<sup>st</sup> and the landowner was notified to stop the burn. As the landowner did not comply with a request to put out the fire, Chief Merkel directed the fire department to extinguish the fire on the 2<sup>nd</sup>. Mrs. Mathews then asked Chief Smith if there was anything he could do about a local resident driving a dirt bike on City streets. Chief Smith noted he had already spoken with the individual regarding his actions and that a citation will be issued to the individual.

Joshua Maley informed the Council that he had just closed on the purchase of property at 320 N Park St. Mr. Maley said he has started cutting down the trees and

plans to remodel the house as a rental unit when he has time. Mr. Maley asked the Council if the City would waive the mowing charges assessed to the former owner Robert Ferguson. Discussion followed with Council member Mueller moving the charges be waived as requested with the understanding that the City will continue review of the property to make sure the property complies with City code. Lawson seconded the motion, motion passed with all approving.

## OLD BUSINESS

Health Care Foundation Grant – Larry Manes introduced himself as spokesperson for the Moran Pride-Thrive Group. Mr. Manes reviewed the exercise center process and grant status. He noted the grant was approved with the understanding that Allen County Commissioners would donate their building at 304 N Cedar St for use as the exercise facility. Unfortunately, in August Allen County informed Allen County Thrive that the building in Moran would not be available for use as the exercise facility as Allen County Regional Hospital was discussing plans to reopening the medical clinic.

Allen County Thrive has been researching potential buildings to house the facility for the past six weeks. After speaking with Gratz Peters of Pete's Corporation, Mr. Peters has offered the use of his building at 4015 US Hwy 54 as the exercise facility for one year. Mr. Manes asked the Council to consider paying for water, electric, and gas utilities for this first year. Mr. Maness advised the Council that the Moran Pride-Thrive group would take care of cleaning and help monitor the use of the facility to help keep additional costs down. He also suggested the Moran Pride Thrive Group could reapply for a second year grant to continue funding for the 2<sup>nd</sup> year of operations and could assume responsibility for the exercise facility if the grant is awarded.

Discussion followed regarding insurance needs, membership fees, security, lighting, building conditions, and responsibility for needed repairs to the building or HVAC system. Damaris Kunkler said she planned to set up a walk-through of the building sometime this month and asked if any of the Council would like to tour the building. The Council suggested Superintendent Stodgell meet with Ms. Kunkler to inspect the building. Mr. Maness advised the Council did not need to commit to cover utility cost at this meeting, but would like a commitment to continue the City's support of the project. The Council agreed to continue support for the project and the topic was continued to the November Council meeting.

Real Estate Purchase Agreement – Clerk Evans reported the agreement was still out for signatures. Topic was tabled until the November meeting.

## NEW BUSINESS

Highway 59 Storm Water Drainage – The Council discussed a complaint from a homeowner at 228 S. Cedar St. claiming storm water from a defective storm drain was seeping into their basement. The storm drain in question drains from the west side of Cedar St (HWY 59) west to the drainage ditch behind the property. The City crew contends the State of Kansas is responsible for repairs to the drain while the State says the City is responsible for repairs. The Council reviewed the Connecting Link Agreement

between Moran and the State of Kansas and tabled the topic until the November meeting. The Council requested Attorney Heim draft a letter to the Kansas Department of Transportation (KDOT) asking for clarification of maintenance responsibility for the following issues:

- Repair of the enclosed storm drain located at the NE corner of Cedar and 2<sup>nd</sup> St.
- Open storm drain located at the intersection of Cedar and E Walnut St. at the North end of the School parking lot – drain is too low and holds water.
- Curb at the west drive of Pete's (near sign on Hwy 54) is breaking up and needs replaced – local KDOT office says City must repair curb damage.
- School cross walk at intersection of Cedar St and W Oak St. – in years past the local KDOT office maintained the cross walk as the highway belonged to the State. In 2011, the State notified the City that cross walk painting was now the City's responsibility.

Year End Review of Salaries and Benefits – Council member Bigelow moved the Council meet in executive session at 8:27 PM for 20 minutes to discuss personnel matters relating to non-elected personnel and review changes to the federal salary requirement. Attorney Heim and Shane Smith were invited to attend the executive session. Smith seconded the motion, motion passed with all approving. The Council returned to open meeting at 8:47 PM. No action was taken; topic was tabled until the November meeting.

Annual Holiday Party - Council discussed hosting the City's annual holiday dinner for City employees and volunteer firefighters on either November 9<sup>th</sup> or 16<sup>th</sup> with Big Creek Market catering the event. Council member Smith moved the Council host the event spending up to \$10.00 per person per meal. Bigelow seconded the motion, motion passed with unanimous approval.

2017 Council Calendar – Council member Mueller moved the calendar be adopted as presented with an exception that the July meeting be rescheduled from July 3<sup>rd</sup> to July 5<sup>th</sup> to accommodate the holiday. Bigelow seconded the motion, motion passed with all approving.

Clerk Evans reported three residential water accounts were disconnected for non-payment at 10:00 AM today (Oct 3<sup>rd</sup>). Evans read a note from the customer residing at 104 S. Linn St. requested an extension to pay ½ of his September utility bill on October 4 with the balance to be paid in full October 6. Council member Bigelow moved to approve the resident's request. Mueller seconded the motion, motion passed with all approving. Evans also relayed a verbal request from the resident at 213 S. Sycamore St. requesting an extension to pay the September utility bill until noon on October 5. Council member Wallis moved to approve this extension to pay with the provision that this will be the final extension given to the customer. Lawson seconded the motion, motion passed with all approving.

## DEPARTMENTAL REPORTS

Fire Chief – Chief Merkel reported the Moran Day Parade went well. He also reported the Hemtt retrofit is a slow work in process but is still ongoing.

Police Chief – Chief Smith asked the Council if the City would again sponsor the Seat Belts Are For Everyone (SAFE) program. Smith estimated he would need \$400.00 for prizes for the year. Council member Mueller moved to approve Smith's request, Bigelow seconded the motion, motion passed with all approving.

Chief Smith also requested approval to purchase a Rumbler for \$485.00 from Ka-Comm. The Rumbler is a low frequency emitter that produces penetrating/vibrations and is used in conjunction with the vehicle siren to alert motorists to stop. Council member Bigelow moved to approve the purchase of the Rumbler. Smith seconded the motion, motion passed with unanimous approval.

Superintendent – Superintendent Stodgell submitted the following activity report for the month of September 2016 :

- Took line hoses off secondary at the Century Link Office
  - 205 W. First
  - 104 S. Pine
- Repaired Security Lights
  - #2 Lift Station
  - East of Shop
  - Alley behind Family Tradition Furniture-Appliances
  - 54 & 59 JCT
- Replaced 50 KVA Transformer at Stubs Market
- Took down electric service
  - 323 N. Locust
  - 104 S. Sycamore
- Moran Locker pulled a utility pole out
- Installed power supply at uptown Siren
- Replaced fuse, middle phase from storm
- Serviced the 5083 J. Deere
- Put new PTO Shaft on brush hog
- Installed new out rigger seals & found fiber bushing worn out, will install new bushing & pins
- Open valves, drained water tower for inspection. Tower looked good; we need to replace the drain valve.
- Flushed hydrant #4, pressure relief valve on hydrant 59
- Helped replace the yard hydrant at 811 N. Cedar
- Repaired water leaks
- Put dirt around the water pit at 422 N. Birch
- Dug out ends of culvert at 217 E. Second to the ditch could drain well
- Cut tree limbs hanging over the street at 403 N. Park
- Dug out the culvert at 543 N. Spruce
- Sprayed for Mosquitos x4
- Located for Kansas Gas at 104 N. Pine
- Prepared for Moran Days
- Mowed 320 N. Park per City Code Violation
- Trench on Locust, wheel rolled trench to pack down
- Sprayed for weeds at City Hall, Ball Park and the Shop
- Mowed
  - Lagoons
  - West side of ball fields
  - Along walnut
  - West end of Second St.
- Sprayed lagoons for weeds
- Cut tree out of street at 416 W. Randolph & pushed off road
- Mowed, trimmed & picked up limbs
- Cut dead limbs off of trees at the park
- Replaced guard rail post at the park

Superintendent Stodgell reported his anniversary date is October 11 and he still has 55.5 hrs of vacation to use. Stodgell asked for an extension to use his vacation until October 28. The Council agreed to extend the date as requested.

Stodgell requested approval to purchase two 25 KVA transformers and two 50 KVA transformers from Kriz Davis for \$3,665.06. Council member Mueller moved to approve the purchase request. Lawson seconded the motion, motion passed with all approving. Stodgell also presented preliminary pricing for ball field lights on the west field. Stodgell said four lights would run \$5,540 or \$6,756.10 based on a 200' ball field. Topic was tabled until the November meeting.

City Clerk – Clerk Evans reported income for the month of September 2016 as follows:

<b>General Fund</b>		<b>Water Fund</b>	
Charges For Services	21.53	Sales To Customers	13,187.25
Refuse	1,530.00	Water Protection Fee	40.91
Court Fines	1,587.00	Connect Fee	75.00
KS Sales Tax	3,888.31	Water Tower Fee	50.00
Tax Disbursement	7,108.25	Water Dock/Bulk Water Sales	248.59
Interest Earned Checking/CDL	20.71	Penalties	464.31
KanStep Salary Reimbursement	595.32	<b>Library Fund</b>	
Dog Tag	14.00	Tax Disbursement	567.17
Building/Golf Cart Permits	5.00	<b>Employee Benefit Fund</b>	
<b>Electric Fund</b>		Tax Disbursement	1,867.58
Sales To Customers	56,878.64	<b>Sewer Fund</b>	
Reimbursed Expense	29.00	Sales To Customers	7,648.00
Overpaid	576.44	Reimbursed Expense	8.00
Connect Fees	49.14	<b>Gross Receipts</b>	<b>103,391.29</b>
Fuel Adjustment	1,566.38	Add: Interest to CD 44519598	3.39
<b>Sales Tax</b>		Interest to CD 44518410	0.64
Sales Tax Receipts	1,734.76	<b>Total Gross Receipts</b>	<b>103,395.32</b>
<b>Equipment Reserve</b>		Lieap Credit	446.40
Sale of Equipment	3,630.00	Electric Credit	842.30
		<b>Net Receipts</b>	<b>102,106.62</b>

There being no further business to discuss, Council member Mueller moved, seconded by Smith, to adjourn the regular meeting at 10:16 PM. Motion passed with unanimous approval.