

The Moran City Council met in regular session on Monday, July 3, 2023. Mayor Jerry Wallis called the meeting to order at 7:00 PM.

ELECTED OFFICIALS PRESENT

Mayor

Jerry D. Wallis

Council Members Present

Warren L. Johnson

Kenneth D. Kale

James A. Mueller

Kris R. Smith

Council Members Absent

Corliss E. Lynes

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

Visitors Present: Natasha Heins, Lee Roberts, Neil Phillips, and Kyle Spielbush

CONSENT AGENDA

Council member Johnson moved to approve the July 2023 consent agenda as follows:

- June 2023 Minutes
- June 2023 Petty Cash Report
- July 2023 Pay Ordinance totaling \$ 78,235.34
- June 2023 Utility Audit Trail Report
- June 2023 Certificate of Deposit Report
- June 2023 Utility Billing and Use Report

Smith seconded the motion, motion passed with all approving.

VISITORS

No business was brought before the Council.

OLD BUSINESS

2024 Budget – Neil Phillips presented the proposed budget for 2024. Mr. Phillips noted the budget is set at 31.917 mils and will bring in the same amount of revenue as assessed in 2023. He noted the budget is estimated using income and expense data from January to May of the current year and data from June to December of the prior year. Mr. Phillips noted the budget is a \$0 based budget to estimate income and budget all income to an expense so that the City has the authority to spend all available income if needed. Council member Mueller moved to accept the budget as presented and to publish the notice in the Lola Register. Smith seconded the motion, motion passed with all approving.

Mr. Phillips presented the Council with a proposed agreement to prepare the City's 2025 budget. The agreement for service is for \$2,000; up from the current year fee of \$1,800. Council member Mueller moved to accept the agreement for services. Johnson seconded the motion, motion passed with all approving.

Moran Days – Natasha Heins spoke with the Council about her plans for the proposed concert at the park. Natasha said they hope to have a red dirt/country band play between 7:00 and 10:00 PM and will accept donations from crowd. She also asked if they could use the tennis courts as a dance floor. Natasha said she would have volunteers monitoring the crowd and the dancers. She also mentioned the possibility of having a mobile bar at the concert but she is still working on plans and will follow up with the Council when she has more information. Chief Smith suggested the tennis courts could be used as a beer garden. He advised that gates would have to be monitored to ensure the beer didn't leave the court area and that only patrons of drinking age can enter the beer garden. Natasha noted she is also trying to have a food truck available during the concert. Council member Mueller moved to approve the request for the live concert and dancing. Kale seconded the motion, motion passed with all approving.

KwiKom Agreement – Topic was tabled until the August meeting.

Water Project Update – Clerk Evans reported Lt. Governor David Toland contacted City Hall on Wednesday, June 28th. Evans explained the situation with the City's water project and Mr. Toland reached out to Kansas Department of Commerce (KDOC) regarding the City's Community Development Block Grant (CDBG). Mr. Toland said he believes the City should hear back from KDOC sometime on Friday, June 30th. On Monday, Andrew Hayman, Director of CDBG and Bob North, KDOC Chief Counsel made a joint call to Evans and Asst City Clerk Carr. Mr. Hayman and Mr. North both indicated they will work with the City to resolve the problems that have occurred with the grant. Mr. North suggested the City seek a subject matter expert and they could help the City undertake the environmental review to ensure the City doesn't incur further issues with the grant. Mr. Hayman said the City could continue the project using local and loan funds but grant funds would not be available until the environmental review was complete.

The Council discussed using reserve funds and increasing the loan amount to continue financing the project. Grants funds can be used to reimburse the temporary funding sources when they become available. Council member Mueller moved the City contact Southeast Kansas Regional Planning Commission to see if they would consider taking over administration of the City's grant and Kansas Department of Health and Environment (KDHE) loan. Kale seconded the motion, motion passed with all approving. Council member Kale moved the contractors return to the project as soon as they can. Smith seconded the motion, motion passed with all approving. Council member Kale moved to contact KDHE to discuss funding issues. Mueller seconded the motion, motion passed with all approving.

First Amendment to the KDHE Loan/Ordinance 2031 – Council member Smith moved to adopt Ordinance 2031 as prepared authorizing the First Amendment to the KDHE Loan. Johnson seconded the motion, motion passed with all approving. Council member Smith moved Mayor Wallis sign the KDHE Loan documents. Johnson seconded the motion, motion passed with all approving.

NEW BUSINESS

Electric Substation/KMEA – The Council discussed calling a special meeting to talk with KMEA staff about building and financing an electric substations with generation. KMEA staff suggested meeting on July 10th but Council members Smith, Johnson, and Mueller suggested meeting on July 11th as they had prior obligations for the 10th. Council member Mueller moved to hold a special meeting on July 11th to meet with KMEA representatives and review Water Project concerns. July 18th will be an alternative meeting date. Kale seconded the motion, motion passed with all approving.

Jake Brake Ordinance – Chief Smith said he had spoken with a few of the local drivers regarding use of Jake brakes and noted he could issue citations based on violations cited in the Standard Traffic Offence Code. No action taken.

Tiny Home Regulations – Attorney Heim informed the Council that he has reviewed quite a few municipal ordinances regulating tiny homes, but Heim noted the Council needed to consider setting a minimum home and lot size and other regulations that need addressed. Heim also suggested the Council consider extending restrictions to conex containers? Council member Kale suggesting adopting the Kansas Tiny Home regulations. No action was taken but the topic was added to the special meeting agenda.

DEPARTMENTAL REPORTS

Police Chief – Chief Smith reported he received quite a few complaints about the length of time that residents can discharge fireworks. Smith said he suggested those with complaints write a letter to the Council or visit with the Council at the monthly meetings.

Superintendent – Superintendent Stodgell reported the contractors have finished cleaning and painting the water tower and the tower should be back in service once the City receives the results of the final water test taken June 30th. Stodgell submitted the following activity report for the month of July 2023:

- Looked at running electric for scoreboard at field #1
- Hooked up meter mask at 523 N Birch
- Refused transformer at 620 N Birch
- Replaced fuse at 623 N Cedar and 507 N Park
- Sprayed at both ball fields
- Picked up trash and dumped cans
- Brush hogged behind park
- Fixed net on Ball Field #1 and replaced bulbs
- Brush hogged ditches
- Mowed properties due to mowing violations per S. Smith
- Filled in holes from KS Gas
- Sprayed for mosquitos
- Cut down tree at Second & Birch
- Brush hogged & sprayed at the lagoons
- Fixed wiring on new score board w/ Ken Kale
- Moved picnic tables under new shelter at the park
- Mowed & Trimmed-Park, City Hall, 54/59 Corner, old water plant, burn pile, Hill St
- Took samples from lagoons on 6/6
- Worked on Lift Station #1
- Picked up hydrants and valve box at Locust & Randolph put back on rack
- Contractor boring under 4" CI at Randolph & Spruce 5/17
- Painted, oiled & greased hydrants
- Dug up valve at Maple First
- Locates x17
- Cleaned many valves
- Tied in 2"on new 4" PVC water main 6/5

- Repaired water leaks
 - 6" CI -E. Randolph
 - Marmaton Valley parking lot
 - Randolph & Chestnut
 - Church & Linn
- Cleaned up equipment from water leaks
- Ordered new ladder for the water tower
- Water project Pine Street 6/13
- Shut down 14 valves for contractors
- Repaired valve for Connie Houk

City Clerk – Clerk Evans informed the Council that utility services are still off at the 103 S Pine. Evans noted the residents are due to appear before the Municipal Court on July 12th. Evans also noted the Clerk’s office had received questions and comments about the legality of continuous garage sales. Evans noted the topic is not specifically addressed in the Moran City Code.

Clerk Evans reported income for the month of June 2023 as follows:

General Fund		Water Fund	
Charges For Services	17.25	Sales To Customers	17,689.46
Refuse	1,892.25	Water Protection Fee	38.48
Court Fines	2,142.00	Reimbursed Expense	1,089.32
Reimbursed Expense	2,563.62	Bulk Water Sales	82.21
Building Permit	140.00	Penalties	191.51
Franchise Fee Tax	330.17	Water Tower Fee	50.00
KS Sales Tax	10,569.92	Connect/Reconnect Fee	325.00
54 Fitness Fee/Fobs/Ovpd	985.00	Sewer Fund	
Interest Earned Checking/CDL	96.12	Sales To Customers	6,934.52
NSF Check	518.68	Debt Collection Fee	14.41
Dog Tag	6.00	Reimbursed Expense	309.36
Tax Disbursement	18,243.67	Water Reserve Fund	
Fire Equipment Reserve		KDHE/CDBG Funds	63,617.40
Patterson Grant	200,000.00	Checking Acct Int/Bank Fee Refund	10.33
Electric Fund		Employee Benefit Fund	
Sales To Customers	38,074.47	Tax Disbursement	3,300.78
Connect Fee	368.55	Sales Tax Fund	
Overpaid	705.36	Sales Tax Receipts	1,141.60
Fuel Adjustment	2.67	Library Fund	
Light Rent	220.50	Tax Disbursement	1,434.48
Reimbursed Expense	429.33	Gross Sales	373,969.01
Debt Collection Fee	57.09	<i>Add: Interest to CD 44526614</i>	<i>11.04</i>
Lieap Receipts	377.50	Gross Receipts	373,980.05
		<i>Less:LIEAP Credit</i>	<i>719.42</i>
		<i>Utility Credits</i>	<i>655.00</i>
		<i>Setoff Credit</i>	<i>47.40</i>
		<i>Recreation Fee Credit</i>	<i>160.00</i>
		Net Receipts	372,398.23

On motion duly made by Council member Mueller, seconded by Smith and carried, the meeting thereupon adjourned at 9:05 PM.