

MINUTES OF
REGULAR COUNCIL MEETING
JANUARY 7, 1992

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, January 7, 1992 at 7:00 p.m. in the Council Chambers with Roy Watkins, Mayor, presiding.

ROLL:

Roll call indicated the following council members present: ANDERSON, HAYES, KING, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
ABSENT: WILLIAMS

MINUTES:

Moved by KING, seconded by BURKYBILE to approve and place on file the minutes of the Regular Council Meeting of December 17, 1991.
AYES: HAYES, KING, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: ANDERSON
NAYS: NONE
Motion declared carried.

Moved by ANDERSON, seconded by KING to approve and place on file the minutes of the Special Council Meeting of December 27, 1991.
AYES: ANDERSON, KING, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: HAYES
NAYS: NONE
Motion declared carried.

LANDFILL OPERATOR:

Burkybile stated the council members had been given a copy of proposed agreements for Tri State Recycling and Jim Beechner for operating the city demolition landfill. Corky Adams was present representing Tri State Recycling and Jim Beechner was present. She stated the council had three options concerning the landfill. They could approve either Tri State Recycling or Jim Beechner as operator or the city could continue operating it. She asked if any one had any questions concerning the proposed agreements.

Tri State Recycling was asked if they could have the landfill opened Tuesday thru Saturday. Mr Adams

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stated they could be open those days. He was also asked if city residents could bring 5 loads per week to the landfill at no charge instead of only 1.

The council discussed the number of loads to be taken to the landfill at no charge. Burkybile stated contractors, even though they are residents of the city, would have to pay. They are charging a fee for the work they do and should pay for the disposal of it. Residents who have more than one load at a time can contact the city clerk's office and get a permit to take additional loads to the landfill at no charge.

The council then discussed the tonnage Tri State Recycling would accept from the city at no charge. The city clerk had checked the tickets for 1991 and only 3 months were under 130 tons. Mr Adams stated they would raise the tonnage to 150 tons per month, with 160 tons when there are 5 weeks in the month.

Tipton asked that it be added to the contract, that should Tri State Recycling cease to operate as a recycling center, the landfill agreement be null and void.

Beechner stated he had the expertise and experience to operate the landfill.

Burkybile stated the Sanitation Committee did not have a recommendation on an operator.

Burkybile stated that Tri State had assisted the city when the trash truck was down by allowing them to bring the waste to the recycling center at no charge. She stated the city appreciated the assistance.

Burkybile also stated Tri State is behind on their payments to the city on their grant. Mr Adams stated these payments would be made.

Mr. Beechner stated with the roll offs he would be able to assist the city should they run into a similar problem. He also stated he would be able to assist the city with their waste at the Labette County Landfill.

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Moved by GOURLEY to refer the landfill agreement back to the Sanitation Committee for a recommendation.

Superintendent Sills stated that a lot is at stake here. The city truck is currently going to Scammon every day.

Mr. Beechner stated he was not aware the city's waste was a part of the agreement. He requested he be given additional time to make a proposal including the city's waste.

Duane Snapp stated that all parties had an opportunity to make a proposal. He had requested he be considered. This has been before the council for some time and a decision should be made.

Moved by BURKYBILE, seconded by ANDERSON to enter into a contract with Tri State Recycling for the demolition landfill to start February 1.

*Connected 1/21/92 To read
ANDERSON*

AYES: HAYES, BURKYBILE, BYRD, TIPTON
NAYS: HAYES, KING, STANSBERRY,
GOURLEY

MAYOR VOTED IN FAVOR OF THE MOTION TO BREAK THE TIE VOTE.
Motion declared carried.

DOG PROBLEM:

Willard Dunn requested a Mayor Protem.
Mayor Watkins refused the request.

Mr Dunn stated he had a problem with the Mayor's dogs. He stated they are still running loose. Because of the Mayor's relationship, the city is responsible.

He stated he was walking last Saturday and he and the Mayor had a confrontation. He also stated the Mayor's dogs run loose at random and the Mayor has violated the city ordinance.

Gourley asked what problems Dunn had with the dogs.

Dunn stated the dogs were still running loose.

Gourley asked if the dogs had attacked anyone else.

Chief Collins said he is not aware

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of any other complaints.

Moved by BYRD, seconded by GOURLEY to continue with the agenda.

Stansberry asked them to read Article 2. She stated the animals should be kept in a fenced area. The owner is responsible if the dogs run loose.

Moved by STANSBERRY, to turn the animal problem over to the police committee to see if the dog problem can be improved.

Motion died due to motion already on the floor.

Motion to continue with agenda declared carried.

Dunn stated he has a proposal he presented to Alan Wade. Mayor Watkins stated it should be referred to the police committee.

901 E. 7TH:

City Inspector Porter stated the owner of this structure had contacted the city clerk's office and requested he be given a period of time to take down the structure.

Tipton stated the Chamber of Commerce is negotiating the purchase of this property and the property next to it and plan to take down both structures and clean the lot. They should close the transaction on Wednesday.

No action taken on this structure.

PECO DRIVE:

Porter requested this be postponed until the Housing Committee has met with Mr Carter on Thursday.

4TH WARD POSITION:

Byrd stated he thought there had been some mis-information concerning the write in vote for 4th Ward. He stated he had been told that the League stated the position should be filled by the candidate in the last election with the largest number of write in votes. He stated he had called the attorney general's office and was told by Richard Smith the council appoints for the council position. Byrd also stated he was told that Lillian Price would sue the city if she were not appointed.

Moved by BYRD to seat Thomas Y.

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Allen as Council Member for 4th Ward.

Gourley stated she called the League and Mayor Watkins called the attorney general's office. The appointment by votes had been used by Galena for a number of years. She asked Lillian Price who was present at the council meeting if she stated she would sue the city if she were not appointed.

Correct 1-21-92 to read Burkybile

Lillian Price stated she did not state that.

City Attorney Barrett stated the Kansas Statutes state the council makes the appointment.

Byrd's motion was seconded by STANSBERRY.
ROLL CALL VOTE:
AYES: ANDERSON, HAYES, KING, BYRD, TIPTON, STANSBERRY
NAYS: BURKYBILE, GOURLEY
Motion declared carried.

Mayor Watkins informed Mr Allen that Mr Moran had requested he not be placed on any committees.

STREET LIGHTS, IND PARK:

Sills requested lights be installed in the Industrial Park at the west end near John's Bakery and Kemlee. Sodium vapor lights would cost \$22.49 per month for the two lights.

Burkybile stated it couldn't be considered because of the spending freeze.

Moved by TIPTON, seconded by GOURLEY to table the installation of the lights until the March meeting.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

SWIMMING POOL REPAIRS:

Gourley stated the city superintendent is getting the preliminary costs of the city doing the work on the skimmers. The park caretaker is obtaining costs of contracting the work done. Skimmers are necessary to open the pool and the installation of underwater lights are necessary for night swims. A recommendation will be brought to the council when all the information is collected.

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POLICE CAR ACCIDENT:

Chief Collins stated the letter received from Hartford Insurance Company which was included in council packets for the claim on the police vehicle which was wrecked on December 5 allowed \$4341.50 for the vehicle. He said he had been in contact with Hartford and was told the city could retain the wrecked vehicle for \$300. Chief Collins requested this be allowed. He would like to use it for display as a deterrent to drunk driving and no insurance. The vehicle could then be used for parts for the other car. The book listing on the car is \$3000 due to the mileage.

Moved by BYRD, seconded by KING to accept the claim of \$4341.50 from Hartford Insurance on the wrecked vehicle and to retain the wrecked vehicle at a cost of \$300, making the claim \$4041.50.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

Moved by BYRD, seconded by ANDERSON to solicit bids on the replacement of the wrecked police car.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

COURT REPORT:

Moved by KING, seconded by HAYES to place the December Court Report with fines collected totaling \$935.34 on file.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

SEWER CONTRACTS:

Moved by BYRD, seconded by ALLEN to approve the Mayor signing the contractor contracts for the sewer project pending review by the City Attorney.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

MID KANS ENG. BILL:

Moved by BURKYBILE, seconded by TIPTON to approve payment to Mid

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Kansas Engineering in the amount of \$6940.02 from CDBG funds for rebidding the sewer contract.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

1992 CDBG ROUNDS:

Moved by BYRD, seconded by HAYES to apply for funds for a water line project from 1992 Community Development Block Grant funds.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY,
NAYS: NONE
Motion declared carried.

FIRE HYDRANT LEAK:

The council discussed the leak at the fire hydrant in the draw across Main Street from the Walking Track. It is leaking approximately 15 gallons per minute. Mr Sills had received an estimate of \$7000 for a company to repair the line under pressure. Cost for parts for the city to repair is approximately \$445.60. The city crew will attempt to repair it under pressure. If they cannot, it will be necessary to turn the water off city wide.

Moved by STANSBERRY, seconded by KING to purchase the necessary parts to repair the fire hydrant leak.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: None
Motion declared carried.

HOME OCCUPATION LICENSES:

Moved by BYRD, seconded by ANDERSON to approve 1992 Home Occupation Licenses as follows:
Alex Repair Sales & Service
Brenda Himes TV Repair
Bud's Small Engine Repair
Especially for You
Galena Motor Co
Gene's Sales
Margaret Ball Beauty Shop
Mary Giddens
Maxine's Resale Shop
Nancy Cure Beauty Shop
Polaris II
Uni Style Masters
Gene Wilson Bookkeeping
Thompson's Gifts & Specialty Mdse
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, STANSBERRY, GOURLEY
NAYS: NONE

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NO VOTE: TIPTON
Motion declared carried.

SCHOOL WATER BILL ADJ:

The council discussed the large water bill for the school football field for the month of November. The water line does not show enough of a leak to warrant the usage of 900,000 gallons that was metered for the month.

Moved by TIPTON, seconded by STANSBERRY to waive the sewer charge on the water bill for the football stadium for the December 1 billing.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PARK FENCE REPAIR:

The city received the insurance check for the repair of the fence at the City Park in the amount of \$3270.50 which was the bid of Morton Construction.

Moved by TIPTON, seconded by GOURLEY to contract with Morton to repair the fence at the City Park for the amount of the claim of \$3270.50.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

307 JOPLIN STREET:

The council was shown pictures of the debris inside the collapsed garage at 307 Joplin Street. Dwayne Treece is the owner.

Moved by TIPTON, seconded by GOURLEY to send a letter to the owner allowing 7 days to remove the structure and clean up the lot or the city will do the work and charge it against the property.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

CITY LICENSES:

The council discussed various businesses operating in the city without a license. They requested the clerk send a letter to be delivered by Chief Collins allowing Lida Scott until February 1 to pay the \$100 past due on her license and the 1992 license fee to be paid by March 1.

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Moved by BURKYBILE, seconded by BYRD to place an article in the newspaper advising people of the license law.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLÉY
NAYS: NONE
Motion declared carried.

ADJOURNMENT:

Moved by ANDERSON, seconded by STANSBERRY to adjourn the Regular Meeting of the Galena City Council for 20 minutes to tour the fire department at the request of Chief Hall.
AYES: ANDERSON, HAYES, KING, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLÉY
NAYS: NONE
Motion declared carried.

THE CITY COUNCIL RETURNED AT 9:22 P.M.

ROLL CALL:

Roll call after the adjournment indicated the following council members present:
ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, MORAN
ABSENT: WILLIAMS, KING

Corrected 1-21-92 To read Gourley

PARK GARAGE:

Gourley stated the council had requested the park caretaker to obtain bids on building a new garage at Schermerhorn Park and taking down the old structure. This garage leaks badly. Breedlove gave a bid of \$5525. She stated he would do the work now and not bill the city until March 1.

Burkybile asked if it had been advertised for bids. The park caretaker had been told to get 3 bids. She stated it should be advertised for bids.

Allen asked about the spending freeze. He stated the city might not have the money in March to pay for the work.

No action was taken.

SCHERMERHORN ROAD:

The Street Committee had met concerning the closing of Schermerhorn Road South of 7th Street where it Y's. People are dumping trash in the open shaft on the West side of the road on the East section of the Y. They recommend the East section of the road at the Y be closed and

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at 21st Street.

Moved by TIPTON, seconded by BYRD to close Schermerhorn Road at the Y and where this section of the road intersects 21st Street.
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

STREETLIGHT: The committee turned down the request for a street light at 14th & Chicago. This street is only one block long and there are no residences there.

COMMENDATION: Moved by TIPTON, seconded by STANSBERRY to place the letter from Hartford Ins Co commending the City Clerk, on the insurance files in the clerk's personnel file.
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

MOBILE HOME PARKS: The Parks and Housing Committee will meet with Mr. Carter on Thursday.

ROUTE 66: Chief Collins stated there will be a group of people from Europe driving Old Highway 66. He recommended we contact the county to if the area inside the city limits could be paved. The county had obtained funds to pave another portion of Old 66. Chief Collins is to discuss this with the commissioners.

PAYROLL ORDINANCE 92-1: Moved by ANDERSON, seconded by HAYES to approve Payroll Ordinance 92-1 in the amount of \$4386.30 plus \$335.53 FICA and \$62.59 KPERS.
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 92-1A: Moved by BYRD, seconded by HAYES to approve Payroll Ordinance 92-1A in the amount of \$10,862.27 plus \$930.94 FICA and \$158.24 KPERS.
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

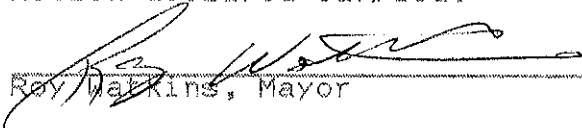
KPERS RATES: The city clerk informed the council
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the rate for KPERS for 1992 is 1.8%.

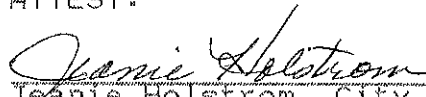
ADJOURNMENT:

Moved by ANDERSON, seconded by STANSBERRY to adjourn the Regular Meeting of the Galena City Council
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.



Roy Watkins, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

(SEAL)