

MINUTES OF
REGULAR COUNCIL MEETING
FEBRUARY 15, 1994

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, February 15, 1994 at 7:00 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
ABSENT: HARPER, BURKYBILE

MINUTES: Moved by ALLEN, seconded by BYRD to approve and place on file the minutes of the Regular Council Meeting of February 1, 1994.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

Moved by BYRD, seconded by ALLEN to approve and place on file the minutes of the Special Council Meeting of February 8, 1994.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

REZONING 1301 MAIN: Al Beiber, Attorney representing C. K. Brown requested the council reconsider their denial of the rezoning of the property at 1301 Main. He provided pictures of the car lot on lots 1 and 2. Mr. Brown desires to use the house for an office for the car lot. He will then remove the portable office he has constructed and improve the property. The area he desires to have rezoned to C-2 is 125 by 140 feet. All the property has a chain link fence around it. The lot has also been blacktopped and a new residence has been constructed on the property just East of the lot.

The council discussed this

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rezoning. Gabrielson contacted Mr. Clary who had protested the rezoning previously and he still protests it.

The City Attorney asked if Mr. Brown would be satisfied with a C-1 zone. The property could be rezoned C-1 which would allow the structure to be used for an office but would still prevent outdoor displays.

Moved by ROGERS to rezone to C-1 to allow the house to be used as an office.

MOTION WITHDRAWN

Moved by HAYES, seconded by GABRIELSON to set another hearing on the rezoning at the 1st possible meeting.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS
NAYS: WARD, ROGERS
Motion declared carried.

SUPERIOR LAMP:

Representatives were not present for the meeting. They desire to meet with the finance committee.

MICK PHIPPS:

Was not present.

CEMETERY:

Tom Wade met with the council.

EXECUTIVE SESSION:

Moved by GABRIELSON, seconded by ROGERS to enter into Executive Session for 20 minutes to discuss Personnel with Cemetery Sexton, Tom Wade and City Attorney, Gene Barrett, remaining.
AYES: GABRIELSON, HAYES, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: SCOTT
Motion declared carried

ENTERED INTO EXECUTIVE SESSION AT 7:22 P.M. and returned at 7:27 P.M.

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order after Executive Session on Tuesday, February 15, 1994 at 7:27 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present:
GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
ABSENT: HARPER, BURKYBILE

SUNRAY:

Sunray Disposal has requested they be allowed to haul to the

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demolition landfill and to pay by the month. Superintendent Sills informed the council that Trashmaster has been doing this with no problems.

Moved by BYRD, seconded by GABRIELSON to allow Sunray Disposal to charge by the month for landfill fees.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

TRANSFER STATION:

The representative from Sunray informed the council that he had received a letter from the State of Missouri saying his application to establish a transfer station at 7th & Blackcat Road was complete. They do not have their permit yet.

BACKHOE TIRES:

Superintendent Sills requested he be allowed to purchase 4 front tires for the backhoes. He received the following quotes:

Burgraff	8 ply	\$ 85.00 each
Goodyear	10 ply	\$101.43 each
Galena	10 ply	\$ 91.70 each

Moved by GABRIELSON, seconded by HAYES to purchase 4 back hoe tires from Galena Tire at \$91.70 each.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SCHOOL CROSSING:

Chief Hentz informed the council he had been contacted by the Kansas Department of Transportation concerning the flashing lights at the school zone on East 7th Street. The state wants these lights removed. They also have requested previously for the city to correct the traffic light at 7th & Water due to their being a traffic light for East and West Traffic and a stop sign for south bound traffic on Water Street.

Moved by WARD, seconded by GABRIELSON to refer the above to the Street Committee.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ANIMAL CONTROL PERSON
ORDINANCE 94-2:

Moved by BYRD, seconded by GABRIELSON to approve Ordinance 94-2 establishing the position of Animal Control Person.

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AYES: GABRIELSON, HAYES, BYRD,
ALLEN, ADAMS.
NAYS: ROGERS, SCOTT, ADAMS
MAYOR OGLESBY CAST HIS VOTE IN
FAVOR.
Motion declared carried.

COURT REPORT:

Moved by BYRD, seconded by HAYES
to place the January Court Report
with collections totaling \$2833 on
file.
AYES: GABRIELSON, HAYES, SCOTT,
BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

COMMENDATION:

Pauline McCollum commended
Officers Robert Turner and Steve
Duncan for the good job they did
when a store in town was about to
be robbed.

BOND ORDINANCE
94-3:

City Attorney, Gene Barrett,
informed the council Ordinance
94-2 which was declared carried at
the February 8, meeting did not
pass. Ordinances require a
majority of the elected members
and the vote was 5 to 2.
Therefore, it is necessary to vote
on this ordinance again. He has
reviewed the Revenue Bond
Ordinance and accompanying
documents for the water project
and found them to be in order.

Moved by BYRD, seconded by ALLEN
to approve Ordinance 94-3
authorizing and providing for the
issuance of \$300,000 Principal
amount of Water Utility System
Revenue Bonds, Series 1994, of
Galena, Kansas, for the purpose of
providing funds to pay a portion
of the costs of repairs,
alterations, extensions,
reconstructions, enlargements or
improvements to the system of the
City; and making certain covenants
and agreements with respect
thereto.

ROLL CALL VOTE:
AYES: GABRIELSON, HAYES, BYRD,
ALLEN, WARD, ROGERS
NAYS: SCOTT, ADAMS
Motion declared carried.

REVENUE BOND
RESOLUTION 94-4:

Moved by ROGERS, seconded by
Gabrielson to approve Resolution
94-4 prescribing the form and
details of and authorizing the
delivery of \$300,000 principal
amount of water utility system
Revenue Bonds, Series 1994, of
Galena, Kansas, previously
authorized by Ordinance 94-3;
providing for the collection

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segregation and application of the revenues of said system for the purposes authorized by law; and making certain covenants and agreements with respect thereto.

ROLL CALL VOTE:

AYES: GABRIELSON, HAYES, BYRD, ALLEN, WARD, ROGERS

NAYS: SCOTT, ADAMS

Motion declared carried.

SIGNATURE APPROVAL:

Moved by ALLEN, seconded by ROGERS to allow the Mayor and City Clerk to sign all necessary documents in conjunction with the issuance of the above bonds.

ROLL CALL VOTE:

AYES: GABRIELSON, HAYES, BYRD, ALLEN, WARD, ROGERS

NAYS: SCOTT, ADAMS

Motion declared carried.

BYRD LEFT AT 8:03 P.M.

1995 KPERS RATE:

Council members received notification in their council packets that the city's rate for KPERS for 1995 is 3.2%.

AFTER PROM DONATION:

Moved by ROGERS, seconded by GABRIELSON to donate \$200 to the After Prom Party.

AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

LIGHT POLES
7TH & MAIN:

Mayor Oglesby informed the council an accident damaged two poles on the Northwest Corner of 7th & Main. The City filed with the drivers insurance company and the claim was paid. When Empire was estimating the cost on these two poles, it was noted that the two poles on the Southwest corner also needed replaced. The cost for this replacement is \$717.10. It would not be covered under the insured policy.

Moved by WARD, seconded by GABRIELSON to replace the two poles at 7th and Main.

AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

TRAFFIC LIGHTS
7th & Main:

Chief Hentz informed the council that in his conversation with the Kansas Department of Transportation, they informed him there are grant funds available for the replacement of traffic lights on a 90/10 basis. The cost for the replacement of these

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lights is approximately 45,000. With the grant funds, the city's portion would be approximately \$4500.

Moved by WARD, seconded by ROGERS to proceed with the letter to apply for these grant funds.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

DEMOLITION LANDFILL:

Mayor Oglesby informed the council that the demolition landfill will only last a few months longer. He asked if they desired the city to apply for another permit. He also asked if they wanted to set aside a mine hole to be filled with processed tires. We can ammend our permit to allow for processed tires provided they are kept separate from the demolition material.

Duane Snapp of Tire Remediation informed the council that the company that was interested in Blue Hole as a Monofil has withdrawn due to the permit not being approved.

The Council discussed whether it would be more profitable to establish a monofil or another demolition landfill.

Moved by ROGERS, seconded by WARD to pursue establishing a monofil landfill.
ROLL CALL VOTE:
AYES: WARD, ROGERS
NAYS: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS
Motion failed.

The council did confirm to the Mayor that they desired to apply for another demolition landfill.

POLICE POLICY MANUAL:

Copies of the revised Police Policy Manual were provided council members prior to the meeting.

Moved by ADAMS, seconded by ROGERS to table until council members have an opportunity to review the Police Policy Manual.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SOFTBALL PARK
CONCESSION STAND:

Gabrielson provided copies of the estimate from McKinley Heating and

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Plumbing on the repairs of the concession stand at the Girls' Softball Park in the amount of \$1317.44.

There is no insurance coverage on either the concession stand nor the contents.

Moved by ROGERS, seconded by WARD to advertise for bids on the repair of the plumbing at the concession stand at the Girls Softball Park.

AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

Moved by GABRIELSON, seconded by HAYES to advertise for bids on replacing the ceiling in the concession stand.

AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

PROCEED WITH DESIGN WATER PROJECT:

Moved by ALLEN, seconded by GABRIELSON to authorize Engineering Management Consultants, Jack Murray, to proceed with the design for the water project.

AYES: GABRIELSON, HAYES, ALLEN, ADAMS, WARD, ROGERS

NAYS: SCOTT

Motion declared carried.

WELL REPAIR:

Gabrielson asked when the work will start on Well #4.

Superintendent Sills informed the council the pump should be here on February 23 and work should begin shortly thereafter.

EPA REMEDIATION PROJECT:

Mayor Oglesby informed the council that the removal portion of the EPA Remediation Project is 74% complete. This portion should be completed in May.

The council discussed whether they would remove all mine waste including the concrete pillars.

Midwest has attempted to remove some of the pillars and they were unable to remove them.

APPROPRIATIONS ORD 94-2:

Moved by ROGERS, seconded by GABRIELSON to approve Appropriations Ordinance 94-2 in the amount of \$74,136.02.

AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS

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NAYS: NONE
Motion declared carried.

SWIMMING POOL MANAGER:

Moved by GABRIELSON, seconded by HAYES to advertise for a swimming pool manager.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

INSURANCE CARRIER:

Moved by ALLEN, seconded by GABRIELSON to advertise for bids on the city's general insurance coverage.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORD 94-9:

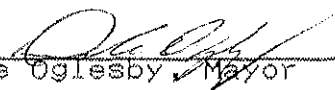
Moved by GABRIELSON, seconded by ROGERS to approve Payroll Ordinance 94-9 in the amount of \$9157.96 plus \$690.84 FICA and \$161.84 KPERS.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORD 94-10:

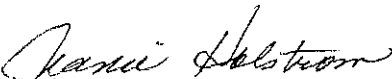
Moved by HAYES, seconded by WARD to approve Payroll Ordinance 94-10 in the amount of \$9609.15 plus \$725.36 FICA and \$163.06 KPERS.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ADJOURNMENT:

Moved by GABRIELSON, seconded by ROGERS to adjourn the Regular Meeting of the Galena City Council.
AYES: GABRIELSON, HAYES, SCOTT, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.


Dale Oglesby, Mayor

ATTEST:


Jeanie Holstrom, City Clerk

(SEAL)