

MINUTES OF
REGULAR COUNCIL MEETING
FEBRUARY 16, 1993

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, February 16, 1993 at 7:00 p.m. in the Council Chambers with Roy Watkins, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present: GABRIELSON, HAYES, MEANS, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSENT: SCOTT

MINUTES:

Moved by BYRD, seconded by TIPTON to approve and place on file the minutes of the meeting of February 2, 1993.
AYES: GABRIELSON, HAYES, MEANS, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
ABSTAIN: GOURLEY

PLANNING & ZONING:

Moved by BYRD, seconded by HAYES to place on file the minutes of the Planning & Zoning Commission meeting of January 5, 1993.
AYES: GABRIELSON, HAYES, MEANS, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

SR CITIZENS BOARD:

Moved by BYRD, seconded by GOURLEY to place on file the minutes of the Sr. Citizens Board Meeting of January 7, 1993.
AYES: GABRIELSON, HAYES, MEANS, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

SCOTT ENTERED AT 7:02 P.M.

CHANGE MEETING ROOMS:

Moved by Allen to move to the Community Room due to the

number of people present.

The motion was withdrawn due to chairs not being set up in the community room.

GRANT FOR FILLING SHAFTS:

Chris Dixon, Cherokee County Commissioner, met with the council concerning the grant for filling mine shafts. He had been in contact with the Kansas Department of Health and Environment and discussed the method of disbursing the grant funds. All original invoices on the project must go to the state through the county. Mapping of the holes that are being sealed with grant funds should be done. It was recommended a copy of the maps be provided the city, county and state. KDHE also recommended that 10% of the grant funds be held in reserve for emergency. If there is any deviation from the plan submitted, we must let them know. Mr. Dixon informed the council that the remediation contract by EPA will be let April 9.

Jamie Reese of Reese Exploration discussed with the council his proposal for sealing the shafts. He stated he has visually inspected the shafts on the list and 15 of the 21 have been prioritized. These 15 were selected on the basis of safety (someone falling into a shaft), environmental and by the proximity of the shaft to people. 90% of the shafts had water in them, 50 to 100 feet deep from the top of the shaft. The city would provide the mapping of the shafts.

April 9, this area becomes an official Super Fund Site. At that time, there will be many more restrictions on working at the sites. He estimates he can complete the project in 30 days, weather permitting. A performance bond will be provided. Total cost not to exceed \$110,000.00

Moved by BURKYBILE, seconded by IPTON to contract with Reese Exploration for the sealing the

shafts with the city using their backhoe so the project can be completed by April 9.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

WHITE TO SURVEY SHAFTS:

Moved by BURKYBILE, seconded by ALLEN, to authorize Verlyn White's mapping of the shafts at \$55 per hour with copies being provided the city, county and state.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

MATT DERFELT PRESENTATION:

Mayor Watkins presented Reserve Office Matt Derfelt with a plaque for outstanding service in the rescue of a man from a mine shaft on December 6, 1992.

GERALD HENTZ PRESENTATION:

Mayor Watkins presented former police officer Gerald Hentz with a plaque for 10 years of service with the City of Galena Police Department. He completed 10 years of service in December 1992. Mr Hentz resigned in January to accept a position with the Cherokee County Sheriffs Department.

PUBLIC HEARING CDBG GRANT:

Mayor Watkins opened the public hearing to discuss whether the city should apply for a Community Development Block Grant for 1993. Paula Raskopf of SEK Regional Planning Commission explained the grant process and what steps are necessary for the city to apply.

Moved by STANSBERRY, seconded by BYRD to submit a 1993 CDBG application.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

Mayor Watkins asked if there were any public comments.

Myra Frazier asked if the city

could use in-kind for a portion of the city's match.

Mrs. Raskopf stated that is possible and that the city of Columbus is currently doing that on a 1992 grant.

Mayor Watkins closed the public hearing.

RENTAL ORDINANCE 93-1:

Chuck Wells, representing property owners who have rental property, requested the council rescind Ordinance 93-1. He stated the Landlords met the previous week. They feel the inspection of the rental houses while they are rented is an invasion of privacy for the renters. They also object to the fees set forth in the ordinance and the fines. The landlords do no mind having them inspected when they are empty.

The council discussed the right of entry for inspection.

Gene Porter, City Building Inspector, provided copies of a portion of the Standard Housing Code which was adopted by the city and states that the city has the right of the inspections.

Moved by STANSBERRY, seconded by BURKYBILE to form a committee to meet with a committee of landlords to work out a compromise and to delay the enforcement of 93-1 for 90 days.
AYES: BURKYBILE, BYRD, ALLEN, STANSBERRY
ABSTAIN: GABRIELSON
NAYS: HAYES, MEANS, SCOTT, TIPTON, GOURLEY
MOTION FAILED.

Moved by GOURLEY, seconded by MEANS to repeal Ordinance 93-1 and start from scratch.
AYES: HAYES, MEANS, SCOTT, GOURLEY
ABSTAIN: GABRIELSON
NAYS: BYRD, ALLEN, TIPTON, STANSBERRY, BURKYBILE
MOTION FAILED.

Moved by BYRD, seconded by STANSBERRY that the Ordinance 93-1 be amended according to

FEBRUARY 16, 1993

the findings of a special committee set up by the Mayor consisting of two council members and two citizens at large, the purpose of the committee is to alleviate the points of disatification as addressed by the public at large.

AYES: HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
ABSTAIN: GABRIELSON
NAYS: MEANS, SCOTT, GOURLEY
Motion declared carried.

Mayor Watkins appointed Flora Stansberry, Joyce Burkybile, Tom Allen, Margaret Ball, Bill Frazier and Chuck Wells to the committee.

Moved by MEANS, seconded by GOURLEY to delay enforcement of Ordinance 93-1 until the committee comes back to the council and the amended ordinance has been approved.
AYES: HAYES, MEANS, SCOTT, BURKYBILE, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: GOURLEY
NAYS: BYRD, ALLEN
Motion declared carried.

BURKYBILE LEFT AT 8:42 AND RETURNED AT 8:43

ADOPT A PET:

Lori Gabrielson proposed an "Adopt a pet program" to the council. She would donate her time for the adoption procedures, the Galena Sentinel has donated space for and Dr. Hall will provide services at a discount. Doanes is working a coupon for free dog food for persons adopting the pets. She requested the city allow the dogs to remain at the pound 10 days to allow time for advertising and the adoption and to waive the \$1 fee required for a city tag.

Moved by MEANS, seconded by ALLEN to approve the Adopt the Pet Program
AYES: HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: GABRIELSON
NAYS: NONE
Motion declared carried.

TELEPHONE SYSTEM, SEWER PRO: Superintendent Sills discussed

FEBRUARY 16, 1993

the telephone system recommended for the lift stations. The system would ring into the police department should the system detect a problem at one of the lift stations. There is a cost of \$132 for 5 hookups and the monthly fee would be \$28.92 per lift station. This system would eliminate the wastewater operator running the lift stations on weekends.

The council discussed having one line instead of five if this should reduce the cost per month.

Moved by MEANS, seconded by GOURLEY to negotiate the cost of the telephone system for the lift stations.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

BLACK GRANULES:

Superintendent Sills stated that Asbury gives granules to cities if you are on the list. You sign up for the number of loads you need and you are required to take that many loads if they are available. The only cost is for hauling, which is \$3.50 per ton. The city could not get on the list until next year. However, one of the contractors can obtain 3 loads for the city at a cost of \$3.50 per ton for hauling.

Moved by BYRD, seconded by BURKYBILE to allow the City Superintendent to accept 3 loads of black granules at \$3.50 per ton for hauling.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

APPRECIATION LETTERS:

Moved by MEANS, seconded by GABRIELSON to send letters to Phil Martin and Tim Shallenburger for their assistance in obtaining the grant for sealing the mine shafts.
AYES: GABRIELSON, HAYES,

FEBRUARY 16, 1993

MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY
NAYS: NONE
Motion declared carried.

CAMERA SEMINAR:

Chief Wade stated there will be a seminar in Augusta on March 4 on law enforcement documentation. The registration fee is \$250 to register 3 officers and the city will receive a camera worth \$1000 for attending the seminar. He requested 3 officers of his choice be allowed to attend with the city paying the registration fee and their meals. They will not stay overnight.

Moved by BYRD, seconded by HAYES to approve 3 officers attending the above seminar.
AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY
NAYS: NONE
Motion declared carried.

FIRE DEPARTMENT EQUIP:

Moved by GOURLEY, seconded by BURKYBILE to approve the purchase of a bunker suit for volunteer fireman, Roy Hopkins, at a cost of \$525.
AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY
NAYS: NONE
Motion declared carried.

EMPLOY OPERATOR:

The Personnel Committee met concerning the need to hire an operator for the shaft sealing.

Moved by GOURLEY, seconded by BYRD to advertise for an operator.
AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY
NAYS: NONE
Motion declared carried.

WEEKLY PAY PERIODS:

The Personnel Committee discussed the hourly employees being paid weekly instead of bi-weekly. The employees feel their funds will go further by being paid weekly.

Moved by STANSBERRY, seconded by GABRIELSON to pay the hourly

FEBRUARY 16, 1993

employees on a weekly basis with the time going in on Friday and their being paid the following Friday.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY

NAYS: NONE

Motion declared carried.

APPOINT PATROLMEN:

The Personnel Committee recommends three patrolman be hired as follows:

Moved by GOURLEY, seconded by BYRD to hire Debra Webb as patrolman.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY

NAYS: NONE

Motion declared carried.

Moved by GOURLEY, seconded by BURKYBILE to hire Stephen Duncan as patrolman.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY

NAYS: NONE

Motion declared carried.

Moved by GOURLEY, seconded by BYRD to hire Robert Lawrence as patrolman.

Allen asked about Mr. Lawrence.

Gourley stated he had a very good resume and experience.

The council discussed whether he could be appointed due to his living in Webb City.

Chief Wade stated he is looking for a house in Galena.

The vote on the above motion to hire Mr. Lawrence is:

AYES: GABRIELSON, HAYES,
MEANS, BYRD, TIPTON, GOURLEY
NAYS: ALLEN, STANSBERRY,
SCOTT, BURKYBILE

Motion carried.

WATER SURCHARGE:

Council members were provided a copy of a letter received from the Kansas Department of Health & Environment increasing the surcharge on 1000 gallons water from \$.03 to \$.032.

FEBRUARY 16, 1993

Moved by STANSBERRY, seconded by BURKYBILE to increase the surcharge for water to \$.032 per 1000 gallons.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

MEANS LEFT AT 9:13 P.M.

ROBERT VAVRINAK, JR:

*Corrected 3/2/93 to
5 months*

Robert Vavrinak asked why he was not hired to fill one of the positions as patrolman when he has been filling the position for the last 7 months.

Gourley said he had been informed that because he was currently filling the position, he was not guaranteed he would be appointed permanently.

Vavrinak is to meet with the Personnel Committee after the council meeting.

MEANS RETURNED AT 9:18 P.M.

1994 KPERS RATE:

Council packets included the information that the City portion of KPERS for 1994 will be 2.2%. Up from 1.9% for 1993.

ELECTION WORKERS MEALS:

The city has, in the past, provided each election worker \$2.50 toward their meals on election day.

Moved by BURKYBILE, seconded by GOURLEY to allow for election workers meals for the Primary and the April election.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

ABSTAIN: HAYES

NAYS: NONE

Motion declared carried.

SPRING ANIMAL CLINIC:

Moved by MEANS, seconded by STANSBERRY to allow the city clerk to contact area veterinarians for bids on the Spring Animal Clinic.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

FEBRUARY 16, 1993

FAYE ASHBURN RESIGNATION:

Moved by BYRD, seconded by BURKYBILE to accept the resignation of Faye Ashburn from the Planning and Zoning commission.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

WATER COMMITTEE:

The Water Committee met on February 9, 1993 with a representative of Pittsburgh Tank and Tower Company and Jack Murray and Paul Trentham, P.E. of Engineering Management Consultants, Inc. A written copy of the report was provided in the council packets.

Moved by STANSBERRY, seconded by GABRIELSON to place the water committee report on file.
AYES: GABRIELSON, HAYES, MEANS, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: SCOTT
NAYS: NONE
Motion declared carried.

SPECIAL COMMITTEE:

Stansberry reported the Special Committee on contractor licensing has not met. However, the city attorney provided her with a copy of a proposed ordinance earlier this evening and they will not meet to discuss this.

ORD. 93-2, EMPLOYEE COMP:

The Finance Committee met concerning the pay scale for city employees. Ordinance 93-2 was included in the council packets which included a \$.25 per hour pay increase for all full-time employees. This ordinance also changes some of the employees from salaried to hourly. The committee feels this will help to budget manpower.

Moved by STANSBERRY, seconded by MEANS to approve Payroll Ordinance 93-2 setting compensation for employees of the City of Galena.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
BURKYBILE DID NOT VOTE

FEBRUARY 16, 1993

Motion declared carried.

Tipton asked if this increase included the 5 police officers who received increases in 1992.

Wade said only Paul Duncan received an increase in 1992.

BYRD LEFT AT 9:30 P.M.

PURCHASE POLICE UNITS:

*Connected 3/2/93 To 35
payments*

The Finance Committee met and reviewed bids obtained by the Police Chief on two new police units. They recommend the purchase of two 1993 Ford Crown Victoria Police Units at a cost of \$26,820 on a lease purchase plan with a payment on delivery of \$834.57 and 25 payments of \$826.57, from Columbus Ford.

Moved by MEANS, seconded by GOURLEY to purchase two 1993 Ford Crown Victoria Police Units from Columbus Ford.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, TIPTON, GOURLEY
NAYS: ALLEN, STANSBERRY
Motion declared carried.

BYRD RETURNED AT 9:34 P.M.

Stansberry questioned the change in the lease payment amounts from those provided the Finance Committee.

Chief Wade said he had doubled the lease payment on one vehicle to come up with the payment for two at their meeting. The second vehicle was \$2000 more due to the trade in being applied to the 1st vehicle.

She stated that the Missouri Highway Patrol has 1991 Crown Victorias available at a cost of \$8900 each with 49,500 miles.

Mayor Watkins stated the mileage was higher on these vehicles.

PUBLIC WORKS VEHICLE:

Moved by BURKYBILE, seconded by GOURLEY to purchase a 1988 Chevrolet S-10 from Bob Carr Used Cars at a cost of \$3750.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD,

FEBRUARY 16, 1993

ALLEN, TIPTON, STANSBERRY,
GOURLEY
NAYS: NONE
Motion declared carried.

DUMP TRUCK:

The committee discussed the purchase of a dump truck for the public works department. The dump trucks currently being used by the public works department are unsafe. The committee does not have a recommendation at this time.

SOLID WASTE NOTICE:

Included in the packets was a copy of a proposed notice which Burkybile proposed be published in the newspaper and included in a letter to the customers with their bills. The cost for mailing the notice would be approximately \$150 over regular cost of mailing the cards.

Moved by BURKYBILE to approve the mailing of the notice in an envelope at a cost of \$150.
MOTION DIED FOR LACK OF SECOND.

SOLID WASTE RATES:

Allen asked if trash rates should be lowered.

Means stated this was referred to the Finance Committee and they do not have a recommendation at this time.

SOLID WASTE TRUCK:

Burkybile stated the city uses pickup trucks for a portion of their solid waste pickup. She recommended the city superintendent be allowed to look for a pickup to purchase out of the solid waste fund.

Moved by BURKYBILE, seconded by TIPTON to allow the City Superintendent to look for a pickup truck to be purchased from the Solid Waste Fund at a cost not to exceed \$5000.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY

NAYS: NONE

Motion declared carried.

HUFFMAN TRAILER:

A copy of the letter from Dennis and Sue Huffman concerning the variance on the Mobile Home Ordinance was included in the council packets. Mayor Watkins stated this is being referred to the

FEBRUARY 16, 1993

Planning & Zoning Commission.

RESOLUTION 93-2. EC DEV.:

Moved by STANSBERRY, seconded by TIPTON to approve Resolution 93-2 setting policy and procedures for tax exemption for economic development.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

ORD 93-3, SUNFLOWER SUP:

In September, 1992, the council approved a tax abatement for Sunflower Supply Co. Inc. However, the ordinance was not passed nor was the new resolution concerning the statement of policies and procedures.

Moved by STANSBERRY, seconded by GABRIELSON to approve Ordinance 93-3 exempting certain property from ad valorem taxation for economic development purposes and providing for certain in lieu payments for Sunflower Supply Co. Inc.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

APPROPRIATION ORD 93-2:

Moved by STANSBERRY, seconded by GOURLEY to approve Appropriations Ordinance 93-2 in the amount of \$69,044.44.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

APPROPRIATION ORD 93-2A:

Moved by GABRIELSON, seconded by TIPTON to approve Appropriations Ordinance 93-2A, Sewer Project, in the amount of \$159,341.65.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

PAYROLL ORD 93-4:

Moved by GOURLEY, seconded by GABRIELSON to approve Payroll Ordinance 93-4 in the amount of

FEBRUARY 16, 1993

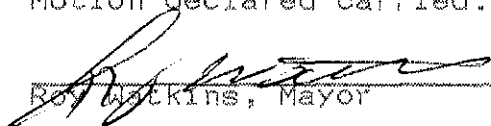
\$10,113.45 plus \$866.44 FICA
and \$138.27 KPERS.
AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-4A:

Moved by MEANS, seconded by
HAYES to approve Payroll
Ordinance 93-4A in the amount
of \$8,471.05 plus \$648.09 FICA
and \$101.74 KPERS.
AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

ADJOURNMENT:

Moved by GOURLEY, seconded by
ALLEN to adjourn the regular
meeting of the Galena City
Council.
AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD,
ALLEN, TIPTON, STANSBERRY,
GOURLEY
NAYS: NONE
Motion declared carried.



Roy Watkins, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

(SEAL)