

MINUTES OF CITY COUNCIL MEETING  
GALENA, KANSAS

March 11, 1980

The Galena City Council met Tuesday, March 11, 1980, at 7:00 P.M., in a session rescheduled from March 4, 1980.

On roll call, the following members were present: Faulkner, Hayes, Davies, Piercefield, Kelley and Hopkins, constituting a quorum.

Councilman Hall arrived in the council chambers and took his seat at 7:10 P.M.

Absent was: Councilman Bailey.

Mayor L. G. Williams presided.

Minutes of the previous meetings on February 19, March 4 and the Special Meeting of March 5 were approved on motion made by Piercefield and seconded by Kelley, with three abstentions by Hall, Davies and Hopkins.

Mayor Williams stated that he had requests from three people for the two vacant council seats. The three were: Mickey Walker, Dorothy Mann and Delores Smith.

Councilman Davies stated he would like to see advertisements placed in the newspaper for applications to fill these vacancies and then let the newly elected council members decide in April who was to serve on the council. He then made this into a motion, seconded by Hopkins. There were 3 Yeas and 4 Nays. Motion did not carry.

Councilman Piercefield moved we accept Delores Smith and Dorothy Mann to fill these vacancies. Faulkner seconded. The vote was 4 Yeas, 1 Nay by Hall, with Davies and Hopkins abstaining. Motion carried.

City Clerk, Norma Lutz, then gave the Oath of Office to Dorothy Mann and Delores Smith and they took their seats on the Council.

City Attorney Fayette Rowe stated that there was a state statute against witness fees being assessed against the City in the Lillian Price trial and recommended that they not be allowed by the Council. Motion was made by Piercefield, seconded by Faulkner, that we not pay these fees. The motion carried with 6 Yeas and 3 Nays.

Ordinance No. 1015 amending Ordinance No. 860 and repealing Ordinance No. 18-707 of the Revised Ordinances, 1951, Curfew, was read to the Council. The amended portion to read "persons under 18 years of age" instead of "any minor 18 years of age and under".

Piercefield made the motion we accept the amended ordinance with Hayes seconding. Motion carried with 9 Yeas.

Ordinance No. 1016 regulating sewage disposal was amended by Article VIII, Section 801 (non-compliance) being added. Hall moved, seconded by Piercefield, that we accept the amended ordinance. There were 9 Yea votes. Motion carried.

Community Development Director, Ray Randall, presented the documents, Ordinances 1017A and 1017B, for the annexation of the property of Dale King (Plot A) and Dale and Sandra King (Plot B) to the City of Galena. Mr. Rowe reviewed the documents and voiced objection to the sworn affidavit, stating it must say "acknowledged" instead before

a Notary Public. The matter was tabled until the next council meeting, allowing Mr. Randall time to have the proper acknowledgement executed.

Ray Randall presented maps of the Overlook Addition being developed. After reviewing plot plans presented by Randall, Piercefield moved that the Council recess for approximately 15 minutes to view maps of the Addition on display in the Community Room. Faulkner seconded. Motion carried.

After reconvening, the Council took no further action on the matter.

In additional Community Development matters, Mr. Randall advised the governing body that Jerico Cable TV was now in the process of looking for land on which to place an antenna and "dish", stating they needed approximately 1 1/2 acres. He had asked Zodiac if they might release their option on a portion of their land for the purpose of putting Jerico Cable TV there but as of this date no release was forthcoming. He had also suggested land behind the Municipal Building but with no agreement being reached. Lengthy discussion followed about the selling price of City owned land. A motion was called for to table the matter and study it further but no movement was made.

Building Inspector, Gene Porter, appeared before the Council in regard to several complaints he had received in the last few weeks about rubbish, etc. in yards. He asked that the City's Nuisance and Sanitation Ordinances be published in the newspaper and the Council's approval to follow through on complaints made and to prosecute if necessary. Piercefield moved that we accept his suggestions with Davies seconding. Motion carried with 9 Yeas.

Howard Jarvis, Public Works Supervisor, appeared before the Council in regard to his suspension of Melvin Hendryx as water meter reader which occurred January 8, 1980. He advised the governing body that Hendryx could still request a hearing before them if he so desired, but so far had not indicated he wanted a hearing. Piercefield made the motion we dismiss Hendryx. Kelley seconded. There were 6 Yeas votes, 2 Nays and one abstention by Hall. Motion carried.

Jarvis asked the Council to raise the hourly wage of Darrell Shoemaker to an additional 25¢ per hour because of the work load he carries and to bring his wages up to those of the man he replaced. Piercefield made the motion, seconded by Hayes that the increase be allowed. There were 8 Yeas with Hopkins abstaining. Motion carried.

Jarvis requested he be allowed to purchase a chlorinator for the new pump and from Joplin Supply the electrical supplies to install it, with the price not to exceed \$2,000.00. Piercefield made the motion that the purchase be allowed. Davies seconded. Motion carried with 9 Yeas.

Davies made a motion, seconded by Piercefield, that Howard Jarvis be allowed to sell the old 1959 Chevrolet pick-up to Bob Walker, the highest bidder, for the sum of \$60.00. Motion carried with 9 Yeas.

Motion was made by Hall and seconded by Hayes that Jarvis be permitted to purchase 2 new tires for the trash truck from Firestone for \$600.00. Motion carried.

Jarvis requested that the City publish in the newspaper the fact that the sewer inspection fee go from \$5.00 to \$10.00, effective upon publication. This was allowed.

Mr. Wilbur Moody appeared in regard to his Overlook Addition which is located immediately south of the Hillview Addition. There will be 20 lots with the least purchase price being \$2,000, because all utilities must be put in. The property has been surveyed and needs only to be accepted by the City. Mr. Moody stated that no trailers or mobile homes would be allowed in the Addition. There followed a great deal of discussion on the matter but no action was taken.

Mayor L.G. Williams presented the resignation of Tom Brown as Police Chief, stating he did so with a great deal of regret, because Mr. Brown had been a fine police officer. Motion made by Piercefield, seconded by Faulkner that the resignation be accepted. Motion carried.

A cereal malt beverage license for Ken's Westside was approved on motion by Piercefield, seconded by Kelley. There were 9 Yea votes.

The Council agreed to pay the City's share of medical bills for Mrs. Tony Foster with a motion made by Piercefield, seconded by Hall. Motion carried with 9 Yeas.

The statement for the City's vehicle liability insurance with the Hartley Agency was presented to the Council. After some discussion, Hall moved we seek other bids. Davies seconded. Motion carried.

Acting upon a request by the Junior Class for a donation on the Junior Play, Hall moved the City donate \$50.00. Motion died for lack of a second.

In the matter of a small claims suit filed against the City Clerk by Dr. Paisimio of Columbus on the Mark Chastain account, Council agreed to allow the matter to be handled by Attorney Rowe, with the motion being made by Hall, seconded by Piercefield. Motion carried.

Kelley moved we stop payment on a check issued to Robert Mendoza which apparently has been lost in the mails. Second was made by Faulkner. A new check in the same amount is to be issued. Motion carried.

Davies moved for adjournment. Hopkins seconded. Motion carried by standing.

  
Mayor

  
City Clerk