

MINUTES OF
REGULAR COUNCIL MEETING
MARCH 16, 1993

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, March 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, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
ABSENT: MEANS, GOURLEY

MEANS ENTERED AT 7:05 P.M.

MINUTES: The following corrections were made on the minutes of the Regular Meeting of March 2, 1993:

Page 2, Tri State Recycling: Duane Snapp introduced Richie Young. Mr. Snapp is not a representative of the company wanting to reopen the center.

Page 3, Paragraph 2, Tri State Recycling: Burkybile asked if it was to be transfer station.

Page 3, Paragraph 7, Tri State Recycling: Young asked if the council supports the reopening of the plant.

Page 4, Paragraph 2, Cemetery Report: The motion should read:

Moved by MEANS, seconded by BURKYBILE to place the Cemetery Report on file, refer the purchase of a sump pump to the Finance Committee, and with the Finance Committee to determine if \$2700 is available to purchase the riding mower.

Page 5, Paragraph 2, Public Works Truck: This truck is to purchased from the Solid Waste funds.

Page 5, Paragraph 5, Storm Siren: The amount of the grant is \$13,077.30.

Page 7, Paragraph 2, Water Committee: The committee met with Randy Percy. The price of the power saw is \$782.92

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plus \$20 shipping.

Moved by BYRD, seconded by BURKYBILE to approve and place on file the minutes of the Regular Council Meeting of March 2, 1993 as corrected.

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

NAYS: NONE

Motion declared carried.

PLANNING & ZONING:

Moved by BYRD, seconded by STANSBERRY to place on file the minutes of the Planning & Zoning Committee Meeting of February 2, 1993.

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

NAYS: NONE

Motion declared carried.

LIBRARY:

Moved by BURKYBILE, seconded by STANSBERRY to place on file the minutes of the Library Board Meeting of January 30, 1993.

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

NAYS: NONE

Motion declared carried.

SR. CITIZENS BOARD:

Moved by BYRD, seconded by GABRIELSON to place on file the minutes of the Sr. Citizens Board Meeting of February 4, 1993.

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

NAYS: NONE

Motion declared carried.

SLANKARD REZONING:

Moved by STANSBERRY, seconded by BURKYBILE to accept the recommendation of the Planning & Zoning Commission and approve the rezoning of 4.8 acres on East 18th Street to Agricultural.

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

NAYS: NONE

Motion declared carried.

HUFFMAN TRAILER VAR:

Dennis & Sue Huffman had requested the city allow a variance to the Zoning Ordinance and allow them to use the property on which there is a mobile home as rental property. This had been referred to the Planning & Zoning Commission.

Moved by BURKYBILE, seconded by ALLEN to accept the recommendation of the Planning & Zoning Commission and

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allow this trailer to be rented until the property is sold.
AYES: GABRIELSON, BURKYBILE, BYRD, ALLEN, TIPTON
NAYS: HAYES, MEANS, SCOTT, STANSBERRY
Motion declared carried.

PLANNING & ZONING:

Byrd asked that Planning & Zoning provide the council with the voting record in items sent for council action.

CARTER MOBILE HOME PARK:

Jerry and Rick Carter met with the council concerning the mobile home park on Peco Drive. They are willing to dedicate 20 feet from 8th to 10th Streets for an alley and 50 feet from 8th to 11th Street for a street with the city installing the culvert.

They also asked about persons purchasing lots from them and the requirements concerning the mobile homes. The council discussed the size of the lots being sold and whether they comply with the zoning ordinance. Gene Porter provided information from the City Code concerning the minimum lot size in an R-2 District. They also discussed whether persons purchasing vacant lots could move in a trailer without going through the application process.

Moved by STANSBERRY, seconded by BYRD to table until Gene Porter, the City Inspector has an opportunity to measure the lot sizes.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

STANDARD CODES
ORDINANCE 93-4:

Moved by BURKYBILE, seconded by BYRD to purchase the Standard Building Code Congress International, Inc. Books which include the Plumbing Code, Fire Prevention Code, Building Code, Mechanical Code, Gas Code and the Standard Publications which includes the Amusement Device Code, Housing Code, Swimming Pool Code, Unsafe Building Abatement Code and the Standard Building Code Congress International Bylaws, the Interpretations and the Standards at a cost of \$309.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

CORRECTION

SCOTT VOTED NAY

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Moved by ALLEN, seconded by GABRIELSON to approve Ordinance 93-4 adopting by reference various standard codes related to building and structures and repealing Ordinance 89-4 and 89-5 in their entirety.

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

NAYS: NONE

Motion declared carried.

BUILDING PERMITS:

The Council discussed when Building Permits are necessary. Gene Porter stated that several years ago, the council waived building permits for persons who were making repairs to a structure and were not changing the floor size, provided the owner did the repairs themselves. This is the practice that has been used.

They also discussed the structure at 1201 Keller. This structure was under condemnation and was in the process of being sold by the estate to Lonnie Stansberry. No action was taken until the sale had been completed. Mr. Stansberry then sold the property and the current owner is repairing the structure. It was asked if the owner should not have come back to the council for an extension on the condemnation.

Moved by TIPTON, seconded by STANSBERRY to refer this to the Special Committee on Licensing.

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

NAYS: SCOTT

Motion declared carried.

GOSPEL SING & GALENA DAYS:

Moved by MEANS, seconded by SCOTT to allow the Fire Department to have a Gospel Sing on the Parking Lot and to block off the major areas for Galena Days the same as last year.

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

NAYS: NONE

Motion declared carried.

SHAFT PROJECT:

The Personnel Committee interviewed for two openings, one operator and one laborer. The operator would operate the back hoe for the shaft capping project and the laborer would work in the Public Works Department to allow Gordon Smith to drive the dump truck for the shaft capping project.

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The Personnel Committee recommends that George Galardo be hired as an operator and William Friant be hired as a laborer on a temporary basis.

Moved by BYRD, seconded by TIPTON to accept the recommendation of the Personnel Committee and hire George Galardo as operator and William Friant as laborer on a temporary basis.

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

NAYS: NONE

Motion declared carried.

COMMUNITY ROOM TABLES:

Byrd stated that seven of the tables need replaced in the Community Room. He recommended that Tom Noe inspect the tables to be purchased to be sure they are built properly to withstand the wear.

Moved by BYRD, seconded by BURKYBILE to obtain bids on 7 tables for the Community Room with Tom Noe to inspect the tables.

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

NAYS: NONE

Motion declared carried.

LOCAL HOUSING

Judy Gilstrap, of the Local Housing Authority requests that a street light be placed at the East end of the Housing Complex.

Moved by BYRD, seconded by HAYES to place a street light at the East end of the Local Housing Complex on 13th & Elm.

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

NAYS: NONE

Motion declared carried.

VACATING STREET:

Byrd provided a copy of a map in the packets showing structures that have been built in areas which have been platted as streets. The county appraisor brought this to the attention of the city clerk and recommended the city review the platted streets and alleys to see if some should be vacated. This would increase the tax base for the city.

Moved by ALLEN, seconded by BYRD to refer the vacating of streets and alleys in the city to the Street Committee.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,

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TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

CITY HALL GROUNDS:

The city clerk requested through the finance committee to purchase dirt, seed and fertilizer to use on the City Hall lot. The council discussed whether this should be undertaken prior to Galena Days.

Moved by BYRD to proceed immediately after Galena Days.
MOTION WITHDRAWN

Moved by GABRIELSON, seconded by BURKYBILE to proceed with the project the 1st of September.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

FORD POLICE CAR TIRES:

The following quotes were obtained for the purchase of 4 tires for the Ford police car. This car will not be traded in and is currently being used as the No. 1 unit.

Galena Tire, \$299.24 which includes 130 mph rating, mounting and balancing and free tire repair.

Burgraff Tire, \$260, includes road hazard

Goodyear, \$189.64

Moved by HAYES, seconded by BURKYBILE to purchase 4 tires from Galena Tire.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

SCOUT CAMPOUT:

Moved by BURKYBILE, seconded by MEANS to allow the Spring River Twilight Camp to be held at Schermerhorn Park June 7 through 11 from 4:30 to 8:30 p.m.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

JUDGE CONFERENCE:

Moved by MEANS, seconded by BYRD to allow the Municipal Judge to attend the Municipal Judge's Conference in Wichita May 23 through 26 with the costs to be paid by the State.

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

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NAYS: NONE
Motion declared carried.

MID KANSAS ENG BILL:

Moved by BURKYBILE, seconded by GABRIELSON to approve payment to Mid Kansas Engineering for sewer project services in the amount of \$835.59 pending approval from FHA.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

SEK REGIONAL PLANNING MEMBERSHIP:

Moved by BURKYBILE, seconded by ALLEN to retain membership in the SEK Regional Planning Commission and pay the dues of \$35.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

MAIN STREET:

Superintendent was asked if he could clean Main Street early for the Spring Fling.

SEWER PROJECT:

Allen asked if the contractor is going back and filling in the spots that are settling. i

Virgil Strong stated they will

Means asked when the contractor will be paving again.

Virgil Strong stated this will begin when weather permits.

AFTER PROM PARTY:

Moved by BYRD, seconded by MEANS to make a donation of \$100 to the After Prom Party.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

WATER RATES:

The water committee concerning the complaint from Norman DeGraff concerning the charges for water service. The current billing practice is to charge for 1000 gallons of water when any portion of the 1000 gallons is used. The committee recommends the billing be changed to charging for only the gallons used.

Moved by STANSBERRY, seconded by TIPTON to charge only for the actual gallons used on the water billings.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY

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NAYS: NONE
Motion declared carried

CDBG GRANT:

The water committee met with Jack Murray concerning the plans to apply for a CDBG grant for water lines. The cost of the project is \$641,725. They recommend a cash injection of \$30,000 with the balance of the city portion being in-kind.

Moved by STANSBERRY, seconded by BYRD to allow Jack Murray and Paul Raskopf to work toward the grant with our cash injection to be \$30,000 and the balance of the city portion being in-kind.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

TRI STATE RECYCLING
FACILITY:

The Solid Waste Committee met with Rich Young of American Disposal. They are negotiating the purchase of the TRT facility. They will have to obtain the permit from the State prior to the sale. As host city, they would freeze the price we are paying for landfill fees at the current price for a 3 year period and we would take our solid waste to the TRT facility. They would work with the City on a Spring and Fall Cleanup allowing residents to bring items to the facility at no charge. They would also place a 30 yard dumpster at a site in the city if necessary for this project. Trucks using the facility will use State Line Road and 7th Street and will not use Main Street.

The committee also discussed with him the rates in October. He said these rates would be determined by the volume of waste at the facility.

SOLID WASTE RATES:

The Solid Waste Committee asks that the finance not lower rates on solid waste at this time. They would like to see what the city's position is before these rates are lowered.

TRASH TRUCK, COMPUTER:

The Solid Waste Committee recommends the city payoff the Trash Truck and Computer from the solid waste fund.

Moved by BURKYBILE, seconded by BYRD to payoff the lease purchase on the trash truck and computer from the solid waste and the special solid waste fund.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,

TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

SPECIAL SOLID WASTE:

Moved by BURKYBILE, seconded by STANSBERRY to transfer \$600 per month from the Solid Waste Fund to the Special Solid Waste Fund to have funds set aside for the purchase of a new trash truck when it is necessary.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

LANDFILL RATES:

Beginning from January 1, 1993, the city will have to pay \$1.50 per ton for all debris going to our landfill. The City Superintendent and the City Clerk are preparing estimates on the tonage we are accepting and have accepted this quarter. This report will be completed for the April 6 meeting. The city recommends the following rates be established to allow for the increase.

Under 1/2 pickup	\$ 5.00
Level full pickup	10.00
Pickup with sides	15.00
5 yard dump truck	15.00
8 yard dump truck	15.00
10 wheel dump truck	25.00
18 wheeler	45.00
Roll off	35.00
Roll off with sides	45.00

Moved by BURKYBILE, seconded by SCOTT to approve the new rates for the demolition landfill.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD
NAYS: ALLEN, TIPTON, STANSBERRY
Motion declared carried.

SEWER PROJECT
Wood STREET:

CORRECTION:
22nd Street instead of 23rd

G & G Construction will be cutting Wood Street for the sewer line to go down Wood Street South of 23rd. G & G would be willing to pay the amount included in the city sewer contract for the asphalt on this street and the County will be willing to use their equipment. This would allow the city to pave Wood Street south of 17th to the Shoemaker property. No monies would come from city funds.

Allen asked if FHA had approved this.

Moved by ALLEN, seconded by STANSBERRY to approve the paving from 17th South on Wood pending approve of FHA.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN,

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TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

LIFT STATION PHONES:

The cost for the phones for the lift stations will be a one time charge of \$63.75 plus a phone bill per month of \$114.65 plus tax. The installation of the phone system would eliminate the need for the waste water operator to check the lift stations on weekends.

Means asked if a radio system would not be cheaper, since it would not require the monthly fee. A repeater would be installed.

Virgil Strong, the resident inspector stated this would require a project change order.

Moved by BURKYBILE, seconded by BYRD to install the phone system.
AYES: GABRIELSON, SCOTT, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: MEANS
Motion declared carried.

TIRE REMEDIATION
SUPERFUND SITE:

Duane Snapp of Tire Remediation requests he be allowed to move his tire cutting and disposal to city property on the superfund site if he gets the contract for the disposal of the tires removed from the voids. He is attempting to obtain the contract for this work. Having his operation at the superfund site would prevent the removal of contaminated materials from the site.

Moved by STANSBERRY, seconded by BURKYBILE that the City does not object to Tire Remediation setting up operations on the Superfund site for the cutting and removal of tires.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

ALLEY WEST OF MAIN:

Superintendent Sills stated he is working on getting the alley open between 7th & 8th West of Main. This closing is due to the water line being replaced.

SWIMMING POOL REPAIRS:

Only one bid was received on the plumbing for the pump and filters for the city swimming pool. McKinley Plumbing & Heating quoted \$1070 labor and \$3169.17 materials for a total cost of \$4239.17.

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Moved by BYRD, seconded by BURKYBILE to accept the bid of McKinley Heating and Plumbing at a cost of \$4239.17.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

PARK TEMPORARY HELP:

Moved by GABRIELSON, seconded by SCOTT to hire 1 person in April to assist the park caretaker to be paid from the General Fund.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON
NAYS: HAYES, STANSBERRY
Motion declared carried.

BOX BLADE FOR PARK:

The park caretaker requested he be allowed to purchase a box blade to be used to maintain the park road. This was referred to the Finance Committee.

MINE PLUGGING:

Jamie Reese brought pictures of the 3 shafts he has plugged. The cement did seal. They tried using gravel and it didn't work. They are using metal bridge plates and cementing on up. After completion of these three, he talked to Chris Dixon, County Commissioner, who in turn talked to Mr. Kanoke of KDHE and got permission to continue with the rest of the shafts.

Mr. Reese in trying to come up with a way to reduce cost in the capping of these shafts. He would like to use 3 holes as test holes and try doing away with the upper cement on these holes. He would be able to cap 16 shafts instead of 15 at the same cost. The 3 test holes would be guaranteed.

Moved by TIPTON, seconded by GABRIELSON to allow Reese Construction to do the test shafts.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

The Council discussed whether to fill the holes with fly ash when Reese completes the cap.

Reese stated that he was at the EPA pre-bid meeting and the contractor for the remediation project will not plug or fill any shafts which are specified in the contract. Each pile of waste has a number and it is specified on where it can be placed.

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FIRE DEPARTMENT CEILING: In August, 1992, the council approved reimbursing the fire department for the replacement of the ceiling. Allen recommends the city reimburse the fire department \$1250 which would be 1/2 this cost.

Moved by ALLEN, seconded by TIPTON to reimburse the Fire Department \$1250 which is 1/2 the amount due on the replacement of the ceiling in the fire department.

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

NAYS: NONE

Motion declared carried.

EXECUTIVE SESSION:

Moved by ALLEN, seconded by BURKYBILE to go into executive session for 10 minutes to discuss personnel with the City Attorney remaining.

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

NAYS: MEANS

Motion declared carried.

ENTERED EXECUTIVE SESSION AT 9:25 P.M. AND RETURNED AT 9:35 P.M.

ROLL CALL:

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

APPROPRIATION ORD 93-3:

Moved by GABRIELSON, seconded by BURKYBILE to approve Appropriations Ordinance 93-3 in the amount of \$66,035.13.

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

NAYS: NONE

Motion declared carried.

APPROPRIATION ORD 93-3A:

Moved by BYRD, seconded by BURKYBILE to approve Appropriations Ordinance 93-3A in the amount of \$41,870.91 (Sewer Project).

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

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 93-7:

Moved by MEANS, seconded by SCOTT to approve Payroll Ordinance 93-7 in the amount of \$9,031.12 plus \$690.88 FICA AND \$124.58 KPERS.

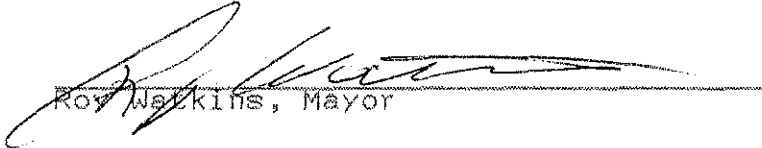
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY

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ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

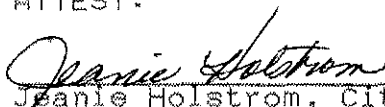
PAYROLL ORDINANCE 93-8: Moved by GABRIELSON, seconded by SCOTT to approve Payroll Ordinance 93-8 in the amount of \$9,373.99 plus \$717.11 FICA and \$122.75 KPERS.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

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



Roy Watkins, Mayor

ATTEST:



Jeanie Holstrom, City clerk

(SEAL)