

MINUTES OF  
REGULAR COUNCIL MEETING  
MARCH 17, 1992

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, March 17, 1992 at 7:00 p.m. in the Council Chambers with Roy Watkins, Mayor, presiding.

ROLL CALL:

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

MINUTES:

Moved by ANDERSON, seconded by TIPTON to approve and place on file the minutes of the Regular Council Meeting of March 3, 1992.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON  
NAYS: NONE  
ABSTAIN: GOURLEY  
Motion declared carried.

WILLIAMS TAX EXEMPTION:

Mayor Watkins opened the public hearing on the request of Williams Machine for a tax exemption for the years of 1989, 1990, 1991 and 1992. Dave Loiselle, County Appraiser, and Wanda Williams of Williams Machine were present. Mr Loiselle explained that the city allowed a tax exemption for Williams Machine in 1987 for a 10 year period. It was understood at that time, that new purchases during the 10 year period would also be exempt. However, the Board of Tax Appeals will not allow exemptions for future years. It is necessary for the city to allow the exemptions on an annual basis.

ORDINANCE 92-2:

Moved by ANDERSON, seconded by BURKYBILE to approve Ordinance 92-2 allowing for a tax exemption for Williams Machine for the years 1986 through 1995 with an annual review.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

JOB SERVICE OFFICE:

Ray Dixon of the Parsons Job Service Office met with the council concerning office space in the city building. Up until about one year ago, the Job Service occupied an office in the Northeast Corner of City Hall. The staff for this office was provided by the Green Thumb Program. They withdrew their

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employee which left the office without a staff. Doris Adams who had staffed the office, became employed by SEKAP. Job Service request they be allowed to continue to use the Northeast Office space for Ms Adams to use the viewer and to leave the phone service.

Moved by TIPTON, seconded by HAYES to allow Job Service to share the office in the northeast corner of the building with the Mayor.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

Mayor Watkins and Ms Adams will have possession of the keys to the office.

MKE TRAVEL TRAILER:

The resident inspector from Mid Kansas Engineering for the sewer project requests he be allowed to place a travel trailer at the site of the new lift station. The city would need to provide water and electric service to the site.

Moved by BURKYBILE, seconded by GOURLEY to allow the placement of a travel trailer by the resident inspector at the site of the new lift station.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

SALE OF PROPERTY:

Jerry Gabrielson requests he be allowed to purchase a strip of city owned property, 100 and 150 feet, at the Southwest Corner of 13th and Dewey. The property joins his property. He would like to clean and fence the area.

It was noted that a city sewer line crosses this property. Gabrielson stated he would give the city an easement for this line.

Moved by ANDERSON, seconded by BURKYBILE to advertise for the sale of this property and to table until the March 31 special meeting.

MOTION AND SECOND WITHDRAWN.

City Attorney Barrett stated it would necessary to have the area surveyed since it is in an undivided tract and it would be necessary to obtain title insurance for the city to give a clear title to the property.

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Gabrielson asked about the expense for the insurance and survey. The cost was not available at the meeting.

Moved by BURKYBILE, seconded by GOURLEY to advertise for the sale of the property, Superintendent Sills is to obtain the cost for a survey and title insurance and bids to be opened at the March 31 meeting.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

SEWER PLUG:

Superintendent Sills requested he be allowed to purchase a sewer plug for 8 to 12 inch lines at a cost of \$284.10.

Allen asked if we need to order right now.

Sills stated we need to replace valves on the lift station at Clark Street and need to plug the lines.

Moved by BURKYBILE, seconded by TIPTON to purchase 1 sewer plug for 8 to 12 inch lines at a cost of \$284.10.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

SCHOOL BUILDING PERMIT:

City Inspector Porter asked the council if the building permit fee for the new addition at the school could be waived. The approximate cost for the permit would be \$700.

Moved by TIPTON, seconded by BURKYBILE to waive the building permit fee for the new addition at the school.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

OLD ROUTE "66":

Anderson requested the council purchase aluminum paint and wire brushes for volunteers to use to rejuvenate the guard rails on Old Route "66". He stated there will be a TV crew televising the route.

Moved by ANDERSON, seconded by BURKYBILE to purchase aluminum paint and wire brushes for use in rejuvenating the guard rails on Route "66" inside the city limits.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

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DOG POUND INSPECTION:

Chief Collins reported to the Council that neither Baxter nor Columbus were interested in a county wide dog pound. Therefore, the State Animal Health was requested to do an inspection of our pound to see what would be necessary to bring it to code. The inspection was completed on March 4 and council members were provided copies of the inspection report in their packets.

Animal Control Officer Smith stated he thought it would cost about \$300 to bring the pound to a condition that would pass inspection.

Moved by ANDERSON, seconded by HAYES to allow the purchase of necessary materials for the dog pound at a cost not to exceed \$300.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

POLICE OFFICER TRAINING:

Moved by BURKYBILE, seconded by GOURLEY to reimburse 3 officers \$20 each for a class they attended at MSSC.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

DISPLAY CABINETS:

Chief Collins requested he be allowed to purchase cabinets to display memorabilia collected by the police department. Purchase to be paid from VIN funds.

Moved by ANDERSON, seconded by BURKYBILE to purchase a display cabinet for the police department at a cost not to exceed \$300.  
AYES: ANDERSON, BURKYBILE, TIPTON, GOURLEY  
NAYS: ALLEN, HAYES  
Motion declared carried.

PATROL CAR:

Chief Collins stated he had received information that patrol cars will be available for sealed bid from the Kansas Turnpike Authority. One of the vehicles is a 1988 Ford Crown Victoria which belonged to a captain. The vehicle has 98,000 miles on it. Chief Collins requests the city bid \$3500 on the vehicle.

Moved by BURKYBILE, seconded by GOURLEY to place a sealed bid for \$3500 for a used patrol car.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, STANSBERRY,  
NAYS: NONE  
Motion declared carried.

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PARK RIDING MOWER:

The Park Caretaker requested he be allowed to purchase a Kubota Diesel riding mower at a cost of \$5700. If the city trades in old mower, purchase price would be \$5000. He stated this mower would use less fuel and take fewer hours for mowing.

Council discussed the purchase freeze and the available funds for such a purchase.

Moved by GOURLEY, seconded by TIPTON to table the purchase of a riding mower for the parks department until after March 31.  
AYES: HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: ANDERSON  
Motion declared carried.

SWIMMING POOL EMPLOYMENT:

Moved by GOURLEY, seconded by BURKYBILE to advertise for a manager and life guards for the swimming pool and a temporary employee to assist with pool repairs with a decision at the April 7 meeting.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

RED CROSS MANUAL:

Gourley requested the city purchase a Red Cross manual to be used for the swimming pool.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

WATER GRANT APPLICATION:

The Council clarified for the city clerk that the motion in the February 18 meeting included authorizing Mid Kansas Engineering to do the feasibility study for the CDBG Grant application for water line replacement.

COURT CLERK CONFERENCE:

Moved by BURKYBILE, seconded by HAYES to allow the Municipal Court Clerk to attend the Court Clerk Conference with expenses not to exceed \$180.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

OPEN RECORDS POLICY:

Council packets included a proposed Open Records Policy for the council to consider adopting.

Allen asked about the requirement that requests for records be in writing. He said he feels this is too restrictive.

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City Attorney Barrett stated that the policy generally follows State Laws, 45-215 and the provisions thereafter. All of this is not specifically in state law. State law does not say how much you can charge per page, it says that you can charge. He said he thought it stated that you can require the request to be in writing.

Moved by ANDERSON, seconded by GOURLEY to approve and place on file the Open Records Policy.  
AYES: ANDERSON, BURKYBILE, TIPTON, GOURLEY  
NAYS: HAYES, ALLEN  
Motion declared carried.

ADA MEETING:

Moved by TIPTON, seconded by BURKYBILE to allow the City Clerk to attend a League Meeting in Chanute on the Americans with Disabilities Act.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

DR BAZZANO DAY:

Moved by HAYES, seconded by GOURLEY to name June 6 as Dr Bazzano Day.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

HAINES RESIGNATION:

Mayor Watkins announced that Cheryl Haines is resigning as Assistant City Clerk effective April 15, 1992, although the resignation has not been received in writing. City Attorney Barrett stated that if she resigned verbally, it is a binding resignation.

*Amended 4-7-92  
Burkybile voted  
NAY*

Moved by TIPTON, seconded by ANDERSON to advertise to fill the position of Assistant City Clerk.  
AYES: ANDERSON, HAYES, BURKYBILE, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

WELL #4 PUMP:

The water committee met with representatives of Layne Western concerning the pump purchased last summer for Well #4. The pump quit working in January and Layne Western sent it in for examination. The company, in their meeting with the water committee, used several excuses for not honoring their warranty.

BYRD ENTERED AT 8:15 P.M.

Layne Western stated there were

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three reasons for the problem with the pump. They were: Improper installation, someone changing the bowl assembly, or the pump went on air.

The city took a static water level test and the level in #4 well dropped 18 feet. The water superintendent says the pump did not go on air.

Sills stated he would like to continue the negotiations with Layne Western from this point.

Moved by ANDERSON, seconded by HAYES to allow City Superintendent Sills to negotiate with Layne Western on the pump for 30 days.  
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

DISPATCHER VACANCY:

The position of midnight dispatcher has not been filled. The Personnel Committee interviewed applicants on March 12 in an executive meeting. Steve Duncan has the training and has been filling the position. The committee recommends Steve Duncan be appointed to the position of dispatcher and Robert Vavrinak be appointed as a reserve officer.

Moved by BYRD, seconded by BURKYBILE to accept the committee report and appoint Steve Duncan as dispatcher and Bob Vavrinak as reserve officer.  
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

CARTER TRAILER PARK:

Council members were provided a letter from Kansas Department of Health concerning a complaint they received on Carter's Mobile Home Park.

The city clerk stated that the representative from KDHE who did the inspection suggested that two pickups per week for the dumpsters would help alleviate the problem of debris blowing around the neighborhood. The council also discussed the cleaning of the ditch which goes through the park.

Moved by BURKYBILE, seconded by ANDERSON to send a letter to Mr Carter informing him that as of April 1, it will be necessary for his dumpsters to be emptied twice weekly and instructing him to clean the debris from the drainage ditch

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on is property.  
AYES: ANDERSON, HAYES, BURKYBILE,  
BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE

CHAMBER OF COMMERCE:

Moved by TIPTON, seconded by HAYES to send a letter to the Chamber of Commerce and to Howard Jarvis commending them on the cleaning of the lots on East 7th Street.  
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

GIRLS SOFTBALL PARK:

Susan Best, representing the Girl's Softball Association, requested the city move the fence at the girls's softball field in closer.

Burkybile stated the fence was placed in its current position so the field could be used for adult tournaments.

Ms Best requested that if the fence couldn't be moved, could the city fill the holes in the field with dirt.

Superintendent Sills stated he could clean the drainage ditch through Carter's Trailer Park and divert the water from this ditch from the ball field.

Moved by BYRD, seconded by BURKYBILE to allow the city crew to clean the ditch through the Carter Property.  
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

Moved by BURKYBILE, seconded by ALLEN to allow the purchase of 5 loads of black dirt for the girls softball field with the cost not to exceed \$125.  
AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

COUNCIL ATTENDANCE:

The council discussed the absenteeism of one of the council members. Allen stated the ordinance in our city code has been ruled unconstitutional. This particular member has only 2 meetings left and is not running for re-election.

City Attorney Barrett stated it would be up to the people in the council members ward to take action. They could have him recalled.

SWIMMING POOL REPAIRS:  
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The return lines are in but the



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skimmer lines are not. The council discussed the need for underwater lights. The city clerk stated she had been in contact with both Columbus and Baxter. Baxter has underwater lights. Columbus does not. They use flood lights and they do have night swims. She stated the insurance agent suggested she ask the company representative who makes the city inspection if they are required. However, when the inspection is made the skimmer line work will be completed and if they should require them, we would have to do the work again.

Moved by BURKYBILE, seconded by TIPTON to pay Ward Electric for the necessary materials for the pool lights in April and to pay for the labor in May and to order the lights at a cost not to exceed \$1250 the middle of April and to pay for them in May.

AYES: ANDERSON, HAYES, BURKYBILE, BYRD, TIPTON, GOURLEY  
NAYS: ALLEN  
Motion declared carried.

Allen noted his nay was in view of the fact that if pool is operated correctly, lights are not necessary.

Park caretaker stated the cost to paint the pool will be \$1200. The city also needs to purchase lids for the skimmers. The lids were not included in the McKinley bid.

APPROPRIATIONS 92-3:

Moved by ANDERSON, seconded by GOURLEY to approve Appropriations Ordinance 92-3 in the amount of \$71,280.33.

AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

PAYROLL ORDINANCE 92-6:

*Amended 4-7-92  
Bunkybile Abstained*

Moved by BYRD, seconded by HAYES to approve Payroll Ordinance 92-6 in the amount of \$8,562.64 plus \$655.05 FICA and \$139.21 KPERS.

AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

PAYROLL ORDINANCE 92-6A:

*Amended 4-7-92  
Bunkybile Abstained*

Moved by GOURLEY, seconded by TIPTON to approve Payroll Ordinance 92-6A in the amount of \$10,754.16 plus \$822.69 FICA and \$164.10 KPERS.

AYES: ANDERSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

ADJOURNMENT:

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Moved by ANDERSON, seconded by

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

  
\_\_\_\_\_  
Roy Watkins, Mayor

ATTEST:

  
\_\_\_\_\_  
Jeanie Holstrom, City Clerk

(SEAL)