

## MINUTES OF THE GALENA CITY COUNCIL, GALENA, KANSAS, APRIL 1, 1969

The council of the city of Galena, Kansas, met in regular session, April 1, 1969, at 7 p.m., in the council chamber at the city building.

Present: Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, Tackett. A quorum was present.

Absent: Councilman Cure.

Presiding: Mayor Frank P. Dillon.

Also present: City Attorney Yount, City Marshal Karr, Supt. Barnes, and City Clerk Chesnutt.

Invocation: Mayor Dillon.

Councilman Watkins moved, seconded by Councilman Pittman, that the minutes of the preceding meeting and dated March 18, 1969, be approved and placed on file as presented by copy to members of the Governing Body. Motion carried by a show of hands.

Mayor Dillon presented Danny Sanders and Tom Wade to the Governing Body. Mr. Sanders informed the Council that he resided about four (4) blocks west of the State Line Road and just south of Twenty-first Street and that he would like to apply for city water for himself and for Mr. Wade. Following discussion, Councilman Watkins moved, seconded by Councilman Pittman, that water service be extended to both Mr. Sanders and Mr. Wade under existing ordinances and rules set forth by the Council governing consumers outside the city limits. Motion carried on roll call as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Mayor Dillon read three (3) application for mobile home and trailer permits. They were as follows: Ron Clark, residing at 413 West Empire, requesting permission to park a Diplomat, 47'x12' trailer, between 18th and 19th on Galena Avenue on a 50'x100' lot, using natural gas, water, and electricity, and utilizing septic tank sewage disposal facilities; Bob Merrill, Route No. 3, Box 508, Joplin, Missouri, a Hill Crest, Serial No. HK516B, 50'x12', locating at West 21st Street, R. R. 2, Box 300 on a 2 2/3 acres of irregular tract, utilizing gas, water, electric, and septic tank facilities; Clarence W. Moody, 2020 Short Street, a Brookwood, Serial No. 780, 70'x40' trailer to be located at 2020 Short on a 75'x100' lot, utilizing electric, water, and natural gas public utilities; and sewage disposal facility being septic tank.

Councilman Watkins moved, seconded by Councilman Tackett, that Clarence Moody be granted a trailer permit. Motion carried by a show of hands.

Councilman Pittman moved, seconded by Councilman Tackett, that permission be granted Bob Merrill to park a trailer on West 21st Street. Motion carried by a show of hands.

Councilman Pittman moved, seconded by Councilman Tackett, that Ron Clark, 413 Empire, be granted a trailer permit to locate between 18th and 19th on Galena Avenue. Motion carried by a show of hands.

Councilman Pittman reported to the Governing Body that 31 cars had been inspected by the Police Department during the month of March, during which time eight (8) dogs had been destroyed, a total \$962.00 in fines and \$265.00 in costs had been received during the month of March, 1969. Councilman Pittman moved, seconded by Councilman Watkins, that the city marshal's report be approved and placed on file as present. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Barker moved, seconded by Councilman Bogle, that a load of road oil approximately 2300 gallons @ 10¢, totaling some \$230 be purchased for use by the Street Department. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Pittman moved, seconded by Councilman Watkins that the water bill for Account No. 999, Mabel Rains, be adjusted for water leakage from \$6.73 to a maximum reading of all previous billing to Mrs. Rains. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins introduced the following:

RESOLUTION

Be it resolved by the Governing Body of the city of Galena, Kansas, that the city offices of the city of Galena remain closed on Wednesday, the 2nd day of April, 1969, the day of the funeral and burial of General Dwight David Eisenhower, the 34th President of the United States, in expression of our respect and esteem for the General and his family and in keeping with the action of the state of Kansas.

Done at Galena, Kansas, this 1st day of April, 1969.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Councilman Watkins moved, seconded by Councilman Tackett, that the foregoing resolution relating to General Dwight David Eisenhower be approved and passed by the Governing Body by roll call vote. Motion carried as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - None.

Councilman Pittman introduced the following:

R E S O L U T I O N - 69-4

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS, that in WS-Kans-73, City of Galena, Sewer Facilities, project under the Department of Housing and Urban Development water and sewer facilities grant program the City of Galena, Kansas will make every reasonable effort to acquire the real property by negotiated purchase before instituting eminent domain proceedings; will not require any owner to surrender possession of real property until the applicant pays, or causes to be paid, to the owner (a) the agreed purchase price arrived at by negotiation, or (b) in any case where only the amount of the payment to the owner is in dispute, not less than 75 per cent of the appraised fair value as approved by the applicant and concurred in by HUD; and will not require any person lawfully occupying property to surrender possession without at least 90 days' written notice from the applicant of the date on which possession will be required. All as requested and required by said Department in accordance with Form Approved Budget Bureau No. 63-R1117, HUD-41401-4a (4-66).

Dated at Galena, Kansas, this 1st day of April, 1969.

\_\_\_\_\_  
Mayor

Attest:  
(SEAL)

\_\_\_\_\_  
City Clerk

Councilman Pittman moved, seconded by Councilman Watkins, that the resolution relating to the WS-Kans-73, City of Galena, Sewer Facilities project aforementioned be passed by the Governing Body by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none. Mayor Dillon declared passage of the resolution.

Councilman Pittman introduced the following resolution:

BE IT RESOLVED, the following be adjusted:

# 49.2	Troy Morris	\$ 2.68
#449	F. W. Speck	4.11
#1339.1	Clarence Wald	<u>4.73</u>
(Leakage total)		\$11.52

Councilman Pittman moved, seconded by Councilman Tackett, that the foregoing resolution relating to adjustments due to water leakage be passed on roll call vote. Motion carried as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Tackett read the following resolution:

BE IT RESOLVED, the following final accounts be adjusted:

ACCOUNT NUMBER	NAME	TOTAL AMOUNT OF DELINQUENT BILL	AMOUNT OF DEPOSIT	REFUND	LOSS	LAST READING DATE
# 223	Rosalie Ochsenbein	\$13.90	\$15.00	\$ 1.10		1/6/69
# 339	Rex Shepherd	9.24	10.00	.76		1/13/69
# 420	Gary Young	16.88	15.00		1.88	1/10/69
#1039	Virgil Tanner	<u>10.05</u>	<u>15.00</u>	<u>4.95</u>		1/27/69
		\$50.07	\$55.00	\$ 6.81	\$1.88	

Councilman Tackett moved, seconded by Councilman Pittman, that the foregoing resolution relating to the closing of final accounts be placed on roll call vote for adoption. Motion carried as follows: Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins introduced Appropriation Ordinance No. 574 for making payment of certain claims; the meeting being public the ordinance was discussed. On its third and final reading, Councilman Watkins moved, seconded by Councilman Pittman, that the ordinance be passed by roll call vote. Motion carried as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins introduced Appropriation Ordinance No. 575, Sewerage Facilities; the meeting being public the ordinance was discussed and amended as follows: Helen Yount for all legal services including bond issue proceedings and expense - 75% of basic fee, based also on completion percentage or work performed to date - \$6,000.00. On its third and final reading, Councilman Watkins moved, seconded by Councilman Pittman, that the ordinance be passed as amended by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Pittman introduced the following:

RESOLUTION NO.69-3

AUTHORIZING FILING OF APPLICATION WITH THE UNITED STATES OF AMERICA FOR AN ADVANCE TO PROVIDE FOR THE PLANNING OF PUBLIC WORKS UNDER THE TERMS OF PUBLIC LAW 560, 83rd CONGRESS OF THE UNITED STATES, AS AMENDED.

WHEREAS, the City of Galena, Kansas, (herein called the "Applicant") after thorough consideration of the various aspects of the problem and study of available data has hereby determined that the construction of certain public works,

generally described as sewer facilities is desirable and in the public interest and to that end it is necessary that action preliminary to the construction of said works be taken immediately, and

WHEREAS, under the terms of Public Law 560, 83rd Congress, as amended, the United States of America has authorized the making of advances to public bodies to aid in financing the cost of engineering and architectural surveys, designs, plans, working drawings, specifications or other action preliminary to and in preparation for the construction of public works; and

WHEREAS, the applicant has examined and duly considered such act and the applicant considers it to be in the public interest and to its benefit to file an application under said act and to authorize other action in connection therewith;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY of said applicant as follows:

1. That the construction of said public works is essential to and is to the best interests of the applicant, and to the end that such public works may be provided as promptly as practicable it is desirable that action preliminary to the construction thereof be undertaken immediately;
2. That Frank P. Dillon, Mayor, be hereby authorized to file in behalf of the applicant an application (in form required by the United States and in conformity with said act) for an advance to be made by the United States to the applicant to aid in defraying the cost of plan preparation for above described public works, and that he be further authorized to file an assurance of compliance with the Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964.
3. That if such advance be made, the applicant shall provide or make necessary arrangements to provide such funds, in addition to the advance, as may be required to defray the cost of the plan preparation of such public works;
4. The said Frank P. Dillon, Mayor, is hereby authorized to furnish such information and take such action as may be necessary to enable the applicant to qualify for the advance;
5. That the officer designated in the preceding paragraph is hereby designated as the authorized representative of the applicant for the purpose of furnishing to the United States such information, data, and documents pertaining to the application for an advance as may be required; and otherwise to act as the authorized representative of the applicant in connection with this application.
6. That certified copies of this resolution be included as part of the application for an advance to be submitted to the United States.

\_\_\_\_\_  
Mayor

(SEAL)

\_\_\_\_\_  
City Clerk

Councilman Pittman moved, seconded by Councilman Watkins, that the foregoing resolution authorizing filing of an application with HUD for an advance to provide for the planning of public works be approved and adopted by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Barker, Watkins, Bogle, Kaehler, and Tackett; Nays - none. Mayor Dillon announced passage of the motion.

Councilman Watkins moved, seconded by Councilman Pittman, that the resolution announcing the closing of the city offices on the 2nd day of April in memorial to General Eisenhower be published in the Joplin Globe. Motion carried by a show of hands.

Councilman Barker received permission from the Chair to leave the council chamber at 8:05 p.m.

Councilman Watkins moved, seconded by Councilman Tackett, that the printing of the water cards be in lots of 10,000 and that bids be taken on same and awarded to the low bidder. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Martin, Kitch, Watkins, Bogle, Kaehler, and Tackett; Nays - none. Carried.

On motion properly made, seconded, and carried the meeting was adjourned.

---

---

City Clerk