

MINUTES OF  
REGULAR COUNCIL MEETING  
APRIL 2, 1996

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, April 2, 1996, at 7:00 p.m. in the Council Chambers with Dale Oglesby, Mayor presiding.

ROLL CALL:

Roll call indicated the following Council members present: DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
ABSENT: PRICE AND JENKINS

PRICE AND JENKINS ENTERED AT 7:02 P.M.

MINUTES:

Corrections to the minutes of April 19, 1996 were as follows:  
Page 3, 6th and Cornwall - Motion to approve repair of 6th and Cornwall was made by ROGERS.

Omitted from the minutes was the approval of a request by Galena Head Start to use the Community Room on May 4, 1996 for bingo.

Motion to approve the use of the Community Room on May 4, 1996 for Head Start Bingo was made by LEE and seconded by REYNOLDS.  
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

SENIOR CITIZENS  
MINUTES:

Moved by BURKYBILE, seconded by LEE, to place on file the minutes of the Senior Citizen's meeting of March 7, 1996.  
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

FIREMEN'S RELIEF  
ASSOCIATION MINUTES:

Moved by DAVIS, seconded by BURKYBILE to place on file the Minutes of the Firemen's Relief Association meeting of March 28,

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1996.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

LIBRARY MINUTES;

Moved by BURKYBILE, seconded by  
DAVIS to place on file the minutes  
of the Galena Public Library meeting  
of January 27, 1996.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

COURT REPORT;

Moved by WARD, seconded by LEE to  
place on file the Court Report for  
March, 1996.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

MONOFILL REPORT;

Motion made by BURKYBILE, seconded  
by DAVIS to place the Monofill  
Report on file.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

RESIGNATION OF RELIEF  
POLICE DISPATCHER:

Moved by BURKYBILE, seconded by LEE  
to accept the resignation of Virgie  
Gilliland, Relief Police Dispatcher,  
effective April 7, 1996.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

GALENA DAYS;

Chad Abram was overcome by smoke  
fighting a fire and was unable to  
attend the Council Meeting. In his  
absence, Jeanie Holstrom, City Clerk  
made a request for the use of City  
Hall grounds and the closing of the  
necessary streets for Galena Days  
and a tractor pull.

Moved by BURKYBILE, seconded by  
REYNOLDS to permit the use of City  
Hall grounds and the closing of the  
necessary streets for Galena Days  
and a tractor pull.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS.  
NAYS: NONE  
Motion declared carried.

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LIFEGUARD STANDS:

Mayor Oglesby reported to the Council that the lifeguard stands were in need of repair or replacement.

Council instructed Park Caretaker, Ben Biddle to contact KEMLEE and Lloyd Ball regarding cost of repair or replacement of lifeguard stands.

DIRT FOR PARK:

Park Caretaker Biddle requested permission to purchase fifteen loads of black dirt.

Council tabled the matter until three bids for the dirt is received.

AMBULANCE PLANT  
SALE:

Moved by LEE, seconded by BURKYBILE to permit the Ambulance Department to hold a plant sale on the City Hall Parking Lot on April 12 and 13 and to use a tent for the sale.  
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

TIRE MONOFILL:

Tom Allen brought to the Council's attention a problem in the State of Washington with the use of tires for highway construction. KDHE is not concerned that this problem exists at this time with monofills in Kansas and will advise the City should such problems develop.

SCORSE WATER LINE  
21ST AND STATE LINE:

Moved by JENKINS, seconded by WARD to allow water service to the John Scorse property at 21st & State Line with the meter to be installed on the Kansas side and Mr. Scorse to install the line to his property in Missouri.  
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

BLACKTOP ROLLER:

Superintendent Bud Sills reported to Council that no cost was available for the repair of the blacktop roller due to the difficulty of Hydraulic Specialties in locating replacement parts.

RESIDENTIAL TIRE  
DISPOSAL:

Superintendent Sills reported meeting with Red Harris of Red's Tires who agreed to set up a trailer for a special pickup of tires for city residents at a cost of \$.60 per

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passenger tire.

According to the Council, Mr. Harris, at a prior Council Meeting made a verbal commitment to accept eight tires per household per year from Galena residents at no charge.

The City Clerk was instructed to check prior minutes and the agreement for verification of this prior commitment.

TRASH TO TRANSFER  
STATION:

Superintendent Sills reported that Galena trash could be taken to the American Disposal Services transfer station at a cost of \$19.65 per ton. At the present time, the trash is being taken to the landfill in Scammon at a cost of \$12.75.

Motion made by BURKYBILE, seconded by PRICE for Superintendent Sills to determine the actual cost of transporting to Scammon (\$12.75 plus labor and truck-related expenses) and to report back to Council at the next meeting.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

EXPLORER POST:

Mark Lee reported that the Police Committee received verification from the City's insurance carrier that there is no problem with City sponsorship of a Boy Scout Explorer Troop.

The Police Committee, however, does want the Police Department to set up guidelines or policy regarding the program prior to a decision being made by Council as to the establishment of this post.

REVIEW OF PUBLIC  
COMPLAINTS:

Mark Lee reported the Police Committee reviewed public complaints against the Police Department. The Committee found no evidence of the Police Department operating outside the letter of the law. It did encourage the Department to always seek a professional approach in dealing with the public.

Moved by LEE, seconded by PRICE to place this report on file.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE

Motion declared carried.

"The police committee completed its review of public complaints on the police department. After reviewing public comments, officer statements, and interviews, the following will summarize our findings.

Many of the incidents had considerable age to them, making investigation difficult. It was evident in several cases that situations could have been handled with more reserve and possibly concluded with less disturbance, but we could find no evidence of operating outside the letter of the law. One of the most recent incidents the committee investigated was a case involving an arrest of Mr. Hubbard by officer Justice. It is this committee's opinion that while Officer David Justice did act within the letter of the law, he may have been somewhat overzealous in his actions. A more appropriate course of action could have possibly been more reasonable in this situation. In the future we would encourage Officer Justice to attempt to find a more professional approach in his actions. This committee finds no basis for disciplinary action against Officer Justice."

ORDINANCE 96-1:

Moved by ALLEN, seconded by LEE to approve Ordinance 96-1 allowing two designated employees to be paid from funds other than those paid by American Disposal Services, Inc. until such time as the Solid Waste fund is built up by host fees paid by American Disposal Services, Inc.  
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

PAYROLL DEDUCTION -  
WEAPONS:

City Clerk Jeanie Holstrom reported that the Auditor disallowed the request of the Police Department for the purchase of weapons by the City for re-sale to Police Officers via payroll deduction. It is permissible, however, for Officers to secure a personal loan at Citizens State Bank with payment to be made by payroll deduction.

Moved by BURKYBILE, seconded by DAVIS to allow Police Officers to pay for weapons purchased by a loan

from Citizens State Bank via payroll deduction.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

HELL'S HALF ACRE:

City Attorney Gene Barrett reported that there was a title problem with this property and it is in the process of being corrected.

DESIGNATED OFFICER:

Motion made by BURKYBILE, seconded by DAVIS to appoint Safety Officer Chief Hentz as the Designated Officer for exposure to bloodborne diseases and/or uncommon or rare diseases as required by KDHE.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

CITIZEN COMPLAINT:

Motion made by ROGERS, seconded by BURKYBILE to publish in the Galena Sentinel a letter from the Mayor addressing the complaint by Cecil Williams of being denied access to the City Lot by Superintendent Sills.  
AYES: PRICE, JENKINS, DAVIS,  
BURKYBILE, LEE, ALLEN, REYNOLDS,  
WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

"Memo  
Subject: Complaint by Mr. Williams about being ran off city barn area.

In light of the recent complaint by Mr. Williams, I believe there are two points that should be made, first, the city must monitor and control traffic through the city barn area for obvious liability and work performance reasons, but not to the point as to exclude legitimate city business or emergency messages. Second, I find it regretful that Mr. Williams would have the perception that he was being targeted specifically because he signed the petition. Superintendent Sills has assured both myself and the council that he was not attempting to target Mr. Williams, just control traffic in the city barn.

Whatever the motives for this incident, a clear message should be sent to all city appointees and officials. We must do our part to assure the residents of Galena that

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they should feel free to support any candidates and express their viewpoints through any legitimate means without fear of retribution from city appointees or officials. All appointees and officials must be able to lay aside personal feelings and execute their duties fairly and equally to the good of the city. Lets all do our part to get along with each other, and make Galena an even better place to live.

Sincerely,

Dale Oglesby"

PAYROLL ORD. 96-12:

Moved by WARD, seconded by LEE to approve Payroll Ordinance 96-12 in the amount of \$12,253.68 plus FICA \$930.44 plus KPERS \$253.82.  
AYE; PRICE, JENKINS, DAVIS, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
ABSTAIN; BURKYBILE  
NAYS; NONE  
Motion declared carried.

PAYROLL ORD. 96-12A:

Moved by WARD, seconded by LEE to approve Payroll Ordinance 96-12A in the amount of \$430.00 plus FICA \$32.90 plus KPERS \$10.66.  
AYES; PRICE, JENKINS, DAVIS, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
ABSTAIN; BURKYBILE  
NAYS; NONE  
Motion declared carried.

PAYROLL ORD. 96-13:

Moved by LEE, seconded by DAVIS to approve Payroll Ordinance 96-13 in the amount of \$12,325.01 plus FICA \$935.89 plus KPERS \$234.97.  
AYES; PRICE, JENKINS, DAVIS, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
ABSTAIN; BURKYBILE  
NAYS; NONE  
Motion declared carried.

ADJOURNMENT:

Moved by ROGERS, seconded by LEE to adjourn the Regular Meeting of the Galena City Council.  
AYES; PRICE, JENKINS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS; NONE  
Motion declared carried.

  
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Dale Oglesby, Mayor

ATTEST:

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*Jane J. Dill*  
Jane T. Dill, City Clerk  
(SEAL)