

minutes of the regular council meeting held April 3, 1973.

Council met in regular session, Mayor Murray presiding.

Councilmen present:

Anderson	Bankson	Brown	Cantrell	Coble	Hansbraugh
Kaehler	Washom	Williams			

Councilman absent:

Bailey

The Public Hearing set for April 3, 1973 at the City Hall, Galena, Kansas was declared open for interested or opposing parties at 7 p.m. by Mayor Murray.

The Minutes of the meeting held on March 20, 1973 were presented to the Council for approval. Motion was made by Councilman Kaehler and seconded by Councilman Brown that the Minutes be approved and placed on file. Motion carried.

Councilman Hansbraugh discussed the possibility of Mr. Gilbert Wilkins hooking onto the sewer at his own expense. The Mayor suggested that this be tabled until after Mr. Wilkins has submitted some maps and plans for his development and these to be given to our engineer, Mr. C. B. Simmons, to be sure that the lift station that is being placed at the Industrial Park has a pumping capacity to carry this load. Motion was made by Councilman Williams and seconded by Councilman Kaehler that this be tabled until a later date. Motion carried.

Motion was made by Councilman Washom and seconded by Councilman Cantrell that W. Kaehler be paid two weeks vacation pay in lieu of a vacation. Motion Carried.

Mr. Melvin Cox was present at the meeting. He wanted to know if the City would put in 300 ft of tile if he purchased the tile. Motion was made by Councilman Washom that the City put in the tile for Mr. Cox. Motion was seconded by Councilman Williams Motion carried.

Mr. Paul Rowan, Planning and Zoning, was present at the meeting. He informed Council that the trailer park plans submitted by Mr. Cox met with the Planning and Zoning Committee approval with certain recommendations. The Recommendation are that 9th & 10th streets be opened from Dewey to Widow Row; that the radius of the turn around be increased from 30 ft to 50 ft; and, the street be widened from 30 ft to at least 32ft. Motion was made by Councilman Williams that Mr. Cox's trailer park be approved with the recommendation that he increase the turn around radius to 50 ft. Motion was seconded by Councilman Washom. On roll call vote there were 5 yeas and 4 nays. Motion carried.

Councilman Bankson presented the Judges report and the Stock Marshalls report for the Month of March, 1973. The Judges report in the amount of \$2111.00 and the Stock Marshalls in the amount of \$15.00. Motion was made by Councilman Kaehler and seconded by Councilman Anderson that the 2 reports be accepted and placed on file. Motion carried.

Councilman Kaehler reported that tile had been laid at the Industrial Park and the lift station had been set out there. This has not been installed at this time. The tile is laying along the road.

Councilman Williams reported that the park caretaker was getting the park ready for Easter Sunrise Services and that the Wall at the Cemetery had been repaired.

The Mayor reported that he had been in touch with Mr. Simmons and he stated that Tri city was requesting that the 10% retainage fee be returned to them. The Mayor suggested that the Engineer, Mr. Simmons, be contacted and given a punch off list of things that need to be done by Tri City. Motion was made by Councilman Kaehler and seconded by Councilman Washom that the 10% retainage fee be kept and a list be turned over to Mr. Simmons. Motion carried.

The Mayor informed Council that new street lights had been installed on Main Street where the fire had destroyed them. One pole that Empire District replaced had been broken again by falling bricks. Councilman Hansbraugh suggested that he look into the matter and see if the City Insurance would replace the broken street pole and lights.

Since there were no opposing or interested parties present for the Public Hearing the Mayor called the Hearing closed at 7:30 P.M. Nancy Reed, Oblinger-Smith, was present for the hearing. She presented two resolutions which had to be approved by the Mayor and Council. The resolutions were for approving the General Urban Renewal Plan for Galena and Filing of a Neighborhood Development Program Application.

The Mayor presented the Resolutions to the Council for approval. (Copies of Resolution #73-1 and #73-2 attached).

Motion was made by Councilman Kaehler that the resolution be placed on roll call vote for adoption. Motion was seconded by Councilman Brown. On Roll call vote the adoption was unanimous.

Motion was made by Councilman Williams that the check to Tri City in the amount of \$1338.30 be withheld until payment is made on the statement the City sent to Tri City in the amount of \$2619.81. Motion was seconded by Councilman Kaehler. Motion carried.

Motion was made by Councilman Kaehler and seconded by Councilman Brown that Ordinance #695 in the amount of \$13,047.98 be approved for payment.as amended. Motion carried.

Motion was made by Councilman Williams and seconded by Councilman Coble that the meeting adjourn. Motion carried by standing.


JACK N. MURRAY, MAYOR

MARY ANN BULLARD, CITY CLERK

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies, as follows:

(1) That she is the duly qualified and acting City Clerk of the City of Galena, Kansas, herein called the "Applicant," and the Keeper of its records; including the journal of proceedings of the Governing Body of the City of Galena herein called the "Governing Body";


(2) That the attached resolution is a true and correct copy of resolution number _____ as finally adopted at a meeting of the Governing Body held on the 3rd day of April, 1973, and duly recorded in her office;

(3) That said meeting was duly convened and held in all respects in accordance with law and to the extent required by law due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner and for the adoption of said resolution; and all other requirements and proceedings under law incident to the proper adoption or passage of said resolution, have been duly fulfilled, carried out, and otherwise observed;

(4) That if an impression of the seal has been affixed below, it constitutes the official of the Applicant and this certificate is hereby executed under such official seal. If no seal has been affixed below, the Applicant does not have and is not legally required to have an official seal;

(5) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set her hand this 3rd day of April, 1973.


Mary Ann Sweeney
City Clerk

(SEAL)



RESOLUTION NO. 73-1
RESOLUTION OF THE GOVERNING BODY OF GALENA, KANSAS AUTHORIZING
THE FILING OF A NEIGHBORHOOD DEVELOPMENT PROGRAM ANNUAL INCREMENT
APPLICATION FOR PROGRAM KANS. A-11

WHEREAS, it is necessary and in the public interest that the City of Galena, Kansas avail itself of the financial assistance provided by Title I of the Housing Act of 1949, as amended, to continue a Neighborhood Development Program in the urban renewal area described on Exhibit "A"; and

WHEREAS, it is recognized that the Federal contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the Local Public Agency and will require among other things (1) the provision of local grants-in-aid; (2) a feasible method for the relocation of individuals and families displaced from the urban renewal area comprising the Program; and (3) other local obligations and responsibilities in connection with the undertaking and carrying out of the Program; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex or national origin under any program or activity receiving Federal financial assistance, and Executive Order 11246 prohibits discrimination on basis of race, color, religion, sex or national origin in sale, lease or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof; and

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

1. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the City of Galena, Kansas with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

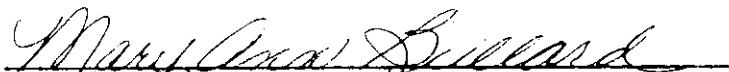
2. That an application on behalf of the City of Galena, Kansas for a loan under Section 2(a) of said Title I in the amount of \$395,000 and for a program capital grant, a relocation grant, and a Federal grant for the making of rehabilitation grants to the full amount available for undertaking and financing the present increment of such Program is hereby approved, and that the Mayor is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide such additional information and to furnish such documents as may be required in behalf of said Department, and to act as the authorized correspondent of the City of Galena, Kansas.

PASSED AND ADOPTED THIS 3 day of April, 1973.



Mayor

(SEAL)



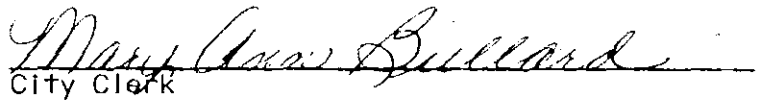
City Clerk

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies, as follows:

- (1) That she is the duly qualified and acting City Clerk of the City of Galena, Kansas, herein called the "Applicant," and the Keeper of its records; including the journal of proceedings of the Governing Body of the City of Galena herein called the "Governing Body";
- (2) That the attached resolution is a true and correct copy of resolution number _____ as finally adopted at a meeting of the Governing Body held on the 3rd day of April, 1973, and duly recorded in her office;
- (3) That said meeting was duly convened and held in all respects in accordance with law and to the extent required by law due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner and for the adoption of said resolution; and all other requirements and proceedings under law incident to the proper adoption or passage of said resolution, have been duly fulfilled, carried out, and otherwise observed;
- (4) That if an impression of the seal has been affixed below, it constitutes the official seal of the Applicant and this certificate is hereby executed under such official seal. If no seal has been affixed below, the Applicant does not have and is not legally required to have an official seal;
- (5) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set her hand this 3rd day of April, 1973.


City Clerk

(SEAL)

RESOLUTION NO. 73-2

SERIES 1973

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS
APPROVING THE GENERAL URBAN RENEWAL PLAN FOR THE
GALENA, KANSAS, NEIGHBORHOOD DEVELOPMENT
PROGRAM AREA

WHEREAS, under the provisions of Title 1 of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the urban renewal area comprising the Neighborhood Development Program be approved by the governing body of the locality in which the area is situated and that such approval include findings by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan; and

WHEREAS, it is desirable and in the public interest that the City of Galena, Kansas, (herein called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as the Galena, Kansas, Neighborhood Development Program Area and encompassing the area described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures, land use, environmental influences, and social, cultural and economic conditions of the urban renewal area or areas comprising the Program and has determined that the areas are slum or blighted areas and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the Locality at large, because of the existence of buildings or improvements, both residential and non-residential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare; and the presence of a substantial number of slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use, and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, the Local Public Agency has applied for additional financial assistance under such Act and proposed to enter into an additional contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available additional financial assistance for the Program; and

WHEREAS, there has been prepared and referred to the Governing Body of the City of Galena, Kansas (herein called the "Governing Body") for review and approval an Urban Renewal Plan for the urban renewal area dated April 3, 1973, and consisting of ten (10) pages and two (2) map exhibits; one (1) exhibit consisting of five (5) pages; and one (1) exhibit consisting of ten (10) pages; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Planning Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Urban Renewal Plan for the urban renewal area comprising the Program and has certified that the Urban Renewal Plan conforms to the general plan for the Locality as a whole, the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal areas and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the Urban Renewal Plan for the Program, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, religion, sex or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

1. That it is hereby found and determined that the urban renewal area encompassed by the Urban Renewal Plan is a slum or blighted area and qualifies as an eligible urban renewal area under K.S.A. 17-4742 through 17-4761.
2. That the Urban Renewal Plan for the Program, having been duly reviewed and considered, hereby approved, and the City Clerk be and is hereby directed to file said copy of the Urban Renewal Plan with the minutes of this meeting.
3. That it is hereby found and determined that the Urban Renewal Plan for the Program conforms to the general plan of the Locality.
4. That it is hereby found and determined that the financial aid to be provided pursuant to the contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan for the areas comprising the Program.
5. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the areas by private enterprise.
6. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvements, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan.
7. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action may be required to be taken by this Body with reference, among other things to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the

location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out Urban Renewal Plan, (b) requests the various officials, department, boards, and agencies of Locality having administrative responsibilities in the premises likewise to cooperate to an end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan.

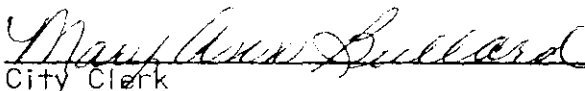
8. That financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the areas comprising the Program to be renewed in accordance with the Urban Renewal Plan for the Program, and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file application for financial assistance under Title I.

ADOPTED this 3 day of April, 1973.



Mayor

ATTEST:



City Clerk