

MINUTES OF
REGULAR COUNCIL MEETING
APRIL 4, 1995

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, April 4, 1995, at 7:00 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
ABSENT: ADAMS

MINUTES:

Moved by ROGERS, seconded by WARD to approve and place on file the minutes of the Regular Council Meeting of March 21, 1995
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

Moved by WARD, seconded by ROGERS to approve and place on file the minutes of the Special Council Meeting of March 27, 1995
AYES: TIPTON, PRICE, JENKINS, DAVIS, ALLEN, WARD, ROGERS
ABSTAIN: LEE, BURKYBILE
NAYS: NONE
Motion declared carried.

FIREMEN'S RELIEF ASSOC:

Moved by LEE, seconded by DAVIS to place on file the minutes of the Firemen's Relief Association meeting of March 23, 1995.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

LIBRARY BOARD:

Moved by BURKYBILE, seconded by TIPTON to place on file the minutes of the Library Board meeting of January 21, 1995.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

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CHRISTIAN CHURCH VARIANCE:

Mayor Oglesby opened the public hearing on the request from the 1st Christian Church for a variance to build an addition onto the North side of the church within 8 feet of their property line.

Paul Sims, Minister, was present representing the church.

No protests were received on this request.

Moved by BURKYBILE, seconded by LEE to allow the above variance.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

814 E 6TH CONDEMNATION:

Mayor Oglesby opened the public hearing on the condemnation of the structure at 814 E. 6th Street.

Gene Porter, City Building Inspector, said Mr. Holmes, lienholder on the property, had been in contact with him. He said he would prefer the structure be taken down. He said it had been painted with lead base paint in the 1940's and then covered over with siding. He was concerned about this paint.

The letter sent to the current owner of the structure was returned unclaimed.

Moved by LEE, seconded by BURKYBILE to proceed with condemnation of the structure at 814 E 6th Street.
MOTION WITHDRAWN

Eric Bebee informed the council that he is interested in purchasing the property and making the necessary repairs. He has been in contact with the brother of the owner.

Allen informed the council that the house is not secure and there is a problem with children entering the structure.

Moved by LEE, seconded by BURKYBILE to allow two weeks for Mr. Bebee to contact the owner and secure the property.
AYES: TIPTON, PRICE, JENKINS,

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DAVIS, BURKYBILE, LEE, ALLEN,
WARD, ROGERS
NAYS: NONE
Motion declared carried.

AMBULANCE PLANT SALE:

Moved by BURKYBILE, seconded by
LEE to allow the Cherokee County
Ambulance Association to have
their annual plant sale on the
City Hall Parking Lot on April 7
and 8.
AYES: TIPTON, PRICE, JENKINS,
DAVIS, LEE, BURKYBILE, LEE,
ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SOFTBALL FIELD:

Leon Price, president of the
Girls Softball Association asked
about the city's insurance
coverage on the parks and if the
girls can practice on the field.

Allen said the city's field
insurance coverage obtained by
the city covers the girls during
the game and the city's regular
insurance would cover them during
practice.

The council approved the teams
starting practices on the field.

FIELD OWNERS INSURANCE:

Moved by BURKYBILE, seconded by
PRICE to purchase Field Owners
Insurance through the Amateur
Softball Association at a cost of
\$200.
AYES: TIPTON, PRICE, JENKINS,
DAVIS, BURKYBILE, LEE, ALLEN,
WARD, ROGERS
NAYS: NONE
Motion declared carried.

PECO DRIVE DITCH:

Mr. Price requested the city cut
out the ditch on Peco Drive to
prevent it running onto the
softball field. He requested it
be drained to the south.

Moved by BURKYBILE, seconded by
DAVIS to allow the public works
department to cut the ditch.
AYES: TIPTON, PRICE, JENKINS,
DAVIS, BURKYBILE, LEE, ALLEN,
WARD, ROGERS
NAYS: NONE
Motion declared carried.

CABLE:

Mr. Price also requested the
cable between the two fields be
removed and posts installed. He
said the association would
install the posts if the city
would supply the materials.

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Moved by LEE, seconded by DAVIS that the Parks Committee meet with Mr. Price to review this request along with any others the association may have.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

FIELD MAINTENANCE:

The council discussed who is responsible for the maintenance of the buildings after the leagues have completed their seasons in the falls.

Ben Biddle, Park Caretaker, said he closed them for the winter. However, someone broke the door handle and used the rest rooms. The water was turned off and they could not be flushed.

Allen said the Park Caretaker should make periodic checks of the fields.

Biddle said Mr. Allen had been trying to cause him to lose his job the last 5 years.

EXECUTIVE SESSION:

Moved by ALLEN, seconded by TIPTON to go into Executive Session for 15 minutes to discuss personnel with Ben Biddle remaining.
AYES: TIPTON, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: PRICE
Motion declared carried.

ENTERED EXECUTIVE SESSION AT 7:32 P.M. AND RETURNED AT 7:43 P.M.

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order after Executive Session at 7:43 p.m. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
ABSENT: ADAMS

SOFTBALL FIELD:

The council discussed the bars the city works department had made to cover the concession stand to prevent entry. They asked if bars could be made for the announcer booth and other windows and doors.

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Moved by DAVIS, seconded by JENKINS for the Public Works Department to make bars for the announcer booth, restrooms and other windows and doors at the softball field.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

Moved by PRICE, seconded by JENKINS that these bars be completed in the next 20 days.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, WARD,

NAYS: LEE, ALLEN, ROGERS

Motion declared carried.

FILL FROM SHORT CREEK:

Gene Porter, City Superintendent, had received a request from Jim Turley of Turley Floral to remove creek gravel from Short Creek for fill on a second building he is constructing on the property on Clark Street.

Moved by BURKYBILE, seconded by DAVIS to allow Jim Turley to remove creek gravel from city property on Short Creek with proper approval verification from EPA.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

905 PECO DRIVE:

R. L. Carter and Rick Carter met with the council concerning the trailer at 905 Peco Drive. Copies of the minutes of the Council Meetings of December 20 and January 17 when this trailer was discussed was provided.

Mr. Carter informed the council that they only required the skirting and tie downs at the December 20 meeting because he was going to use the trailer for storage. He said he had tied it down using frame tie downs.

The code requires the tie downs go over the top of the trailer.

Moved by JENKINS, seconded by ROGERS to put tie downs over the top of the trailer as required and to allow the structure to be used for storage and not as a residence.

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ROLL CALL VOTE:

AYES: PRICE, JENKINS, DAVIS,
WARD, ROGERS
NAYS: TIPTON, BURKYBILE, LEE,
ALLEN
Motion declared carried.

Chief Hentz asked Mr. Carter if he owns the trailer or other persons have an interest. He asked if Barbara Gordon purchased the trailer.

Mr. Carter said she had purchased the trailer and when it did not pass inspection, he refunded her money to her. He said he owns the trailer and the padlocks on the trailer will be his.

The trailer will have the proper tie downs by the next council meeting.

SCOUT CABIN & DAY CAMP:

A request has been received by the Girl Scouts to use Schermerhorn Park and the Scout Cabin for a Day Camp from June 5 through June 9.

Mayor Oglesby asked the council to clarify whether the girl scouts are allowed to use the cabin. There was a conflict over this last year during the day camp.

Moved by DAVIS, seconded by JENKINS to allow the Scout Cabin at Schermerhorn Park to be used by both the Boy Scouts and the Girl Scouts and to allow the day camp from June 5 to June 9.
AYES: TIPTON, PRICE, JENKINS,
DAVIS, BURKYBILE, LEE, ALLEN,
WARD, ROGERS
NAYS: NONE
Motion declared carried.

CABIN ROOF:

Ben Biddle, Park Caretaker, informed the council that the roof on the Scout Cabin needs repaired. The council requested he obtain the cost to make these repairs.

GLOBE PROGRAM:

A copy of the request from Randy French of USD 499 to use a 30 X 30 meter section of Schermerhorn Park to collect data for the Globe Program was included in council packets.

Moved by PRICE, seconded by BURKYBILE to allow this request

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with the person in charge of the program meeting with the park caretaker to select the site.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CWEP WORKER:

The Social and Rehabilitation Service Office in Columbus has a person to place in the City Clerk's Office as a CWEP worker at no cost to the city.

Moved by PRICE, seconded by BURKYBILE to allow this.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

COMMUNITY ROOM AIR COND:

Moved by PRICE, seconded by DAVIS to put on bids to replace the air conditioner unit in the community room with them bidding on both the complete replacement and the replacement of just the compressor.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ANIMAL CLINIC:

Moved by LEE, seconded by ALLEN to have the annual Animal Clinic on May 6 with Care Animal Hospital to provide the vaccinations.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SOFTBALL FIELDS:

Leon Price asked if the rumor was true that the city was going to do away with the softball parks.

The council informed him that this is not true.

INVENTORIES:

Inventories were provided council members by the Police Department, Public Works Department and the City Clerk's Office including the Community Room.

VOLUNTEER TIME:

Chief Hentz informed the council that the Police Auxiliary had volunteered 212 hours during the month of March.

EXECUTIVE SESSION:

Moved by LEE, seconded by ALLEN

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to enter into Executive Session for 45 minutes to discuss personnel with Chief Hentz and the City Attorney, Gene Barrett, remaining.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE

Motion declared carried.

ENTERED INTO EXECUTIVE SESSION AT 8:15 AND RETURNED AT 8:49 P.M.

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order after Executive Session at 8:49 p.m. Tuesday, April 4, 1995, in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call after Executive Session indicated the following council members present: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
ABSENT: ADAMS

SEWER TO 24TH STREET:

The council discussed the request of Jack Piper to have the sewer brought to his property on 24th Street. Copies of the letter dated in 1974 from George Herrelson, then City Attorney, to Farmers Home Administration was provided council members.

It was noted that the property owned by Mr. Piper is not in the city limits and there are portions of the city that do not have sewer or water.

Moved by BURKYBILE, seconded by JENKINS to install 2 manholes and to allow the owners of the property to connect to these if they desire to.

ROLL CALL VOTE:

AYES: JENKINS, DAVIS, BURKYBILE
NAYS: TIPTON, PRICE, LEE, ALLEN, WARD, ROGERS

MOTION FAILS

SPRING CLEAN UP:

Moved by DAVIS, seconded by PRICE to set a rolloff at the City Landfill the last two weeks of April and advertise that residents can dispose of any items except tires at no charge during this period but items will have to be taken to the landfill.
AYES: TIPTON, PRICE, JENKINS,

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DAVIS, BURKYBILE, LEE, ALLEN,
WARD, ROGERS
NAYS: NONE
Motion declared carried.

DIVING BOARDS:

Ben Biddle, Park Caretaker,
obtained the following prices for
the purchase of a 10 ft low
diving board for the swimming
pool.

G & L Pools
Aluminum \$719
Fiberglass with wood center \$519

Hallogen, Inc.
Aluminum \$880
Fiberglass with wood center \$579

Moved by ROGERS, seconded by
JENKINS to purchase the aluminum
diving board from G & L Pools at
a cost of \$719.

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

TENNIS COURTS:

No prices have been received on
the tennis court net or the
resurfacing material.

WALNUT STREET:

The council had received a
request from Granville Irwin to
close Walnut Street. It was
referred to the Street Committee
at the meeting of February 21,
1995

Superintendent Sills informed the
council that we do not have any
utilities in this street.

Moved by WARD, seconded by
BURKYBILE to close one block of
Walnut Street in the block with
property owned by Granville
Irwin.

AYES: TIPTON, PRICE, JENKINS,
DAVIS, BURKYBILE, LEE, ALLEN,
WARD
NAYS: ROGERS
Motion declared carried.

MILTON MOELLER IND PARK:

Superintendent Sills reported he
had been in contact with Verlyn
White and the cost to make a
topographical map of the
industrial park is \$1500. This
price is with the city cutting a
100 foot strip around the park.

The City Clerk was asked to
contact the Kansas Department of

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Commerce to see if any of the recaptured funds from the Wadler Grant could be used to develop the park.

WATER TOWER:

Mayor Oglesby had met with Midwest Tank and Tower and was informed there was very little silt in the bottom of the water tower. No further repairs are needed and the bid we received will cover all the work.

VALVE FOR WELL:

No action was taken on this.

EMPIRE DISTRICT WATER:

Mayor Oglesby also met with representatives of Empire District. They informed him the water permit Empire obtained was not for potable water and they would not be able to sell the city water in case of an emergency.

ACID TREATMENT FOR WELL:

Empire District informed Mayor Oglesby that they do an acid treatment on their wells. Many times there is ample water in the well and an acid treatment would bring the capacity back.

Moved by ALLEN, seconded by LEE to obtain information of doing an acid treatment on the well.
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORD 95-12:

Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 95-12 in the amount of \$12,109.32 plus \$921.02 FICA and \$176.03 KPERS.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 95-12A:

Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 95-12A in the amount of \$102.64 plus \$7.85 FICA.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 95-13:


Moved by ROGERS, seconded by DAVIS to approve Payroll Ordinance 95-13 in the amount of \$12,491.36 plus \$950.25 FICA and

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\$176.52 KPERS.
AYES: TIPTON, PRICE, JENKINS,
DAVIS, LEE, ALLEN, WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

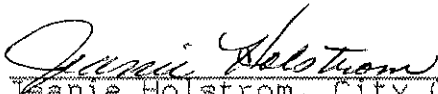
ADJOURNMENT:

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



Dale Oglesby, Mayor

ATTEST:



Jeanie Holstrom, City Clerk
(SEAL)