

MINUTES OF
REGULAR COUNCIL MEETING
APRIL 6, 1993

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, April 6, 1993 at 7:00 p.m. in the Council Chambers with Roy Watkins, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSENT: HAYES

MINUTES:

The following corrections were made to the minutes of the Regular Meeting of March 16, 1993

Page 3 Under Standard Codes, Scott voted NAY.

Page 9 Under Sewer Project, Wood Street will be cut south of 22nd Street instead of 23rd Street.

Gourley asked that if the council went into executive session to discuss an employee, was it not required that the employee be present.

Allen stated that there is nothing in the City Code or State Statutes that require the employee to be present.

Moved by BURKYBILE, seconded by TIPTON to approve and place on file the minutes of the Regular Meeting of March 16, 1993 as corrected.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
ABSTAIN: GOURLEY
NAYS: NONE
Motion declared carried.

Moved by STANSBERRY, seconded by GOURLEY to approve and place on file the minutes of the Special Meeting of March 30, 1993.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

FIRE DEPT. MINUTES:

Moved by GABRIELSON, seconded by GOURLEY to place on file the

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Volunteer Fire Department minutes of March 11, 1993.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY.
NAYS: NONE
Motion declared carried.

The council asked that the Fire Department be thanked for providing the minutes to the council.

COMMUNITY DEVELOPMENT

Mayor Watkins opened the Public Hearing on the City's application for a Community Development Block Grant for 1993.

Paula Raskopf of SEK Regional Planning Commission reviewed the application for a water project and reviewed the necessary documents necessary for the application. The total project is \$596,572 with the city injecting \$30,000 in cash and \$263,750 in-kind. The application requests \$302,822 in grant funds.

RESOLUTION 93-3:

Moved by STANSBERRY, seconded by BYRD to approve Resolution 93-3, a Resolution of residential antidisplacement and relocation assistance plan under Section 104 (d) of the Housing and Community Development Act of 1974, as amended.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

RESOLUTION 93-4:

The Council discussed whether matching funds are necessary.

Allen asked what the KDOC would say if the city could not provide our matching funds. He questioned whether we could even provide the in-kind.

Jack Murray stated the rental of city equipment could be a part of the in-kind funds so long as records are kept on the hours it is used for the project.

Moved by STANSBERRY, seconded by BURKYBILE to approve Resolution 93-4, a Resolution assuring and certifying to the Kansas Department of Commerce & Housing that the City of Galena possesses legal authority to submit a grant application, to receive grant funds, and authorizing the Mayor and the City Clerk to act as the official representatives of the Grantee.
AYES: GABRIELSON, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY

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ABSTAIN: SCOTT, MEANS, GOURLEY
NAYS: NONE
Motion declared carried.

RESOLUTION 93-5:

Moved by STANSBERRY, seconded by BYRD to approve Resolution 93-5, a Resolution assuring the Kansas Department of Commerce and Housing that Funds will be continually provided for the operation and maintenance of the water improvements to be financed with 1993 Community Development Block Grant Funds.
AYES: GABRIELSON, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: MEANS, SCOTT, GOURLEY
Motion declared carried.

RESOLUTION 93-6:

Moved by BURKYBILE, seconded by STANSBERRY to approve Resolution 93-6, a Resolution regarding the contribution of city funds for a proposed Community Improvements Project under the 1993 Small Cities Community Development Block Grant Program.
AYES: GABRIELSON, BURKYBILE, BYRD, TIPTON, STANSBERRY
NAYS: MEANS, SCOTT, ALLEN, GOURLEY
Motion declared carried.

Means stated he is not against the Grant, but he has questions concerning passing the Resolution stating we have funds, when the don't have funds for other projects such as the water tower.

Mayor Watkins closed the Public Hearing.

800 EUCLID:

A letter from the Little League Association requesting assistance in securing the structure at 800 Euclid was included in the packets.

Moved by MEANS, seconded by GOURLEY to send a letter to the owner of the structure allowing 10 days to secure the structure or the city will start condemnation proceedings.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

HAYES ENTERED AT 7:40 P.M.

910 SHORT:

Gene Porter, Building Inspector stated the public hearing was held in September, 1992 on the structure at 910 Short. He recommended Resolution 93-7 be passed allowing the owner 10 days to secure the structure.

RESOLUTION 93-7:

Moved by STANSBERRY, seconded by

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TIPTON to approve Resolution 93-7 allowing the owner of the structure at 910 Short 10 days to bring the structure to code.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: HAYES
Motion declared carried.

WATER & WW SCHOOL:

Moved by BURKYBILE, seconded BY GOURLEY to allow Mel Mittag and Rex Gandy to attend a Water and Wastewater School in Coffeyville with the City paying the registration, meals and transportation.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

BACKHOE TIRES:

Moved by STANSBERRY, seconded by TIPTON to approve the purchase of two tires for the backhoe at a cost of \$582.88.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

LAGOON SPRAY:

Moved by ALLEN, seconded by STANSBERRY to approve the purchase of 20 gallon of midge fly spray for the lagoon at a cost of \$975.00
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

CHLORINE:

Superintendent Bud Sills reported that the price of chlorine is going up \$.05 per pound. He talked to a company in Springfield and they would sell it to the city at \$.30 per pound and would not charge the demurrage charge on the bottles. Baxter is paying \$.25 per pound but they use more chlorine and are purchasing other chemicals from the company.

Moved by BYRD, seconded by STANSBERRY to change companies on the purchase of chlorine.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

CHAT:

Moved by STANSBERRY, seconded by GABRIELSON, to purchase 300 ton chat at a cost of \$3.25 per ton.
AYES: GABRIELSON, HAYES, MEANS,

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SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

EXECUTIVE SESSION:

Moved by GOURLEY, seconded by
BURKYBILE to go into executive
session for 30 minutes to discuss
personnel with the City Attorney,
Chief Wade and Officer Webb
remaining.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

ENTERED EXECUTIVE SESSION 7:45 P.M.
RETURNED AT 8:15 P.M.

ROLL CALL:

Roll call after executive session
indicated the following council
members present: GABRIELSON, HAYES,
MEANS, SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
ABSENT: NONE

DISPATCHER:

Moved by GOURLEY, seconded by BYRD to
hire Richie Babbitt as dispatcher.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

STOCKPILING OF MANURE:

Moved by ALLEN, seconded by TIPTON to
refer the stockpiling of manure on
13th Street to the City Attorney.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PARK EMPLOYEE:

Michael Hudman who was approved to
work as seasonal help for the park
department did not report for work.

The Personnel Committee had not
interviewed Mr. Hagerman but a copy
of his application was available for
any council member to review.

Moved by GABRIELSON, seconded by
MEANS to hire Adam Hagerman as
seasonal employee for the Park
Department and if he does not report,
hire someone else.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, TIPTON,
GOURLEY
NAYS: ALLEN, STANSBERRY
Motion declared carried.

P & Z RESIGNATION:

Moved by BYRD, seconded by HAYES to
accept the resignation of Albert
Anderson from the Planning & Zoning

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Commission,
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

ANIMAL CLINIC:

Mayor Watkins opened the bids on the rabies clinic:

Kemp	4.00	rabies
Columbus Vet	4.00	rabies
Dr. Hall	3.50	rabies

Moved by BURKYBILE, seconded by SCOTT to accept the bid of Dr. Hall for the rabies clinic with a date of May 1 or a date to be arranged with the Doctor.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

SEWER PROJECT BILL:

Moved by BURKYBILE, seconded by GABRIELSON to approve the payment of \$94,629.68 to G & G Construction on the sewer project, pending approval of the Engineer and FHA.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PARK TRUCK:

The park truck was involved in an accident. The other driver was at fault and have insurance. Damage will be paid by the other driver's insurance since he was at fault.

Teeters at Quapaw has a 1987 1/2 ton Chevrolet Pickup for sale at a cost of \$5500. The truck the park caretaker currently uses will need a new gear shift besides the repairs from the wreck.

Gabrielson suggested the city wait to see what the insurance company will do. The City Superintendent will allow the park caretaker to use one of his departments trucks.

Moved by GABRIELSON, seconded by BURKYBILE to table the purchase of the truck for the parks department until the insurance company settles and the Finance Committee looks into the finances for a new vehicle.

AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

BYRD LEFT.

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SPECIAL AUDIT:

Mayor Watkins recommended the city books be audited at the close of his term so the new Mayor will know where the he stands where we have been.

Moved by GOURLEY, to make that a motion move that we use DeAnn Auman Bennett Hill from Baxter as an unbiased or as an individual from outside the city.

Allen asked how much this would cost. He stated that we had already contracted with Mense to audit the books for 1992. He stated that if we pay an extra \$2000 or \$3000 for this audit, it would put a handicap on the everyone.

Gourley stated she thought it would pay in the long run to let someone outside the city to audit the books.

SCOTT seconded the motion.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, TIPTON,
GOURLEY
NAYS: STANSBERRY, ALLEN
Motion declared carried.

BYRD RETURNED.

PARK COMMITTEE REPORT:

Written reports were distributed from the Parks Committee. The chlorinator at the swimming pool is not repairable. If we use gas chlorine, it will be necessary to purchase an oxygen tank, etc. It is now necessary for Rex Gandy to change the chlorinator.

Advance Chemicals has a chlorinator which uses stick chlorine at a cost of \$348. The stick chlorine is approximately \$3.00 per pound.

Burkybile stated she could purchase the stick chlorine through Eagle Picher at a cost of \$1.75 per pound.

Moved by GABRIELSON, seconded by BURKYBILE to purchase the chlorinator from Advance Chemicals and to use stick chlorine at the pool.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

BURKYBILE LEFT 8:48 P.M.

SOFTBALL FIELDS:

The South end of the softball field needs leveled. There is water standing. The North end is draining but the South end needs cleaned up

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before the season starts.

BURKYBILE RETURNED 8:49 P.M.

WATER COMMITTEE REPORT: Moved by Stansberry, seconded by BYRD to place the water committee report which was distributed to the council members on file.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

LICENSE COMMITTEE: The license committee recommends that the ordinance prepared by the committee be published and a public hearing be held at the next meeting. This would allow citizens to review the ordinance.

Moved by STANSBERRY, seconded by BYRD to publish the contractor license ordinance and a public hearing be held at the next meeting.
AYES: GABRIELSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: SCOTT, MEANS, GOURLEY
Motion declared carried.

The licensing committee also recommended some changes in the city code concerning building permits. They request these be turned over to the City Attorney to be adopted into ordinance form.

Moved by STANSBERRY, seconded by GABRIELSON to turn the recommendations for the change in the city building code over to the City Attorney to be adopted into ordinance form.
AYES: GABRIELSON, HAYES, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY
NAYS: MEANS, SCOTT, GOURLEY
Motion declared carried.

FAIR RENTAL ORDINANCE: A copy of the ordinance recommended by the council members on the Fair Rental Committee was provided in the packets.

The council discussed whether the landlords had an opportunity to review the ordinance.

The committee had not been able to meet with the landlords.

Moved by BURKYBILE, seconded by ALLEN to place the minutes of the Landlord Committee on file.
AYES: GABRIELSON, HAYES, MEANS, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: SCOTT

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Motion declared carried.

POLICE DEPT REPORT:

Moved by MEANS, seconded by GOURLEY to place the police department report on file and to commend Chief Wade on his report.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

PARK COMMITTEE REPORT:

Moved by GABRIELSON, seconded by MEANS to place the Parks Committee Report on file.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

SEWER PROJECT:

Burkybile announced Rick Bair, the Engineer will be here Tuesday at 10 a.m. to meet with the Sewer Committee. We may be able to get more paving done with the \$40,000 left on the project.

Allen asked if the gutters will be cleaned out. The storm sewers may become stopped up due to the debris.

Both auxilliary generators were started up today and both worked well.

FILLING MINE HOLES:

Jamie Reese, of Reese Exploration updated the council on the plugging of the mine shafts. One shaft north of the car wash could not be plugged due to horizontal drifting. They couldn't get it to hold cement. They plugged another shaft in place of it. This is exhibit 8 in the city files.

Superintendent Sills asked about getting some additional grant funds.

Sills reported the two men who are hauling fly ash can't get the fly ash out now. He asked to use them in other departments and them be paid by the city.

Means suggested laying off the two employees until they can haul the fly ash.

Sills requested he be allowed to use them on other projects and to assist in putting in the water lines they're replacing.

Jamie Reese told the council he appreciated working with the city.

STREET SWEEPER:

Superintendent Sills reported he had

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borrowed a street sweeper from the County to use before the Spring Fling. The bottom is blown out of the transmission. The break in the transmission was old. He has met with Commissioner Dixon and the county will pay for the parts if the city will do the labor.

JOSEPH PROPERTY:

Gene Barrett suggests the city get a second estimate on the value of the property.

He asked that he be provided with information on when the line was taken up and draw a diagram and state that it was put back in the same place.

Moved by ALLEN, seconded by BURKYBILE to obtain a second estimate on the appraised value of the Joseph Property.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE

Motion declared carried.

CARTER MOBILE HOME PARK:

Superintendent Sills stated he and the City Inspector were having trouble finding the property stakes at the park. He recommended the city get a certified surveyor.

Kent Lynch is going to try to draw up the legal descriptions of the lots.

The council discussed whether the city should pay for the survey and the easements.

PAYROLL ORD 93-10A:

Moved by GOURLEY, seconded by GABRIELSON to approve Payroll Ordinance 93-10A in the amount of \$188.48 plus \$14.45 FICA.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

PAYROLL ORD 93-11:

Moved by GOURLEY, seconded by GABRIELSON to approve Payroll Ordinance 93-11 in the amount of \$9655.44 plus \$738.65 FICA and \$124.71 KPERS.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

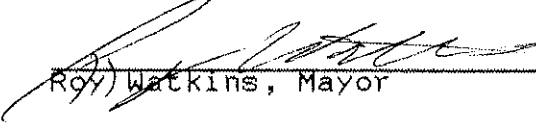
ADJOURNMENT:

Moved by ALLEN, seconded by SCOTT to adjourn the Regular Meeting of the

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Galena City Council.
AYES: GABRIELSON, HAYES, MEANS,
SCOTT, BURKYBILE, BYRD, ALLEN,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.



Roy Watkins, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

(SEAL)