

MINUTES OF THE MEETING OF THE GALENA CITY COUNCIL APRIL 15, 1969

The Council of the City of Galena, Kansas, met in regular session at 7 o'clock, p.m., April 15, 1969, in the council chamber at the City Building.

Present: Councilmen Pittman, Brown, Kitch, Watkins, Bogle, Kaehler, and Tackett. A quorum was present. Councilman Noe seated at 7:10 p.m.

Absent: Councilmen Martin, Cure, and Barker.

Presiding: Mayor Frank P. Dillon.

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

Invocation: Mayor Dillon.

Councilman Pittman moved, seconded by Councilman Brown, that the reading of the minutes of the meeting dated April 1, 1969, be dispensed with and same be placed on file as approved as presented by copy. Motion carried by a show of hands.

Mayor Dillon asked newly elected Councilman Donald R. Noe to take his seat at the Council Table as the outgoing councilman, Cletis M. Barker, was not present. Councilman Noe took his seat as requested by the Mayor and members of the Council.

Mayor Dillon introduced Bob Scott, chairman of the Housing Authority, to the Governing Body. Mr. Scott gave a short progress report on the activities of the local authority stating that Paul Hardwick, Executive Director, and he had attended a pre-development conference in the Regional Offices at Ft. Worth, Texas, April 10, 1969. At that time officials at HUD had approved the purchase of office furniture, i.e., one (1) steel desk, one (1) desk chair, one (1) side chair, one (1) Underwood typewriter with a thirteen (13) inch carriage, one (1) filing cabinet, one (1) adding machine, total cost \$768; also, HUD officials had approved the rental of office space at 509 Main Street. He announced that a field representative would be in Galena within a short time to approve or disapprove of possible land acquisition for site or sites for the housing project. Councilman Pittman moved, seconded by Councilman Tackett, that Mr. Scott's report be accepted and placed on file. Motion carried by a show of hands.

Mayor Dillon read an application for a trailer permit submitted by Mr. and Mrs. Bob A. Tanner, 110 East Forest, to locate a trailer, 12' x 60'. Montgomery Apache, Serial No. 656, at the property on the east side of the alley on the north side of the 300 Block of East Eighteenth Street, two adults and four children would occupy same, gas, electricity, water, and telephone utilities would be used and a septic tank would be the sewage disposal facility. Mr. Glen Smith, 1719 Galena Avenue, property owner adjoining the proposed site on East Eighteenth Street addressed the members of the Governing Body and stated his objections to the permit to be the size of the lot involved; the close proximity in which the septic tank would be constructed to his home; the absence of sufficient alleyway for the safe passage of fire or other emergency vehicles; the potential development of both health and safety hazards due to the environmental conditions of the location; he respectfully urged the denial of permission for a home trailer to locate at the proposed address. Whereupon, Councilman Watkins moved, seconded by Councilman Pittman, that the applicant be denied permission to locate a trailer home at the proposed site on East Eighteenth Street. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Mayor Dillon read an application for a trailer permit, submitted by Harold Herrelson, same being a Shultz, Serial No. 1956, 8' x 35', to be located at 202 Galena Avenue on a 50' x 125', using gas, electric, and water public utilities, and septic tank sewage disposal facility. Councilman

Pittman moved, seconded by Councilman Tackett, that Mr. Herrelson be granted permission to locate a trailer home at 202 Galena Avenue. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - Councilman Brown.

Mr. Otto Schwartz addressed the Governing Body and reported that the new rest home located on or about Eighth and Keller was nearing completion; that the sprinkling system requiring an 8" line to the property line of same would be installed within a short time. Mr. Schwartz inquired if the 8" water line would be available for use within a possible ten days. Following a brief discussion, Councilman Bogle moved, seconded by Councilman Kaehler, that the Service Committee look into the matter and determine the footage of new line to be laid, cost of same, take bids on the needed pipe, etc., to complete the project. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Mayor Dillon read correspondence from The Empire District Electric Company advising the Governing Body that they had ordered the school signals as recommended by the State and would install the new equipment as soon as it arrived.

Mayor Dillon read to the Governing Body a request from the Kansas State Highway Commission urging the City to participate in a safety check on all vehicles. Councilman Watkins moved, seconded by Councilman Bogle, that the matter be turned over to the Police Committee to investigate and make the necessary preparations for the program. Motion carried by a show of hands.

Mayor Dillon read a cost estimate on the repair of the air conditioner within his office and turned the matter over to the Finance Committee to handle.

Councilman Pittman moved, seconded by Councilman Watkins, for the purchase of clothing; i. e., sixteen (16) shirts, four (4) pair of trousers, costing \$185. Motion carried on roll call as follows: Yeas - Councilmen Pittman, Brown, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - Councilman Kitch.

Councilman Watkins moved, seconded by Councilman Pittman, that the cost of the traffic lights be removed from the Police Department Budget on all appropriation ordinances forthcoming and placed under the Street Lighting Budget. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins moved, seconded by Councilman Tackett, that the week of the 21st - 25th be designated as Spring Clean-Up Week in conjunction with the Governor's Proclamation of same and that the Street Department determine the route to be taken and the time and date for the picking up of trash, that all debris must be placed in containers and on the curb for the convenience of disposal, that both the Pump Station located on Wood Street and the Clerk's Office be contacted by those desiring the service. Motion carried on roll call vote as follows: Yeas - Councilman Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins moved, seconded by Councilman Pittman, that the city attorney draw an ordinance relating to the office of merchant police, same to be appointed by the Mayor and confirmed by the Governing Body, setting forth the salary at \$150 a month, allowance for participation within the group hospitalization program, charge of \$5 per month for service and any surplus set aside in a fund and if any surplus remained that the money be returned to those participating at the end of the fiscal year. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Kitch, Noe, Watkins, Bogle, and Tackett; Nays - Councilmen Brown and Kaehler.

Don Williams, Building Inspector, reported that 31 building permits were issued from June, 1968, to December 31, 1968. He further stated only two (2) @ \$3.00 each were not picked up by applicants. Councilman Tackett moved, seconded by Councilman Watkins, that Mr. Williams' report be accepted and placed on file. Motion carried by a show of hands.

Councilman Kaehler moved, seconded by Councilman Bogle, that the water billing of Edith Bankson be adjusted to read to the previously high regular reading as the account represented a hardship case as Mrs. Bankson received only a small fixed income and was unable to pay in full her bill resulting from a water leak. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Bogle, Kaehler, and Tackett; Nays - Councilman Watkins.

Councilman Watkins moved, seconded by Councilman Pittman that Appropriation Ordinance No. 576, an ordinance for making payment for certain claims, be placed on roll call for adoption as amended, wherein the billing of the traffic lights from The Empire District Electric Company be placed under the Street Lighting section and removed from the Police Department. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

As instructed the clerk read the following resolution:

RESOLUTION NO. 69-5

RESOLUTION OF THE CITY OF GALENA, KANSAS, AUTHORIZING THE FILING OF A NEIGHBORHOOD DEVELOPMENT PROGRAM APPLICATION FOR PROGRAM NO. 1

WHEREAS it is necessary and in the public interest that the Applicant avail itself of the financial assistance provided by Title I of the Housing Act of 1949, as amended, to commence a Neighborhood Development Program in the urban renewal area(s) described on Annex No. 1, hereinafter referred to as the "Program;" 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 areas 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 or national origin under any program or activity receiving Federal financial assistance, and Executive Order 11063 prohibits discrimination on basis of race, color, creed 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 for a loan under Section 102(a) of said Title I in the amount of \$709,322 and for a program capital grant, and a Federal grant for the making of a rehabilitation grant to the full amount available

for undertaking and financing the first 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.

Councilman Pittman moved, seconded by Councilman Tackett; that the foregoing resolution numbered 69-5, relating to the Neighborhood Development Program be placed on roll call for adoption. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins moved, seconded by Councilman Pittman, that the public hearing date be set for the 6th day of May, 1969, at 7 o'clock, p.m., and that the clerk publish notice of same for two consecutive weeks in the official city paper, The Galena Sentinel-Times. Motion carried by a show of hands.

Ordinance No. 881 and entitled AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND REPEALING ANY ORDINANCE OR SECTION THEREOF IN CONFLICT HEREWITH was introduced. Councilman Tackett moved, seconded by Councilman Watkins, that the recommendation of the Planning Commission for passage of the zoning ordinance be accepted and that said ordinance be placed on roll call for adoption. On roll call the following vote was recorded: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Mayor Dillon announced the following Committees:

Finance Committee

Leo B. Watkins - Chairman
Frank Martin
Robert (Bob) Brown

General Committee

Darrell Kitch - Chairman
Robert (Bob) Bogle
Marvin Kaehler

Service Committee

Frank Tackett - Chairman
William (Bill) Pittman
Clark Sturgis

Safety Committee

William (Bill) Pittman - Chairman
Leo B. Watkins
Donald R. Noe

Councilman Watkins moved, seconded by Councilman Pittman, that the Mayor's appointments to the foregoing committees be confirmed by the Governing Body by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins made the announcement in behalf of Clark Sturgis absence, stating that Mr. Sturgis had undergone surgery that morning.

Councilman Kitch moved, seconded by Councilman Pittman, that the season for the swimming pool to be opened be from Memorial Day, May 30, 1969, to and including Labor Day, September 1, 1969, and that the manager and assistant manager be paid for the time that the pool was open (three months and two days) and not for four (4) months as previously. Motion carried on roll call as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Kitch moved that the swimming pool be opened during the hours of 1 - 9 p.m. on Monday through and including Saturday and from 1 - 6 p.m. on Sunday. On roll call the vote was as follows: Yeas - Councilmen Brown, Kitch, Bogle, and Kaehler; Nays - Councilman Pittman, Noe, Watkins, and Tackett. Mayor Dillon cast a negative vote breaking the tie. The motion was lost.

Councilman Pittman moved, seconded by Councilman Tackett, that expenses be allowed for the Mayor on his trip to Ft. Worth to the HUD offices in conjunction with the NDP application as an appointment had been made for Galena on the 24th of April at two o'clock in the afternoon. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Mayor Dillon informed the Governing Body that he wished to form an advisory committee formed of three (3) Junior students of the high school, three (3) Senior students of the high school, and three (3) college students residing in Galena; that he thought the students should be nominated from the faculty. Councilman Watkins moved, seconded by Councilman Pittman, that the city attorney prepare the necessary papers to organize and form an advisory committee consisting of nine (9) members, three (3) being selected from the Junior Class, three from the Senior Class of the local high school, and three students from a nearby college(s), members to be nominated from the local high school faculty, members of the committee to serve for two (2) year terms, appointment to be made by the Mayor and confirmed by the Governing Body. Motion carried by a show of hands.

Councilman Kitch moved, seconded by Councilman Pittman, that the Little League be given permission to use the Courtroom on Thursday evening, 7 o'clock, April 24, 1969. Motion carried by a show of hands.

Councilman Pittman moved, seconded by Councilman Brown, that the meeting be adjourned; motion carried on a standing vote.

City Clerk