

MINUTES OF
REGULAR COUNCIL MEETING
MAY 3, 1994

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, May 3, 1994 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, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
ABSENT: HARPER, BURKYBILE

MINUTES:

Moved by WARD, seconded by TIPTON to approve and place on file the minutes of the Regular Council Meeting of April 19, 1994.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

FIREMAN'S RELIEF ASSOC.

Moved by WARD, seconded by ROGERS to place on file the Minutes of the Firemen's Relief Association meetings of April 18 and April 27, 1994.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PICKETT REZONING:

Mayor Oglesby opened the public hearing on the request of Fred Pickett to rezone the West 35 feet of Lots 436 through 440 being the property just East of City Hall.

One protest was received concerning the rezoning. The council discussed the sewer easement and the installation of a privacy fence.

Moved by TIPTON, seconded by LEE to rezone the above property with the agreement no privacy fence is to be installed and a sewer easement is given to the city.
AYES: TIPTON, DAVIS, LEE
NAYS: PRICE, ALLEN, ADAMS, WARD, ROGERS
Motion failed.

Moved by PRICE to approach Pickett to sign an agreement for the easement and no privacy fence,

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then bring rezoning back to council.
Motion failed for lack of second.

EVANS REZONING:

Mayor Oglesby opened the public hearing on the request of Gary and Lena Evans to rezone 5 acres on State Line Road, being Route 2 Box 22.

Carol Kennedy asked what was allowed in a C1 zone.

Mr Gary Evans asked if a flea market would be allowed. He said if not, he would come back at a later time and request a C2 zoning.

Gene Porter, building inspector, explained that with C1, merchandise could be displayed outside but booths with other dealers could not be set up.

Moved by TIPTON, seconded by PRICE to rezone the above property from Residential to C1.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CHOP SAW:

Superintendent Sills informed the Council that the chop saw approve at an earlier meeting was purchased from Joplin Mower on Rangeline instead of Rangeline Rentals. This was a misunderstanding by the City Clerk.

POLICE SHOOTING RANGE:

Chief Hentz informed the council he had been in contact with the Joplin Gun Club and they will permit the City police department to use their shooting range, just north of the City. The only requirement would be for the city to patrol the area occasionally. He would also become a member of the club with dues of \$47 per year. There is no longer a shooting range available in Cherokee County to qualify officers. This would keep the city from having to build their own range and the cost of liability insurance. This range is approximately 1 mile outside the City Limits. Chief Hentz dues could be paid from the training fees collected from fines.

Moved by LEE, seconded by ROGERS to allow the use of the shooting

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range with the above conditions and with the City paying Chief Hentz dues of \$47.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ANIMAL CONTROL TRUCK:

Moved by ROGERS, seconded by LEE to advertise for the sale of the old animal control truck.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

NORTH SCHERMERHORN ROAD:

Adams said she had received complaints from residents of the Sr. Citizens Apartments on Schermerhorn Road concerning cars racing on the road. She said they had a problem pulling out into the street from the complex.

The police department has not received any complaints.

The council discussed whether a speed limit sign should be installed. No action was taken.

HEAD START DRIVEWAY:

Lee asked when the Head Start driveway would be completed.

Superintendent Sills said he will work on it as soon as the city wide pick up is completed. This should be next week.

SOFTBALL FIELDS:

Lee said the Softball Association has requested the City assist in painting the concession stand at the Softball Field. They are preparing for tournaments. He also asked if Superintendent Sills would contact Midwest Environmental Services about grading the lot since their trucks use it.

Superintendent Sills said he would grade the area.

The Council also discussed repairs to 11th Street and the corner of 11th & Dewey.

PARK PAINT:

Ben Biddle, Park Caretaker, asked if the council would approve him purchasing paint for the benches, concession stand at the swimming pool.

He is to determine the amount of paint required for the project and

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get bids on this purchase.

Lee asked that Ben paint the concession stand since he cannot start the other painting until bids are obtained.

No action taken.

FIRE DEPARTMENT WASHER:

Davis said she had received a request from Bill Hall, Fire Chief, to replace the washing machine in the Fire Department at a cost of \$300. She asked that the city pay \$150 and the Fireman's Relief Association would pay \$150. It would be purchased from Metro Appliances in Joplin.

Moved by DAVIS, seconded by LEE to allow the purchase of the washer with the City paying \$150.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

BIDS ON BASE RADIO:

Mayor Oglesby opened the one bid received on the sale of the old base radio in the police department. It was from Commercial Radio Service in the amount of \$200.

Moved by TIPTON, seconded by ADAMS to accept the bid of \$200 and sell the old base radio.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SALE OF OLD WATER TOWERS:

The sale of the old water towers was advertised. The only bid received on these is from Mayor Oglesby in the amount of \$300. He wants to erect them on his property.

Moved by ROGERS, seconded by TIPTON to sale the old water towers to Mayor Oglesby for \$300.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

WATER PROJECT BORING & MAT:

Moved by WARD, seconded by ROGERS to advertise for borings under 7th Street and for Materials for the Water Project.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

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PAINTING WATER TOWER BIDS:

Mayor Oglesby opened the following bids on painting and sanitizing the water tower.

A recommendation was received from Cunningham Sandblasting but no bid was enclosed. Mr. Cunningham had met with the water committee previously and quoted \$107,000. This would include a ladder, a clean out and service to the dry area.

Midwest Tank and Tower, \$96,537
An alternate bid on the outside, made a total of \$61,062.

WATERTOWER PAINT AND REPAIR:
\$95,078.

PITTSBURG TANK AND TOWER,
\$78,268.

Moved by LEE, seconded by DAVIS to refer the bids to the Water Committee for a recommendation.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

WATER PROJECT BILL:

Moved by ROGERS, seconded by WARD to approve payment to Engineering Management Consultants in the amount of \$30,072 for engineering services on the water project pending approval by KDOC.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

HARPER RESIGNATION:

Moved by LEE, seconded by TIPTON to accept the resignation of Kenny Harper, council member, 2nd Ward due to conflict with his hours of employment.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

Moved by LEE, seconded by ROGERS to advertise for a replacement for the council member in 2nd Ward.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

GREEN THUMB WORKER:

Mayor Oglesby informed the council that the Green Thumb Program is willing to place Norma Cherry in the City Clerk's Office as a part time employee with Green Thumb

paying the wages.

Adams asked of Norma Cherry is not working at Baxter for Labette Community College. She suggested the City Clerk interview others for the position.

Moved by ALLEN, seconded by TIPTON to approve using Norma Cherry in the City Clerk's office through the Green Thumb Program, pending a background check.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CHEROKEE COUNTY RESOLUTION: Copies of a Resolution approved by the Cherokee County Commissioners setting \$1.50 per ton fee for all trash from outside the state taken to any demolition landfill was included in the council packets. The City Clerk was asked to contact the League of Kansas Municipalities and see if the fee on the City demolition landfill is legal. They would like an opinion in writing.

LETTER TO THE EDITOR: A copy of a letter being sent to the the Editor from council member Burkybile, thanking Gary Garvin, ADS and Dave Bryant, City Employees, and the Citizens of Galena for their assistance in the City Wide cleanup.

ORD 94-9, WORTHLESS CHECK: Moved by LEE, seconded by ROGERS to approve Ordinance 94-9 making it a crime to knowingly give or pass a worthless check for any amount under \$500.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ORD 94-10, AUXILIARY OFF: Moved by PRICE to remove the word reserve and leave the word auxiliary in proposed ordinance 94-10 and resubmit for approval. Motion died for lack of second.

The Council discussed the auxiliary officers carrying a weapon.

Chief Hentz said he is setting up a training course for all auxiliary officers.

Moved by ROGERS, seconded by LEE to approve Ordinance 94-10 providing that the police

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auxiliary officers shall work strictly as volunteers and shall not be paid, with the words concerning reserve officers being deleted.

AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

SWIMMING POOL:

The Personnel Committee interviewed Doug Buckmaster and Duane Hurwitz for the position of swimming pool manager on April 26.

The committee interviewed Monte Weathers on April 27.

The Committee recommends Doug Buckmaster be hired as swimming pool manager at ordinance pay with the pool to open on May 30th and close the first day of school in the Galena School System.

The Council discussed the hours the pool is open and the opening and closing dates.

Allen said if the hours or dates the pool is opened is changed, they would have to contact Mr. Buckmaster.

SWIMMING POOL HOURS:

Moved by LEE, seconded by WARD for the Galena Swimming Pool to be open from 1 to 6 p.m. from Monday through Sunday and from 7 to 9 on Monday through Thursday, for family swimming.

AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

POOL MANAGER:

The hiring of the pool manager was referred back to the Personnel Committee.

NEPOTISM:

The Personnel Committee, in their meeting on April 26 discussed the approval of the Police Chief's wife as an auxiliary officer. This is in conflict with the city nepotism policy. They also discussed the fire truck driver's service as an auxiliary officer.

Chief Hentz informed the council that his wife wants to take the training, perform matron duties and help as dispatcher when needed.

Allen said wage and hour has been contacted and the city would have

to pay the fire truck driver for the time he serves as an auxiliary officer.

Moved by ALLEN, seconded by ADAMS to nullify the approval of the above auxiliary officers and send a letter thanking them for their service.
AYES: TIPTON, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: PRICE
Motion declared carried.

POLICE CHAPLAIN:

The Personnel Committee also recommended the positions of Police Chaplain and Assistant Police Chaplain be created. This would allow the ministers to be auxiliary officers without their being required to carry a firearm.

Chief Hentz asked that they be required to carry a firearm if they are in uniform for their protection.

Moved by ALLEN, seconded by LEE to create the positions of Police Chaplain and Assistant Police Chaplain and if they ride with a police officer and are in uniform, they be required to carry a firearm but if they are in civilian clothes, they would not be required to carry a firearm.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

COMMUNITY DEVELOPMENT COM:

The Community Development met on April 25 with Tipton, Davis and surrogate Allen. They discussed the "Savor SE Kansas Tour". Council members were given a schedule of the tour in Galena.

SWIMMING POOL:

Rogers asked that one of the new dumpsters be placed at the Galena Swimming Pool.

PAYROLL ORDINANCE 94-19:

Moved by ADAMS, seconded by TIPTON to approve Payroll Ordinance 94-19 in the amount of \$10,130.55 plus \$765.61 FICA and \$162.41 KPERS.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 94-20:

Moved by ADAMS, seconded by ROGERS to approve Payroll Ordinance 94-20 in the amount of \$10,410.76 plus \$786.28 FICA and \$186.15 KPERS.
AYES: TIPTON, PRICE, DAVIS, LEE,

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ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 94-21:

Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 94-21 in the amount of \$10,814.77 plus \$817.70 FICA and \$198.72 KPERS.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PROTEM JUDGE:

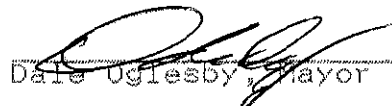
Moved by ADAMS, seconded by WARD to allow Nadine Smallwood to attend the certification school for protem judge and to attend the conference in Overland Park in May.
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

COURT REPORT:

Moved by ALLEN, seconded by LEE to accept the Court report for April with fines totaling \$2321.00
AYES: TIPTON, PRICE, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ADJOURNMENT:

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


Dale Oglesby, Mayor

ATTEST:


Jeanie Holstrom, City Clerk

(SEAL)