

MINUTES OF
REGULAR COUNCIL MEETING
MAY 19, 1992

- CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, May 19, 1992 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, ALLEN, TIPTON, STANSBERRY
ABSENT: HAYES, BYRD, GOURLEY
- MINUTES: Moved by BURKYBILE, seconded by STANSBERRY to approve and place on file the minutes of the Regular Council Meeting of May 5, 1992.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: none
Motion declared carried.
- REZONING 400 E 7TH: Planning & Zoning Commission recommends rezoning the property at 400 E. 7th from Residential to C-1. Chuck Wells desires to open a business selling antiques at the address.

Moved by BURKYBILE, seconded by STANSBERRY to approve the rezoning of the lots at 400 E. 7th Street, being Lots 37 and 38 in Bayne's First Addition, from R-2 to C-1.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY.
NAYS: NONE
Motion declared carried.
- JOSEPH PROPERTY: The sewer line being replaced by the city runs across the property just East of City Hall. This property is owned by John Joseph. According to Mr. Joseph, the city vacated the alley and there was no easement allowing the city to come on his property. The lot is approximately 35 feet by 144. With the sewer line in its present location, nothing could be built on the lot. Mr. Joseph would be willing to sell the lot to the city.

Moved by STANSBERRY, seconded by TIPTON to allow the city superintendent to negotiate the purchase of the lot just East of City Hall from John Joseph.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY.

NAYS: NONE
Motion declared carried.

City Attorney Barrett stated the city has an easement by prescription even though no easement is on file.

WHISTLES: Moved by GABRIELSON, seconded by BURKYBILE to purchase two whistles and one band.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

SCHOOL PATROL TRIP: Moved by STANSBERRY, seconded by BURKYBILE to provide each school patrol student \$2 for their patrol trip.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

PATROLMEN RESIGNATIONS: Moved by BURKYBILE, seconded by SCOTT to accept the resignations of Sloan Rowland and Mark Lee.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

ROWLAND COAT: Chief Collins stated that Sloan Rowland paid one half the cost of his police coat when he was a reserve officer. Chief Collins requests the city reimburse Mr. Rowland \$40 for this coat and the city retain it with it's equipment.

Moved by TIPTON, SECONDED BY SCOTT to pay Sloan Rowland \$40 for his police coat.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

UNIT #1 POLICE CAR: Moved by MEANS, seconded by BURKYBILE to repaint the roof of unit #1 at a cost of \$60.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.

- POELMA RESIGNATION: Moved by TIPTON, seconded by STANSBERRY to accept the resignation of W.J. Poelma from the Planning and Zoning Commission.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.
- GALENA DAYS PRESENTATION: Moved by STANSBERRY, seconded by GABRIELSON to approve the City making three presentations at Galena Days.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: none
Motion declared carried.
- SEWER PROJECT BILLS: Moved by BURKYBILE, seconded by STANSBERRY to pay the following bills on the sewer project:
G & G Construction \$84,042.42
Mid Kansas Engineering 11,812.33
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.
- TRT CHECK TO KDOC: Moved by TIPTON, seconded by BURKYBILE to return \$12,792.36 to the Kansas Department of Commerce, this being the funds collected on the Tri State Recycling Loan less \$5000 retained for attorney fees for the lawsuit.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.
- BID ON 1975 DODGE: Mayor Watkins opened one bid received on the sale of the 1975 Dodge.
Darrell Goff, \$586
Moved by STANSBERRY, seconded by TIPTON to reject all bids on the 1975 Dodge.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY
NAYS: NONE
Motion declared carried.
City clerk to advertise again for bids.
- MUNICIPAL JUDGE: Moved by ALLEN, seconded by GABRIELSON to appoint Kevin Cure as Municipal Judge.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY

NAYS: NONE
Motion declared carried.

BUSINESS APP WEEK:

Moved by STANSBERRY, seconded by MEANS to approve a Proclamation proclaiming June 15 thru 20 as Business Appreciation Week.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY

NAYS: NONE
Motion declared carried.

WELL NO. 4:

Layne Western brought the rest of the parts to the pump to Superintendent Sills. On May 8, Jeff Hall contacted the City Clerk and requested the city pay for the additional column pipe we purchased for well No. 4 immediately. The invoice was received on May 7 and will be included with the regular appropriations.

The city received a copy of the test results from Peabody Flowaway. On May 12, a conference call was placed to Peabody Flowaway and the committee talked to Mr. Wilkins and Mr. Reed. Peabody sent a copy of their warranty. According to the warranty, if the pump is not installed using their column pipe and shaft, there is no warranty. We have not received a written warranty from Layne Western.

The City Attorney stated the city would have to prove the pump or the installation was defective. This would mean the cost of attorney fees and expert witnesses. The only amount that could be recovered would be the cost of the pump and installation. City would not recover attorney fees and other costs of the lawsuit.

Lawson Pump of Webb City is getting prices on a pump.

We will not take any action on the pump at this time and we will get prices on a new pump.

RURAL WATER DISTRICT:

The Water Committee met with representatives of the Rural Water District concerning the contract between the City and the Rural Water District. Under discussion were water pressure, water rates, the fee for testing their lines.

Rural Water agreed to the rates paid by residents outside the city. Future increases will be the same as the increase for rates in the city.

The city cannot provide the amount of pressure the Rural Water District requests.

Corrected 6-2-92 → There will be a \$3 fee for testing their lines.

Allen suggested the city check the pressure near Hickory Grove School. The city has approximately 42 pounds of pressure at the tower. Higher pressure causes the lines to rupture.

FARMERS MARKET:

The Community Development Committee recommends the farmers market be approved. Items to be sold shall be limited to produce, fruits and vegetables. No autos, crafts, animals, vehicles, farm machinery or rummage will be allowed. They recommend the city charge \$1. for a 10 X 12 space with this fee to be paid to the city clerk's office by 4:00 p.m. on Friday. The hours of the farmer's market will be from 7:00 a.m. to 4:00 p.m. on Saturdays, throughout the summer.

Moved by STANSBERRY, seconded by TIPTON to allow a Farmer's Market on a trial basis with the guidelines presented by the Community Development Committee to be followed.

AYES: GABRIELSON, BURKYBILE, ALLEN, TIPTON, STANSBERRY

NAYS: MEANS, SCOTT

Motion declared carried.

WOOD STREET SEWER:

Burkybile stated she had been in contact with Rick Bair of Mid Kansas Engineering. He stated the city is under budget enough on the sewer project to issue a change order and include sewer South on Wood Street to the Harper and Shoemaker residences. There would be five residences inside the city and one residence outside available for hookup. The cost would be approximately \$43,000. The council would need to approve issuing the change order to include this area.

Allen asked if the city would have a problem with other residents who do not have sewer.

Burkybile stated we would include as many as possible on the system if funds allows.

Moved by BURKYBILE, seconded by STANSBERRY to allow a change order on the sewer project and provide sewer down Wood Street as far as the Harper property subject to necessary easements.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE,
STANSBERRY

NAYS: ALLEN, TIPTON

Motion declared carried.

COMMUNITY ROOM:

Moved by STANSBERRY, seconded by GABRIELSON to charge a \$5 user fee for individuals using the community room with non-profit organizations being exempt.

AYES: GABRIELSON, MEANS, BURKYBILE, ALLEN, TIPTON,
STANSBERRY,

ABSTAIN: SCOTT

NAYS: NONE

Motion declared carried.

SR CITIZENS ROOF:

Moved by BURKYBILE, seconded by STANSBERRY to advertise for the repair of the Sr Citizens Building roof when the specs are received.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN,
TIPTON, STANSBERRY

NAYS: NONE

Motion declared carried.

SWIMMING POOL CHARGES:

Moved by GABRIELSON, seconded by MEANS to charge the same prices for swimming pool admissions and family passes as the 1991 season.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN,
TIPTON, STANSBERRY

NAYS: NONE

Motion declared carried.

GANDY PRESENTATION:

Moved by BURKYBILE, seconded by TIPTON to allow \$525 for the purchase of a watch for Rex Gandy for 35 years service with the presentation to be made Saturday night at Galena Days.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN,
TIPTON, STANSBERRY

NAYS: NONE

Motion declared carried.

APPROPRIATION ORD 92-5:

Moved by STANSBERRY, seconded by TIPTON to approve Appropriations Ordinance 92-5 in the amount of \$40,644.49.

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

NAYS: NONE

Motion declared carried.

APPROPRIATION ORD 92-5A:
(SEWER PROJECT)

Moved by BURKYBILE, seconded by MEANS to approve Appropriations Ordinance 92-5A in the amount of

\$146,010.24.

AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN,
TIPTON, STANSBERRY,

NAYS: NONE

Motion declared carried.

PAYROLL ORD 92-11:

Moved by STANSBERRY, seconded by MEANS to approve
Payroll Ordinance 92-11 in the amount of \$11,159.72
plus \$852.71 FICA and \$155.29 KPERS.

AYES: GABRIELSON, MEANS, SCOTT, ALLEN, TIPTON,
STANSBERRY

ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

PAYROLL ORD 92-11A:

Moved by STANSBERRY, seconded by TIPTON to approve
Payroll Ordinance 92-11A in the amount of
\$10,049.50 plus \$768.78 FICA and \$174.14 KPERS.

AYES: GABRIELSON, MEANS, SCOTT, ALLEN, TIPTON,
STANSBERRY

ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

ADJOURNMENT:

Moved by ALLEN, seconded by STANSBERRY to adjourn
the Regular Meeting of the Galena City Council.

AYES: GABRIELSON, MEANS, SCOTT, ALLEN, TIPTON,
STANSBERRY

ABSTAIN: BURKYBILE

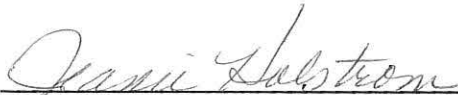
NAYS: none

Motion declared carried.



Roy Watkins, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

SEAL