

MINUTES OF  
REGULAR COUNCIL MEETING  
June 2, 1992

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, June 2, 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, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
ABSENT: HAYES

MINUTES:

Moved by BYRD, seconded by TIPTON to approve and place on file the minutes of the Regular Council Meeting of May 19, 1992 with the following correction:

Page 5, paragraph 2 should read: "There will be a \$3 fee per 1000 gallons to Rural Water District #8 for testing their lines and this will be a one time test.

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

Moved by BYRD, seconded by GOURLEY to approve and place on file the minutes of the special council meeting of May 28, 1992.

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

SR CITIZENS MINUTES:

Moved by BYRD, seconded by TIPTON to approve and place on file the minutes of the Sr Citizens Board meetings of March 5 and April 7.

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

TV SEWER LINE:

Moved by BURKYBILE, seconded by SCOTT to table the discussion of making a TV film of an additional 20,000 feet of sewer line until the city superintendent is present.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

HOSKINS WHISTLE:

The Street Committee met concerning the installation of a whistle in the ditch at the Hoskins residence at 12th & Princeton. The owner of the property wishes to purchase a whistle for the ditch and requested the city install it.

Moved by BYRD, seconded by BURKYBILE to allow the city crew to do the installation of the whistle at 12th & Princeton.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

PATROLMEN:

Chief Collins presented a proposal to grade the patrolmen according to time on the job. He requested there be 5 grades.

*Corrected To Read  
Police Committee  
Instead of Personnel  
Committee*

Moved by GOURLEY, seconded by MEANS to refer the recommendation to the Personnel Committee and then the Finance Committee.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, STANSBERRY, GOURLEY  
NAYS: TIPTON, ALLEN  
Motion declared carried.

PATROLMAN SEMINAR:

Moved by MEANS, seconded by SCOTT to allow up to 4 Patrolmen to attend a seminar at MSSC on abused children at a cost of \$50 per person.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

TEMPORARY EMPLOYEES:

The council discussed hiring a person to work as a temporary employee at the landfill.

Allen questioned the Mayor's authority to hire Neal Little for the position without

June 2, 1992

council approval. Mr Little began work on May 26.

Mayor Watkins stated the mechanic was not able to perform his duties because of the time spent opening the landfill for customers. The week he hired Mr. Little, Mr. Sills, the city superintendent was on vacation and the city needed the additional employee. He hired him on a temporary basis until the council meeting.

The council discussed the budget and the city's finances.

The Personnel Committee recommended Neal Little be hired as an operator at the landfill.

Moved by BURKYBILE, seconded by GOURLEY to hire Neal Little as temporary operator at the landfill with the position to be reviewed at the end of the summer, wages to be at minimum wage, and the operator or the superintendent to man the landfill and the city mechanic not to be used at the landfill.

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

POOL LIFEGUARDS:

Moved by GOURLEY, seconded by TIPTON to hire the following persons as lifeguards at the city swimming pool for the 1992 season: Kyle Vogel, Jeremy Henderson, Glen Newman, Doug Pitts, Chris Patterson, Matthew Phipps, Brian Taylor.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

SUMMER PARK EMPLOYEE:

The Personnel Committee recommends Shane Ellick be hired as temporary summer employee in the parks department.

Moved by GOURLEY, seconded by BYRD to hire Shane Ellick through August to work in the park.

Motion and second withdrawn.

June 2, 1992

The council discussed whether there were funds available to pay an employee for the summer and why this department was not provided with a summer JTPA employee. The Parks Committee is to contact the JTPA representative concerning this.

Moved by GABRIELSON, seconded by GOURLEY to hire Shane Ellick for the month of June for the parks department.  
AYES: GABRIELSON, MEANS, SCOTT, BYRD, TIPTON, GOURLEY  
NAYS: BURKYBILE, ALLEN, STANSBERRY  
Motion declared carried.

PATROLMEN:

Moved by GOURLEY, seconded by BYRD to hire Phillip Snow and David Newell as patrolmen, waiving the probationary wages with their starting wages to be \$1268.63 and to appoint Robert Turner as relief officer.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY  
NAYS: ALLEN  
Motion declared carried.

COMMEMORATIVE FLAG POLE:

Moved by BYRD, seconded by STANSBERRY to make application for a commemorative flag pole to be placed in Old Galena Cemetery.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

STORM SIREN GRANT:

Moved by BYRD, seconded by TIPTON to authorize the Mayor to sign the application for the Storm Siren Grant.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

LIBRARY BOARD:

Moved by GOURLEY, seconded by TIPTON to appoint Helen Hayes and Max Byrd to 4 year terms on the Library Board.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, ALLEN, TIPTON, STANSBERRY, GOURLEY  
ABSTAIN: BYRD  
NAYS: NONE  
Motion declared carried.

Moved by BYRD, seconded by

BURKYBILE to appoint John Davis and Norman DeGraff to 3 year terms on the Library Board.

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

Motion declared carried.

Moved by GOURLEY, seconded by BYRD to appoint Trudy Jenkins and Carolyn Watkins to 2 year terms on the Library Board.

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

Motion declared carried.

The council discussed the appointments for the 1 year term. Mr. Fred Wyatt has served approximately 8 years on the board. According to KSA 12-1223, persons who have been appointed to two 4 year terms shall not be eligible for further appointment until two years after the expiration of the second term.

Moved by BYRD, seconded by TIPTON to appoint Lester Adams to serve a 1 year term on the Library Board.

ROLL CALL VOTE:  
AYES: BURKYBILE, BYRD, TIPTON, STANSBERRY  
ABSTAIN: MEANS, SCOTT, GOURLEY

NAYS: GABRIELSON, ALLEN  
Motion declared carried.

Moved by BYRD, seconded by GOURLEY to present the retiring Library Board Members with a plaque.

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

Motion declared carried.

Moved by BURKYBILE, seconded by GOURLEY to appoint Lloyd Kitch, Sr. as an alternate to the Library Board.

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

Motion declared carried.

MUNICIPAL JUDGE:

The Personnel Committee presented the resignation of Kevin Cure as Municipal Judge.

June 2, 1992

He resigned due to the attorney general's opinion on the conflict of interest in his serving as Municipal Judge and campaigning for the office of County Attorney.

Moved by GOURLEY, seconded by TIPTON to accept the resignation of Kevin Cure as Municipal Judge.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

Moved by GOURLEY, seconded by BYRD to appoint Haskell Carter as Municipal Judge.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY  
NAYS: ALLEN  
Motion declared carried.

Allen stated that the city had passed a charter ordinance which requires the Municipal Judge to be a resident of the City. Mr. Carter is not a resident.

The council discussed whether the charter ordinance applied to the position of Municipal Judge. The City Attorney stated this position would not qualify under the section exempting positions which requires special training and licensing by the state.

Moved by TIPTON to appoint Tom Wade as Municipal Judge.

The council discussed whether there would be a conflict of interest since Mr. Wade's brother is a police officer for the city.

Motion withdrawn.

Moved by ALLEN, seconded by BYRD to readvertise for the position of Municipal Judge for one week, specifying that the applicants must be residents of the city and that applications must be returned to the city clerk's office by 5:00 p.m. Friday, June 12.  
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY  
ABSTAIN: GOURLEY  
NAYS: NONE

June 2, 1992

Motion declared carried.

SEWER PROJECT:

The sewer committee met with Rick Bair for the monthly report on the sewer project. Mr. Bair suggested the city install the sewer line down 23rd Street instead of across the Bankson property.

Mr. Bair also stated the city needs to police the capping of sewer drains when a house burns or is taken down. He suggested the city approve an ordinance making this binding. This cap should be checked by a city employee.

Mr. Bair stated there are no major problems with the project to date. In reply to the question of whether the property throughout the city will be repaired before the contractors leave the city, he stated that 10% reserve is maintained and all property must be returned to the condition it was in prior to the project before this final payment is made. He stated the city was videoed prior to the start of the project and this can be used to compare the condition upon completion.

1103 WOOD:

The debris from the structure which was torn down at 1103 Wood has not been cleaned up. the City Superintendent is to clean the property and the city clerk is to bill the property owners.

SEWER PROJECT EST. #3:

Moved by STANSBERRY, seconded by ALLEN to approve the Contractor's Estimate #3 for payment for sewer construction in the amount of \$283,713.96.

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

NAYS: NONE

Motion declared carried.

FINANCE COMMITTEE REPORT:

The finance committee met and reviewed the proposals received for group health insurance. There are a few other companies whose proposals have not been received. Means has prepared a form for the departments to complete for the 1993 budget. The committee will meet on Tuesday, June 9 at 7:00 p.m.

June 2, 1992

WATER COMMITTEE:

to review these forms.

Superintendent Sills has quotes on two pumps from Larson. No action to be taken until more quotes are received.

SWIMMING POOL:

The swimming pool is ready to open as soon as weather permits.

CARTER DITCH:

The ditch through Carter's Trailer Park has not been cleaned completely. The Parks and Housing Committee will discuss this with the City Superintendent.

PARADE:

Main Street needs to be cleaned for the parade Saturday.

WHISTLE NEAR THE HOUSING:

Collins asked about the water standing at the whistle near the Local Housing Complex. He stated this water is rather deep and could be a problem if a small child got into it.

ORDINANCE 92-4:

City Attorney explained the Board of Tax Appeals did not approve Ordinance 92-2 exempting Williams Machine from Ad Valorem Taxes. Ordinance 92-4 was presented for the Council's review and passage.

Moved by BURKYBILE, seconded by STANSBERRY to approve Ordinance 92-4 allowing Williams Machine a tax exemption.

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

Motion declared carried.

MOBILE HOME PARKS:

The council discussed the ordinances concerning Mobile Home Parks. City Attorney Barrett stated the ordinances did not conflict. If one ordinance was more restrictive than another, the city would enforce the more restrictive of the two.

MEANS LEFT AT 8:56 P.M.,  
RETURNED AT 8:58 P.M.

The council discussed means of enforcing compliance with the ordinances and whether all portions of the ordinance could be enforced at once.



June 2, 1992

Moved by BURKYBILE, seconded by GABRIELSON to provide owners of the Mobile Home Parks with copies of the Ordinance and require that they obtain their 1992 permit and allow them 90 days to install storm shelters in compliance with the ordinance or be subject to the penalty in section 5-516 of the city code.

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

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 92-12: Moved by STANSBERRY, seconded by GOURLEY to approve Payroll Ordinance 92-12 in the amount of \$10,529.47 plus \$805.49 FICA and \$140.27 KPERS.

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

ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 92-12A: Moved by BYRD, seconded by TIPTON to approve Payroll Ordinance 92-12A in the amount of \$9,432.89 plus \$721.61 FICA and \$134.49 KPERS.

AYES: GABRIELSON, MEANS, SCOTT, BYRD, TIPTON, STANSBERRY, GOURLEY

ABSTAIN: BURKYBILE, ALLEN

NAYS: NONE

Motion declared carried.

ADJOURNMENT:

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

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

NAYS: NONE

Motion declared carried.

  
Roy Watkins, Mayor

ATTEST:

  
Jeanie Holstrom, City Clerk

(SEAL)