

MINUTES OF COUNCIL MEETING JUNE 5, 1979

THE GOVERNING BODY OF THE CITY OF GALENA, MET IN REGULAR SESSION, TUESDAY, JUNE 5, WITH MAYOR L. G. WILLIAMS PRESIDING.

COUNCIL MEMBERS PRESENT WERE SMITH, CURE, FAULKNER, PIERCEFIELD, HAYES, KELLEY, HOPKINS, DAVIES AND HALL. COUNCILMAN BAILEY WAS NOT PRESENT.

MINUTES OF THE MAY 15 REGULAR SESSION, WERE TRANSCRIBED BY MAYOR WILLIAMS AND CLERK VANDERPOOL, FROM NOTES TAKEN BY FORMER CITY CLERK SCOTT. COPIES OF SAME WERE ISSUED TO EACH MEMBER OF THE COUNCIL.

COUNCILMAN PIERCEFIELD MOVED THAT THE MINUTES BE APPROVED. SMITH SECONDED. MOTION CARRIED, WITH ONE ABSTENTION. (HOPKINS)

THOMAS SCHROEDER OF REDWOOD DEVELOPMENT AREA, QUESTIONED THE COUNCIL CONCERNING INSTALLATION OF A SEWER LINE ON 23rd STREET, BETWEEN WASHINGTON AND WOOD STREETS. HE MENTIONED IMPROVEMENTS NEEDED IN STREET CONDITIONS IN THIS AREA, AND ASKED IF THE SEWER LINE WAS TO BE INSTALLED. SHROEDER QUOTED FROM TWO LETTERS, ONE FROM MARY ANN LITTLE, ON AUGUST 24, 1977 AND ONE FROM GEORGE HERRELSON, JR., ON SEPTEMBER 6, 1977, WHICH AFFIRMED THAT THE SEWER LINE WOULD BE INSTALLED.

WILLIAMS STATED THAT THE KANSAS STATE STATUTES FORBID THE CITY FROM RUNNING NEW LATERALS. WILLIAMS CALLED FOR A MEETING OF STREET DEPARTMENT COMMITTEE, AND CITY ATTORNEY FAYETTE ROWE, CONCERNING THIS ISSUE.

WILLIAMS BROUGHT TO THE ATTENTION OF THE COUNCIL, A REQUEST BY THE ASSEMBLY OF GOD CHURCH FOR THE OPENING OF EIGHTH STREET EAST FROM KELLER AVENUE, TO THE NEW CHURCH PROPERTY, AND THE EXTENSION OF SEWER SERVICES TO ACCOMMODATE SAME. HOWARD JARVIS, PUBLIC WORKS DIRECTOR, STATED THE SEWER WOULD NOT BE POSSIBLE WITHOUT A LIFT STATION. IF THE CHURCH WISHED TO PAY FOR THE LIFT STATION, THE CITY WOULD INSTALL IT. JARVIS ALSO STATED THE CHURCH WOULD NEED TO PURCHASE PRIVATE PROPERTY BEFORE THE STREET COULD BE OPENED.

WILLIAMS SUGGESTED THAT JARVIS MEET WITH CHURCH OFFICIALS, TO DISCUSS THE SITUATION AND WORK OUT A POSSIBLE SOLUTION.

COUNCILMAN PIERCEFIELD, MOVED THAT THE WATER DEPARTMENT BE ALLOWED TO PURCHASE A NEW PRESSURE PLATE, FOR THE WATER DEPARTMENT. SMITH SECONDED. MOTION CARRIED.

ON MOTION BY DAVIES, SECONDED BY HOPKINS, THE COUNCIL APPROVED THE PURCHASE OF A BOAT MOTOR FROM HUFF, AT A COST OF \$140.00.

COUNCILMAN SMITH MADE MOTION TO PURCHASE 50 # OF WEED KILLER AT \$2.40 PER POUND. DAVIES SECONDED THE MOTION, MOTION CARRIED.

COUNCILMAN CURE MOVED TO PURCHASE TEN NEW 2 YARD TRASH CONTAINERS, AT \$220.00 EACH, FOR THE SANITATION DEPARTMENT. HAYES SECONDED. MOTION CARRIED.

CURE BROUGHT TO THE ATTENTION OF THE COUNCIL, THE NEED FOR A PRESSURIZED CLEANER FOR THE TRASH TRUCK. NO ACTION WAS TAKEN ON THIS MATTER.

COUNCILMAN DAVIES MOVED TO ISSUE ONE WEEK'S VACATION PAY IN LIEU OF TIME OFF, TO ROBERT BROWN, REX GANDY, AND GARRY ABRAM. HOPKINS SECONDED THE MOTION. MOTION CARRIED.

PIERCEFIELD MADE MOTION TO GRANT ONE WEEKS VACATION TO DARRELL SHOEMAKER, BEGINNING JUNE 18th. KELLY SECONDED. MOTION CARRIED.

COUNCILMAN KELLEY BROUGHT TO THE ATTENTION OF THE COUNCIL, A REQUEST FOR PAY INCREASE FOR DARRELL SHOEMAKER, FROM \$3.48 PER HOUR, TO \$4.00 PER HOUR. ON MOTION BY PIERCEFIELD, SECONDED BY HOPKINS, THE REQUEST WAS TABLED.

MAYOR WILLIAMS REQUESTED CLARIFICATION OF PAY SCHEDULE FOR GEORGE LEWIS. COUNCILMAN SMITH MOVED THE PARKS COMMITTEE, HOWARD JARVIS, AND LEWIS MEET TO DISCUSS SATISFACTORY SALARY AMOUNT. MOTION WAS SECONDED BY KELLEY. MOTION CARRIED.

KELLEY ASKED THE APPROVAL OF THE COUNCIL FOR THE CUB SCOUTS TO USE THE SWIMMING POOL, FROM 10 to 11 A.M., AUGUST 18 AND AUGUST 25, FREE OF CHARGE. PIERCEFIELD MOVED TO GRANT FREE USE OF THE POOL AS REQUESTED. DAVIES SECONDED TO MOTION. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN HALL, SECONDED BY HOPKINS, TO ISSUE FREE SWIMMING POOL TICKETS TO CITY EMPLOYEES FOR USE BY THEIR IMMEDIATE FAMILIES. MOTION CARRIED.

MR. HARTLEY, OF HARTLEY INSURANCE, DISCUSSED THE CITY'S INSURANCE COVERAGE. HARTLEY AGENCY COVERS AUTOMOBILE, FIRE AND GENERAL LIABILITY. HARDWICK AGENCY COVERS EQUIPMENT, AND WORKERS COMPENSATION. ALL COUNCIL MEMBERS AND EMPLOYEES HAVE LIABILITY COVERAGE. THE CITY HAS A BLANKET POLICY ON OPERATIONS. MR. HARTLEY INFORMED THE COUNCIL THAT THE CITY WAS A LITTLE UNDERINSURED ON PARKS AND PUMP.

COUNCILMAN PIERCEFIELD ASKED IF THE PUMP WAS INSURED AGAINST STORM DAMAGE. HARTLEY REPLIED THAT IT WAS.

CITY ATTORNEY ROWE REQUESTED HARTLEY TO GIVE THE CITY A BREAKDOWN OF COVERAGE AND WHAT IS NOT COVERED. HARTLEY STATED THAT THERE WAS NO COVERAGE FOR POLICE OFFICERS LIABILITY.

ATTORNEY ROWE NOTED THAT ANY CLAIMS AGAINST THE CITY OR ITS EMPLOYEES, SHOULD BE MADE KNOWN TO HIM IMMEDIATELY, AND ROWE WOULD NOTIFY HARTLEY. NOTICE TO ROWE AND HARTLEY OF ANY SUMMONS RECEIVED SHOULD BE MADE WITHIN TWENTY (20) DAYS.

ATTORNEY ROWE STATED THAT AFTER JULY 1, KANSAS TORT CLAIMS MAKE CITIES LIABLE FOR EMPLOYEES, JUST AS CITY WOULD HAVE BEEN LIABLE IF IT HAD BEEN A PRIVATE CITIZEN. THERE IS A COVERAGE OF UP TO \$500,000.00 FOR ANY ONE COVERAGE.

HARTLY SUGGESTED A CHANGE ON BOTH AUTOMOBILE AND GENERAL LIABILITY COVERAGE UP TO \$500,000.00.

HARTLEY SUGGESTED ALL EMPLOYEES AND OFFICIALS SHOULD BE NOTIFIED THAT IF A SUMMONS IS SERVED, THE CITY CLERK SHOULD BE NOTIFIED IMMEDIATELY. THE CITY CAN DEFEND THE EMPLOYEES IF HE SO REQUESTS. HARTLEY ALSO SUGGESTED THAT THE STATUTE OF LIMITATIONS ON CLAIMS AGAINST THE CITY BE EXTENDED TO TWO YEARS.

ATTORNEY ROWE, INFORMED THE COUNCIL THAT THERE COULD BE CLAIMS OF LIABILITY AGAINST THE CITY IN THE CASE OF CASTLEBERRY VERSUS SWANSON. DUE TO THE ILLNESS OF FORMER CITY ATTORNEY HERRELSON, A CONTINUANCE HAS BEEN GRANTED IN THIS CASE.

AN INVITATION WAS EXTENDED TO HARTLEY TO APPEAR AT THE NEXT COUNCIL MEETING FOR FURTHER DISCUSSION OF THE CITY'S INSURANCE.

MAYOR WILLIAMS VOICED HIS PERSONAL CONCERN FOR THE SAFTY OF CHILDREN AND ANIMALS IN THE CITY, DUE TO OPEN MINE SHAFTS. WILLIAMS REQUESTED THE COUCIL TO CONSIDER HAVING THE SHAFTS FILLED, FENCED OR COVERED.

DISCUSSION BETWEEN PIERCEFIELD AND ROWE CENTERED ON THE POSSIBILITY OF FEDERAL FUNDING OR COUNTY AID IN FILLING THE SHAFTS.

COUNCILMAN HALL ASKED IF THE CITY CURRENTLY OWNED ANY PROPERTY, ON WHICH WERE OPEN SHAFTS. JARVIS REPLIED THAT THERE WAS ONE, WHICH HE WAS IN THE PROCESS OF FILLING.

COUNCILMAN SMITH MADE MOTION TO HAVE CITY ATTORNEY ROWE DRAW UP AN

ORDINANCE TO HAVE MINE SHAFTS SEALED OR FILLED. PIERCEFIELD SECONDED. MOTION CARRIED WITH ONE NAY AND ONE ABSTENTION. (DAVIES , HOPKINS)

MAYOR WILLIAMS ASKED COUNCIL TO DECIDE ON ACTION TO BE TAKEN CONCERNING A BAIL BOND WHICH HAD BEEN FORFEITED, AND WHICH HAD NOT BEEN PAID BY THE BONDSMAN. PIERCEFIELD MADE A MOTION THAT THE CITY ATTORNEY BRING SUIT AGAINST BONDSMAN FOR BOND. HALL SECONDED THE MOTION. MOTION CARRIED.

COMMUNITY DEVELOPMENT DIRECTOR RANDALL ASKED PERMISSION TO SUBMIT TO THE PUBLIC, NOTICE AS TO WHEN BIDS WERE OPENED, GIVING THREE OR FOUR DAYS NOTICE. THIS WOULD ALLOW THE PUBLIC TO MEET WITH CONTRACTORS, C.D. STAFF, AND C.D. COMMITTEE, BEFORE THE COUNCIL MEETING.

PIERCEFIELD MOVED TO PERMIT PUBLIC OPENING OF SEALED BIDS BEFORE COUNCIL MEETING. KELLEY SECONDED MOTION, MOTION CARRIED.

SUBMITTED TO THE COUNCIL WERE THREE BIDS FOR APPROVAL; CHEROKEE CONSTRUCTION, DAVE WITT, AND J. R. SMITH. DAVIES MOVED TO ACCEPT THE BIDS, HOPKINS SECONDED. MOTION CARRIED.

RANDALL BROUGHT TO THE ATTENTION OF THE COUNCIL COMPLAINTS AGAINST WORK DONE BY HUD CONTRACTOR, DON MARTIN, AT 1101 CHICAGO, REQUESTING WHAT ACTION SHOULD BE TAKEN IN THIS MATTER. A MOVE TO TABLE THIS MATTER WAS MADE BY PIERCEFIELD, SECONDED BY CURE. MOTION CARRIED.

COUNCIL MEMBER FAULKNER MADE A MOTION THAT GARY WILSON BE ALLOWED TO DO THE WORK NECESSARY ON THE YOUNGBLOOD PROPERTY. SMITH SECONDED. MOTION CARRIED, WITH TWO NAYS, AND TWO ABSTENTIONS. (KELLEY, DAVIES-

WILLIAMS ASKED COUNCIL APPROVAL OF CLEAN UP FEES FOR CLEANING UP PROPERTY COVERED BY NUISANCE ORDINANCES. WORKS DIRECTOR JARVIS SUGGESTED A MINIMUM FEE OF \$25.00 OR \$10.00 PER MACHINE AN HOUR, AND \$5.00 PER MAN HOUR LABOR. FEES WOULD BE COLLECTED THROUGH TAXATION. PIERCEFIELD MOVED TO HAVE AN ORDINANCE DRAWN TO THIS EFFECT. CURE SECONDED. MOTION CARRIED.

DISCUSSION WAS MADE AMONG COUNCIL MEMBERS CONCERNING THE WATER DEPARTMENT BUDGET. IT WAS STATED THAT \$3,300.00 HAD BEEN LOST ON WATER BILLS, OWED BY PEOPLE WHO HAVE LEFT TOWN. THE POSSIBILITY OF MAKING LAND LORDS LIABLE FOR UTILITIES ON RENTAL PROPERTY WAS DISCUSSED, AS WELL AS AN INCREASE ON WATER DEPOSITS. PIERCEFIELD MOVED TO TABLE THE ISSUE. HAYES SECONDED. MOTION CARRIED.

MAYOR SUGGESTED RAISING THE PAY OF CITY INSPECTOR GAREY WILSON FROM \$50.00 PER INSPECTION TO \$300.00 PER MONTH, TO BE PAID FROM COMMUNITY DEVELOPMENT FUNDS. FAULKNER MOVED TO PAY WILSON \$300.00 PER MONTH. DAVIES SECONDED. MOTION CARRIED

WILLIAMS PRESENTED THE APPLICATION OF SANDRA MAY FRANCISCO OF COFFEYVILLE AS CLERK TYPIST, TO WORK ONE HALF TIME IN CD OFFICE AND ONE HALF TIME IN THE CITY CLERK'S OFFICE. PIERCEFIELD MOVED TO ACCEPT APPLICATION, FAULKNER SECONDED. MOTION CARRIED WITH ONE ABSTENTION AND ONE NAY. (HOPKINS AND DAVIES)

THE MAYOR PRESENTED THE NAME OF IDELLA VANDERPOOL FOR CITY CLERK. DAVIES MOVED THE APPLICATION BE ACCEPTED. CURE SECONDED. MOTION CARRIED, WITH ONE ABSTENTION. (HALL)

WILLIAMS PRESENTED THE NAME OF CHERYL HAINES TO ASSIST IN THE CITY CLERK'S OFFICE. DAVIES MOVED MRS. HAINES BE ACCEPTED. HALL SECONDED. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN HALL TO PAY FORMER CITY CLERK JUANITA SCOTT, TWO WEEKS VACATION PAY. HOPKINS SECONDED. MOTION CARRIED, 6 to 4.

MOTION WAS MADE BY HALL TO APPROVE APPROPRIATION AND PAYROLL ORDINANCES, WITH THE ADDITION OF VACATION PAY TO SCOTT. SMITH SECONDED THE MOTION. MOTION CARRIED, WITH ONE ABSTENTION. (DAVIES) #79-13

APPLICATIONS FOR THE POLICE DEPARTMENT WERE PRESENTED BY WILLIAMS.

PIERCEFIELD MOVED THE ACCEPTANCE OF SCOTT SHAW FOR PATROLMAN. DAVIES SECONDED. MOTION CARRIED.

DAVIES MOVED THE ACCEPTANCE OF LARRY HARGIS AS PATROLMAN. HAYS SECONDED. MOTION CARRIED, WITH ONE NAY (CURE) AND ONE ABSTENTION (HOPKINS).

THE NAME OF STEVE DUNCAN WAS SUBMITTED AS PATROLMAN. DAVIES MOVED THE ACCEPTANCE OF DUNCAN. HOPKINS SECONDED. MOTION WAS OPPOSED.

THE NAME OF JOHN INGRAM WAS SUBMITTED AS PATROLMAN. PIERCEFIELD MOVED INGRAM BE ACCEPTED. FAULKNER SECONDED. MOTION CARRIED, 6 TO 3.

THE NAME OF RON POWERS WAS SUBMITTED FOR PATROLMAN. SMITH MOVED THE ACCEPTANCE OF POWERS. PIERCEFIELD SECONDED. MOTION CARRIED WITH ONE NAY.

THE NAME OF RUSSELL SANDERS WAS SUBMITTED FOR STOCK MARSHALL. PIERCEFIELD MOVED SANDERS BE ACCEPTED. DAVIES SECONDED. MOTION CARRIED.


WILLIAMS PRESENTED APPLICATIONS OF AUXILIARY OR RESERVE OFFICERS:

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|-----------------|---------------|
| DAYTON EVANS    | BILL MORRIS   |
| ROBERT TURNER   | ROBERT THOMAS |
| CHARLES HAMPSON | PAUL DUNCAN   |
| CHARLES SLIGER  | JERRY PETERS  |

SMITH MOVED TO ACCEPT ABOVE APPLICATIONS. FAULKNER SECONDED. MOTION CARRIED WITH ONE ABSTENTION AND ONE NAY.

PIERCEFIELD MOVED TO APPOINT SAM RICE AS OFFICIAL RADIO MONITOR FOR THE POLICE DEPARTMENT, AS AN AUXILIARY OFFICER. FAULKNER SECONDED. MOTION CARRIED, WITH TWO NAYS.

ON MOTION BY PIERCEFIELD, SECONDED BY SMITH, THE COUNCIL ADJOURNED.

  
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 L. G. WILLIAMS, MAYOR

  
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 IDELLA VANDERPOOL, CITY CLERK

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