

MINUTES OF
REGULAR COUNCIL MEETING
JUNE 15, 1993

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, June 15, 1993 at 7:00 p.m. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present:
GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
ABSENT: HARPER

MINUTES:

Moved by GABRIELSON, seconded by ALLEN to approve and place on file the minutes of the Regular Council Meeting of June 1, 1993.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

SR. CITIZENS BOARD:

Moved by BYRD, seconded by GABRIELSON to place on file the minutes of the Sr Citizens Board meeting of May 6, 1993.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

PLANNING & ZONING:

Moved by GABRIELSON, seconded by ADAMS to place on file the minutes of the Planning & Zoning Commission Meeting of May 4, 1993.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

VOLUNTEER FIRE DEPT:

Moved by BYRD, seconded by ADAMS to place on file the minutes of the Volunteer Fire Department meeting of May 13, 1993.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

Moved by BYRD, seconded by ALLEN to place on file the minutes of the Volunteer Fire Department meeting of May 27, 1993.

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AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

HAZARDOUS WASTE LANDFILL: Dr. Mark Osborn of Miami, Oklahoma met with the council concerning the application by the Eastern Shawnee Indians for a hazardous waste landfill 10 miles North of Miami. Waste from all 50 states will be brought to this landfill. He said there will be 700,000,000 tons of nuclear waste on 700 acres in Northern Ottawa County. This would also directly south of the City. He requested the council approve a resolution opposing this.

RESOLUTION 93-11: Moved by BURKYBILE, seconded by HAYES to approve Resolution 93-11 opposing the pursuit of any stage IIA grants for the study of a Monitored Retrievable Storage (MRS) facility in our area and unequivocally oppose the storage of nuclear waste in the Four State region.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

SOFTBALL FIELD LIGHTS: Susan Best requested the City pay half the cost of moving the light poles at the Girls Softball Field. The total cost is \$258 and the softball association will pay half the cost.

Moved by GABRIELSON, seconded by SCOTT to allow the payment of \$128 toward moving the lights at the Girls Softball Field.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

CITY BEAUTIFICATION: Council members were provided a copy of the proposal for a grant in the amount of \$1000 from the Bess Spiva Timmons Foundation for funds for the City Beautification Project.

Moved by BURKYBILE, seconded by BYRD to approve applying for a \$1000 grant from the Bess Spiva Timmons Foundation for the City Beautification Project.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

STORM SIRENS: Chief Wade asked that the City

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publish weekly that the storm sirens will be tested the 1st Monday of each month at 10 a.m., weather permitting, during storm season.

Moved by BYRD, seconded by ADAMS to publish weekly that the storm sirens will be tested the 1st Monday of each month at 10 a.m., weather permitting, during storm season.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE

SUPERFUND SITE:

Work has begun on the remediation at the Superfund Site. Midwest Environmental Services has the contract and have their trailers set up just west of the Girls Softball Field.

Chief Wade informed the council that off duty police officers and reserves are providing security for the contractor and are being paid by the contractor.

MIDWESTERN ENVIRONMENTAL:

Superintendent Sills informed the council that Midwest Environmental had employees in the city on Monday after Galena Days and they were not ready to start the remediation project. Midwest used these employees to help the city clean up the debris from the celebration at no cost to the city.

CDBG WATER GRANT:

Mayor Oglesby announced the city was awarded a Community Development Block Grant in the amount of \$302,822, with the city providing \$30,000 in cash and \$263,750 in kind services for a total project of \$596,572.

LOCAL HOUSING REPORT:

Council members were provided a copy of the annual report from Local Housing in their packets.

Moved by GABRIELSON, seconded by ALLEN to place the annual Local Housing Report on file.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

EPA PUBLIC MEETING:

Mayor Oglesby reported there will be an EPA public meeting on Thursday, June 17 at 7:00 in the Sr Citizens Building concerning the remediation project.

MIDWEST ENV AGREEMENT:

Copies of the agreement between Midwest Environmental Services, contractor for the remediation work,

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and the city were provided to the council members.

Scott asked about the damage to the streets from the hauling of heavy loads.

The contract between the Corps of Engineers and Midwest provides for the streets to be returned in a condition no worse than when the work started.

Moved by ALLEN, seconded by BURKYBILE to approve the Mayor entering into an agreement between the city and Midwest Environmental Services.

AYES: GABRIELSON, HAYES, BURKYBILE, BYRD, ALLEN, ADAMS, WARD

NAYS: SCOTT

Motion declared carried.

JOSEPH PROPERTY:

Mayor Oglesby informed the council that Mr Joseph has already entered into an agreement with Fred Pickett on the purchase of the property just East of City Hall. It will not be available for the library.

The owner has made a counter proposal on the easement on this property. He will accept \$500 plus the city is to provide the baserock for the lot. The sewer project contractor has agreed to spread it.

Moved by BURKYBILE, seconded by WARD to go into executive session.

MOTION AND SECOND WITHDRAWN.

City Attorney, Gene Barrett, informed the council that the city does not have a written easement on the sewer line on that property. However, we do have an easement by prescription.

The council discussed the cost of the baserock and the easement. If the city agrees to this proposal, we can control the cost. We do not know what the cost will be if it goes to court.

Moved by GABRIELSON, seconded by BURKYBILE to offer \$500 for the easement and the owner purchase the base rock, or the city purchase the base rock and the city does not pay for the easement.

AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD

NAYS: NONE

Motion declared carried.

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SHOAL CREEK BRIDGE:

Council members were provided a copy of proposed Resolution 93-12 concerning the replacement of the bridge over Shoal Creek by the Department of Transportation.

Moved by ALLEN, seconded by GABRIELSON to approve Resolution 93-12 relating to state and federal aid for the improvement of city Connecting Links on the State Highway System.

AYES: GABRIELSON, HAYES, SCOTT
BURKYBILE, BYRD, ALLEN, ADAMS, WARD

NAYS: NONE
Motion declared carried.

GROUP HEALTH INSURANCE:

The Finance Committee reviewed the proposals received on Group Health Insurance. The committee felt that they should seek assistance from someone with expertise in the insurance field to review the proposals and make a recommendation to the committee. Hartley Insurance Agency did not submit a proposal for the Health Insurance so they were contacted and asked to provide the consulting services. Hartley's provided this service and recommended the city retain the group health insurance with Blue Cross Blue Shield. The city would receive the best coverage for the money with their policy.

Moved by BYRD, seconded by GABRIELSON to accept the proposal from Blue Cross Blue Shield for group health insurance which includes Kansas Group Life for the life insurance portion.

AYES: GABRIELSON, HAYES, SCOTT,
BYRD, ADAMS, WARD

NAYS: ALLEN
NOT VOTING: BURKYBILE
Motion declared carried.

CITY PURCHASES:

The Finance Committee met concerning the purchase practice of the City. They recommend the city follow Section 1-303 of the City Code and still allow charge account at the local businesses with the Finance Committee reviewing purchase orders on a weekly basis.

Moved by BYRD, seconded by HAYES to accept the recommendation of the Finance Committee concerning purchases.

AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, SCOTT

NAYS: NONE
Motion declared carried.

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SEASONAL EMPLOYEE: The Finance Committee at their meeting on June 9 discussed the seasonal employee attending National Guard Camp and whether the city should pay this employee while they are gone. The personnel policy does not allow for payment and the committee does not recommend he be paid.

ADOPT A PET REPORT: Moved by BURKYBILE, seconded by GABRIELSON to place on file the Adopt a Pet Report showing that 49 dogs have been adopted out since February 23, 1993.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

W J Poelma asked about the animal control ordinance. He said the stock marshall has picked up dogs at his house and they had returned. The police department will check out the ordinance on animal control.

SWIMMING POOL REPORT: Moved by GABRIELSON, seconded by BYRD to place the Swimming Pool Report on file.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

PARK TABLES & GRILLS: The Park Committee met on June 11 and discussed purchasing 5 new grills at \$57.60 each and two 12 foot picnic tables at a cost of \$524.80 for the parks.

Moved by GABRIELSON, seconded by WARD to purchase 5 grills and 2 picnic tables for the parks at a total cost of \$982.80 to be paid out of Special Parks fund.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, SCOTT
NAYS: NONE
Motion declared carried.

PAINT FOR THE PARKS: Moved by GABRIELSON, seconded by HAYES to purchase paint for the park tables and bathrooms at a cost not to exceed \$400.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

SALE OF PARK TRUCK: Moved by GABRIELSON, seconded by BURKYBILE to advertise and sell the old park truck and apply the proceeds towards the lease on the new truck

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AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, SCOTT
NAYS: NONE
Motion declared carried.

POLICE DEPT REPORT:

Chief Wade reported the Police Department has received a new Intoxilizer 5000 at no cost to the city. This was received through the state. All of the department have been certified on the equipment except 2.

Chief Wade reported the department has obtained an inkless finger print machine at no cost to the city. The funds were obtained through the calendar sales. He plans to use this to fingerprint the kindergarten and primary grades.

LIBRARY BOARD:

Moved by SCOTT, seconded by BYRD to appoint Lester Adams to another term on the Library Board.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, WARD
NAYS: NONE
NOT VOTING: ADAMS
Motion declared carried.

SEASONAL PARK EMPLOYEE:

Moved by SCOTT, seconded by GABRIELSON to hire Steven Craig Livingston as seasonal park employee.
AYES: GABRIELSON, HAYES, SCOTT,
BYRD, ALLEN, WARD
NAYS: ADAMS
NOT VOTING: BURKYBILE

LIFEGUARDS:

Moved by ADAMS, seconded by GABRIELSON to hire Christina Dines and Ressie Deaton as lifeguards.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

EXECUTIVE SESSION:

Moved by BURKYBILE, seconded by WARD to go into Executive Session for 30 minutes to discuss personnel.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

LEFT AT 8:26 P.M. RETURNED AT 8:53 P.M.

ROLL CALL:

Roll call after the Executive Session indicated the following council members present:
GABRIELSON, HAYES, SCOTT, BURKYBILE,
BYRD, ALLEN, ADAMS, WARD
ABSENT: HARPER

APPROPRIATIONS ORD 93-6:

Moved by HAYES, seconded by

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GABRIELSON to approve Appropriations Ordinance 93-6 in the amount of \$59,561.91.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

APPROPRIATIONS ORD 93-6A: Moved by BURKYBILE, seconded by GABRIELSON to approve Appropriations Ordinance 93-6A, Sewer Project, in the amount of \$145,214.43.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

APPROPRIATIONS ORD 93-6B: Moved by GABRIELSON, seconded by BURKYBILE to approve Appropriations Ordinance 93-6B in the amount of \$19.11.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

LIBRARY: The Library Board has had an offer on a building provided the city will remove the underground tanks for them.

Moved by BURKYBILE, seconded by BYRD to advertise for proposals on the removal of underground storage tanks.
AYES: GABRIELSON, HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-21: Moved by BYRD, seconded by HAYES to approve Appropriations Ordinance 93-21 in the amount of \$10,738.09 plus \$821.46 FICA and \$133.35 KPERS.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-21A: Moved by HAYES, seconded by BYRD to approve Payroll Ordinance 93-21A in the amount of \$302.80 plus \$23.16 FICA and \$5.75 KPERS.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, ADAMS, WARD
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-21B: Moved by BYRD, seconded by GABRIELSON to approve Payroll Ordinance 93-21B in the amount of \$302.80 plus \$23.16 FICA and \$5.75 KPERS.

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AYES: GABRIELSON, HAYES, SCOTT,
BYRD, ALLEN, ADAMS, WARD
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-21C:

Moved by GABRIELSON, seconded by
HAYES to approve Payroll Ordinance
93-21C in the amount of \$46.72 plus
\$3.57 FICA and \$.89 KPERs
AYES: GABRIELSON, HAYES, SCOTT,
BYRD, ALLEN, ADAMS, WARD
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-22:

Moved by BYRD, seconded by
GABRIELSON, HAYES, SCOTT, BYRD,
ALLEN, ADAMS, WARD
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

EXECUTIVE SESSION:

Moved by BURKYBILE, seconded by BYRD
to enter into Executive Session for
20 minutes to discuss personnel with
Chief Wade to stay.
AYES: GABRIELSON, HAYES, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

LEFT AT 9:11 P.M. RETURNED AT 9:26
P.M..

ROLL CALL:

Roll call after Executive Session
indicated the following council
members present: GABRIELSON, HAYES,
SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD
ABSENT: HARPER

SPEED LIMIT ORDINANCE:

The council discussed the speed
limits set under Ordinance No. 93-7.
Some council members had received
complaints that the speed limit was
too high. Mayor Oglesby informed
the council he had talked to KDOT
concerning this and KDOT had
surveyed the speed of traffic. The
average speed in front of Halls on
East 7th Street was 38.9 mph.

Moved by ALLEN, seconded by SCOTT to
request KDOT leave speed limits as
they were prior to passing ordinance
93-7.
AYES: GABRIELSON, SCOTT, ALLEN
NAYS: ADAMS, BYRD, WARD, HAYES,
BURKYBILE
Motion failed.

ADJOURNMENT:

Moved by GABRIELSON, seconded by
BYRD to adjourn the Regular Meeting
of the Galena City Council.
AYES: GABRIELSON, HAYES, SCOTT,

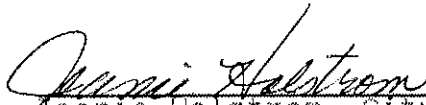
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BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.



Dale Oglesby Mayor

ATTEST:



Jeanie Holstrom, City Clerk
(SEAL)