

MINUTES OF
REGULAR COUNCIL MEETING
JUNE 16, 1992

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, June 16, 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, TIPTON, STANSBERRY, GOURLEY
ABSENT: HAYES, ALLEN

MINUTES: Page 2, PATROLMEN, PARAGRAPH 2 CORRECTED TO READ AS FOLLOWS:

Moved by GOURLEY, seconded by MEANS to refer the recommendation to the Police Committee and then the Finance Committee.

Moved by BYRD, seconded by GOURLEY to approve and place on file the minutes of the June 2, 1992 Council Meeting with the above correction.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

SR CITIZENS MINUTES: Moved by BYRD, seconded by TIPTON to place on file the minutes of the Sr. Citizens Board Meeting of May 7, 1992.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PLANNING & ZONING MIN: Moved by BYRD, seconded by STANSBERRY to place on file the minutes of the Planning & Zoning Commission Meeting of May 7, 1992.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

STRICKLAND HOME OCC: Moved by GABRIELSON, seconded by Tipton to approve the recommendation of the Planning

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& Zoning Commission and grant a Home Occupation License to Richard Strickland for the selling of used items at 3rd & Bellevue.

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

NAYS: NONE

Motion declared carried.

LANDFILL CHARGES:

Chris Dixon, Cherokee County Commissioner, met with the council and informed them of the new charges for waste going to the landfill as of July 1, 1992. The contract between James Burgan and the county expires on June 30, 1992 and they have not been able to reach an agreement for a new contract. Mr. Burgan has informed the city that the charges as of July 1 will be \$14.75 per ton. The city hauls about 6 to 7 tons per day to the landfill.

Dixon stated that Mr. Knisley is preparing to put in a transfer station at Baxter. He does not know what the rates for this would be. He also suggested the city might put in their own landfill with KDHE approval. Dixon said he would support this action.

*Corrected
7-7-92*

Duane Snapp suggested the county purchase the landfill and the recycling center which is out of business in Galena and lease it to a private corporation or allow them to manage it.

Mr. Dixon stated the funds from taxes for the landfill will remain with the county and be used to close the landfill if the county should get it back. There will be approximately \$63,000 in the fund. He stated if the county negotiates an agreement for the flat charge for the landfill, the fee on the taxes would be about \$36 per year. This would commit the county residents to the landfill.

GROUP HEALTH INSURANCE:

The finance committee met with Mark Dolksy, of Blue Cross Blue Shield, and he presented some variations of the city group health insurance policy.

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The finance committee recommends the city accept the Major Comp plan with a \$400 deductible for single and \$800 deductible for family and co-insurance of 80/20 until the single reaches a maximum of \$500 and family \$1000. This would eliminate the prescription card. The premium for this coverage is \$346.16 for family and \$115.46 for single. This is a premium reduction from the 1991 contract.

Moved by STANSBERRY, seconded by BURKYBILE to accept the above proposal for group health insurance for the full time employees.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

BOYD (619 E 6TH ST):

Lonnie Boyd asked the Council to instruct the building inspector to allow electricity to a house at 619 E 6th Street so the necessary repairs could be made for the house to be habitable. He stated his brother is going to move into the house. He also stated electricity is allowed for other houses while repairs are being made.

Porter stated he had received a complaint about persons living in the business building at 6th & Main Street. He went to the building and found newspapers covering the windows. He then went to Mr. Boyd's place of business at 7th and Joplin Streets to find out if persons were living in the building.

Mr Boyd stated his brother is living at 6th & Main until the necessary repairs can be made on the house at 619 E. 5th. However, with no electricity, these repairs cannot be made. He also stated that Mr Coleman lives in the back of his business on the West side of Main Street and he did not know this was not allowed.

Porter stated that he had been lied to concerning persons

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turning on the electricity for repairs and then allowing persons to move into the structure without an inspection. He stated he does not want anyone living in the house until it is habitable.

Moved by BURKYBILE, seconded by SCOTT to allow a temporary electrical service to 619 E 6th Street but no one is to live there until it is inspected and approved by Porter who will be accompanied by the Police Chief when he makes the inspection.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

STANSBERRY LEFT AT 7:58 P.M.

STANSBERRY ADDITION:

Lonnie Stansberry met with the council and requested the city accept the plat map he had prepared for his property at 17th & Wood. The addition would be Stansberry Addition. No new streets would be necessary and he is not concerned with the city maintaining the one street in the addition, Stansberry Ave. He plans to develop this property and sell the lots for homes.

Moved by BYRD, seconded by GABRIELSON to accept the Stansberry Addition as a platted addition and approve the city clerk and city attorney signing the plat map.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

STANSBERRY RETURNED AT 8:03 P.M.

JOSEPH PROPERTY:

Superintendent Sills reported to the Council that John Joseph is willing to sell the 25 foot lot just East of City Hall for \$9000.

Sills stated the property owners are upset about the sewer being replaced. They were not aware of the sewer easement nor were they aware the sewer went across the

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property.

NO ACTION WAS TAKEN.

VIADUCT REPAIRS:

Superintendent Sills stated the city had received an insurance check in the amount of \$980 from Leonard Lawson's insurance company for the damages to the viaduct caused by an auto accident earlier this year. He stated one bid had been received for the repairs and this was forwarded to the insurance company. He asked that the viaduct be repaired with these funds.

Moved by BURKYBILE, seconded by STANSBERRY to repair the viaduct using the insurance funds of \$980 for this.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

LAGOON CHEMICALS:

Superintendent Sills requested he be allowed to purchase 20 gallons of spray for midge flies at the lagoon at a cost of \$48.95 per gallon. He stated this would be approximately a two year supply.

Moved by BYRD to refer to the finance committee.
MOTION WITHDRAWN

Moved by STANSBERRY, seconded by BURKYBILE to purchase 20 gallons of spray for the lagoons to be paid out of the sewer fund.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

RESOLUTION 92-2:

Mr. Porter read a letter to the council concerning the condition of the structure at 1201 Keller. He stated that the tall weeds on the lot also are causing a traffic hazard.

Moved by MEANS, seconded by SCOTT to approve Resolution 92-2 setting August 4 as the hearing date for the condemnation of the structure at 1201 Keller and approving the city crew mowing the lot

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immediately to alleviate the traffic hazard.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PORTER COMMENDATION:

Chief Collins commended Building Inspector, Gene Porter, on his work for the city. He stated that he has done more for the law enforcement of the city than any police officer.

SHOOTING QUALIFICATIONS:

Chief Collins requested the city pay for ammunition for the regular and reserve officers for shoot qualifications in Baxter Springs. The Baxter Range and Instructor will be used.

Moved by TIPTON, seconded by STANSBERRY to allow the expenditure of \$324 for ammunition for shooting qualifications for the police officers and reserves.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

GALENA DAYS PAY:

Chief Collins requested the 13 Reserve and Regular Officers be paid one day's salary for the time they served during Galena Days, to be paid from VIN.

Moved by GABRIELSON, seconded by BURKYBILE to pay in July, out of VIN, the 13 officers and reserve officers one day's salary for Galena Days.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

DARE SWIMMING PARTY:

Moved by BYRD, seconded by SCOTT to waive the fee for parties and allow the DARE students to have a swimming party at the pool on July 24 at no charge, with lifeguards being paid out of VIN.
AYES: GABRIELSON, SCOTT,
BURKYBILE, BYRD, TIPTON,
STANSBERRY, GOURLEY
ABSTAIN: MEANS
Motion declared carried.

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CARTER APPOINTMENT:

Mayor Watkins stated that the council voted to hire Haskell Carter as Municipal Judge at their June 2 meeting. They then discussed the residency requirements and voted to advertise again for the position. It is necessary for the council to rescind the hiring of Mr. Carter.

Moved by MEANS, seconded by SCOTT to rescind the appointment of Haskell Carter as Municipal Judge.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

BUNKER PANTS:

Moved by GABRIELSON, seconded by SCOTT to allow \$155 for the purchase of Bunker Pants for Mike Wendt.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

MUNICIPAL JUDGE:

Gourley stated that Tom Wade had contacted Mr. Smith of the Attorney General's Office and was informed it would not be conflict of interest for him to be appointed as municipal judge while his brother was a police officer. She stated that the charter ordinance conflicts with the Municipal Handbook in the residency requirements.

*Corrected
7-7-92*

She stated the personnel committee had interviewed the applicants and recommend the appointment of Wayne Wert as Municipal Judge.

Moved by GOURLEY, seconded by BYRD to appoint Wayne Wert as Municipal Judge.
AYES: GABRIELSON, MEANS, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
ABSTAIN: SCOTT
NAYS: NONE
Motion declared carried.

COURT RECORDS:

Gourley stated the court clerk is supposed to keep a log book of the cases. This has not been done. She recommends the police committee look into the

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municipal court system and acquire for is needed.

Moved by GOURLEY, seconded by MEANS for the police committee to look into the municipal court system and acquire what is needed.

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

NAYS: NONE

Motion declared carried.

SPRING CLEAN-UP:

Scott stated he had received several inquiries as to where residents are to dispose of large items such as furniture or appliances. He asked if the city could not resume it's practice of a Spring and Fall clean-up.

Burkybile suggested the residents be charged for this service and the employees receive what is collected after city expenses are taken out. They are not paid for their time for this project.

It was suggested an outside hauler could be used or the city could pick up the appliances and let Mr High have them. He recycles the parts and disposes of the rest.

Duane Snapp suggested the city request the trash haulers who are using our demolition landfill set roll offs and allow a clean up day. The city could possibly negotiate with Burgan for a cheaper rate for these items. He said the Chamber of Commerce would help.

Moved by BURKYBILE, seconded by SCOTT to have a city clean up day, request volunteers from the City and Chamber of Commerce to assist, check on a date and have the information at the next council meeting with Superintendent Sills in charge of the project.

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

NAYS: NONE

Motion declared carried.

MOWING DITCHES:

Scott stated he had placed the

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7TH & MINERAL:

mowing of ditches on the agenda. However, the ditch he was referring to was mowed today. He commended Mr Smith on his work. Scott stated that a resident of the city had fallen in a chug hole at 7th & Mineral. Doug Pittman witnessed the incident and took the lady home. He stated this has now been filled.

TRAFFIC VIOLATIONS:

Scott stated that 22 cars did not stop at 12th & Euclid.

Chief Collins stated he would check into this.

Scott commended Reserve Officer Turner for writing 4 citations for the vehicle parked at 12th & Chicago.

Chief Collins stated the owner had an agreement with the city several years ago concerning this. He doesn't know if this agreement is still in effect and where the city stands.

LIFEGUARD UMBRELLAS:

The managers of the swimming pool have requested the city purchase two umbrellas for the life guard stands. They have received the following quotes on them:

Joplin Pool & Spa	\$108.00
Walmart	70.00
K-Mart	49.97

Moved by GABRIELSON, seconded by BURKYBILE to purchase two umbrellas for the life guard stands at \$49.97 each.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, STANSBERRY, GOURLEY
NAYS: BYRD, TIPTON
Motion declared carried.

EMPLOYEE SWIMMING PASSES:

Moved by STANSBERRY, seconded by BURKYBILE to allow season passes to the swimming pool for city employees and their immediate families.
AYES: GABRIELSON, MEANS, BURKYBILE, BYRD, STANSBERRY, GOURLEY
ABSTAIN: SCOTT
NAYS: TIPTON
Motion declared carried.

Burkybile requested her family not be given a pass.

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SEASON PASSES:

The council approved season passes being sold at the pool or at the clerk's office.

SWIMMING LESSONS:

Moved by STANSBERRY, seconded by BURKYBILE to allow swimming lessons to be given at the swimming pool with the fee for the lessons to be retained by the lifeguards and instructors for their time.

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

CHLORINATOR PUMP:

Due the repairs having been made on the pool, it is no longer losing water through the skimmer lines. When the chlorinator was turned on, the pool overflowed due to the pump not working. Cost for a new pump is \$485.

Moved by MEANS, seconded by GOURLEY to purchase a pump for the chlorinator at a cost of \$485 to be paid from Special Parks.

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

BURKYBILE LEFT 8:58 P.M., RETURNED AT 9:00 P.M.

BIDS ON 1975 DODGE:

Mayor Watkins opened the two bids received on the sale of the 1975 Dodge Truck.

Longs Trading Post	\$626
D Snapp	\$600
plus \$300 credit for the disposal of waste tires at \$.75 for passenger tires and \$3.50 for truck tires.	

Moved by BYRD to accept the bid of \$626 from Long's Trading Post.
MOTION DIED FOR LACK OF SECOND.

Moved by TIPTON, seconded by STANSBERRY to accept the bid of Duane Snapp of \$600 plus the credit for the disposal of waste tires and with the deletion of the 5th wheel quoted in his bid.
AYES: GABRIELSON, MEANS,

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SCOTT, BURKYBILE, TIPTON,
STANSBERRY, GOURLEY
NAYS: BYRD
Motion declared carried.

ADVERTISE FOR 5TH WHEEL: Moved by STANSBERRY, seconded
by TIPTON to advertise for the
sale of the 5th wheel.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

FINANCE COMMITTEE: Means stated he met with the
auditors concerning the city's
cash position and encumbered
amounts. They reviewed some
of the steps the city can take
concerning this. It will be
necessary to transfer from
water to the general fund and
to use the Noxious Weed funds
for mowing.

Senate Bill 683 allows for a
1% sales tax for medical
services. The auditor is
checking to see if this could
be used, if approved by the
voters, for the city's health
insurance premiums.

The council discussed
requiring the finance
committee to approve all
purchases.

Moved by BURKYBILE, seconded
by TIPTON to pay Biddle, the
park employee, the cemetery
employees out of the Noxious
Weed fund during the mowing
season and as long as the Fund
will allow.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

TRASH TRUCK PAYMENT: Moved by STANSBERRY, seconded
by BURKYBILE to make the lease
payment on the Trash Truck out
of the Special Solid Waste
Fund.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PURCHASE ORDERS: Moved by BYRD, seconded by
BURKYBILE for the Finance
Committee to meet weekly at a
designated time, and all

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purchases be approved by them.
AYES: MEANS, SCOTT,
BURKYBILE, BYRD, TIPTON,
STANSBERRY, GOURLEY
NAYS: GABRIELSON
Motion declared carried.

SEWER PROJECT:

The Sewer Committee met with Rick Bair of Mid Kansas. Approval is needed to place a change order for the TVing of 20,000 feet of sewer line. He also suggested that manholes be replaced in the creek area and above the walking track. This would be paid for out of the Sewer Project funds.

Moved by STANSBERRY, seconded by TIPTON to TV 20,000 feet of sewer line with the cost to be paid from the Sewer Project Funds.

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

Burkybile requested that each council member visit two lift stations before the next council meeting.

Complaints have been received on the condition property is being left in when the sewer crew moves out.

Virgil Strong, the Resident Engineer stated the crews will complete two or three alleys and then come back and do the rough cleanup. The final cleanup will not be done until the project nears completion.

WOOD STREET DITCH:

Kenneth and Bobbie Harper and Bill and Jennifer Shoemaker met with the council concerning the drainage ditch on South Wood Street.

Mr Harper stated that the water backs up in his ditch and causes a problem due to Mr Shoemaker filling his ditch and blacktopping it without installing whistles.

Mr Shoemaker stated that he had suggested that Mr Harper also fill his ditch and this would alleviate the problem. He has spent a considerable amount of money to blacktop

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his driveway and he doesn't feel he should have to tear it out.

Moved by BURKYBILE, seconded by TIPTON to require Shoemaker and Harper to purchase the necessary whistles for their driveways, the city will install them at no charge and the city will replace the asphalt in the Shoemaker driveway at no cost to the property owner and repair it as close as possible to its present condition.

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

COURT REPORT:

Moved by GABRIELSON, seconded by TIPTON to place the court report with fines totaling \$987.50 on file.

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

RURAL WATER DISTRICT #8:

The Corps of Engineers has requested the city complete the negotiations on the contract between the city and the rural water district. The water committee has received a copy of the contract and requested it be placed on the agenda for June 30, 1992 special meeting.

APPROPRIATIONS ORD. 92-6:

Moved by BYRD, seconded by TIPTON to approve Appropriations Ordinance 92-6 in the amount of \$35,635.03.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

APPROPRIATIONS ORD 92-6A:

Moved by STANSBERRY, seconded by GABRIELSON to approve Appropriations Ordinance 92-6A (Sewer Project) in the amount of \$379,929.29.
AYES: GABRIELSON, MEANS, SCOTT, BURKYBILE, BYRD, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

APPROPRIATIONS ORD 92-6B:

Moved by STANSBERRY, seconded by GOURLEY to approve

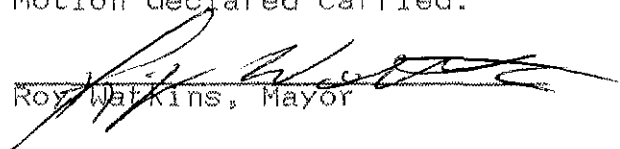
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Appropriations Ordinance 92-6B
(CDBG, Tri State Recycling) in
the amount of \$12,792.36. ✓
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

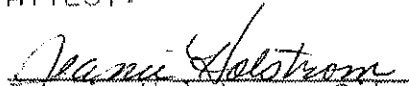
PAYROLL ORDINANCE 92-13: Moved by MEANS, seconded by
TIPTON to approve Payroll
Ordinance 92-13 in the amount
of \$10,087.43 plus \$766.64
FICA and \$139.80 KPERS
AYES: GABRIELSON, MEANS,
SCOTT, BYRD, TIPTON,
STANSBERRY, GOURLEY
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORD 92-13A: Moved by GOURLEY, seconded by
MEANS to approve Payroll
Ordinance 92-13A in the amount
of \$10,961.89 plus \$838.58
FICA and \$133.57 KPERS.
AYES: GABRIELSON, MEANS,
SCOTT, BYRD, TIPTON,
STANSBERRY, GOURLEY
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

ADJOURNMENT: Moved by GOURLEY, seconded by
MEANS to adjourn the Regular
Meeting of the Galena City
Council.
AYES: GABRIELSON, MEANS,
SCOTT, BURKYBILE, BYRD,
TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.


Roy Watkins, Mayor

ATTEST:


Jeanie Holstrom, City Clerk

(SEAL)