

MINUTES OF  
REGULAR COUNCIL MEETING  
JULY 5, 1994

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, July 5, 1994 at 7:00 p.m. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
ABSENT: LEE

MINUTES: Moved by BURKYBILE, seconded by TIPTON to approve and place on file the minutes of the Regular Council Meeting of June 21, 1994.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

1116 MADISON: Building Inspector, Gene Porter, reported to the Council the progress on the structure at 1116 Madison. The yard has been mowed. They have removed the carport. They are in the process of having utilities turned on so they may start repairs. They have done quite a bit of cleaning.  
Mr. Porter will report back at the next council meeting.

806 ELM: Building Inspector, Gene Porter, reported to the Council on the progress on this structure. They have mowed the grass and cut some limbs. However, they have not cleaned up the debris in the yard and this is posing a fire hazard. There are electrical problems, and Empire District will disconnect the service at the pole.  
Mr. Porter will call Mrs. Watkins and inform her the yard must be cleaned up due to the fire hazard. He will also report back at next council meeting on the progress on this structure.

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RES. 94-11, 315 JOPLIN: Gene Porter, Building Inspector, read his letter to the council concerning the condition of this structure. He recommends it be placed under condemnation.

Moved by BURKYBILE, seconded by ROGERS to approve Resolution 94-11 setting September 6, 1994 as the hearing date for the condemnation of the structure at 315 Joplin Street.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

RES. 94-12, 505 E 7TH: Gene Porter, Building Inspector, read his letter to the council concerning the condition of this structure. He recommends it be placed under condemnation.

Moved by ROGERS, seconded by JENKINS to approve Resolution 94-12 setting September 6, 1994 as the hearing date for the condemnation of the structure at 505 E. 7th.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

RES. 94-13, 816 JOPLIN: Gene Porter, Building Inspector, read his letter to the council concerning the condition of this structure. He recommends it be placed under condemnation.

Moved by BURKYBILE, seconded by ROGERS to approve Resolution 94-13, setting September 6, 1994 as the hearing date for the condemnation of the structure at 816 Joplin Street.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

DOG POUND:

Chief Jerry Hentz reported to the council that the dog pound passed inspection on June 23. He thanked Superintendent Bud Sills. The only question posed by the inspector was when the new section would be complete. The inspector also informed the city that we will have to replace the fence on the inside enclosures.

The council discussed the completion of the quarantine section of the dog pound. Superintendent Sills said it will be completed as soon as possible.

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DARE SWIM:

Chief Hentz asked for confirmation that the DARE Swim can be held at the city pool at no charge on July 13. The council had approved this earlier.

Rogers asked if the council did not vote to disallow free swims and free passes.

Burkybile said the Dare Swim was approved at a previous meeting.

Moved by BURKYBILE, seconded by DAVIS to allow the DARE Swim at the City Pool at no charge on July 13, 1994 from 10 a.m. to 1 p.m.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD  
NAYS: ROGERS  
Motion declared carried.

POLICE COMPUTER:

Chief Hentz and Officer Duncan informed the council of the condition of the computer in the police department. It is no longer in working condition. Chief Hentz requested the purchase of a new system be referred to the Finance Committee.

Moved by BURKYBILE, seconded by PRICE to refer the request of the purchase of a computer for the Police Department to the Finance Committee.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

LIBRARY BLDG INS.

The Library Board has purchased the building across from City Hall for their Geneology Department. The City Clerk has insured the structure under the city policy. The Mayor asked whether the city will pay the premium on the building, or if it should be the responsibility of the Library Board.

Moved by ALLEN, seconded by ROGERS to require the Library Board to pay the premium on this building.  
AYES: TIPTON, JENKINS, DAVIS, BURKYBILE, ALLEN, WARD, ROGERS  
NAYS: PRICE, ADAMS.  
Motion declared carried.

GROUP HEALTH INS:

The City Clerk informed the Council that only one quote was received for Health Insurance for City Employees. Blue Cross Blue Shield of Kansas, our current carrier quoted the following rates:

|          |          |
|----------|----------|
| Employee | \$150.05 |
|----------|----------|

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|                   |        |
|-------------------|--------|
| Employee/children | 273.17 |
| Employee/spouse   | 321.91 |
| Family            | 435.01 |

Only one other agent had contacted the City Clerk about the coverage. He did not quote a premium. He informed the clerk that due to some of the health problems, he would have to quote a high risk rate.

Moved by ROGERS, seconded by TIPTON to contract with Blue Cross Blue Shield for the employees group health insurance for the contract year beginning July 1, 1994.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

COURT COSTS:

Additional fees to the State of Kansas in the amount of \$1.00 went into effect on July 1. These fund family violence and victims assistance projects.

Moved by BURKYBILE, seconded by PRICE to raise court cost \$1.00 which will be forwarded to the State of Kansas.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

CEMENT SAW:

The Water Committee met prior to council meeting and discussed the purchase of a cement saw. This could be rented back to the water project. One could be purchased for \$2600 with blades costing \$788.25 each. It is recommended that two blades be purchased with the saw. Several will be used throughout the project.

Moved by BURKYBILE, seconded by WARD to purchase a cement saw and two blades.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

WATER TOWER BIDS:

The Water Committee also reviewed the bids on the water tower. After having contacted the Project Engineer concerning the warranties, it is recommended that the low bid from Midwest Tank and Tower be accepted. The City Clerk contacted other cities and they were very pleased with the work done by Midwest.

Moved by WARD, seconded by BURKYBILE to accept the bid of Midwest Tank and Tower in the amount of \$78,387.

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AYES: TIPTON, PRICE, JENKINS, DAVIS,  
BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

NUISANCE PROPERTY:

Price asked if Gene Porter had been contacted about the structure where Lee Comer had lived. She also noted that there is an open cellar at the structure behind the post office.

Porter informed the council that the current owner is trying to fill it the cellar. He has not taken any action on the other structure..

Porter was asked about the structure at 216 E. 7th Street.

He said it will be on the agenda for the next council meeting.

Residents of the area at 216 E. 7th Street asked why something has not been done with the structure. They said it is not safe for the children who live there.

Price also asked for clarification on the nuisance ordinance. She asked whether over-stuffed furniture and other furniture is allowed to be placed on the porch. She said the residents of the city are requesting clarification on what debris consists of. The ordinance uses the term "offensive". She asked for clarification on this also.

The council discussed the definition of "public officer" as used in Section 8-102 of the City Code. City Attorney, Gene Barrett, was asked to review this section.

MSSC CRIME LAB:

Moved by BURKYBILE, seconded by PRICE to approve contracting with the MSSC Crime Lab for one year at a cost of \$800.

AYES: TIPTON, PRICE, JENKINS, DAVIS,  
BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

BABBITT RESIGNATION:

Allen read Richie Babbitt's letter of resignation from the position of dispatcher. He resigned giving 2 weeks notice.

Moved by ALLEN, seconded by TIPTON to accept Richie Babbitt's letter of resignation and waive the two week notice.

AYES: TIPTON, PRICE, JENKINS, DAVIS,  
BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE

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Motion declared carried.

HIRE DISPATCHER:

The council discussed whether to move Beth Richey up to full time dispatcher or to interview for the position.

Moved by PRICE, seconded by BURKYBILE to hire Beth Richey as full time dispatcher.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, WARD, ROGERS

NAYS: ALLEN, ADAMS

Motion declared carried.

RELIEF DISPATCHER:

Moved by TIPTON, seconded by BURKYBILE to advertise for the position of relief dispatcher.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

13TH & HARVARD:

Davis asked if the "children playing" signs could be put up on Harvard as approved by the council earlier.

Superintendent Sills said he has the signs in stock.

The council discussed the request of residents on Wall Street to put in speed bumps. They said traffic travels very fast on this street and there are several families with small children. They also have complained that persons traveling East and West on the Numbered Streets are not stopping for the stop signs.

Mayor Oglesby asked the police department to patrol this area.

Chief Hentz is to check into speed bumps for the area around Head Start.

SOLID WASTE FEES:

Council members were provided a copy of the letter received from American Disposal raising the tipping fee at the Wheatland Landfill for our solid waste to \$31.50 per ton. The letter said that at a time the County Commissioners sign a host agreement, the fee will be reduced to \$10 per ton.

FALL CLEANUP:

A letter was also received concerning a proposal from American Disposal for a special cleanup day. This was referred to the sanitation committee.

PUBLIC OFFICER:

Gene Barrett, City Attorney, informed the council that the city does not have a "public officer" as described in Section 8-102 of the City Code.

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Moved by ADAMS, seconded by PRICE to request the City Attorney to redraw the ordinance under 8-102 with the Building Inspector and Police Officers being designated as Public Officer.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE

Motion declared carried.

SALE OF PROPERTY:

The council discussed whether to open the single bid on the sale of city property West of Short Street, North of City Hall.

Moved by ROGERS, seconded by TIPTON to open the bid on the sale of this property.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE

Motion declared carried.

Mayor Oglesby opened the only bid received. It being from Max Byrd with a price of \$100.

Moved by JENKINS, seconded by TIPTON to decline the bid on the sale of the property.

AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, WARD, ROGERS  
NAYS: ADAMS

Motion declared carried.

Mayor Oglesby asked the Community Development Committee to look into an appraisal of this property.

COMP TIME:

The council discussed whether the park caretaker had comp time coming. His hours are long in the summer but short in the winter.

Ben Biddle, Park Caretaker, requested he be allowed to use comp time he said he had accumulated. Due to an illness, he had used all of his sick leave and he did not want to use vacation time.

The council did not determine that Mr. Biddle had any comp time accrued.

PAYROLL ORD 94-27C:

Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 94-27 in the amount of \$1176.25 plus \$90.02 FICA.

AYES: TIPTON, PRICE, JENKINS, DAVIS, ALLEN, ADAMS, WARD, ROGERS  
ABSTAIN: BURKYBILE

NAYS: NONE  
Motion declared carried.

PAYROLL ORD 94-28:

Moved by WARD, seconded by ROGERS to

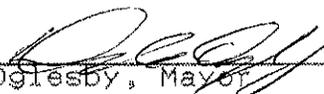
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approve Payroll Ordinance 94-28 in the amount of \$11,135.88 plus \$842.18 FICA and \$184.19 KPERS.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, ALLEN, ADAMS, WARD, ROGERS  
ABSTAIN: BURKYBILE  
NAYS: NONE  
Motion declared carried.

PAYROLL ORD 94-29: Moved by ROGERS, seconded by TIPTON to approve Payroll Ordinance 94-29 in the amount of \$10,715.82 plus \$810.06 FICA and \$184.19 KPERS.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, ALLEN, ADAMS, WARD, ROGERS  
ABSTAIN: BURKYBILE  
NAYS: NONE  
Motion declared carried.

PAYROLL ORD 94-29A: Moved by ADAMS, seconded by WARD to approve Payroll Ordinance 94-29A in the amount of \$284.40 plus \$21.05 FICA and \$6.26 KPERS.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, ALLEN, ADAMS, WARD, ROGERS  
ABSTAIN: BURKYBILE  
NAYS: NONE  
Motion declared carried.

ADJOURNMENT: Moved by ROGERS, seconded by TIPTON to adjourn the Regular Meeting of the Galena City Council.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

  
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Dale Oglesby, Mayor

ATTEST:

  
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Jeanie Holstrom, City Clerk

(SEAL)