

MINUTES OF  
REGULAR COUNCIL MEETING  
July 7, 1992

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, July 7, 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: HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, GOURLEY  
ABSENT: GABRIELSON, MEANS, STANSBERRY

MINUTES:

Moved by BYRD, seconded by TIPTON to approve and place on file the minutes of the Regular Council meeting of June 16 with the following corrections:

Page 7, paragraph 1 under Municipal Judge, stated Gourley stated the Charter Ordinance conflicted with the Municipal Handbook concerning the residency requirements. Gourley did not mean to refer to this as a conflict but only read for the council to be aware of the contents of each.

Page 2, paragraph 2 under Landfill Charges states that Dixon suggested the city put in their own landfill. Burkybile stated that Dixon did not make this suggestion, she asked him about this.

AYES: SCOTT, BURKYBILE, BYRD, TIPTON, GOURLEY  
ABSTAIN: HAYES, ALLEN  
Motion declared carried.

Moved by HAYES, seconded by ALLEN to approve and place on file the minutes of the Special Meeting of June 30, 1992 with the following corrections:

Page 3 under Lifeguards, Gourley was absent and did not vote "Nay". There were no nay votes.

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Page 5, under Payroll Ordinance 92-14A, Allen voted Nay.

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

LIBRARY BOARD:

Moved by ALLEN, seconded by GOURLEY to place on file the minutes of the Library Board Meeting of June 1, 1992.  
AYES: HAYES, SCOTT, BURKYBILE  
ALLEN, TIPTON, GOURLEY  
ABSTAIN: BYRD  
NAYS: NONE  
Motion declared carried.

RESOLUTION 92-5:

City Inspector stated the structure at 901 Short Street is being brought to code. Work is being done on the structure by Richard Myers, a grandson of the deceased owner. He requests 30 to 45 days to complete the repairs.

Moved by BURKYBILE, seconded by BYRD to approve Resolution 92-5 allowing 45 days to complete the repairs on the structure at 901 Short Street.  
AYES: HAYES, SCOTT, BURKYBILE, BYRD, TIPTON, GOURLEY  
NAYS: NONE  
Motion declared carried.

STANSBERRY ENTERED AT 7:15 P.M.

910 SHORT:

The city clerk stated Resolution 92-4 ran only one week in the newspaper. It is necessary for the Resolution to be published two weeks in succession. She suggested this Resolution be republished.

Moved by BYRD, seconded by BURKYBILE to publish Resolution 92-4 again.  
AYES: HAYES, SCOTT, BURKYBILE, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

303 MAIN:

City Inspector stated this property had been redeemed by Cherokee County for back taxes. He requested he be

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allowed to work with the County Commissioners concerning this structure.

Moved by TIPTON, seconded by BURKYBILE to allow the City Inspector to contact the County Commissioners concerning this structure.

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

PORTER COMMENDATION:

Gourley stated she had seen the City Inspector in action earlier Tuesday. She was pleased with his actions in what was a very stressful situation.

BABE RUTH PASSES:

Mike Sumpter requested the donation of 5 season passes to the swimming pool for awards in the Babe Ruth League.

Moved by STANSBERRY, seconded by TIPTON to allow the donation of 5 season passes to the Babe Ruth League.

AYES: ALLEN, TIPTON,  
STANSBERRY  
NAYS: BURKYBILE, SCOTT,  
HAYES, BYRD, GOURLEY  
MOTION FAILED.

*Corrected  
7-21-92*

Burkybile stated she felt if the passes were given to this league, they should be given to all the leagues.

Gourley stated she felt that all the boys worked hard and should be given passes instead of only 5.

LIBRARY GRANT:

Helen Hayes of the Library Board informed the council of the plans by the Library Board to apply for a grant to either enlarge the present library or to construct a new facility. She stated the library was given many old records from the old clerk's office and Cherokee County that date back to the earliest times in Galena. There are 5 rooms of these currently stored above the old Schwartz Building at 7th & Main. This building recently sold, and the new owner is allowing these records to remain there in storage. However, the board

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does not know how long this will be allowed, since the building may be sold again. The library board would like to apply for a grant with full funding to enlarge the present library or to construct a new facility. They request the council's approval in applying for this grant.

Moved by BURKYBILE, seconded by GOURLEY to approve the Library Board proceeding with a grant application.

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

MSSC CONTRACT:

Chief Collins reported the city had received a contract from MSSC in the amount of \$2500 for the year 1993 for the police department to use their laboratory. Chief Collins met with the Finance Committee concerning this and suggested we not renew this contract and instead transport our laboratory work to Topeka for analysis. There is no charge for the lab work in Topeka, but the city would have the expense of a patrolman transporting the material.

Chief Collins stated he had received a second offer from MSSC which would allow the city 25 hours of lab work for \$1000. After the 25 hours are used, it would cost the city \$40 per hour for any additional lab work. He will provide this to the Finance Committee for consideration.

NEWELL RESIGNATION:

Chief Collins read the resignation of David Newell. He has accepted employment elsewhere.

Moved by BYRD, seconded by HAYES to accept the resignation of David Newell from the police department.

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

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POLICE CAR ACCIDENT:

Chief Collins reported to the council on the police car accident on July 3. David Newell was uninjured in the accident. Chief Collins stated charges are being filed against the driver of the automobile and the motorcycle. He stated Tom Clough is going to provide an estimate on the repairs to the vehicle. Highway Patrol may determine that it was criminal damage to property instead of an accident.

HOLIDAY LEAVE:

Moved by TIPTON, seconded by GOURLEY to give Superintendent Sills, Charles Sweet, Rex Gandy, and the City Clerk one day off for working over the holiday weekend.

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

COURT REPORT:

Moved by STANSBERRY, seconded by TIPTON to place the Court Report for June, with fines totaling \$1099.50 on file.

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

CAREY REIMBURSEMENT:

Chief Collins had received a check from Lynch Meek Law Firm in the amount of \$500 which represented the deductible on the accident involving the police car and Steve Carey in December. Lynch-Meek Law Firm represented Steve Carey whose vehicle struck the police car. The check was given to the city clerk to be deposited in city funds.

PLANNING & ZONING APP:

Moved by BYRD, seconded by STANSBERRY to appoint Doris Adams to a position on the Planning & Zoning Commission.

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

5TH WHEEL BID:

One bid in the amount of \$75 was received on the sale of the 5th wheel. This bid was submitted by Duane Snapp.

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Moved by TIPTON, seconded by SCOTT to reject the bid of \$75 on the 5th wheel but agree to accept \$100 from the single bidder if he is willing to pay this amount.

AYES: HAYES, SCOTT,  
BURKYBILE, BYRD, ALLEN,  
TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

BURKYBILE LEFT AT 7:50 AND  
RETURNED AT 7:52 P.M.

COMMITTEE REPORTS:

PUMP FOR WELL #4:

Stansberry reported the city had received 4 bids for a pump for Well #4. Bids were as follows:

Layne-Western:  
National Pump 3600.00  
American Pump 3704.00  
Installation 6748.00  
Larson Well & Pump:  
Jacuzzi Pump &  
Installation: 10,126.00  
Byron Jackson Pump &  
Installation 9,801.00  
Tiff City Pump:  
10 EMC Pump &  
Installation: 11,062.10  
Reese Exploration:  
Dresser Pump &  
Installation: 9,750.00

Mr. Larson of Larson Well & Pump discussed with the council the various types of pumps.

Stansberry reported we are currently 28 feet above the pump now and are losing ground daily. It will be necessary to go 60 feet deeper with the pump. Larson stated his bid included the additional 60 feet.

Mr. Larson agreed to make a monthly inspection on the pump if his bid were accepted. He stated it would take 1 week to 10 days for delivery. When asked about the warranty or guaranty on the pump, Larson stated he will warrant the bowl & installation. He also stated he has a 100 horse

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submergible pump he could install while tests are being run to see if the pump will work efficiently below the casing.

Moved by STANSBERRY, seconded by BURKYBILE to accept the bid of \$9801.00 from Larson Well and Pump for the Byron Jackson pump with the pump to be purchased now and the installation at a later date.  
AYES: HAYES, SCOTT,  
BURKYBILE, BYRD, ALLEN,  
TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

WATER GRANT:

Stansberry stated she had met with Rick Bair of Mid Kansas Engineering concerning grants for water lines. They discussed the necessary increase in water rates for the city to obtain a grant next year. Mr. Bair recommended a \$400,000 grant with \$400,000 in matching funds. Stansberry recommends an increase of \$ .25 per 1000 gallons of water with these funds to be placed in a special fund for the replacement or repair of the water system and a portion to be placed in a fund such as Special Highway for street repairs. She requested the council to approve Mid Kansas Engineering completing the feasibility study which was approved earlier so the city might be prepared to apply for a grant next year.

Moved by STANSBERRY, seconded by BURKYBILE to allow Mid Kansas Engineering to continue with the feasibility study on the city water lines.  
AYES: HAYES, SCOTT,  
BURKYBILE, BYRD, ALLEN,  
TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

FIRE DEPARTMENT REPORT:

Gourley met with Chief Hall of the Fire Department and Mayor Watkins. Chief Hall informed her that the Association had purchased a pump in the amount of \$2500 out of their funds. He also requested the city to make repairs on Unit 11 and 16. He had received 5 bids

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with the lowest being Dale's Garage in the amount of \$250.

The council discussed where the funds which insurance companies pay when there is a house fire. The companies pay the homeowners and it is the option of the homeowner whether they pay the fire department for the call.

Moved by TIPTON, seconded by BURKYBILE to refer the repair of Units 11 and 16 to the Finance Committee.

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

RICHEY SICK LEAVE:

Gourley stated Howard Richey, the Resident Driver will be having surgery on his knee on Friday. It appears he will be off work 6 to 8 weeks. Chief Hall suggested that David Holden, Eddie Lacy and Chief Hall rotate on a 24 hour on and 48 hours off basis for the time Howard is off work.

Moved by GOURLEY, seconded by BURKYBILE to allow Bill Hall, Eddie Lacy, and David Holden to rotate on the schedule recommended by Chief Hall with them to be paid at the Relief Driver Scale.

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

WELL #3:

Superintendent Sills stated he would like to obtain a tank for well #3 and set is up like well #4. This would eliminate some of the problems with water system. He stated it would also require a larger pump since the one in well #3 only pumps 150 gallon per minute.

No Action Taken

BYRD moved to continue with the agenda.

SEWER PROJECT CHANGE:

Burkybile provided Council Members with a recommendation for a sewer project change. These plans included the



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extension of the sewer to residents on South Wood Street which was approved at an earlier council meeting. Also included was the elimination of the pump stations at IGA, the Industrial Park and the Dog Pound. These areas would be covered with gravity flow to the main lift station. The proposal also included the updating of 5 other lift stations. Total cost including the Wood Street extension is \$287,482.00. These improvements would be made only if funds are available when the sewer project is completed.

Moved by BURKYBILE, seconded by TIPTON to approve the sewer project changes presented by the sewer committee.  
AYES: HAYES, SCOTT,  
BURKYBILE, BYRD, TIPTON,  
STANSBERRY, GOURLEY  
NAYS: ALLEN  
Motion declared carried.

SWIMMING POOL:

Tipton reported to the council that the chlorinator is not working at the swimming pool. Cost to replace it would be \$750 to \$900 depending on the brand of chlorinator. The skimmers on the north side of the pool are not working. The pool managers also request the following equipment:

3 donuts for life guard stations.

1 skimmer net at a cost of \$13.50

1 telescoping pole at a cost of \$19.99

1 mask for the chlorine room.

The council discussed the use of granule or pellet chlorine instead of replacing the chlorine pump. The city clerk was asked to contact the insurance carrier to determine if the granule or pellet type chlorine would be acceptable on the insurance policy.

Moved by TIPTON, seconded by GOURLEY to refer the above requests to the Finance Committee.

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

MISC ITEMS:

The alley behind Short Street between 8th and 9th needs repaired from the sewer project. All the water from 11th street floods the yards in this area and across 8th Street to stand in the vacant lot behind Joseph's.

The top soil was scraped off the lot behind the old Sentinel Building on 3rd & Short Street. This lot has dropped 6 to 8 inches. The sewer contractor is peeling the top soil off to use for fill.

The Shaw property between 9th & 10th on Short Street needs mowed.

The sidewalk needs replaced due to the repair of a water leak 8 or 9 months ago at 810 Short.

The lift station at Main & Clark needs a water hydrant installed so it can be kept clean.

Underage boys are going into the Green Parrot to play pool.

Chief Collins stated he had given a copy of the ordinance which prohibits underage persons from going on the premises where alcoholic beverages are sold to the person behind the bar at the Green Parrot. The owner of the establishment was not there..

The willow bush at the intersection of 8th & Short needs to be trimmed to alleviate a traffic problem.

MINE REMEDIATION:

Superintendent Sills stated he has a copy of the 65% complete Remediation Plans if anyone would like to review them. They should be 95% complete in March and construction should start shortly after that.

PAYROLL ORDINANCE 92-15: Moved by BYRD, seconded by

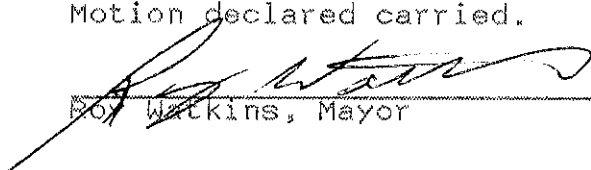
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HAYES to approve Payroll Ordinance 92-15 in the amount of \$4893.54 plus \$374.34 FICA and \$70.53 KPERS)  
AYES: HAYES, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
ABSTAIN: BURKYBILE  
NAYS: NONE  
Motion declared carried.

PAYROLL ORDINANCE 92-15A: Moved by BYRD, seconded by TIPTON to approve Payroll Ordinance 92-15A in the amount of \$11,081.40 plus \$847.72 FICA and \$138.07 KPERS.  
AYES: HAYES, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY  
ABSTAIN: BURKYBILE  
NAYS: NONE  
Motion declared carried.

SEWER PROJECT: Burkybile showed a sample of the brick that will be used on the new lift station.

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

  
\_\_\_\_\_  
Roy Watkins, Mayor

ATTEST:

  
\_\_\_\_\_  
Jeanie Holstrom, City Clerk

(SEAL)