

MINUTES OF THE
GALENA CITY COUNCIL MEETING

July 15, 1980

The Galena City Council met in regular session, Tuesday, July 15, 1980, at 7:00 P.M., in the Council Chambers.

The following members answered present on roll call: Kelley, Mann, Hayes, Watkins, Means, Smith, T. Wade and Faulkner, constituting a quorum.

Absent were: Hall and R. Wade.

Mayor L. G. Williams presided.

Minutes of the previous meeting of July 1, 1980, were approved and placed on file. Motion was by T. Wade, second by Kelley. Carried with 6 Yeas and 2 Abstentions (Mann and Means).

Mayor Williams read the minutes of the Zoning and Planning Commission Meeting held July 7, 1980. The minutes were accepted and placed on file on motion by Faulkner, second by T. Wade. Carried with 8 Yeas.

A mobile home permit for 1107 Main Street was turned down on recommendation by the Zoning and Planning Commission; also refused, was the application by Wendell Hayes for a mobile home permit on Lots 55, 56 and 57 Moeller, Garner and Smith 1st Addition, due to opposition by residents of the area.

Bill Hall appeared to represent the Fire Department, requesting Council permission for the sale of an excess fire truck, a 1949 Diamond "T". The truck is considered a financial liability to the Department which just recently spent \$500 putting it back into shape. The Department wishes to recover their funds and apply the money from the sale to their \$500 to complete work on a 1972 Chevrolet truck to be used as a tanker.

T. Wade moved this be allowed. Faulkner seconded. Carried with 8 Yeas.

The Fire Department had requested permission from the Kansas Forestry Department, allowing them to release a 1962 Dodge truck to be used by the Trash Department and Water Department. The Forestry Department had granted their request.

Vacation was allowed for Ken Bankson (1 week with pay and 1 week without pay) on motion by T. Wade, second by Hayes. Motion carried.

The witness fee for Christy Roper of the Baxter Springs Police Department was approved for payment on motion by Faulkner, second by Kelley. Carried with 7 Yeas and 1 Abstention (Means).

Mayor Williams spoke to the Council about a new ordinance he would like to see drawn up limiting cereal malt beverage licenses for the sale of alcoholic beverage for consumption on premises to restrictive or permissive zones. He stated that this is the only way to have any control over them. He had been promised full cooperation from the Planning and Zoning Commission and the Galena Police Department.

Mayor Williams asked if Council Members would be in favor of this ordinance. No vote was necessary. All members indicated they were in favor of this.

One week's vacation for Norma Lutz was approved on motion by T. Wade, second by Kelley. Motion carried.

Ray Randall, Community Development Director, requested Council approval for two resolutions: No. 80-106 accepting an easement for street right-of-way from Opal Cure, and No. 80-107, accepting an easement from the Assembly of God Church for street right-of-way. Both resolutions are needed in order for the Gas Service Company to locate gas mains to the Church.

T. Wade moved the Resolutions be approved. Watkins seconded. Motion carried.

A Resolution to P.E.C. Engineer for signing of contract, naming Ray Randall as agent, was approved on motion by Kelley, second by T. Wade. Carried with 8 Yeas.

The Resolution calls for \$19,000 for the study of the city sewer system with the city's portion being \$5,000.

Dave Tucker of Tucker Enterprises of Carbondale, Illinois, spoke to the Council about 40 units of general family housing he planned for Galena (25% one bedroom, 50% two bedroom and 25% three bedroom). This would be privately owned and be on the tax rolls, available to all people of all incomes. All that Mr. Tucker required of the City was a letter requesting a subsidy be made available to build these units. If approved by the government, they would then option some land to buy.

Motion was made by T. Wade, seconded by Faulkner, that a letter be written to the F.H.A. requesting this consideration. Motion carried.

Randall presented a brochure published by Mid-America, trying to secure industry for Southeast Kansas. He asked the Council to reconsider their previous refusal to join Mid-America for \$300 per year membership.

Attorney Fayette Rowe stated the brochure had one false statement - "Kansas has a Right To Work Law". Mr. Rowe said this is not true.

Watkins moved to table the matter. Means seconded. Motion carried.

Ordinance No. 1032 annexing a certain land area known as Schermerhorn Park was brought before the Council. Ray Randall spoke about problems enforcing City Ordinances there. He had checked with the Kansas League of Municipalities and was told the City cannot have an ordinance without a State Statute to back it up.

Faulkner moved the Ordinance be adopted. Smith seconded the motion. Carried with 7 Yeas and 1 Nay (Watkins).

Randall informed the Governing Body that Mr. S. Painter had demolished a building a 1008 Euclid before the Council gave it's permission. He then asked the Council to award the demolition contract to Mr. Painter.

Three low bids were presented on housing rehabilitation. They were 1911 Galena (Charley Brown) with a low bid of \$2,975 from Garey Wilson who was awarded the contract; 720 Mineral (H. E. Brown) with a low bid of \$8,375 going to Cherokee Construction; Stateline Road (Beulah Titus) with a low bid of \$6,904 and awarded to Four State Remodelers.

Faulkner moved the bids be accepted. Smith seconded. Motion carried with 5 Yeas (Faulkner, Smith, Mann, Hayes and T. Wade); 2 Nays (Kelley and Watkins); and one Abstention (Means).

Sandra Caswell appeared before the Council in regard to contracts on Charley Brown and H. E. Brown. She stated that Cherokee Construction was awarded the contracts even though they were high bidder. Garey Wilson was the low bidder. An error had been made in the bid figures by Wilson and when corrected, the Community Development Office then awarded the contract to Mr. Wilson. Ms. Caswell asked the Community Development Committee if they were asked before the contract issue was changed; they stated they were. At this point, Ms. Caswell brought to the Council's attention a problem she felt she had with the Community Development Director. At this time, Faulkner moved the Council go into executive session. Smith seconded. Motion carried with 7 Yeas and 1 Nay (Means).

Upon reconvening, no action was taken on any matter discussed in closed session.

T. Wade stated he had checked on prices for nets for the tennis courts at both Varsity and Ozark Athletic Supply. There were two prices - \$76.50 and \$107.95. The only difference is in the weight of the cord. Money for the nets would come out of Parks.

Watkins moved that two of the cheaper nets be purchased. Smith seconded. Motion carried with 7 Yeas and 1 Abstention by Means.

A sample contract was presented to the Council on the Bob Murray request for sewer and water lines outside the City going to a proposed trailer park. The contract complied with recommendations from Howard Jarvis. The contract contained a clause for a surcharge to be made on each trailer located in the park. The surcharge would be \$5.00 for the sewer service fee.

Attorney Rowe stated he felt Murray should come into the City before this is done.

Means stated that at one time, if the City did any work on sewer lines which would involve trunk lines, permission had to be obtained from some government agency. Jarvis said he would get Verlyn White to draw up specifications; White will apply for permits and Murray will pay all engineering fees.

Faulkner moved the matter be tabled until some specifications could be obtained from the engineer. Smith seconded. Motion carried with 6 Yeas and 2 Nays (Watkins and T. Wade).

Grader tire recaps at \$198.16 each to be purchased from the Special Highway Fund were approved on motion by Faulkner, second by Smith. Carried with 8 Yeas.

Jarvis requested the placing of a light in Oak Hill Cemetery because Harvey Jones had been having trouble with thefts. Kelley moved this be allowed. Smith seconded the motion. Carried.

Problems with maintenance at the Municipal Building were brought up by Jarvis. He stated that his men were doing work at the building that should be done by a maintenance man; also, that the present janitor appear before the Council to discuss the matter, and that a job description be drawn up.

Ray Randall suggested that job descriptions were needed throughout the City.

Means moved to table the matter at this time. Watkins seconded the motion. Carried.

Vacations were approved for Tony Foster and Raymond Foraker on motion by Hayes, second by T. Wade.

Means questioned if allowing pay to employees instead of their taking time off was hurting the budget.

Howard Jarvis asked the Council permission for himself and Harvey Jones to pick out 3 or 4 spots at Hillcrest or Oak Hill Cemetery for burial of welfare cases, stating they had two such burials that week.

Kelley moved this be done and that 10 spots be set aside for such cases. Faulkner seconded. Carried with 8 yeas.

Faulkner moved that season tickets to the swimming pool be sold for \$12.50 for the remainder of the season. Watkins seconded. Carried.

Faulkner moved city employees and officials be given season passes to the pool. Motion died for lack of a second.

Appropriations Ordinance No. 80-16, Payroll Ordinance No. 80-16

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and Community Development Appropriations were approved for payment on motion by Faulkner, second by Watkins. Carried with 6 Yeas; 1 Nay (Smith) and 1 Abstention (Means).

Motion for adjournment was made by Faulkner, second by Mann. Carried by standing.

L. G. Williams, Mayor

Norma J. Lutz
Norma J. Lutz, (City Clerk)