

MINUTES OF
REGULAR COUNCIL MEETING
AUGUST 2, 1994

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, August 2, 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: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
ABSENT: TIPTON, ALLEN

MINUTES:

The following corections were made in the minutes from the Regular Council Meeting of July 19, 1994.

Page 1. HARRIS REZONING, The property was rezoned from Residential to Agricultural.

Page 3, SOLID WASTE, Burkybile noted that the fee Marvin Thompson referred in his remarks was assessed by the county, but the city is not paying the fee.

Page 9, MOBILE HOME PLACEMENT, Rogers asked about the approval of the placement of a mobile home. Mayor Oglesby noted that the motion was to allow the placement of a mobile home and this is what the council voted on.

Moved by BURKYBILE, seconded by DAVIS to approve and place on file the minutes of the Regular Council Meeting of July 19, 1994 with the above corrections.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

LIBRARY BOARD MINUTES:

Moved by BURKYBILE, seconded by DAVIS to place on file minutes of the Library Board meetings of May 21, 1994, June 18, 1994 and June 30, 1994.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SR CITIZENS BOARD MIN:

Moved by BURKYBILE, seconded by ROGERS to place on file the minutes of the Sr. Citizens Board Meeting of June 2, 1994.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

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HAWK ENGINEERING:

Mayor Oglesby informed the council that Hawk Engineering at 616 W. 7th Street is preparing to erect another building. There is a city water line in the area of this building. Hawk Engineering is willing to put the water line in a casing. This would allow the city to pull the line out for repairs. The other option would be to move the line.

Moved by LEE, seconded by BURKYBILE to allow Hawk Engineering to enclose the water line in a casing with them paying the cost.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD
NAYS: ROGERS
Motion declared carried.

SR CITIZENS AIR CONDITIONER:

W J Poelma informed the council that the air conditioning needs replaced at the Sr. Citizens Building. He had obtained the following estimates on the replacement of the unit:

Harper:	\$1951.55
Gilstrap:	\$1471.00
Martin:	\$1400.00

The Sr. Citizens Board does not have the funds to replace this unit. They asked if the City could help with the cost.

The council discussed the cost of the air conditioners. Mayor Oglesby said he might be able to obtain a new unit at a cost of around \$500.

The council also discussed whether there were funds on deposit with Cherokee County from the levy which would pay at least a portion of the cost.

Moved by BURKYBILE, seconded by LEE to request Mayor Oglesby to get prices and for Adams to find out if there were county funds available for this.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CONDEMNATION 216 E 7TH
RESOLUTION 94-14:

Gene Porter, City Inspector, read his letter to the council concerning the condition of the structure at 216 E. 7th Street. The owner of this property is Bob and Phyllis Abbott of Baxter Springs.

Moved by PRICE, seconded by ROGERS to approve Resolution 94-14 setting September 20, 1994 as the hearing date of the condemnation of the structure at 216 E. 7th.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

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PECO DRIVE:

Gene Porter, Building Inspector, discussed with the council the condition of the trailers on Peco Drive. He said some people were living without water service. Carter says the property was sold but the residents informed him they were renting.

There was also a problem with trash pickup. The residents who have been taken off of the master meter have been paying for trash service. However, they used the dumpster until it was removed. The city will need to collect this trash.

The council discussed the condition of these trailers. Condemnation procedures will begin on them.

WATER PROJECT:

Neal Little, Supervisor for the Water Project, provided the council with the following bids on gravel and rock for the back fill on the water project:

Hillbilly sewer
Haul rock \$2.75 per ton
Gravel delivered \$3.75 per ton

JACK CARTER (GLENN SIMMONS)
Haul rock \$2.00 per ton
Gravel delivered \$3.50 per ton

BINGHAM SAND
Rock delivered \$6.00 per ton
Gravel delivered \$4.00 per ton

LYNN ROWE
Gravel delivered \$125 per 15 ton
Rock delivered \$8.33 per ton

Moved by BURKYBILE, seconded by ROGERS to purchase gravel and base rock from Jack Carter (Glenn Simmons), the low bidder and to order in 100 ton lots as needed.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

DRIVE IN WINDOW:

Neal Little informed the council that it will be necessary to come down the East fence line at City Hall with the water line. This will be in the area of the drive in window.

The council discussed the problems customers have making the short turns at the circle drive. Little recommended that the drive in be changed and cars exit onto Turner Drive, North of city hall.

Moved by BURKYBILE, seconded by DAVIS to change the drive in at City Hall with it exiting onto Turner Drive.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS

NAYS: NONE

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Motion declared carried.

FOREST & JEFFERSON STS:

Lee informed the council he had received complaints from residents concerning the condition of Forest Streets and Jefferson Streets. One of the problems is the damage to Forest Street when the water line was installed to the Bankson Trailer. He noted that the City crew had filled this trench with gravel today but it needs to have blacktop in it. Work is also needed on Jefferson Street.

STREET LIGHT:

Lee said he had paid for a street light in front of his property on his electric bill when he lived in the trailer North of West Empire Street. The trailer has been sold and electric service discontinued there. Residents are requesting the city have the street light reconnected.

Moved by WARD, seconded by BURKYBILE to refer the street light request to the Street Committee.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

LABOR STANDARDS OFFICER:

Mayor Oglesby informed the council that Paula Raskopf has resigned from the Regional Planning Commission. She had been appointed the city's Labor Standards Officer for the water project. Rob Anderson is administering the grant. It is recommended that he be named to this position.

Moved by BURKYBILE, seconded by DAVIS to appoint Rob Anderson of the SEK Regional Planning Commission as Labor Standards Officer for the Water Project.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

INSURANCE INCREASE:

Information was provided in council packets concerning the recommendation from Employers Mutual Insurance Company to increase the insurable values of City Hall, the well at 6th & Wood, and the Sr. Citizens Building at 8th and Wall. This would result in an increase in our annual premium of \$676.

Moved by ROGERS, seconded by LEE to accept the above recommendation and increase the insurable value on these three structures.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SCHOOL CROSSING GUARDS:

Moved by DAVIS, seconded by BURKYBILE to

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retain Georgia Coble and Richard Mallatt as school crossing guards and Herb Harris as substitute.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

LOCAL HOUSING REPORT:

Moved by BURKYBILE, seconded by ROGERS to place the annual Local Housing Report on file.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PARTTIME OFFICERS:
ORDINANCE 94-16:

Moved by ROGERS, seconded by WARD to approve Ordinance 94-16, as written, to create the position of part-time police officer, establish the chain of command in the police department, and set rules for the use of unmarked, private vehicles by the police department.
AYES: DAVIS, WARD, ROGERS
NAYS: JENKINS, PRICE, ADAMS, LEE, BURKYBILE
MOTION FAILS

The council discussed changes in the ordinance. In Section 5, it was noted that the city should have no responsibility for officer's vehicles. In Section 6, the form and amount of insurance should be approved by both the police chief and the city council.

Moved by BURKYBILE, seconded by LEE to approve Ordinance 94-16 creating the position of part-time police officer, establishing the chain of command in the police department and setting rules for the use of unmarked private vehicles by the police department and to publish ordinance as soon as the recommended changes are made by the City Attorney.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

VACANT COUNCIL POSITIONS
ORDINANCE 94-17:

Moved by ROGERS, seconded by DAVIS to approve Ordinance 94-17 providing restrictions on the filling of vacant council positions and providing that a husband and wife cannot both serve on the council at the same time.
AYES: PRICE, JENKINS, DAVIS, LEE, WARD, ROGERS
NAYS: BURKYBILE, ADAMS
Motion declared carried.

DUMP TRUCK REPAIRS:

Moved by BURKYBILE, seconded by LEE to approve brake repairs on the dump truck in the amount of approximately \$353.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS

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NAYS: NONE
Motion declared carried.

COMMENDATION:

A letter received from Lorene Martin complimenting the men on the trash truck and Tom Wade, Cemetery Sexton was provided council members.

CEMETERY TREES:

In the Beautification Project, there have been three Locust Thorn trees planted in the Galena Cemetery. Concern has been expressed that this could cause a problem with tire puncture when the trees mature.

Moved by LEE, seconded by BURKYBILE that the Cemetery Sexton replace the three trees.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS

NAYS: NONE
Motion declared carried.

WATER PROJECT EMPLOYEES:

The Personnel Committee met on Friday, July 29 and interviewed for water project employees and dispatchers. A copy of the minutes of that meeting was provided council members. The committee recommend Ken Gourley and Kenneth Youngblood be hired as laborers, Gene Duncan be hired as front end loader operator and Don Bellamy be hired as backhoe operator pending completion of the background checks.

The council discussed the necessity of filling these positions as quickly as possible.

Moved by ADAMS, seconded by ROGERS to hire Kenneth Gourley as laborer for the water project.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS

NAYS: NONE
Motion declared carried.

Moved by ADAMS, seconded by LEE to hire Kenneth Youngblood as laborer for the water project.

AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS, WARD, ROGERS

NAYS: BURKYBILE
Motion declared carried.

Moved by ADAMS, seconded by ROGERS to hire Gene Duncan as front end loader operator for the water project.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS

NAYS: NONE
Motion declared carried.

Moved by ADAMS, seconded by JENKINS to hire Don Bellamy as backhoe operator for the water project.

AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS, WARD, ROGERS

NAYS: BURKYBILE

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Motion declared carried.

Mayor Oglesby asked the council if they wanted to wait for background checks to be completed before the above employee begin work. It was decided to hire the above people without completion of the background checks.

DISPATCHERS:

Adams recommended that dispatchers not be hired until Allen, the chairman of the Personnel Committee returns.

CITY CLEANUP:

The Sanitation Committee met and discussed the clean up program in conjunction with Wheatland Landfill. It was decided to see if school classes, the Royal Rangers or perhaps the DARE classes would be interested in this project.

COMMITTEE REPLACEMENT:

Moved by BURKYBILE, seconded by ADAMS to request that Jenkins sit in on committee meetings in place of Tipton until his illness allows him to return to council.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SCHOOL WATER BILL:

The Water Committee met, and one of the items discussed was the request by the school district to waive the sewer charge for their water bill. The water was used for watering the grounds.

Moved by BURKYBILE, seconded by PRICE to not waive the sewer charge on the above bill.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

It was noted that if the charge was waived on this bill, it would have to be waived on other city residents who use water for gardens and pools.

HART SEWER & TRASH BILL:

The Water Committee also received a request from Dennis Hart, owner of the structure at 107 W. 4th Street requesting the city waive his trash and sewer charge until he is open for business. They are using the water for mortar and construction. He has contracted with someone else to haul off the debris.

Moved by BURKYBILE, seconded by LEE to deny the request for a waiver of sewer and trash on the Hart Building.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

MALLATT WATER METER:

The Water Committee also discussed the request from Ruth Lang and Jean Mallatt to

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change their water line. At the present time, they are the only residents on an old line and they are having a problem with dirty water.

Rex Gandy, Water Superintendent, recommends this line be changed. The cost to the city would be less than \$100 plus the labor.

Moved by ROGERS, seconded by BURKYBILE to move the above water line,
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

EAGLE PICHER WATER LINE:

Eagle Picher Company is enlarging their facility. They will need a new 6 inch line and a compound meter. The committee recommends Eagle Picher purchase the meter at a cost of \$3440.48 and the city move the line at a cost of \$4102.67. There has been a problem with the city losing water at this meter and this would save this cost.

Moved by BURKYBILE, seconded by WARD to allow the city to replace the above line at a cost of \$4102.67 with Eagle Picher installing a compound meter.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CONDEMNATION, 1201 KELLER:

Gene Porter, Building Inspector, informed the council that the structure at 1201 Keller has been brought to code and recommends it be removed from the condemnation list.

Moved by WARD, seconded by ROGERS to remove the structure at 1201 Keller from condemnation.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CONDEMNATION 1819 GALENA AVE:

Gene Porter also informed the council that the structure at 1819 Galena Ave has been brought to code. He recommends it be removed from the condemnation list.

Moved by ROGERS, seconded by WARD to removed the structure at 1819 Galena Ave from condemnation.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

806 ELM:

Gene Porter reported on the progress at 806 Elm. Some progress has been made and the yard has been cleaned.

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COMMITTEE SUBSTITUTION:

Price asked if a opinion had been issued on substitutes for committee meetings. The council discussed who should select the substitutes.

Moved by LEE, seconded by PRICE to appoint Jenkins and Rogers to serve as substitutes for committee meetings.

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

Motion declared carried.

COMMITTEE MEETING:

Jenkins informed the council that he did not like the way Allen handled the situation concerning his substituting on the Personnel Committee meeting the previous Friday. He had planned to bring it up before the council but Allen is not here.

No action taken.

21ST & STATELINE:

A request was received for a street light at 21st & Stateline Road and for some kind of caution be placed there due to the number of cars going off the East side of State Line.

Moved by WARD, seconded by JENKINS to refer this to the Street Committee.

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

Motion declared carried.

WEED COMPLAINTS:

The following weed complaints were heard:

23rd Street, Wilkins property
17th & Short
West of Mike's Satellite
12th & Main, can't see fire hydrant

PAYROLL ORD 94-32:

Moved by WARD, seconded by LEE to approve Payroll Ordinance 94-32 in the amount of \$11,630.74 plus \$880.15 FICA and \$188.28 KPEERS.

AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS, WARD, ROGERS

ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 94-33:

Moved by WARD, seconded by LEE to approve Payroll Ordinance 94-33 in the amount of \$11,762.82 plus \$913.55 FICA and \$194.13 KPEERS.

AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS, WARD, ROGERS

ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 94-33a:

Moved by ADAMS, seconded by DAVIS to approve Payroll Ordinance 94-33A in the amount of \$310.25 plus \$23.73 FICA and

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\$6.82 KPERs.
AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS,
WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

VACATION PAY:

Mayor Oglesby referred the council to a previous decision to allow employees to receive two checks the final day they work before going on vacation. This causes the clerk's office to have to run a separate payroll for that check due to the fact that the computer withholds extra on Federal and State taxes. He asked if the council would like to reverse this decision.

Moved by ADAMS, seconded by WARD to reverse this decision.
AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS,
WARD, ROGERS
NAYS: BURKYBILE
Motion declared carried.

ADJOURNMENT:

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



Dale Oglesby, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

(SEAL)