

MINUTES OF
THE GALENA CITY COUNCIL
MEETING

August 5, 1980

The Galena City Council met in regular session Tuesday, August 5, 1980, at 7:00 P.M., in the Council Chambers.

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

Absent were: Hall and R. Wade

Mayor L. G. Williams presided.

Minutes of the regular meeting of July 25, 1980, special meetings on July 25th and 29th, were approved and placed on file on motion by T. Wade, second by Faulkner. Carried with 7 Yeas and 1 Abstention (Hayes).

Under "old business", Don Means spoke on Council approving the bill for the Recall Election on January 8, 1980, but the Purchase Order has never been signed except by one member of the Finance Committee; therefore, the check cannot be released. Means wanted to know if the Council could override the Finance Committee and release the check with only one signature on the Purchase Order in order to avoid a lawsuit being filed by the County.

Attorney Fayette Rowe was asked for his legal opinion and he stated he believed it could be done since they were the Governing Body.

On the Attorney's opinion, Means moved the check be issued and have recorded on the Purchase Order that this was by Council action, overriding the Finance Committee. T. Wade seconded the motion. There were 4 Yeas and 4 Abstentions. Mayor Williams stated he would break the tie vote in favor of paying the bill.

T. Wade spoke on need to vote for Bob Murray to hook onto sewer and water lines at 21st and Wood. Murray would pay for the work. Discussion followed with Howard Jarvis stating he felt it would be discrimination to deny the services to Murray because the City already serves several residents outside the City limits. Faulkner moved Council get with Zoning and Planning Commission to see what they have to do with it and also for the public to be allowed to give their opinion at the next council meeting. Smith seconded the motion. Carried.

Matt Mense and Ronald Owens, the City's Auditors, appeared before the Council requesting their approval for publication of the proposed 1981 Budget. He noted the drop in assessed valuation and stated it was due to the State doing away with the taxation on vehicles until they are licensed.

Mr. Mense also spoke on the Revenue Sharing part of the Budget and what the City intended to use it for.

In answer to an inquiry as to ways to save money on the audit, Mense stated that the accounting records needed to be improved and that a minimum of 5 people had worked on the City's 1979 books and also, that there was no continuity in the Clerk's office. One major problem which he had mentioned previously was the need for more help in the Clerk's office with someone employed at least 20 hours per week; in that way, more accurate records and reports could be provided to the Council.

T. Wade moved the Revenue Sharing be used as before. Smith seconded. Motion carried with 8 Yeas.

T. Wade then moved for approval of publication of the proposed 1981 Budget with an increase of 1.17 mills. Means seconded the motion. Carried.

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Mr. Mense offered to give some guidelines for record keeping in the Clerk's Office at no charge to the City if it did not run into several days work at a time.

Means stated that he figured part time office help would cost the City approximately \$3,700 per year.

The Mayor and Council thanked Mr. Mense and Mr. Owens for appearing before them.

Mary Giddens, a local resident, appeared in regard to the mandatory trash service, stating she felt she should not have to pay the bill because she lived on a small income and carried her own trash off. She said trash collectors did not pick up all of the trash but left the bottom of the barrel full.

She was asked to get a smaller container or plastic bags so men could lift them.

Mr. and Mrs. Jerry Norvell and Mr. Dorsey Olds appeared before the Council in regard to what they considered a problem they had with the Fire Department. They live in the Checo area West of town and had a small fire there which started July 30th. Mr. Norvell stated that on August 1st during another fire which burned for approximately 8 hours, the Fire Department came out and did all they could to put the fire out which was burning in a brushy area. He said that at that time the truck driver used abusive language on two boys and quoted what was said.

He also stated that his wife had called the next day when the fire flared up again and was burning close to the Wiley Baker residence. She was refused service. They then went to a Mrs. Boyes who called the Fire Department which then came out.

Mr. Norvell stated he had talked with the Fire Chief and got into an argument with him over the telephone, so feeling he could not get anywhere with the Chief there seemed to be no other choice except to appear before the Council. Dorsey Olds also spoke to Council Members in regard to the same problem, as it was his sons the fire truck driver spoke to.

Councilman Means said he was on the Fire Committee and felt they needed to meet with the department driver and Chief to discuss this and bring some answers back to the next meeting. He asked Birtchell Hayes if he would get with him after the meeting in order to talk to the fire department driver and Chief and listen to their side of the story and report back to the next Council Meeting.

Dorothy Mann spoke on problem with speeding cars on 11th and also Wood Streets. She had received a complaint from Mrs. Vicky Ferguson, a resident of the area, on the problem there.

Police Chief Shaw said they were patrolling the area more frequently and believed it might help solve the problem.

Mrs. Mann had also received a complaint on the condition of Amherst Street where a Mrs. Tennis had fallen.

Howard Jarvis and Mike Wendt appeared to request permission for the construction of restrooms on top of the hill at Schermerhorn Park near the Scout Cabin. Wendt needs to do a civic project for his Eagle Scout Award. Jarvis was asked to get an estimate on concrete blocks to build the restrooms. Wendt stated he needed to know by the next week if the Council approved. Jarvis estimated it would cost \$600 - \$700.

Faulkner moved Mike Wendt be allowed to get started on this and not to exceed \$800. T. Wade seconded the motion, with the purchase to be made from Special Parks Fund. Motion carried with 7 Yeas and 1 Nay (Means).

Claude Mann spoke about budget problems and the fact that bills were paid on the Senior Citizen's Center. He felt the City should stop paying these bills as soon as the agreement runs out.

Ray Randall, Community Development Director, presented a Contract between the City and Wilbur Moody, with an initial down payment from Moody of \$2,000. The City will furnish and install water and sewer improvements with reimbursement to be made on sale of the lots.

Faulkner moved for acceptance of the Contract. Kelley seconded. Motion carried.

Faulkner moved, Kelley seconded, that the plot for Overlook Addition be approved and accepted, as this had not been done before. Motion carried.

Ordinance No. 1033, vacating an alley in Block 22, Spring Grove Addition, was approved on motion by T. Wade, second by Faulkner. Motion carried with 7 Yeas and 1 Abstention by Means.

Rehab. bids for Community Development were approved as follows:

Robison Construction - 317 E. 3rd; Cherokee Construction - 809 E. 5th; Marvin Kaehler - demolition 401 Cornwall.

Motion was by T. Wade, second by Kelley. Carried with 8 Yeas.

Randall asked the Governing Body to reconsider their vote at an earlier meeting on refusing to join Mid-America, citing the work done for the area by them. Smith moved the City accept membership in Mid-America, Faulkner seconded the motion. Carried with 6 Yeas and 2 Nays (Watkins and Means).

Randall informed the Council of a letter received by the City from Zodiac Industries in regard to a contract signed by both parties on October 30, 1978. They had requested the City pave a road next to their plant as part of that agreement. Discussion was held with T. Wade moving that the City Attorney review the Contract in question for validity and whether or not the City is liable for the work requested. Kelley seconded the motion. Carried.

Kelley presented a bill from Pete Lamoree of Aqua-Lining, Inc., for repair work at the swimming pool. Lamoree had deducted \$600 from his original bill as self-penalty for not finishing the work on schedule; also, a deduction was made for work done by the City in the amount of \$250 for a total due of \$17,263.00. Wade moved the bill be paid. Kelley seconded. Carried with 8 Yeas.

Means asked Mr. Lamoree if he would prepare a maintenance program for the pool, which he agreed to do. Copies of the workup will be given to Howard Jarvis and the City Clerk.

On the matter of keeping the pool open in September as long as weather permits was left up to Mrs. Edith Banning. The hours would be from 5:00 to 9:00 P.M. and also Saturdays and Sundays. Motion was by Smith, second by Hayes. Carried with 8 Yeas.

Jarvis was given permission to buy a fire hydrant at 5th and Washington at \$400 on motion by Watkins, second by Faulkner. Carried with 8 Yeas.

Faulkner moved, Watkins seconded, Jarvis be allowed to purchase a hydraulic pump for \$215 from the Noxious Weeds Fund. Carried with 8 Yeas.

\$100 was allowed for the purchase of a rear end for the oil pot truck on motion by T. Wade, second by Watkins. Carried with 8 Yeas.

One week's vacation, starting August 18, 1980, was approved for Jeff Charles on motion by T. Wade, second by Faulkner. Carried all yeas.

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The purchase of 110 gallons of larvae control at \$1,300 was approved on motion by Watkins, second by Wade. Carried with 8 Yeas.

Vacation for Larry Hargis from August 11 - 18 was approved on motion by Hayes, second by Means. There were 8 Yeas.

Means asked for an opinion by Attorney Rowe on a councilman moving from the City, specifically whether or not the Council needs an official resignation or is the seat automatically vacant. Discussion followed with Attorney Rowe stating that he believed the seat to be automatically vacant.

Faulkner moved the matter be tabled until the Council is notified officially that the seat is vacant. Motion died for lack of a second.

Smith then moved the seat of Mike Hall of Ward 5 be declared vacant because he had moved from his Ward. Wade seconded the motion. Carried with 7 Yeas and 1 Nay (Faulkner).

Means spoke on vacancy in the Police Department for a patrolman and the need to make an appointment. He then passed out a list of applicants for the position.

Mayor Williams stated he had a recommendation to make as a regular patrolman, speaking about problems the City has with drugs and the need to have an experienced person in the department. He then introduced Charles Ormiston of Inola, Okla. Mr. Ormiston spoke briefly about his past training and experience in the police field.

Police Chief Scott Shaw was asked for his recommendation and he named Earl J. Turley who is now working as an Auxiliary Patrolman. Turley has not had law enforcement training and would need to go to school. It would cost the City approximately \$1,200, part of which would be reimbursed by the State, to send someone to school.

Mayor Williams requested at this time to go into executive session for approximately 10 minutes. T. Wade made motion for this to be allowed. Kelley seconded. There were 7 Yeas and 1 Abstention (Hayes). Motion carried.

Upon reconvening, no action was taken on the previous matter.

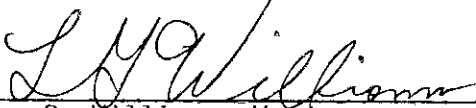
Watkins presented a Resolution in regard to a Mortgage Revenue Bond Program in Cherokee County for low to moderate income families. All that was necessary was for Galena to agree to participate.

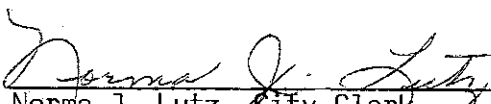
T. Wade moved the Resolution be accepted. Kelley seconded. There were 7 Yeas and 1 Abstention by Hayes. Motion carried.

Mayor Williams presented a bill from the American Legion Auxiliary for meals served to election workers. No action was taken.

Appropriations Ordinance No. 80-18, Payroll Ordinance No. 80-18 and Community Development Appropriations were approved for payment on motion by Faulkner, second by Wade. Motion carried with 7 Yeas and 1 Abstention.

Faulkner moved for adjournment. Wade seconded. Carried by standing.


L. G. Williams, Mayor


Norma J. Lutz, City Clerk