

MINUTES OF  
REGULAR COUNCIL MEETING  
AUGUST 16, 1994

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, August 16, 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, LEE, ALLEN, ADAMS, WARD, ROGERS  
ABSENT: DAVIS, BURKYBILE

MINUTES:

The following correction was made to the August 16, 1994 council meeting minutes: page 2, Sr. Citizens Air Conditioner: Mr. Poelma informed the council that the Sr. Citizens had approximately \$600 that could be used for the air conditioner.

Moved by ROGERS, seconded by WARD to approve and place on file the minutes of the Regular Council Meeting of August 2, 1994 with the above correction.  
AYES: TIPTON, PRICE, JENKINS, LEE, ADAMS, WARD, ROGERS  
ABSTAIN: ALLEN  
NAYS: NONE  
Motion declared carried.

Moved by WARD, seconded by LEE to approve and place on file the minutes of the Special Council Meeting of August 9, 1994.  
AYES: PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
ABSTAIN: TIPTON  
NAYS: NONE  
Motion declared carried.

FIREMENS RELIEF ASSOC:

In reference to the Firemen's Relief Association Minutes, Price asked who the "he" is who has not returned their equipment and who has the arm problem.

Moved by ROGERS, seconded by ADAMS to place on file the minutes of the Firemens Relief Association meeting of July 28, 1994.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

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NAYS: NONE  
Motion declared carried.

SR. CITIZENS BOARD:

Moved by ADAMS, seconded by ALLEN to place on file the minutes of the Sr. Citizens Board Meeting of July 26, 1994.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE  
Motion declared carried.

SR. CITIZENS AIR COND:

Mr. Poelma from the Sr. Citizens Board informed the council that he had met with the County Commissioners and that the levy for the Sr. Citizens Building was not for maintenance on the building. However, Mr. Dixon agreed to provide \$200 toward the air conditioner through a personal donation from him.

The council discussed the purchase of the air conditioner.

Mayor Oglesby informed the council that he did not know if the air conditioner he had located would still be available.

Moved by ROGERS, seconded by LEE to purchase either the air conditioner located by the Mayor, or if it is not available, to accept the low bid presented by Mr. Poelma at the August 2 meeting with the city to split the cost over and above the \$200 donation.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE  
Motion declared carried.

CITY NUISANCE COMPLAINTS:

Margaret Shaw asked the council if the City Attorney had information about an ordinance that would provide for the removal of household furnitures from porches and yards and if Section 8-101 of the City Code had been clarified.

It was asked what constitutes a nuisance and if furniture on the porch and in the yard would fall under the definition of nuisance.

Residents stated that several addresses were turned in several times concerning complaints and nothing had been done. They asked why the complaint had to be signed by two people. The residents do not want to have to sign the complaint.

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Moved by TIPTON, seconded by LEE to draw up an ordinance stating that the public officer can issue a ticket without the 10 day notice and include the property owner in the citation and for the City Attorney to clarify the term "nuisance".

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

MOBILE RADIO:

Neal Little, supervisor of the water project, requested the city to purchase a mobile radio to be installed in the water project truck. He had obtained the following quotes:

Western Communications \$487 for a 2 channel Motorola and \$625 for an 8 channel.

Pagecom quoted \$369.60 for a two channel Motorola and \$299 for a 16 channel Maxon.

Moved by PRICE, seconded by LEE to purchase the 16 channel Maxon at a cost of \$299 plus the antenna.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

EMPIRE DISTRICT PLANT:

A letter from Empire District Electric Company requesting they be allowed to purchase water for domestic purposes and sewer for the entire plant at their new location on the Missouri Side of State Line Road was included in Council Packets.

Ward asked why the water for the plant was not being purchased from the city. The council discussed whether the city has an ample water supply to service the entire plant.

After discussion the following motion was made.

Moved by LEE, seconded by PRICE for the city to look into the city providing the above services.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, ROGERS

NAYS: WARD

Motion declared carried.

PUBLIC OFFENSE ORD  
ORDINANCE 94-18:

Moved by TIPTON, seconded by WARD to approve Ordinance 94-18 regulating public offenses within the corporate limits of the city of

Galena, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," Edition of 1994, and repealing Ordinance numbered 94-9 in its entirety.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

STANDARD TRAFFIC ORD  
ORDINANCE 94-19:

Moved by WARD, seconded by TIPTON to approve Ordinance 94-19 regulating traffic within the corporate limits of the City of Galena, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," Edition of 1994, providing for certain penalties and repealing Ordinance 93-10 in its entirety.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

MOBILE HOME PARKS:

Price had received complaints about the condition of some of the mobile homes being rented in the mobile home parks. The electrical problem in one of the trailers was discussed.

The council discussed the rental ordinance which was passed in 1993 but has not been enforced. The City Clerk was requested to provide each council member with a copy of this ordinance along with a copy of the ordinance adopted by Baxter Springs. It was requested these be sent to council members so they might review them prior to the next council meeting.

WORKERS COMP PHYSICIAN:

KMIT has requested the city designate a physician to handle their workers compensation claims. This should help to keep claims down.

Moved by ADAMS, seconded by WARD to designate Dr. Stephen Bazzano as the City's worker's compensation physician, with all worker's comp injuries requiring a physician's treatment being referred to him.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

WORKERS COMP CLAIM:

Moved by WARD, seconded by ADAMS for the city to pay all workers comp claims in the amount of \$250 or less.

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

CITY LOT BUILDING:

Mayor Oglesby informed the council that the concrete pad has been poured and the plumbing is complete for the breakroom, rest rooms and office at the city lot. Midwest Environmental gave the city the concrete. Concrete blocks and the roof is now needed. The cost for the completion of the building is approximately \$3500.

Moved by LEE, seconded by PRICE to refer the completion of the building to the finance committee.  
AYES: TIPTON, PRICE, JENKINS, LEE,  
ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried

WATER PROJECT BILLS:

Invoices for materials for the water project totaling \$94,372.23 have been received from Sidener Supply. A portion of these funds have been requested from KDOC on the block grant. However, it may be several weeks before these funds are received.

Moved by WARD, seconded by ROGERS to allow payment of these invoices with city water project funds with reimbursement from the KDOC Block Grant Funds.  
AYES: TIPTON, PRICE, JENKINS, LEE,  
ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

WATSON MOBILE HOME APP:

An application for the placement of a mobile home at 2400 Wood Street was received in the City Clerk's Office.

Moved by ROGERS, seconded by WARD to set the public hearing on the request of Kelly Watson to place a mobile home on lots 52 and 53 in Wilkins Addition be set for October 18, 1994 at 7:00 p.m.  
AYES: TIPTON, PRICE, JENKINS, LEE,  
ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ANIMAL POUND:

Price reported that the State Inspector from the Department of Animal Health inspected the dog pound. He found the pound in good condition. The new addition cannot be used until there is a cover over it and houses in it. Some of the

animals were suffering from distemper. He suggested each animal be isolated for a few hours when it is first placed in the pound.

FIRE DEPARTMENT SUPPLIES:

Jenkins instead of Davis

Davis informed the council that all the oil supplies to be used by the fire department are stored at Fire Chief Bill Hall's residence. The resident fire truck driver, Howard Richey, has requested these be kept at the fire station so he has access to them to use. He also requested the cleaning supplies be kept at the station. He will keep an inventory of the the supplies and a log of each vehicle. Also the front end of Unit 16 has been taken to Gooch Brake for repair.

Moved by LEE, seconded by ADAMS that the fire department supplies be kept at the fire station under lock with the resident fire truck driver having the only key and with him to keep an inventory of the supplies and a log sheet on each vehicle.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

AIR EQUIPMENT:

Resident Fire Truck Driver, Howard Richey, has informed the fire committee that the city can receive free air equipment if they agree to purchase all oil and vehicle maintenance supplies from Simpson Perry.

Moved by JENKINS, seconded by LEE to investigate this further.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

Jenkins will contact Simpson Perry for more information.

CLEANING SUPPLIES:

The Resident Fire Truck Driver provided the fire committee with a price list for cleaning supplies from Redico Supply in Riverton. This was referred to the fire committee.

STREET LIGHTS:

The Street Committee met concerning the request for a street light in Empire. Since this is not a street, the committee could not warrant paying for the light.

The Council discussed the placement

of this light. It was determined that the location would be on Girard Street.

Moved by PRICE, seconded by JENKINS that a street light be installed at the north end of Girard Street with the notation that the city will not provide street lights at alleys in every section of the city.

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

TIPTON LEFT AT 8:48 AND RETURNED AT 8:49 P.M.

21ST & WOOD STREETS:

The Council discussed the placement of a street light at 21st & State Line Road and the installation of placement of a "T" sign at this intersection.

Moved by WARD, seconded by LEE to place a street light at 21st & Wood Streets.

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

Moved by LEE, seconded by WARD to change the "dead end" sign to a "T" sign at 21st & Wood Street.

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

WATER PROJECT EMPLOYEE:

The Personnel Committee interviewed for the vacant position on the water project crew. They recommend Gary Smith as laborer for this position.

Moved by JENKINS, seconded by ROGERS to appoint Gary Smith as laborer for the water project.

AYES: TIPTON, PRICE, JENKINS, LEE, ADAMS, WARD, ROGERS  
NAYS: ALLEN  
Motion declared carried.

DISPATCHER APPOINTMENT:

The Personnel Committee interviewed for the position of dispatcher and relief dispatcher. They recommend James Clifford be appointed as dispatcher and Terri Boyes Smith be appointed as relief dispatcher.

Moved by PRICE, seconded by JENKINS to appoint James Clifford as dispatcher.

AYES: TIPTON, PRICE, JENKINS, LEE,

ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

Moved by ALLEN, seconded by WARD to  
appoint Terri Boyes Smith as relief  
dispatcher.  
AYES: TIPTON, ALLEN, WARD, ROGERS  
NAYS: PRICE, JENKINS, LEE, ADAMS

Moved by LEE, seconded by ROGERS to  
enter into Executive Session for 10  
minutes to discuss personnel.  
AYES: TIPTON, PRICE, JENKINS, LEE,  
ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ENTERED INTO EXECUTIVE SESSION AT  
8:56 P.M. AND RETURNED AT 9:05 P.M.

CALL TO ORDER:

The Regular Meeting of the Galena  
City Council was called to order  
after Executive Session on Tuesday,  
August 16, 1994 at 9:05 P.M. in the  
Council Chambers with Dale Ogelsby,  
Mayor, presiding.

ROLL CALL:

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

RELIEF DISPATCHER:

Mayor Oglesby broke the tie vote on  
the appointment of Terri Boyes  
Smith as relief dispatcher by  
voting in favor of the motion to  
hire her.  
Motion declared carried.

RELIEF DOG CATCHER:

The council discussed the problem  
of dogs running at large in the  
city. It was suggested that Adams  
contact Green Thumb, an employment  
service for Sr. Citizens which  
provides employees for non profit  
entities at no charge. They might  
have a retired person who could  
fill the position of part time  
animal control officer.

Moved by PRICE, seconded by LEE to  
request that Adams contact Green  
Thumb about a part time animal  
control officer.  
AYES: TIPTON, PRICE, JENKINS, LEE,  
ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ASSEMBLY OF GOD CHURCH  
QUIT CLAIM DEED, 8TH STREET:

City Attorney, Gene Barrett, had  
prepared a quit claim deed to  
transfer a section of 8th Street,  
with the following description:  
Beginning at a point 435 feet East



and 360 feet South of the Northwest Corner of the Northeast Quarter of Section 24, Township 34 South, Range 25 East of the 6th P.M., Cherokee County, Kansas, thence South 25 feet, thence East 370 feet, parallel to North Section Line, thence North 25 feet, thence West 370 feet to point of beginning, with the city retaining an easement to pass and repass over and through said tract with or without vehicles of any kind for the purpose of conducting business for the Grantor but not for the purpose of a public street, to the Assembly of God Church. This was requested at a previous council meeting by Jim Jones, Pastor of the Church. They are enlarging their parking lot.

Moved by ROGERS, seconded by LEE to approve the Mayor's signature on the above deed transferring the property to the Assembly of God Church.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

EMPIRE DISTRICT OFFICE:

Mayor Oglesby informed the council that there are plans to close the Empire District Electric Office in Galena. He suggested council members contact the company if they don't want the office closed. The company is also applying for a rate increase which would eliminate the city's discount on electric service. If this is approved, it will raise the city's cost about one third.

HAWK ENGINEERING CONTRACT:

At the previous council meeting, it was approved for Hawk Engineering to build over a city water line with them to encase the line. It was recommended that the city draw up a contract with Hawk Engineering stating that the city would not be responsible for damages should the water line rupture. The Mayor will contact Hawk Engineering.

APPROPRIATION ORD 94-8:

Moved by ADAMS, seconded by WARD to approve Appropriations Ordinance 94-8 in the amount of \$103,987.08.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE

Motion declared carried.

APPROPRIATION ORD 94-8A:

Moved by ADAMS, seconded by WARD to approve Appropriations Ordinance

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94-8A (Water Project) in the amount of \$11,514.65.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

PAYROLL ORDINANCE 94-34:

Moved by ADAMS, seconded by TIPTON to approve Payroll Ordinance 94-34 in the amount of \$10,565.35 plus \$799.36 FICA and \$162.41 KPERS.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

PAYROLL ORDINANCE 94-35:

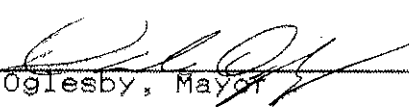
Moved by ADAMS, seconded by WARD to approve Payroll Ordinance 93-35 in the amount of \$12,304.36 plus \$931.69 FICA and \$183.85 KPERS.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

COURT REPORT:

Moved by ALLEN, seconded by TIPTON to place on file the Court Report for July with collections totaling \$1935.00.  
AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ADJOURNMENT:

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

  
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Dale Oglesby, Mayor

ATTEST:

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

(SEAL)