

MINUTES OF
REGULAR COUNCIL MEETING
AUGUST 17, 1993

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, August 17, 1993 at 7:00 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
ABSENT: NONE

MOVE TO COMMUNITY ROOM: Moved by ALLEN, seconded by GABRIELSON to recess and reconvene in the Community Room due to the large attendance.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

CALL TO ORDER: The Reconvened Meeting of the Galena City Council was called to order Tuesday, August 17, 1993 at 7:03 P. M. in the Community Room with Dale Oglesby, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
ABSENT: NONE

MINUTES: Moved by BYRD, seconded by HAYES to approve and place on file the minutes of the Regular Meeting of August 3, 1993 with the following corrections.

Burkybile corrected Page 4, under Roll Call after the executive session, that she was not present.

Burkybile corrected Page 4, under Wade Suspension, that she was not in council chambers and did not

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vote but stated at the August 17, 1993 meeting that she would have voted in favor of the suspension.

Page 4, Burkybile returned during the discussion of the Carter Water Line Easement.

Moved by BYRD, seconded by GABRIELSON to approve and place on file the minutes of the Special Council Meeting of August 10, 1993.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE

Motion declared carried.

EXECUTIVE SESSION:

Moved by SCOTT, seconded by BYRD to go into executive session for 30 minutes to discuss personnel with the executive session to be held in the council chambers.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE

Motion declared carried.

LEFT AT 7:10 P.M. AND RETURNED AT 7:40 P.M.

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order after Executive Session on August 17, 1993 at 7:40 P.M. in the Community Room with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present:
GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
ABSENT: NONE

EXECUTIVE SESSION:

Moved by BURKYBILE, seconded by BYRD to enter into Executive Session in the Council Chambers for 30 minutes to discuss Personnel.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE

Motion declared carried.

LEFT AT 7:41 P.M. AND RETURNED AT 8:10 P.M..

Acting Police Chief Bob Lawrence was asked to meet in executive session with the council.

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CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order, after executive session, Tuesday, August 17, 1993, at 8:10 P.M. in the Community Room with Dale Oglesby, Mayor presiding.

ROLL CALL:

Roll call after executive Session indicated the following council members present: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
ABSENT: NONE

CHIEF WADE SUSPENSION:

Moved by ALLEN, seconded by BURKYBILE to extend the suspension of Chief Wade for 2 weeks until KBI reports are received.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

3RD WARD COUNCIL POSITION:

Moved by SCOTT, seconded by ADAMS to table the appointment of a council member for 3rd Ward.
MOTION AND SECOND WITHDRAWN.

Moved by SCOTT, seconded by BYRD to interview the 3 applicants for the vacant 3rd Ward Council Position.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried

Clifford Hays, one of the applicants for the position stated he feels the seat has been vacant too long and the residents of that ward have not been fairly represented. He doesn't think the council member should be appointed. He recommends an election in the 3rd Ward.

The Council interviewed the following applicants.

Clifford Hays stated he felt his input would help balance the council. He neglected from running in April because at the time of election, he was planning to start a business in the city and he was afraid there would be a conflict of interest. However, the business is in Joplin, so there would be no conflict. He

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feels he would be a positive influence on the council.

Carroll Rogers stated he has lived in Galena most of his life. He is interested in Galena and he has a good sense of knowledge of the town and area.

Sonny Webster stated he had lived in Galena all his life. He feels there has been no representation from the 3rd Ward on the Council for quite a while. He would come in with an open mind and has no personal interest in the appointment. He has plenty of qualifications.

Voting by secret ballot was as follows:

Webster	3
Hays	1
Rogers	5

Moved by BYRD, seconded by GABRIELSON to confirm Carroll Rogers as council member for 3rd Ward, filling the vacancy due to the resignation of Bill Abraham.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: NONE
Motion declared carried.

The City Clerk gave the Oath of Office to Carroll Rogers.

GHS BOOSTER CLUB:

Glenda Reeves requested the Booster Club be allowed to discharge an aerial bomb after each touchdown at the football games. The Cherokee County Ambulance Crew has agreed to handle the lighting of the aerial bomb for the pep club.

Moved by BURKYBILE, seconded by ADAMS to allow the shooting of fireworks after touchdowns at the football games.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

MRS CLARA LEE:

Mrs. Clara Lee brought papers for the Mayor and City Attorney to view. She stated she supports the city council and Mayor in their actions.

ENGINEERING CONTRACT

Jack Murray brought copies of the

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CDBG WATER GRANT:

proposed Engineering Contract for the Water Project. He thanked the council for selecting his firm. Engineering and inspection fees have been reduced by approximately \$34,000 from the budgeted amount in the grant application.

The water committee recommends the contract be signed.

Moved by ALLEN, seconded by BURKYBILE approving the signing of the contract with Engineering Management Consultants, Inc. for the CDBG Water Project.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

Clifford Hays asked how the council could approve the signing of these contracts when the council members have not read them.

WADE SUSPENSION:

Roy Watkins, former Mayor, asked why the council did not follow the City Personnel Policy in the suspension of Chief Wade. He said he had suspended Superintendent Sills when he was Mayor, and was told there had to be verbal and written reprimands prior to the suspension.

Allen explained that the Council did not approve the suspension of Superintendent Sills. Mr. Watkins had suspended him without council approval. The council suspended Chief Wade and did so with pay so he has no monetary loss.

Mr. Watkins asked why acting Chief Lawrence was asked to meet with the council in executive session when his name was not brought before the public when the executive session was voted on.

He was informed that the council can call anyone they want into their executive meeting. It does not have to be announced prior to the session.

Mr. Watkins then asked by the door to Chief Wade's office was unsealed without the KBI being there.

Mayor Oglesby stated the KBI requested the office be

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inventoried.

Judy Gourley, former council member, stated she was on the council when Mr. Sills was suspended. She was told he could not be suspended without following the personnel policy.

She also asked if the KBI has been here and visited with anyone besides the Mayor.

Clifford Hays feels that the appointive chief should not have been in the executive session. The Council needs to be educated on the Roberts Rules of Order.

Mr. Hays was told the City Council does not operate under Roberts Rules of Order.

Mayor Oglesby stated this council has been sensitive of the family. They are taking every diligent effort not to raise innuendos. They are trying to operate right.

The question of whether Chief Wade will be paid was answered in the motion.

CONTINUE AGENDA:

Moved by BYRD, seconded by HAYES to continue the agenda:
AYES: HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD
NAYS: GABRIELSON, ROGERS
Motion declared carried.

SWIMMING POOL:

Betty Wilkins asked if the swimming pool was closed as of today and why. It was understood that it would be opened until Labor Day.

Mayor Oglesby informed her that the pool manager begins school in Lawrence on the 19th and will not be here to manage the pool.

Ms Wilkins stated she had purchased a season pass with the understanding that it would be good through Labor Day. She was one of the applicants for the manager's position and was told that the pool would be open from Memorial Day to Labor Day. Children were told today it was the last day it would be open this season. Ms Wilkins stated she felt persons who purchased season passes should be receive a refund for the portion not used.

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Moved by WARD, seconded by HAYES to refund season swimming pool passes on a proportionate basis.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SWIMMING POOL CLOSING:

Moved by BYRD, seconded by WARD to close the city swimming pool for the 1993 season on August 17, 1993.
AYES: HAYES, HARPER, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: GABRIELSON, BURKYBILE
Motion declared carried.

LIFT STATION DEGREASER:

Sills withdrew this item from the agenda. The engineer informed him he would not need this degreaser.

TRUCK TIRES:

Sills reported he would be able to purchase 14 tires to fit the small dump truck at a cost of \$65 each. These are recapped tires.

Moved by GABRIELSON, seconded by SCOTT to allow \$910 for the purchase of 14 recapped tires.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SCHOOL CROSSING GUARD:

The personnel committee had two recommendations from the applications received for the school crossing guard at the Spring Grove Crossing. They requested the council select either Richard Mallatt, Sr. or Herb Harris for the position. The committee feels both men are equally qualified for the position.

The council voted by secret ballot on the position with each applicant receiving 5 votes. Mayor Oglesby broke the tie by selecting Richard Mallatt, Sr. to fill the vacancy.

Moved by BYRD, seconded by HAYES to appoint Richard Mallatt, Sr to the position of school crossing guard for the Spring Grove Crossing.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE

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Motion declared carried.

Moved by Allen, seconded by BURKYBILE to send letters to all applicants, thanking them for their interest in the position.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

STREET REPAIR:

Adams reported she had 15 requests for the repair of Wall Street from 8th to 13th. The council discussed the condition of the streets in the city.

Moved by BURKYBILE, seconded by ADAMS to smooth out and put base rock on the streets which need repaired and smooth them.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CITY BEAUTIFICATION GRANT:

Mayor Oglesby informed the council that the city had been awarded a grant in the amount of \$1000 for the City Beautification Project from the Bess Spiva Timmons Foundation.

FINANCE COMMITTEE:

The Finance Committee met August 10 at 7:15 P.M. concerning the police department radios. There is no range from the base station. They called in an analyst to determine what the problem is and what is needed. They then received bids from Western Communications and Commercial Radio Service. The bid from Western Communications was \$22,199 and Commercial Radio Service was \$4861.95.

Lieutenant Lawrence went to the police department to obtain copies of these bids and this was tabled to later in the meeting.

WOOD STREET WHISTLES:

Superintendent Sills reported he needed to purchase whistles for Wood Street to finish the project. He said the 48 inch whistles are \$36.39 per foot with bands at \$36.39 each. The council discussed using clay pipe for the whistles.

Moved by GABRIELSON, seconded by BURKYBILE to table the purchase of the whistles until costs are

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obtained.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SURPLUS ITEMS.

Baxter has offered the city a dump truck bed for some of the old lift station compressors. Superintendent Sills also requested he be allowed to dispose of various items such as the wrecked police car and other vehicles which are not repairable.

Moved by HARPER, seconded by ROGERS to allow the City Superintendent to deal with any surplus items currently at the shop as he sees fit and possibly trade compressors from the old lift stations to Baxter Springs for a dump truck bed with Sills to itemize the disposal of the items and report back to the council.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

POLICE RADIOS:

Copies of the two proposed bids on the radios for the police department were given to council members. The council discussed the difference in the bids.

Moved by BYRD, seconded by ROGERS to refer the police radios to the police committee to analyze what is needed.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SCHERMERHORN PARK GRANT:

Park Caretaker, Ben Biddle, informed the council that the Parks and Wildlife Department had contacted him and the city is to be awarded a grant in the amount of \$10,000 for work on the cave. Mayor Oglesby is to meet with representatives of the Parks and Wildlife on Monday.

NEPOTISM POLICY:

Allen stated that since the updating of the personnel policy had not been completed, he would like the nepotism policy presented at the August 3, 1993 council meeting put in place. ~~put in~~ place. *Corrected*

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Moved by ALLEN, seconded by HAYES to implement the Nepotism Policy which was presented at the August 3rd regular meeting in our personnel policy.
AYES: HAYES, HARPER, BYRD, ALLEN, WARD, ROGERS
NAYS: GABRIELSON, BURKYBILE, ADAMS, SCOTT
Motion declared carried.

WATER COMMITTEE REPORT:

The water committee met concerning the request of Lonnie Stansberry to put a 6 inch tap on Wood Street for a development he has planned. It should be put in prior to the repairs being made to the street since it is just south of 17th Street.

Moved by BYRD, seconded by BURKYBILE to allow a 6 inch tap at the Stansberry Property on Wood Street, just south of 17th Street.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

JUNE WATER REPORT:

Moved by ALLEN, seconded by GABRIELSON to place the June Water Report on file.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

APPROPRIATION 93-8:

Moved by BYRD, seconded by SCOTT to approve Appropriations Ordinance 93-8 in the amount of \$65,907.52.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, ROGERS
ABSTAIN: WARD
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 93-30:

Moved by BYRD, seconded by GABRIELSON to approve Payroll Ordinance 93-30 in the amount of \$11,083.13 plus \$838.71 FICA and \$128.12 KPERS.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 93-30A:

Moved by BYRD, seconded by ADAMS to approve Payroll Ordinance 93-30A in the amount of \$181.68

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and \$13.89 FICA.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BYRD, ALLEN, ADAMS, WARD,
ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 93-31:

Moved by HAYES, seconded by ADAMS
to approve Payroll Ordinance 93-31
in the amount of \$11,122.75 plus
\$841.91 FICA and \$116.96 KPERS.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BYRD, ALLEN, ADAMS, WARD,
ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

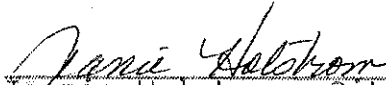
ADJOURNMENT:

Moved by BYRD, seconded by
GABRIELSON to adjourn the Regular
Meeting of the Galena City
Council.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.



Dale Oglesby, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

(SEAL)

MINUTES OF
SPECIAL COUNCIL MEETING
AUGUST 19, 1993

CALL TO ORDER:

The Special Meeting of the Galena City Council was called to order Thursday, August 19, 1993 at 7:00 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding. The purpose of the Special Meeting was to discuss personnel. All council members were notified by personal service by the Galena Police Department.

ROLL CALL:

Roll call indicated the following council members present:
GABRIELSON, HAYES, HARPER,
BURKYBILE, BYRD, ALLEN, ADAMS,
WARD, ROGERS
ABSENT: SCOTT

EXECUTIVE SESSION:

Moved by HARPER, seconded by BURKYBILE to enter to executive session for 45 minutes to discuss personnel with the City Attorney remaining.
AYES: GABRIELSON, HAYES, HARPER,
BURKYBILE, BYRD, ALLEN, ADAMS,
WARD, ROGERS
NAYS: NONE
Motion declared carried.

ENTERED EXECUTIVE SESSION AT 7:05 P.M. AND RETURNED AT 7:49 P.M.

CALL TO ORDER:

The Special Meeting of the Galena City Council was called to order after executive session at 7:49 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present:
GABRIELSON, HAYES, HARPER,
BURKYBILE, BYRD, ALLEN, ADAMS,
WARD, ROGERS
ABSENT: SCOTT

CHIEF WADE:

Moved by ALLEN, seconded by HARPER to initiate the process for the removal from office of Chief Alan Wade in accordance with Section 1-308 of the City Code.
AYES: HAYES, HARPER, BURKYBILE,
BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
GABRIELSON DID NOT CAST A VOTE.