

MINUTES OF
REGULAR COUNCIL MEETING
AUGUST 18, 1992

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, August 18, 1992 at 7:00 p.m. in the Council Chambers with Roy Watkins, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
ABSENT: BURKYBILE, STANSBERRY

MINUTES: Moved by BYRD, seconded by TIPTON to approve and place on file the minutes of the Regular Council Meeting of August 4, 1992.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

PLANNING & ZONING: Moved by GOURLEY, seconded by BYRD to place on file the minutes of the Planning & Zoning Commission meeting of July 7, 1992.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

SR. CITIZENS BOARD: Moved by BYRD, seconded by TIPTON to place on file the minutes of the Sr. Citizens Board Meeting of July 2, 1992.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

2ND STREET: Clinton Clark requested the city make needed repairs for a 1/2 block area of 2nd Street East of Joplin Street. He stated the city has graded it but it only leaves it muddy. Since the city filled the mine hole, water runs across this area and into his shop. He as

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gravelled it and graded it but feels this is the city's responsibility. He stated all the other streets in that area are blacktopped.

Moved by GABRIELSON, seconded by GOURLEY to obtain costs on repair of 2nd Street east of Joplin Street and refer to the Street Committee.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

VACANT LOTS:

Margaret Glick complimented the city police department and employees for the assistance she has received. She stated she owns property on East 7th Street and while cutting the grass and debris, she found wild marijuana growing. She thanked the police department for their assistance and for patrolling this area. She also informed the council of the condition of the building just East of her property at 815 E. 7th. She said the back of the building is open and children go in and out of it. The building is in need of other repair, also.

815 E. 7TH:

Gene Porter read his letter to the council concerning the condition of the structure at 815 E. 7th Street. He recommended this structure be placed on the condemnation list.

RESOLUTION 92-10:

Moved by BYRD, seconded by GABRIELSON to place the structure at 815 E. 7th Street under condemnation setting October 6, 1992 as the hearing date.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

BARTLET STREET:

Superintendent Sills requested he be allowed to widen Bartlet Street from 21st to 24th Street. The two property owners on the west side of the street have agreed to give an easement for this widening. He stated the street is only 18 feet wide and with the

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brush over the edge, is not wide enough for two vehicles.

Moved by GOURLEY, seconded by SCOTT to table until estimates on the cost are obtained.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

CLOSING STREET:
CORNWALL 4TH ADDITION:

Superintendent Sills stated he received a request from the owner of Lot 2 in Cornwall 4th Addition, requesting the street between Lots 1 and 2 be closed. He stated it is not used and is not a platted street on the map.

Moved by TIPTON, seconded by GABRIELSON to close the street between Lots 1 and 2 in Cornwall 4th Addition.
AYES: GABRIELSON, HAYES, BYRD, ALLEN, TIPTON
NAYS: SCOTT, MEANS, GOURLEY
Motion declared carried.

WELL #3
CHLORINATOR & BUILDING:

Superintendent Sills stated the council had approved the purchase of a chlorinator for Well #3. He has not purchased this item and wanted to bring it back before the council. He stated the work is complete on Well #3 and he requests he be allowed to construct and building and purchase the chlorinator at this time. Well #3 would then be in operation as a backup well.

Moved by HAYES, seconded by TIPTON to construct a building at Well #3 to house the chlorinator and to obtain bids on the purchase of a chlorinator with the Finance Committee to review the bids and approve the purchase.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

FLY BAIT:

Moved by BYRD, seconded by MEANS to approve the purchase of fly bait for the sanitation truck at a cost of \$250.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE

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Motion declared carried.

PHILIP SNOW RESIGNATION:

Chief Collins read the resignation effective August 18, 1992 of Philip Snow. He stated in his resignation he had accepted employment in Tulsa, Oklahoma at a higher rate of pay.

Moved by MEANS, seconded by HAYES to accept the resignation of Philip Snow as patrolman.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY

NAYS: NONE

Motion declared carried.

CAMERA BATTERY:

Moved by BYRD, seconded by HAYES to allow the purchase of a battery for the police department video camera at a cost of \$59.95.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY

NAYS: NONE

Motion declared carried.

PARK MOWER:

Gabrielson stated he had obtained bids on a mower for the park department.

Bids are as follows:

Anderson Car & Tractor: 18 HP
Kubota, 2 cylinder diesel, 48
inch deck. \$6000.00

Midway Hardware: 16 HP
Wheelhorse \$4000.00

Springdale Kubota dealer, 18
HP Kubota, 2 cylinder diesel,
48 inch deck, FOB Springdale
\$5850.00

Kuntz New Holland, Ford 16 HP
Gas, used mower \$2700.00

Used Wheelhorse mowers are
\$2000 to \$3500.

Kubota dealer in Independence
quoted the same price as
Anderson on the same mower.

Biddle stated Anderson offered
him up to \$600 on his old
mower.

Means stated he had contacted
Joplin and they use the
Kubota. He stated they have

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had very little repairs in 1 1/2 years. St Johns also uses the Kubota.

Moved by MEANS, seconded by GOURLEY to purchase the 18 HP Kubota with 48 inch cut from Anderson Car and Tractor at a cost of \$6000.

ROLL CALL VOTE.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, TIPTON, GOURLEY
NAYS: ALLEN
Motion declared carried.

COUNTY WIDE 911:

The council discussed the county's proposal for a county wide 911 system. The city has already established the service for the 783 and 848 exchanges which includes Galena and most of the Riverton-Lowell area. It was noted that Baxter voted to place the proposal on the ballot. The cost would be \$.75 per month which would be added to the residents telephone bills.

Moved by BYRD, seconded by TIPTON to send a letter to the County Commissioners opposing the county-wide 911 system.
AYES: GABRIELSON, HAYES, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
ABSTAIN: MEANS
NAYS: NONE
Motion declared carried.

TIRES IN DUMPSTERS:

Byrd stated he received a complaint from one of the merchants who has rented a dumpster from the city that persons are placing used tires in his dumpster. Tires can no longer be taken to the landfill. The council discussed the problem of persons discarding tires. It was stated they are being discarded along roads and in other areas.

Duane Snapp of Tire Remediation stated he is working with another city on setting up one day per month to allow residents to dispose of their used tires. He stated he thought he could do this for \$.50 per tire.

No action taken.

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FHA GRANT AGREEMENT:

The council discussed the signing of the necessary papers for the loan closing for the sewer project.

Moved by MEANS, seconded by TIPTON to approve the Association Water or Sewer System Grant Agreement with FMHA.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

ORDINANCE 92-7
LAND RESOURCES:

Moved by GABRIELSON, seconded BYRD to approve Ordinance 92-7 setting policy regarding protection of important land resources and orderly development which reads as follows:

As a condition for receiving Farmers Home Administration financial assistance the City of Galena agrees to comply with Federal, State and local laws and regulations regarding protection of productive agriculture land and other land resources (wetland and floodplains) and the orderly development of land for residential, commercial and industrial uses. When decisions concerning land use arise from requests for service from our utility system, the City of Galena agrees to:

1. Avoid unwarranted conversion of important farmland, wetlands and unwarranted encroachment on flood plains.
2. Encourage development patterns which insure compact community development, contiguous development, and infilling of development.
3. Encourage planning which emphasizes sound land use and development patterns.
4. To publicly announce the City position relative to providing service to new users.
5. To be guided by the local Soil and Water Conservation District and the results of the Land Evaluation Site Assessment System (LESA) with

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regard to service connection on prime and important farmland areas.

6. Not to agree to service connections for properties which may be constructed on wetland or floodplains.

7. To comply with the provision of Form FmHA 1942-47, "Loan Resolution (Public Bodies)" with regard to avoiding or reducing any adverse environmental impacts of the facility's construction or operation.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BYRD, ALLEN,
TIPTON, GOURLEY

NAYS: NONE

Motion declared carried.

ORDINANCE 92-8:
REVENUE BOND CALL

Moved by BYRD, seconded by GABRIELSON to approve Ordinance 92-8 authorizing the call of the City of Galena Sewer Utility Revenue Bonds, Series 1992-A, and authorizing the publication of the Notice of Redemption.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BYRD, ALLEN,
TIPTON, GOURLEY

NAYS: NONE

Motion declared carried.

RESOLUTION 92-9:
LOAN RESOLUTION

Moved by MEANS, seconded by GOURLEY to approve Resolution 92-9 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, construction, enlarging, improving and/or extending its pump station, construct new collection system, and repair existing collection system at sites described in Final Title Opinion.

AYES: GABRIELSON, HAYES,
MEANS, SCOTT, BYRD, ALLEN,
TIPTON, GOURLEY

NAYS: NONE

Motion declared carried.

ADMINISTRATOR'S CON-
TRACT AMENDMENT:

Council members were provided copies of the letter dated August 10 from the Kansas Department of Commerce concerning the monitoring visit on the sewer project. The only performance deficiency noted was the absence of federal contract provisions in the contract with SEK Regional Planning for

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Administrative Services.

Moved by BYRD, seconded by TIPTON to amend the Administrator's Contract with SEK Regional Planning Commission to include the federal contract provisions as required.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

STREET SWEEPER:

Moved by HAYES, seconded by TIPTON to offer \$200 to Baxter Springs for the purchase of a used street sweeper.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

TRACK LOADER:

Superintendent Sills opened the following bids on a track loader. All bids include the trade of the 910 Caterpillar.

E. A. Martin Machinery Co.	
	\$21,215.00
Victor L. Phillips Co.	
	\$42,200.00
Berry Tractor & Equipment Co.	
	\$23,500.00

The council discussed whether there are adequate funds for the above purchase.

Moved by MEANS, seconded by BYRD to table the purchase of a track loader at this time.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

The representatives of the 3 companies present agreed the bids received would be effective for 30 days.

DISPATCHER:

Moved by GOURLEY, seconded by BYRD to appoint Cheryl Haines to the position of dispatcher.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, GOURLEY
NAYS: NONE
Motion declared carried.

SWIMMING POOL:

The council agreed the pool

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will close on Labor Day as in past years.

COMMUNITY DEVELOPMENT:

The Community Development Committee met with representatives of a company who are interested in establishing a chicken processing plant in the city. They are looking at other locations also. The plant would employ about 150 persons. Carey Jester and Rob Anderson of SEK Regional Planning Commission met with the committee and the firm and agreed to provide the firm the necessary information concerning Galena. The company will need between 12 and 15 million gallons of water monthly. They will be back in contact with the committee.

STANSBERRY ENTERED AT 8:30 P.M.

OSHA REGULATIONS:

Means informed the council that new OSHA regulations are going to require that the city provide safety equipment to its employees at city cost. He said the city is going to have to start planning for these purchases.

AMBULANCE TELEPHONE:

The telephone line for ambulance calls which rings in the dispatcher's office no longer rings. The repairman which was called stated the system could not be repaired and either a new phone system will need to be installed or a direct line for the service installed.

Moved by ALLEN, seconded by MEANS to install a direct line for the ambulance calls and to get quotes on a telephone system.

AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

GRAVESTONE DAMAGE:

Means stated one of the expenses brought to the finance committee was the request by the owner for the replacement of a gravestone which has been chipped. He stated he had examined this

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stone and found it was not in as bad shape as other stones, Joplin and Baxter Springs; policy is to replace only if defaced brutally. Small chips are watched and if it cracks, then the stone is replaced. He did not recommend payment of the \$100 for this replacement and asked other council members to examine the stone.

ENTERPRISE ZONE:

Tipton informed the council that applications are not being accepted by the State for Enterprise Zones.

ANIMAL CEMETERY:

The animal cemetery is nearly full. An alternative site needs to be established.

TRI STATE RECYCLING:

Gene Barrett, City Attorney, informed the council he had been in contact, by telephone, with William Montgomery, of the Kansas Department of Commerce. Mr. Montgomery recommends the city accept the offer of \$50,000 from Tri State Recycling as payment in full of the KDOC grant/loan obtained for the company. Barrett stated the used market price of the equipment the city has a 1st lien on is approximately \$50,000. We have a second lien on everything else, and more is owed than the equipment is worth. He stated much of the funds expended on this piece of equipment was for the installation. If the city accepts the \$50,000, the balance is written off. If it is not accepted, we could end up with less.

Duane Snapp, a part owner in the company, informed the council he had lost approximately \$250,000 in the project and the other owners he was forced to take in had also lost a considerable amount.

Moved by BYRD, seconded by GOURLEY to accept the \$50,000 offer from Tri State Recycling contingent on approval from KDOC in writing.
AYES: HAYES, MEANS, SCOTT,
BYRD, STANSBERRY, GOURLEY
NAYS: GABRIELSON,

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ALLEN, TIPTON
Motion declared carried.\

12TH & PRINCETON:

Tipton informed the council that Mrs. Hoskins has purchased the additional pipe necessary for the ditch at 12th & Princeton. The council had instructed the City Superintendent to purchase black dirt for filling the trench instead of using material from the sewer trenches. The dirt from these trenches can be used. The material coming from the project near 6th & Joplin Street has few rocks in it. He recommends this be used for final covering.

Moved by TIPTON, seconded by STANSBERRY to use dirt from the sewer project trenches to complete the job and either get black dirt or use from the sewer trenches for the top cover at a cost of \$220.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

APPROPRIATION
ORDINANCE 92-8:

Moved by BYRD, seconded by GABRIELSON to approve Appropriation Ordinance 92-8 in the amount of \$63,293.73.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

APPROPRIATION
ORDINANCE 92-8A
PROJECT:

Moved by BYRD, seconded by GOURLEY to approve SEWER Appropriation Ordinance 92-8A in the amount of \$469,198.45.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE
92-18:

Moved by BYRD, seconded by HAYES to approve Payroll Ordinance 92-18 in the amount of \$10,493.30 plus \$802.73 FICA and \$139.55 KPERS.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE

Moved by GOURLEY, seconded by

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92-18A:

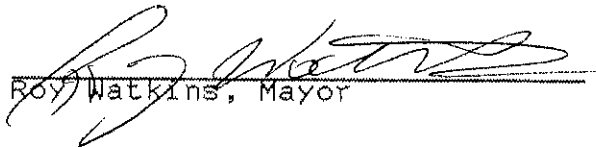
GABRIELSON, to approve Payroll Ordinance 92-18A in the amount of \$10,700.50 plus \$818.58 FICA and \$133.57 KPERS.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

DOANES CONTRACT:

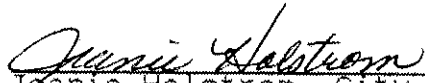
Moved by ALLEN, seconded by STANSBERRY submit the proposed contract for Doanes sewer to Doanes before the city approves or disapproves it.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.

ADJOURNMENT:

Moved by GABRIELSON, seconded by MEANS to adjourn the Regular Meeting of the Galena City Council.
AYES: GABRIELSON, HAYES, MEANS, SCOTT, BYRD, ALLEN, TIPTON, STANSBERRY, GOURLEY
NAYS: NONE
Motion declared carried.


Roy Watkins, Mayor

ATTEST:


Jeanie Holstrom, City Clerk

(SEAL)