

MINUTES OF  
REGULAR COUNCIL MEETING  
AUGUST 20, 1991

CALL TO ORDER: The regular meeting of the Galena City Council was called to order Tuesday, August 20, 1991 at 7:00 p.m. in the Council Chambers with Roy Watkins, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY  
ABSENT: KING, BYRD, MORAN

MINUTES: Moved by WILLIAMS, seconded by HAYES to approve and place on file the minutes of the Regular Meeting of August 6, 1991.  
AYES: HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY  
ABSTAIN: ANDERSON  
NAYS: NONE  
Motion declared carried.

PLANNING & ZONING: Moved by ANDERSON, seconded by TIPTON to place on file the minutes of the Planning & Zoning Commission meeting of July 2, 1991.  
AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

TELEPHONE FRANCHISE: Mary Peters of United Telephone Company read the telephone franchise ordinance proposed by United Telephone. Copies of the changes proposed by the finance committee to the proposed ordinance were provided council members and Ms Peters. Attorneys for United Telephone are to confer with the city attorney prior to the September 3 meeting concerning these changes.

CONTRACTOR FOR SEWER: Dean Sellers, of Mid Kansas  
---- Page 1 ----

AUGUST 20, 1991

Engineering stated his firm had reviewed the bids received at the August 6, council meeting for the sewer project. His firm found no irregularities in the bids and recommended the city accept the low bid of \$1,936,663.19 by Southard Construction. Mid Kansas had checked their references and found no negative comments.

Roy Bash, attorney for Southard Construction requested the council allow Southard to increase their bid in the amount of \$312,150. He stated that Southard had made a clerical error in preparing their bid. Southard told the council that their bid for Asphaltic Concrete Pavement, removed and replaced, (Item 13 Part B and Item 4, Part C) should have been \$35.80 and \$36.00 respectively. They requested the council increase their bid to \$2,248,813.19. Southard stated they had bid the contract at a price that would not allow for this error. They possibly would not be able to honor the acceptance of the bid if the correction were not allowed.

The council then discussed this with Southard, Mr. Sellers and Paula Raskopf of SEK Regional Planning, the administrator of the block grant for this project.

Moved by WILLIAMS, seconded by STANSBERRY to table the acceptance of a bid on the sewer project until the next regular meeting to allow SEK Regional Planning to confer with KDOC and FmHA on the action to be taken by the council and to allow Mid Kansas Engineering to review the revised Southard bid and errors.

AYES: ANDERSON, HAYES, WILLIAMS,  
BURKYBILE, TIPTON, STANSBERRY,  
GOURLEY

NAYS: NONE

Motion declared carried.

CONDEMNATION:

---- Page 2 ----

The city inspector requested

AUGUST 20, 1991

clarification on the city's position concerning a structure which had been condemned by the city. The owner had started the removal of the structure but work had stopped. The city inspector requested another person complete the removal for the lumber in the structure. The city inspector asked if the city was liable should this person be injured while working on the structure.

The council discussed this matter and the city attorney advised that the city should complete the demolition of the building and contract to clean up the debris.

Moved by BURKYBILE, seconded by STANSBERRY, for the city to remove the structure at 601 Joplin Street and contract the clean up of the debris.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

SOLID WASTE INCREASE:

The sanitation committee has reviewed the rates charged by area towns for solid waste removal. Our rates are lower than any in the area. Due to the loss of federal and state funds, it will be necessary for the city to obtain additional funds through the water and sanitation funds. The committee recommends the city increase the charge for solid waste removal in the amount of \$1 per customer for family residential and commercial and \$ .75 per customer for single residential and \$3 per customer for dumpsters.

The committee also suggested the ordinance be revised on the number of barrels the city will pick up per business or household without requiring the customer have a dumpster.

AUGUST 20, 1991

**WATER RATE INCREASE:** The water committee recommends an increase of \$1 in the base charge for water with no increase in the other water rates.

**WATER & SOLID WASTE:** Moved by ANDERSON, seconded by HAYES to increase solid waste charges by \$1 for family residential and commercial, \$.75 for single residential, and \$3 for dumpster and to increase the base charge for water \$1. Roll Call vote:  
AYES: WILLIAMS, ANDERSON, BURKYBILE, STANSBERRY, GOURLEY  
NAYS: HAYES, TIPTON  
Motion declared carried.

**MANHOLE COVERS:** Moved by STANSBERRY, seconded by GOURLEY to purchase tar rope to seal manholes to prevent vandalism.  
AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

**GARY LATURNER:** Mr. LaTurner met with the council and requested he be allowed to sit at the corner of 7th & Main until his mother returned at night. This could require him to be there until the early hours of the morning. He stated his mother did not allow him to have a key to the house so he could return there when he completed his work shift.

Officer Wade stated his department had received requests from the property owners to not allow persons to remain at that corner late at night.

Moved by HAYES, seconded by ANDERSON to continue with the agenda.  
AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY  
NAYS: NONE  
Motion declared carried.

**HAZARDOUS WASTE MEETING:** Mayor Watkins read a letter received by the city from Gerald Eckhardt,

AUGUST 20, 1991

Emergency Preparedness Coordinator for Cherokee County, informing the city of First Responder for Hazardous Waste classes to be held in Baxter. According to Mr. Eckhardt, the fire, police and water, street and sanitation departments will have to have this training by January 1, 1992. The classes will be on August 29 and 30 and employees need only attend one day.

The council discussed sending a person to a class to become an instructor so that the volunteers could have a more convenient time to attend the class and receive certification. Chris Dixon, County Commissioner, stated that the county was also having a problem sending everyone to these two classes. He said the county would work with the cities in obtaining instructors.

Moved by STANSBERRY, seconded by WILLIAMS to allow city employees to attend the Hazardous Waste Classes in Baxter on August 29 and 30 and to send an employee to an instructor class to be certified to instruct the other employees and volunteers who are unable to attend.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

FOOTBALL DONATION:

Mayor Watkins stated that Tom Sofia had requested a donation from the city for the PeeWee and Midget football teams.

Chris Dixon, County Commissioner, stated funds were available through the county for this project.

WATER COMMITTEE REPORT:

Council members were provided copies of the water committee reports for July 12 and July 23 in their packets.

AUGUST 20, 1991

Moved by STANSBERRY, seconded by BURKYBILE to place the water committee report on file.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

EXECUTIVE SESSION:

The personnel committee requested an executive session for 15 minutes to discuss personnel.

Left at 8:50 p.m. Returned at 9:04 p.m.

ROLL CALL:

Roll call indicated the following council members present after executive session: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

ABSENT: KING, BYRD, MORAN

PERSONNEL COMMITTEE:

The personnel committee met on August 15. Lonnie Pittman, seasonal employee for the public works department had resigned. They approved Frank Hasenplaugh to fill this vacancy.

SWIMMING POOL:

The city swimming pool was discussed. The written reprimand which was to be given to the pool managers was changed to verbal. This is the second verbal reprimand for the pool managers.

CDL LICENSES:

It will be necessary for employees to have a CDL license after the first of the year to operate the trash truck. The personnel committee recommends city employees be allowed to take the test. If they do not get their license, the city would hire a properly licensed driver.

Moved by ANDERSON, seconded by STANSBERRY to place the personnel report on file.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

AUGUST 20, 1991

NAYS: NONE  
Motion declared carried.

POLICE DEPARTMENT  
PROMOTIONS:

Moved by GOURLEY, seconded by  
WILLIAMS to amend Ordinance 90-17  
creating the position of assistant  
police chief at a salary of \$1515.12  
per month, naming Alan Wade to this  
position, and appoint Gerald Hentz  
to the position of Sergeant at a  
salary of \$1454.14 per month.  
AYES: ANDERSON, HAYES, WILLIAMS,  
BURKYBILE, GOURLEY  
NAYS: TIPTON, STANSBERRY  
Motion declared carried.

EMPLOYEE COMMENDATION:

Gourley commended Chief Collins,  
Superintendent Sills and his  
employees for the work done on the  
school zones.

FINANCE COMMITTEE:

The finance committee met concerning  
the Telephone Franchise. Copies of  
the proposed changes were provided  
the council members.

POOL MANAGER PAY:

The finance committee also discussed  
paying the pool managers the full  
amount approved by the council in  
May. The managers had taken time  
off through the summer. However,  
since one manager remained at the  
pool and the City had agreed to pay  
them a set amount for the season,  
the finance committee recommends  
they not have their pay reduced.

The finance committee recommends the  
personnel committee set guidelines  
for pool managers and establish job  
descriptions for the 1992 season.  
They also recommend the City  
advertise early in the year for this  
position.

STORM SIRENS:

There were no sirens available  
through the first round of grants  
according to Gerald Eckhardt. He  
informed the city clerk that there  
will be another round with the cost  
for sirens higher, however, if the  
city installs the sirens, it would  
probably satisfy the City's share.

AUGUST 20, 1991

GUARD LEAVE:

The city clerk reported she had contacted the League of Kansas Municipalities and the city is not required to pay employees while they are at military training camp.

Moved by BURKYBILE to pay the employee his regular pay while he was at military training camp so long as he can also receive his military pay.

MOTION DIED FOR LACK OF SECOND.

Moved by STANSBERRY, seconded by ANDERSON to pay the employee the difference between his regular salary and the military pay while he is at military training camp.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

LANDFILL:

A complaint had been received concerning the hours of the landfill. The city clerk is to look back through the minutes to determine what the summer hours should be.

THANK YOU:

Tipton thanked the Mayor, Council, City Clerk and employees for their concern at the loss of his sister.

SNOW BLADE:

Moved by WILLIAMS, seconded by HAYES to allow an employee to travel to Topeka to State Surplus to purchase a snow blade at a cost of \$300.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

13TH & BAKER:

It was reported that all parties have agreed to leave Baker Street open South of 13th Street.

FALL CLEAN UP DAYS:

There will be no fall clean up days



AUGUST 20, 1991

since residents can haul their debris to the recycling plant at no charge.

APPROPRIATIONS 91-8:

Moved by STANSBERRY, seconded by TIPTON to approve Appropriation Ordinance 91-8 in the amount of \$78,280.95.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

PAYROLL 91-20:

Moved by ANDERSON, seconded by STANSBERRY to approve Payroll Ordinance 91-20 in the amount of \$9,536.83 plus \$729.57 FICA and \$183.59 KPERS.

PAYROLL 91-20A:

Moved by HAYES, seconded by WILLIAMS to approve Payroll Ordinance 91-20A in the amount of \$11,394.23 plus \$871.66 FICA and \$222 KPERS.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

ADJOURNMENT:

Moved by WILLIAMS, seconded by GOURLEY to adjourn the Regular Meeting of the Galena City Council.

AYES: ANDERSON, HAYES, WILLIAMS, BURKYBILE, TIPTON, STANSBERRY, GOURLEY

NAYS: NONE

Motion declared carried.

  
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Roy Watkins, Mayor

ATTEST:

  
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Jeanie Holstrom, City Clerk

(SEAL)