

MINUTES OF  
GALENA CITY COUNCIL MEETING  
TUESDAY, AUGUST 20, 1996

CALL TO ORDER:

Mayor Dale Oglesby and Mayor Pro-Tem Neal Little was absent from the meeting. City Attorney Barrett advised a volunteer from the Council could sit in to call the meeting to order. Doris Adams was chosen and there being no objections, called the meeting to order at 7:15 P.M. in the Council Chambers.

ROLL CALL:

Roll Call indicated the following councilmembers present: Bellamy, Allen, Ward, Shryock, Adams, and Price. Absent: Reynolds, Rogers, Jenkins, and Little.

MINUTES:

Tom Allen requested correction to Minutes on Page 5 on the motion on the International to show motion was seconded by Reynolds. Lillian Price requested the minutes also on page 5 to indicate that Ben Biddle had advised council that he received the letter from the Insurance Co., opened it and had not notified the City Clerks office or returned the letter to them.

Moved by Ward, seconded by Allen to accept and place on file the Minutes of the Regular Meeting of August 6, 1996 as corrected. Motion declared carried.

TELEPHONE FRANCHISE ORD.:

Mary Peters of United Telephone was present and conducted the second reading of the Proposed Telephone Franchise Ordinance.

NEAL LITTLE ENTERED:

Mayor Pro-Tem Neal Little entered the Council chambers at 7:28 P.M. Councilmember Doris Adams stepped down and Mayor Pro-Tem Little continued the meeting.

DAVID FISH-SEKRPC:

David Fish was present reference the bids on Family Life Center Grant. Mr.

Mr. Fish advised Scott Jackson had taken the bids to their Board Meeting and recommended the City approve the bid of \$154,536.00 low bid on the project from Home Center Constr. in Pittsburg with no changes in the Contract, and that the City sign 5 copies of the ASAP, and request the City pass a resolution authorizing Mayor Pro-Tem to sign in the absence of the Mayor

City Attorney advised the contract indicated the City as owner of the project and requested it be in the Contract that the City is not the owner, advising the City not to sign until it is written in the agreement.

Moved by Allen, seconded by Shryock to allow the Mayor to sign the Agreement as soon as City Attorney approves it without coming back to council for approval. Motion declared carried.

BOOSTER CLUB BONFIRE:

Lisa Wade was present representing the Booster Club requesting the Fire Dept. be allowed to sponsor the annual Bonfire. Moved by Allen, seconded by Bellamy this be allowed.

HICKORY GROVE ADDIT:

Mark LaTurner was present reference a request for water service to Hickory Grove addition to City of Galena, platted in August 1995. Mr. LaTurner advised there were 8 lots in the addition and he needed an additional 400 ft. of water line to supply all the lots. Mr. LaTurner also advised he would be willing to pay for the pipe if the City would provide labor.

Moved by Price, seconded by Adams to allow the City to install the line with LaTurner providing materials and to work with Contractors in the future. Motion declared carried.

TAMI ROSS-PETITION:

Tami Ross was present to advise the City Council that there were several circulating petitions to change form of government to City Manager and 3 commissioners and that she would be in the hallway after the meeting for signatures should anyone be interested in signing.

MARK YOUNGBLOOD:

Water Supt. Mark Youngblood advised the City Council that there were 5 fire hydrants that were leaking and needed replaced before winter. He advised he had 4 at the shop but needed to purchase one more at a cost of \$750.00. Also he advised he would be replacing one on Thursday.

Moved by Shryock, seconded by Adams to approve the purchase of 1 fire hydrant. Motion declared carried.

Mr. Youngblood requested he and Mel Mittag be allowed to attend an 8 hr. class in Independence on Pumps and Motors on August 28, advising there was no charge for the class only expenses to get there and back.

Moved by Adams, seconded by Shryock to approve expenses for Mittag and Youngblood to attend school. Motion declared carried.

RESIGNATIONS:

Moved by Adams, seconded by Shryock, to accept the resignation of Jane Dill as City Clerk dated July 12, 1996 and the resignation of Susan Baker as Dispatcher effective August 27, 1996. Motion declared carried. City Clerk was requested to advertise for Relief Dispatcher as well as Dispatcher.

SCOUT CABIN ROOF:

Discussion was held reference the Scout Cabin roof. Council was advised by Ben Biddle that the Contractor was pulled off the job due to workmanship and the Parks Committee met and the next higher bidder was contacted. A written bid was requested but none was turned in.

Moved by Allen, seconded by Price to solicit bids to complete the roof at the Scout Cabin. Motion declared carried.

UNDERGROUND TANK REMOVAL:

Moved by Price, seconded by Shryock to have Charlie Sweet take the State test of licensing for removal of Underground tanks. The City has 3 tanks that need to be removed. Motion declared carried.

BIDS ON CITY EQUIPMENT:

Sealed bids were opened on sale of City owned equipment not presently being used. Discussion followed on large equipment being sold for junk when the city may need to use it in the future for landfill.

Moved by Allen, seconded by Ward to reject the high bid of \$5600.00 for the dozer. Motion declared carried.

Moved by Shryock, seconded by Adams to accept the bid of \$50.00 by Mark Youngblood for the Street Sweeper. Motion declared carried.

Moved by Shryock to accept the bid of \$5250.00 for the Front End Loader. Motion died for lack of second. Bid was rejected.

Moved by Price, seconded by Shryock to accept the bid of \$50.00 from Charlie Sweet for the Simplicity Mower. Motion declared carried.

Moved by Allen, seconded by Ward to reject the high bid of \$2301.00 for the 10-wheeler truck and trailer. Motion declared carried.

Moved by Shryock, seconded by Adams to accept the high bid of \$4650.00 from Joe Morton Constr. for the Street Grader. Motion declared carried. 2 Nay votes: ALLEN & WARD.

Moved by Shryock, seconded by Price to accept the bid of \$106.00 from Charlie Sweet for the White Chev. Pickup. Motion declared carried.

Moved by Adams, seconded by Shryock to accept the bid of \$40.00 from Terry Sills for the Camper shell. Motion declared carried.

Moved by Shryock, seconded by Adams, to accept the bid of \$70.00 from Mark Youngblood for the side bar mower. Motion declared carried.

Moved by Price, seconded by Adams to accept the bid of \$15.00 from Mark Youngblood for the Wheel Horse Riding Mower. Motion declared carried.

Moved by Shryock, seconded by Adams, to accept the bid of \$12.50 each for the 2 chainsaws. Bid was submitted by Radford Greenlee. Motion declared carried.

Moved by Shryock, seconded by Adams to accept the bid from Terry Sills of \$50.00 each for the 2 air compressors, \$50.00 for the air tank and \$40.00 for the 454 engine. Motion declared carried.

Moved by Shryock, seconded by Bellamy to accept the bid from Charlie Sweet of \$10.00 each for the other 3 motors. Motion declared carried.

SPEC. EQUIP. FUND:

Moved by Price, seconded by Adams that money from the sale of equipment be set aside in a special fund for the purchase of equipment. Motion declared carried. 2 NAYS: ALLEN & WARD. Allen clarified his vote advising the money was needed in the General Fund to repair equipment currently at the Shop.

INDUSTRIAL PARK ROADWAY:

Moved by Allen, seconded by Shryock,

to have the City Engineer survey 40 acre industrial tract donated to the city located S. of Eagle Picher and E. of Shaw Hill to flag roadway to be cut to the East so that property may be shown. Motion declared carried.

CHARTER ORD. #6:

Moved by Allen, seconded by Ward the City Council authorize Charter Ord. #6 be placed on the ballot. Discussion followed with Price stating people can pass a petition to put it on the ballot. ROLL CALL VOTE INDICATED:  
2 AYES: ALLEN & WARD. 5 NAYS: BELLAMY, SHRYOCK, ADAMS, PRICE & LITTLE. 3 ABSENT: REYNOLDS, ROGERS & JENKINS. MOTION DECLARED FAILED.

Doris Adams read part of a letter from her attorney Mr. Menghini to the Atty. Generals Office inquiring who had directed the City Clerks Office not to publish Charter Ord. #6 stating this Ord. was valid and legal until it was declared void by a Court of Law. It was brought to the Councils attention that the Ordinance had already been sent to the Paper for publication at the time the letter was written and published and that it was merely an oversight that it had not been published earlier.

WATER COMM. REPORT:

Shryock advised the Water Committee had met with Mr. Christman on Thurs. Charlie Sweet advised the school wanted to either tie on to the #2 well or drill a well for irrigation purposes. Discussion was held on the School bringing our well up to date and being made automatic versus the cost of drilling a well.

DRUG POLICY:

Price advised the City Atty. had provided information in packets of Drug Policies from Crawford CO and Baxter Springs. Mr. Barrett advised a drug policy could be implemented for safety sensitive positions like Police Officers, truck drivers etc. He also advised it was legal to test prior to employment in all positions and randomly test in positions as City Clerk and other positions not safety sensitive. Mr. Barrett also advised the City had a drug policy on file. Council requested the present policy be brought to the next meeting and activated, and that the Personnel committee look over Baxter, Galena, and Crawford Co. policies.

ATTORNEY FEES:

Doris Adams requested to change the minutes from the past council meeting to reflect a change in the motion to pay attorney fees for Councilmembers.

She was advised she may not change the minutes however she could clarify by making a new motion.

Moved by Adams, seconded by Price to clarify the previous motion to add the reimbursement is conditioned upon the person being found not to have violated the Kansas Open Meetings Act.  
ROLL CALL VOTE INDICATED: 5 AYES: BELLAMY, SHRYOCK, ADAMS, PRICE & LITTLE. 2 NAYS: WARD & ALLEN.  
3 ABSENT: REYNOLDS, ROGERS, & JENKINS.  
MOTION DECLARED CARRIED.

LETTER REF. PARK:

Terry Ward read a letter from the Van Eaton family reference the Porter reunion held recently at Schermerhorn Park, commending the facilities and the upkeep of the park. Also they sent in a donation for upkeep.

COURT REPORT:

Moved by Price, seconded by Bellamy to accept the Court report indicating \$1120.00 in fines. Motion declared carried.

PAYROLL:

Moved by Adams, seconded by Ward to approve Payroll Ordinance 96-32 in the amount of \$11331.45 plus \$873.41 FICA and \$171.95 KPERS. Motion declared carried. 1 ABSTAIN: BELLAMY.

Moved by Ward, seconded by Shryock to approve Payroll Ordinance 96-33 in the amount of \$11581.63 plus \$892.57 FICA & \$178.96 KPERS. Motion declared carried. 1 ABSTAIN: BELLAMY.

APPROPRIATIONS 96-8:

Moved by Allen, seconded by Ward to approve Appropriations Ord. 96-8. Mayor Pro-Tem Little advised since it was in question, there be a roll call vote. ROLL CALL VOTE INDICATED: 4 AYES: ALLEN, WARD, SHRYOCK, AND ADAMS. 2 NAYS: PRICE & LITTLE. 1 ABSTAIN: BELLAMY. 3 ABSENT: REYNOLDS, ROGERS & JENKINS. MOTION DECLARED FAILED.

ADJOURNMENT:

Moved by Adams, seconded by Price to adjourn. No vote was taken.

Motion was made by Allen to request the Cher. Co. Sheriffs Office to patrol the City of Galena because if the council does not vote to pay their bills, the city would be shut down. Motion died for lack of second.

Discussion was held on the legality of purchasing from the Mayor. Also if he had interest in Lucky Miner. After a lengthy discussion, the City Attorney advised it was legal and proper to pay Lucky Miners bill.

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Moved by Allen, seconded by Ward to approve Appropriations Ord. 96-8 in view of the City Attorneys statement that it is legal and proper to pay Lucky Miner. ROLL CALL VOTE INDICATED: 7 AYES: BELLAMY, ALLEN, WARD, SHRYOCK, ADAMS, PRICE AND LITTLE. 3 ABSENT: REYNOLDS, ROGERS, AND JENKINS. MOTION DECLARED CARRIED.

ADJOURNMENT:

Moved by Allen seconded by Ward to adjourn the Regular Meeting of the City Council. Motion declared carried.

  
NEAL LITTLE, MAYOR PRO-TEM

ATTEST:

CHERYL HAINES, ACTING CITY CLERK

(SEAL)