

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON AUGUST 21, 1973.

COUNCIL MET IN REGULAR SESSION, MAYOR MURRAY PRESIDING.

COUNCILMEN PRESENT:

HANSBRAUGH	LATURNER	BARKER	KAEHLER	BANKSON
BOGLE	JAY	BROWN	BAILEY	DAVIES

MINUTES OF THE PREVIOUS MEETING HELD AUGUST 7, THE PUBLIC HEARING HELD AUGUST 14, AND THE OPENING OF BIDS HELD AUGUST 14, WERE READ TO THE COUNCIL FOR APPROVAL. IT WAS POINTED OUT BY COUNCILMAN KAEHLER THAT PURCHASE OF THE WATER PIPE SHOULD BE PAID, HALF FROM THE INDUSTRIAL FUND AND THE OTHER HALF TO BE PAID FROM THE WATER FUND. MOTION WAS MADE BY COUNCILMAN KAEHLER AND SECONDED BY COUNCILMAN LATURNER THAT THE MINUTES BE APPROVED AS AMENDED. MOTION CARRIED.

C. B. SIMMONS, CONSULTING ENGINEER, WAS PRESENT AT THE MEETING CONFIRMING TABULATION OF THE BIDS, WHICH INDICATED THE BRAUM EXCAVATING AS THE LOWEST BIDDER IN THE AMOUNT OF \$330,466.67. THE MAYOR POINTED OUT THAT HE WAS NOTIFIED BY OBLINGER SMITH THAT THE CITY HAS \$332,259.20, FOR THE CONTRACT. MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN LATURNER THAT BRAUM EXCAVATING BE AWARDED THE CONTRACT, OMITTING ALL FIVE ALTERNATES. MOTION CARRIED.

**THE QUESTION BY COUNCILMAN BOGLE AS TO WHY EMPIRE WAS EXCLUDED FROM THE WATER MAINS, MR. SIMMONS EXPLAINED THAT THE MAN FROM HUD OFFICE DREW A CIRCLE AROUND EMPIRE WHICH HAD DELETED THEM, SEVERAL MONTHS BACK. MAYOR MURRAY INSTRUCTED THE CITY CLERK TO GIVE COUNCILMAN BOGLE ALL THE PERTINENT DATA CONCERNING WATER MAINS.**

MOTION WAS MADE BY COUNCILMAN BOGLE AND SECONDED BY COUNCILMAN BARKER THAT JOHN LINK BE GRANTED ONE WEEK VACATION PAY IN LIEU OF VACATION. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN JAY AND SECONDED BY COUNCILMAN BANKSON THAT THE CITY ATTORNEY DRAW UP AN ORDINANCE FOR THE POSITION OF JUDGE PRO TEM. MOTION CARRIED.

ON THE QUESTION PERTAINING TO THE EQUALIZING OF WARDS, MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN BOGLE THAT THE WARDS BE LEFT AS THEY PRESENTLY ARE. VOTING INDICATED FIVE YEA, TWO NAY, WITH TWO ABSTAINING. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BOGLE AND SECONDED BY COUNCILMAN BARKER THAT SINCE NO WATER MAINS ARE TO BE INSTALLED IN EMPIRE, THAT EMPIRE SHOULD BE THE FIRST TO HAVE THEIR STREETS PAVED. UPON ROLL CALL VOTE, THOSE VOTING YEA: BARKER, BOGLE, BROWN, AND JAY. NAY: BAILEY, BANKSON, HANSBRAUGH, LATURNER, AND KAEHLER. MOTION FAILED TO CARRY.

MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN LATURNER THAT THE DISCUSSION PERTAINING TO THE CITY PROPERTY LOCATED AT 6TH & SHORT, BE TABLED UNTIL THE NEXT REGULAR COUNCIL MEETING. MOTION CARRIED.

DISCUSSION WAS HELD PERTAINING TO SEWER CHARGES FOR TRAILER COURTS, INDUSTRIES, AND LAUNDRY MATS. THE MAYOR ASK THAT THE SEWER COMMITTEE INVESTIGATE AS TO WHAT WOULD BE A FAIR CHARGE AND REPORT BACK AT THE NEXT REGULAR COUNCIL MEETING.

MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN BAILEY THAT TWO BASKETBALL GOALS BE INSTALLED AT THE CITY PARK AT THE COST OF \$125 PER GOAL AND THAT THE GOALS BE INSTALLED BY PAUL CURE WITH MONIES BEING TAKEN FROM REVENUE SHARING. MOTION CARRIED.

DISCUSSION WAS HELD PERTAINING TO THE CLEANING, SCALING AND PAINTING OF THE CITY STAND PIPE. MRS. YATES, REPRESENTING YATES ENGINEERING, OF JOPLIN, MISSOURI, BID A PROPOSAL IN THE AMOUNT OF \$3000 FOR LINING TEXACO COMPOUND L INTERIOR, WITH THE EXTERIOR TO BE PAINTED WITH WILLIAMS QUICK DRY PAINT. MOTION WAS MADE BY COUNCILMAN BOGLE AND SECONDED BY COUNCILMAN BROWN THAT THE MATTER BE TABLED AND ALLOW THE WATER COMMITTEE TO INVESTIGATE FEASIBILITY OF THIS PROJECT AND REPORT AT THE NEXT REGULAR COUNCIL MEETING. MOTION CARRIED.

APPLICATION FOR CEREAL MALT BEVERAGE LISCENSE, REPLACING THE LISCENSE FOR ROSINA MANN, WAS READ BY THE MAYOR FOR JAMES MANN TO OPERATE THE GOLDEN HAWK, 400 MAIN STREET, GALENA, KANSAS. UPON ROLL CALL VOTE THE FOLLOWING ANSWERED YEA: BAILEY, BANKSON, BARKER, BOGLE, HANSBRAUGH, AND KAEHLER. THOSE VOTING NAY: BROWN, JAY, AND LATURNER. MOTION CARRIED. LISCENSE GRANTED.

MAYOR MURRAY READ LETTER OF RESIGNATION OF JOHN H. BEECHAM, PARK CARETAKER, TO GO INTO EFFECT SEPTEMBER 1, 1973. MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN JAY THAT THE RESIGNATION BE ACCEPTED. MOTION CARRIED. MAYOR MURRAY ALSO REQUESTED THAT THE CHIEF OF POLICE INSTRUCT PATROLMAN TO CHECK FREQUENTLY ON THE PARK THROUGH THE DAYS OF SEPTEMBER 1 - SEPTEMBER 4, AS THERE WOULD BE NO PARK CARETAKER AT THAT TIME.

MOTION WAS MADE BY COUNCILMAN JAY AND SECONDED BY COUNCILMAN BROWN THAT THE CITY ATTORNEY DRAW UP A RESOLUTION CONDEMNING OAK STREET, NORTH OF 7TH STREET, AND FOR OAK STREET TO BE AN EXTENSION OF KELLER STREET. MOTION CARRIED.

DISCUSSION WAS HELD PERTAINING TO THE MUSICIANS UNION, 316 MAIN. A PETITION WAS PRESENTED TO THE COUNCIL BY COUNCILMAN HANSBRAUGH WITH THE TOTAL OF 83 SIGNATURES OPPOSING THE BUILDING TO BE USED FOR THE HOLDING OF PRACTICE SESSIONS AND PUBLIC DANCES. THE DISCUSSION OF THE PROS AND CONS INVOLVED THE FOLLOWING: EARNIE DONALDSON, BILL KARR, HILDA PROCINO AND MARION DAVIES. MOTION WAS MADE BY COUNCILMAN HANSBRAUGH AND SECONDED BY COUNCILMAN JAY THAT THE PETITION BE ACCEPTED AND PLACED ON FILE. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN KAEHLER AND SECONDED BY COUNCILMAN JAY THAT A COPY OF THE PETITION BE GIVEN TO MR. BARTHOLOMEW'S ATTORNEY, PAUL ARMSTRONG. MOTION CARRIED.

MAYOR MURRAY ASK THAT THE CITY ATTORNEY, DAVID BREWSTER, STUDY THE PETITION AS TO THE LEGALITY AND GIVE THE CITY ADVICE AND HIS OPINION AS TO WHAT COULD BE DONE IN REGARDS TO THIS COMPLAINT.

ORDINANCE #704, CLAIMS AGAINST THE CITY WAS PRESENTED TO THE COUNCIL IN THE AMOUNT OF: PAYROLL - \$6544.71 REGULAR - \$3884.20 TOTAL - \$10,428.91. MOTION WAS MADE BY COUNCILMAN HANSBRAUGH AND SECONDED BY COUNCILMAN BROWN THAT THE ORDINANCE BE AMENDED TO INCLUDE PAYMENT TO THE GALENA SENTINEL TIMES IN THE AMOUNT OF \$255.26. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BANKSON AND SECONDED BY COUNCILMAN HANSBRAUGH THAT THE SIGNS BILLED TO THE POLICE DEPARTMENT IN THE AMOUNT OF \$825 BE TRANSFERRED AND PAID FROM THE SPECIAL HIGHWAY FUND. ON A YEA AND NAY VOTE, TWO VOTED NAY. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN BROWN THAT THE BILL TO SANDY'S GARAGE, IN THE AMOUNT OF \$165 BE PROPERLY BILLED TO THE FIRE DEPT. RATHER THAN THE POLICE DEPARTMENT. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN JAY THAT PAYMENT TO JACK'S RADIO SERVICE BE HELD AT THIS TIME. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN JAY AND SECONDED BY COUNCILMAN BROWN THAT ORDINANCE #704 BE ADOPTED AS AMENDED. MOTION CARRIED.

MAYOR MURRAY ASK THAT THE CHAIRMAN OF EACH COMMITTEE, WANTING TO GO OVER BILLS TO BE ON THE APPROPRIATION ORDINANCE, CONTACT THE CITY CLERKS OFFICE NO LATER THAN 5:00 ON FRIDAY, PRIOR TO THE MEETING ON TUESDAY.

MOTION WAS MADE BY COUNCILMAN HANSBRAUGH AND SECONDED BY COUNCILMAN BROWN THAT THE CITY ATTORNEY BE AUTHORIZED TO WRITE A LETTER TO THE BOARD OF TAX APPEALS FOR PERMISSION TO EXCEED THE BUDGET OF 1973. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN BAILEY THAT THE MEETING BE ADJOURNED. MOTION CARRIED BY STANDING.

  
JACK N. MURRAY, MAYOR

B. J. LATURNER, CITY CLERK