

MINUTES OF THE REGULAR
GALENA CITY COUNCIL MEETING

September 2, 1980

The regular meeting of the Galena City Council was held Tuesday, September 2, 1980, at 7:00 P.M., in the council chambers.

Answering present on roll call were the following members: Kelley, Mann, Piercefield, Means, Smith, T. Wade, Faulkner, Watkins and Hayes.

Absent was: R. Wade.

Mayor L. G. Williams presided.

Minutes of the regular council meeting on August 19, 1980, and the special meeting held August 22nd were approved and placed on file on motion by T. Wade, second by Kelley. Carried with Piercefield abstaining on the minutes of August 19 and Smith and Hayes abstaining on the minutes of August 22nd.

Judy Spaulding of Blue Cross-Blue Shield presented a package plan for city employees insurance coverage. Pre-existing conditions would be covered. The policy is written through the Kansas League of Municipalities so they're grouped together which keeps the rate lower.

Watkins moved for acceptance of the Blue Cross Program.

Several council members voiced the opinion that they would like to hear another plan, at least by the present carrier.

Watkins motion died for lack of a second.

Piercefield then moved, seconded by Hayes, that we get Charles Shryock of Metropolitan Life, to come to the next meeting and present his program. Motion carried.

T. Wade spoke on the Parks and Cemetery Committee meeting after the last regular council meeting, stating the Committee met and agreed not to go along with Derfelt's request and lower rates on grave openings for welfare burials.

Piercefield said he would like to see the City contract the grave openings to an outside contractor again, in that way more profit would be realized. Means agreed.

Howard Jarvis stated it took approximately 30 minutes to open a grave by using two men, and he still felt the City could do the work profitably.

Faulkner moved the opening of graves for welfare be dropped to \$45.00. Means seconded. There were 3 Ayes and 6 Nays. Motion failed.

Jarvis asked about the charge for opening infant graves. He now charges \$25.00.

Watkins moved this amount be allowed. T. Wade seconded. Carried with 8 Ayes and 1 Nay.

Robert Wade had called from Florida in regard to a problem between the Norvell and Olds families in the Checo area and the Fire Department. The matter had been resolved and did not need to be brought back before the governing body.

T. Wade had received a call from Bob Murray who had asked about the situation at 21st and Wood. September 8th is the date scheduled for a public hearing before the Zoning & Planning Commission.

John Lindsey appeared to request the vacating of two alleys behind the

First Baptist Church. The Church is paving their parking lot and wanted to stop traffic from using the alleys and crossing their paved area.

Ray Randall is working on an ordinance with legal descriptions vacating the alleys and will bring it back to the next council meeting. The ordinance must be published and if there are no protests within 30 days, the ordinance will become effective and the alleys would be vacated.

In the meantime, the Church can continue with the paving of their parking lot and just place barricades up to keep traffic off their parking lot.

Motion was made by Smith that we vacate the alleys behind the First Baptist Church. T. Wade seconded the motion. Carried unanimously.

Dorothy Mann had received a complaint from a man at 11th and Chicago who wants a ditch cleaned out in front of his house. Jarvis stated it was not a City problem. Discussion followed with Piercefield saying he felt parking areas belonged to the people and they should keep them clean. He felt that if this one ditch is cut this will snowball and the City couldn't control the number that people would want done.

Ray Randall, Community Development Director, informed the governing body that Farmer's Home Administration had requested an audit of the new city well before any funds could be reimbursed to the city under the Federal Drought Relief Program. Randall had contacted Matt Mense who will conduct the audit to satisfy their request.

Randall had received three separate proposals to work on the "Small Cities" pre-application. They were from Mary McGee, Old West Partnership and A.E.C., our present engineering consultants.

Mary McGee was the recommendation of the Community Development Committee, at a cost of \$850 for the pre-application if Galena is accepted, and \$2,000 for a full application. If Galena is not accepted, the city would be out only Mrs. McGee's "out-of-pocket" expenses, such as telephone calls, stationary, etc.

Faulkner moved Mary McGee be asked to work up the pre-application. Smith seconded the motion. Carried with 7 Yeas, 1 Nay (Means), and 1 Abstention (T. Wade).

Attorney Fayette Rowe had made a ruling on the Zodiac Contract by stating it was illegal because the Council never voted on the "meat of the contract" in order to give the mayor the right to sign it. The Council was left with three choices on the contract: (1) Ratify it; (2) Negotiate; or (3) Say it doesn't exist.

T. Wade moved we write Zodiac a letter saying the contract is not valid. Piercefield seconded. Motion carried unanimously.

Randall informed the Council that at the time lights were installed at the Girl's Softball Field, it was assumed the City would pay the electric bill. Now the Men's Slow-Pitch League had requested use of the field and also the lights. He had refused to allow this until the issue was settled over who was responsible for the electric bill.

Smith moved we assume the bill which is a legal city bill. Motion died for lack of a second.

T. Wade then moved we send the Girl's Softball League a request to pay the \$54 electric bill now due. Piercefield seconded. Motion carried with 6 Yeas and 3 Nays (Kelley, Smith and Mann).

Smith moved we refer the matter to the Parks and Recreation Committee and report back to the next meeting with their recommendations. T. Wade seconded the motion. Carried.

Randall reported the balance left in 3rd, 4th and 5th year funding in Community Development as \$81,000 total.

T. Wade moved we donate \$300 to the Pee Wee Football League. Piercefield stated the donations would have to stop because the Water Fund is in trouble financially and he would go along if it's set up that no more donations be made even if it has to be put in ordinance form. Smith then seconded Wade's motion. Carried with 5 Yeas and 4 Nays.

Howard Jarvis asked permission to run a new 4" water line to the Garrison residence at 11th & Schermerhorn Ave., with tie-in at 11th & Dewey. It would take approximately 1,000 feet of pipe at 78¢ per foot.

Piercefield moved it be tabled at this time. Means seconded. Motion carried.

Mayor spoke again on the need for some new water lines throughout the City. Wade said the Water Committee had not met nor the Finance Committee so he had nothing to report.

The Mayor stated that he felt the likelihood of federal funds being available in the near future were slim and cities would have to stand on their own for new water improvements. He felt the City could cash some Certificates of Deposit and use the funds for water lines and would thus realize more profit in the long run than if the money was left to draw interest.

Means, Piercefield and Wade favored a public hearing to get some input on people's ideas.

T. Wade then made it into a motion that a public hearing be held on financing through the raising of water rates, bond issues, or what. The public hearing would be for 6:00 P.M., just prior to the next council meeting on September 16th. Watkins seconded the motion. Carried.

On an ordinance prohibiting possession of intoxicating liquor in open containers, presented by Attorney Fayette Rowe, the Council disapproved of the wording and acting upon a request by Attorney Rowe of just what the Council wanted, the words "in a public place" would be added. Patrolman Larry Hargis said he would like to have it also included "to prohibit transportation of an open bottle".

Cheryl Haines, Court Clerk, said there already was an Ordinance prohibiting transportation.

Wade Moved we accept the Ordinance as amended to read "in a public place in the City of Galena, Kansas". Piercefield seconded. Carried with 8 Ayes and 1 Abstention by Means.

T. Wade moved Water Ordinance No. 1034 spelling out the new water and sewer rates, be accepted. Faulkner seconded. Motion carried unanimously.

One week's vacation for Raymond Foraker, Sept. 8-12, and one week for Frank Young, Sept. 2-9, were approved on motion by Piercefield, second by Wade. Carried with all Ayes.

The purchase of 12 1/2x7-1/2 Model 15 water meters was approved on motion by Piercefield, second by Watkins. Carried with 8 Yeas and 1 Abstention by Means.

Vacations were approved for Jackie Hubbard, Sept. 8-15 and Dorothy Stith, Sept. 19-26, on motion by Wade, second by Means. Carried with 9 Yeas.

Watkins moved that Payroll Ordinance No. 80-20, Appropriations Ordinance No. 80-20 and Community Development Appropriations be approved for payment. Wade seconded. There were 4 Ayes, 2 Nays and 3 Abstentions. Motion failed.

Page 4: September 2, 1980

Payroll Ordinance No. 80-20 was presented alone for payment on motion by Wade, second by Faulkner. Carried with 9 Yeas.

Community Development Appropriations were approved on motion by Faulkner, second by Smith. Carried with 6 Yeas, 2 Nays (Watkins and Wade) and 1 Abstention (Means).

Appropriations Ordinance No. 80-20 was approved on motion by T. Wade, second by Watkins. Carried with 7 Yeas and 2 Abstentions (Smith and Piercefield).

Mayor Williams brought before the Council a personnel problem he felt existed in the City, citing a lack of cooperation between the City Clerk's Office and the Community Development Office. He stated that the auditor expressed the need for additional part-time personnel in the Clerk's Office and the Council had approved the hiring of Irene Barnum, but she was no longer used and he did not know why. They had also approved the use of Idella Vanderpool but she was also not being used, and he did not know the reason for this either.

T. Wade made motion that the Council go into executive session for approximately 10 minutes. Watkins seconded the motion. There were 4 Yeas and 5 Nays. Motion failed.

A lengthy discussion followed with a great deal of input from the Mayor, Council, Clerk, Community Development Director and Assistant, and also from the floor.

Piercefield moved the 3rd person work in the Clerk's Office for the first 15 days of the month. Means seconded. There were 3 Yeas and 6 Nays. Motion failed.

T. Wade moved again for an executive session. Watkins seconded. Motion again failed.

Hayes moved for adjournment. Piercefield second. Carried by standing.

L. G. Williams, Mayor

Norma J. Lutz, City Clerk