

MINUTES OF
REGULAR COUNCIL MEETING
SEPTEMBER 6, 1994

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, September 6, 1994 at 7:00 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL: Roll call indicated the following council members present: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
ABSENT: BURKYBILE, ADAMS

MINUTES: The following correction was made in the minutes of the Regular Council Meeting of August 16, 1994
Page 6, Fire Department Supplies, Jenkins informed the council of the supplies instead of Davis.
Moved by ROGERS, seconded by TIPTON to approve and place on file the Minutes of the Regular Council Meeting of August 16, 1994 with the above correction.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SR. CITIZENS BOARD: Moved by ALLEN, seconded by WARD to place on file the minutes of the Sr. Citizens Board Meeting of July 26, 1994.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

FIREMENS RELIEF ASSOC: Moved by ROGERS, seconded by WARD to place on file the Minutes of the Firemans Relief Association Meeting of August 25, 1994.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CONDEMNATION HEARINGS:
315 JOPLIN:
RESOLUTION 94-15: Mayor Oglesby opened the Condemnation Hearing on the structure at 315 Joplin.
He informed the council that Dewayne

Treece, owner of the structure, had informed the City Clerk that he could not attend the council meeting due to a school activity but requested 30 days to complete repairs on the structure. Ceilings have been replaced and he is currently working on the bathroom and kitchen.

Gene Porter, Building Inspector, read his letter to the council which listed the repairs necessary for the structure to meet the housing code. He said he has not inspected the structure since it was placed under condemnation.

Moved by ROGERS, seconded by JENKINS to approve Resolution 94-15 allowing 30 days for completion of repairs and for the Building Inspector to make an inspection to see what has been completed.

AYES: TIPTON, PRICE, JENKINS, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

505 E 7TH
RESOLUTION 94-16:

Jim Bash, owner of the structure at 505 E. 7th Street informed the council he was making repairs on it. He requested an additional 30 days to complete the repairs.

Moved by LEE, seconded by JENKINS to approve Resolution 94-16 allowing 30 days for completion of the repairs at 505 E. 7th Street.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

816 JOPLIN
RESOLUTION 94-17:

The owners of this structure were not present at the meeting. The council discussed the condition of the structure and the condition of the yard. It was noted that skunks and rodents were staying under the structure which was posing a problem to the neighbors.

Moved by LEE, seconded by JENKINS to approve Resolution 94-17 allowing 30 days to make the repairs, and if they are not made, the city to take the structure down after the next 10 days.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

NUISANCE ORDINANCE:

Margaret Shaw was given a copy of the proposed Nuisance Ordinance for the city residents who were present to review.

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LOCATOR WIRE:

This was tabled at the request of Superintendent Sills. He had been unable to locate any.

6 YARD DUMPSTER:

Superintendent Sills requested he be allowed to purchase a 6 yard dumpster to be placed at the landfill. This would be used for items in loads which cannot be placed in the landfill. He had placed a two yard dumpster there but it was not large enough.

Moved by TIPTON, seconded by LEE to purchase a 6 yard dumpster at a cost of \$625.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

LIFT STATION DEGREASER:

Moved by TIPTON, seconded by ROGERS to purchase a 55 gallon drum of degreaser for the lift station at a cost of \$522.50.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

TEMPORARY EMP.
PUBLIC WORKS:

Superintendent Sills informed the council that Perry LaTurner quit last Thursday. He asked he be allowed to fill this position for about 1 month until the water line at Eagle Picher is installed.

Moved by WARD, seconded by LEE to hire an employee to replace Perry LaTurner until the water line at Eagle Picher is completed.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

NAVY GUN & HELICOPTER:

Davis informed the council that the Fire Department has secured a Navy anti-aircraft gun and a helicopter to be placed just east of the army tank in front of City Hall. They request that space be allowed for this.

Moved by TIPTON, seconded by WARD to approve the placement of an anti-aircraft gun and helicopter in front of City Hall just East of the army tank.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

FIRE DEPT. FUEL TANK:

The fire department requests they be allowed to remove the bulk fuel tank and to purchase fuel from local merchants as the other departments do.

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This tank will have to be removed in approximately a year according to State guidelines.

Moved by DAVIS, seconded by LEE to approve the removal of the bulk fuel tank.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

GALENA DAYS:

The Fire Department is wanting to expand the Veterans Park in front of City Hall. They request they be allowed to use the area west of the pole barn for Galena Days. They want to build a permanent stage in this area and move all the activities there.

Moved by LEE, seconded by DAVIS to allow the area west of the pole barn to be used for Galena Days after it is released by EPA.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

EMPIRE DISTRICT RATES:

Rogers provided information to the council concerning the cost to the city if the discount provided to cities by Empire District Electric Company is abolished.

Mayor Oglesby recommended the Public Service Commission be contacted if persons are interested in voicing their opinion on this.

The council also discussed the closing of the Empire District Office in Galena. It was recommended the Galena Sentinel be asked to run a notice informing the residents that they should contact the Joplin office if they wish to voice their opinion on this.

1994 AUDIT & 1996 BUDGET:

Mayor Oglesby informed the council that the city had received not responses from the ad for a CPA firm to prepare the 1996 budget and audit the books for 1994. Matt Mense's proposal was the only one received. This was presented at the July 19 meeting.

Moved by ROGERS, seconded by WARD to accept the proposal from Eugene M. Mense Jr for the 1994 audit in the amount of \$2995 plus \$500 for the preparation of the budget.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

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HOME OCCUPATION LICENSE:

Mayor Oglesby informed the council that Clifford Hays has made application for a home occupation license for a landscaping service at 1816 E. 12th.

Moved by WARD, seconded by ALLEN to allow this home occupation license.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

WATER METER DISCONNECTS:

Mayor Oglesby informed the council that there is a problem with residents either turning the water meter back on or damaging it when the water has been turned off due to a delinquent bill.

The council discussed this and several recommendations were made.

Margaret Ball informed the council that occasionally she requests a meter be removed at one of her rental properties when the renter has become delinquent in paying her the water bill. She has all the water service for her rental property in her name. She currently pays \$20 for resetting the meter. She asked if this charge would increase.

Moved by ROGERS, seconded by LEE to increase the reconnect fee for water service to residences where the meter has been tampered with or turned back on by the customer when the water has been turned off due to a delinquent account and the resident would forfeit their \$75 deposit but if the meter is taken out at the owner's request, the reconnect charge will remain at \$20.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CITY NUISANCE ORD
94-20:

Margaret Shaw thanked the council for considering the proposed Nuisance Ordinance NO. 94-20. She thanked the police department and others who had worked on the ordinance and the debris and grass complaints. She also asked if a fall city wide clean-up will be held.

Sills informed the council that American Disposal (Wheatland Landfill) will set a dumpster for large items at no cost to the city.

Hentz informed the council that there will not be 3 nuisance ordinances to follow. She reminded the council that earlier this year, he had filed charges under the Public Offense Ordinance

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adopted by the council and it was thrown out of court because it conflicted with Section 8-101 of the City Code.

The Council discussed repealing City Code Section 8-101.

Moved by LEE, seconded by TIPTON to approve Ordinance 94-20 defining a public nuisance, providing for the means of abating a public nuisance and providing for penalties for maintaining a public nuisance and to suspend enforcement of Section 8-101 of the City Code and the Section in the Public Offense Code which deals with nuisances until the City Attorney has reviewed them.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

UNSAFE STRUCTURES
ORDINANCE 94-21:

The council discussed the proposed ordinance concerning unsafe structures.

It was asked if this also referred to owner occupied structures along with rental units.

Mayor Oglesby informed the public that it would cover any unsafe structure.

Moved by WARD, seconded by TIPTON to approve Ordinance 94-21 for the correction of conditions in structures which make such structures unsafe or unfit for human use or habitation and providing a procedure for the correction of same and providing penalties for failure to comply.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

RELIEF FIRE TRUCK DRIVER:

The Fire Committee met with Fire Chief Bill Hall concerning the problem with the relief fire truck drivers answering fire calls as a volunteer. They discussed hiring one person to work the weekend shift, plus Wednesday evening, and to cover for the fire truck driver when he is on vacation and to alternate holidays with the fire truck driver.

The council discussed the cost of this proposal.

Moved by ROGERS, seconded by TIPTON to refer the above proposal to the Finance Committee.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS

NAYS: NONE

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Motion declared carried.

FIRE DEPARTMENT SUPPLIES:

Lee informed the council that some misinformation had been received concerning the oil for the fire department vehicles being kept at the home of the Fire Chief. A portion of the oil was inventoried out to various fireman for use at fires.

All oil has been returned to the fire station and is under the control of the resident fire truck driver, Howard Richey.

Lee said he felt that the motion that all the supplies be returned to the fire station was passed in haste without full information and that it looked as though the city did not trust the fire chief. He recommended this motion be rescinded, although action has already been taken on.

Moved by LEE, seconded by ALLEN to rescind the motion concerning this due to the council not having all the facts.

AYES: LEE, ALLEN
NAYS: TIPTON, PRICE, JENKINS, DAVIS, ROGERS, WARD
Motion failed.

ANIMAL POUND:

A letter was included in council packets from the Animal Health Department complimenting the city on the city animal pound and requesting they be allowed to use slides taken at the pound for a seminar in McPherson on October 3, 4 and 5.

Chief Hentz informed the council that he had signed the release for them to use the slides.

Mayor Oglesby thanked the city employees involved in the work at the animal shelter.

RELIEF DISPATCHER

The Personnel Committee met and interviewed three applicants for the position of relief dispatcher. They recommend that Douglas Fichtner be hired to fill this position.

Moved by ALLEN, seconded by ROGERS to hire Douglas Fichtner as relief dispatcher.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

WATER PROJECT LABORER:

Allen informed the council that the applicant approved by the council at the August 16 meeting for the position of

laborer did not accept the position. Mayor Oglesby has temporarily appointed Paul Nolan to this position.

Moved by LEE, seconded by DAVIS that Paul Nolan be hired as laborer for the water project.
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

SHAW HILL ROAD:

Lee asked if the road leading to Shaw Hill from Old Highway 66 will be closed again when the remediation is complete.

The council also discussed the closing of Schermerhorn Ave. when the remediation is complete.

It is recommended that Midwest Environmental be informed that the city wants both the roads closed when the remediation project is complete.

FIRE DEPARTMENT SUPPLIES:

Jenkins informed the council that he had contacted Simpson Air and Redico Supplies concerning oil and other supplies for the fire department. He said both were to have a representative at the meeting, but only one from Redico was present.

Theda Kirk provided council members with a price list of their products. It was asked that the City Clerk compare these prices with the current supplier's prices.

PARK EQUIPMENT:

It was asked when the digger shovels that were purchased for the park last year were going to be installed and when sand would be put in the wading pool at Schermerhorn Park. It was also asked if the barbecue grills had been installed.

Mayor Oglesby said he would contact the park caretaker concerning this.

POLICE CAR TIRES:

Police Chief Hentz requested he be allowed to purchase 8 tires for the two police units at a cost of \$362 from Goodyear Tire and to have them mounted by Galena Tire at a cost of \$40.

Chief Hentz informed the council that Galena Tire cannot get tires with the necessary speed rating for the police cars.

Moved by ALLEN, seconded by LEE to purchase 8 tires from Goodyear at a cost of \$362 and to have them mounted at Galena Tire at a cost of \$40.
AYES: TIPTON, PRICE, JENKINS, DAVIS,

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LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

FAIR RENTAL ORD 93-1:

Price asked to discuss Ordinance 93-1, the Fair Rental Ordinance. She said she felt that this ordinance did not protect the landlords enough.

The council discussed this ordinance and the possibility of renters damaging property after it had been repaired by the owner.

Moved by PRICE to set aside Ordinance 93-1 and not enforce it.
Motion died for lack of a second.

BUILDING INSPECTOR CAMERA:

The council discussed the purchase of either a Poloroid Camera or a camcorder for the Building Inspector. This would allow pictures as evidence in court if it is necessary. The use of the police department's camcorder was suggested.

Moved by TIPTON, seconded by ROGERS to purchase a Poloroid Camera for the City Inspector's use and to purchase two extra batteries for the police department camcorder and two packs of film at a total cost not to exceed \$178.

AYES: TIPTON, PRICE, JENKINS, DAVIS,
LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

FAIR RENTAL ORDINANCE:

The Fair Rental Ordinance was again discussed. The City Clerk was requested to provide copies of the ordinance proposed by the committee that was not passed which would have repealed 93-1 to the council members prior to the next council meeting.

COURT REPORT:

Moved by ROGERS, seconded by TIPTON to place the Court Report for August with collections totaling \$1025 on file.

AYES: TIPTON, PRICE, JENKINS, DAVIS,
LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 94-36:

Moved by TIPTON, seconded by DAVIS to approve Payroll Ordinance 94-36 in the amount of \$14,211.71 plus \$1077.60 FICA and \$187.44 KPERS.

AYES: TIPTON, PRICE, JENKINS, DAVIS,
LEE, ALLEN, WARD, ROGERS

NAYS: NONE

Motion declared carried.

PAYROLL ORDINANCE 94-37:

Moved by WARD, seconded by TIPTON to approve Payroll Ordinance 94-37 in the

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amount of \$12,697.42 plus \$963.88 FICA
and \$177.65 KPERs.
AYES: TIPTON, PRICE, JENKINS, DAVIS,
LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORDINANCE 94-38:

Moved by ROGERS, seconded by DAVIS to
approve Payroll Ordinance 94-38 in the
amount of \$12,863.96 plus \$976.62 FICA
and \$176.08 KPERs.
AYES: TIPTON, PRICE, JENKINS, DAVIS,
LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.

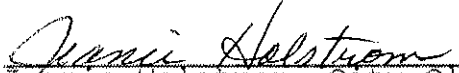
ADJOURNMENT:

Moved by ROGERS, seconded by TIPTON to
adjourn the Regular Meeting of the
Galena City Council.
AYES: TIPTON, PRICE, JENKINS, DAVIS,
LEE, ALLEN, WARD, ROGERS
NAYS: NONE
Motion declared carried.



Dale Oglesby, Mayor

ATTEST:



Jeanie Holstrom, City Clerk
(SEAL)