

MINUTES OF
REGULAR COUNCIL MEETING
SEPTEMBER 18, 1990

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, September 18, 1990 at 7:00 p.m. in the Council Chambers with Thomas Y. Allen, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present: POELMA, HAYES, BYRD, MORAN, FITZER, TIPTON, MILLER
ABSENT: KING, WATKINS

MINUTES:

Moved by Poelma, seconded by Miller to approve and place on file the minutes of the Regular Council Meeting of September 4, 1990. Motion declared carried.
ABSTAIN: Fitzer

Moved by Byrd, seconded by Tipton to place the minutes of the Planning and Zoning Commission's regular meetint of August 7, 1990 on file. Motion declared carried.

CARUTHERS MOBILE HOME:

Planning and Zoning Commission elected at the September 4, 1990 meeting to send the mobile home application of Wayne Caruthers, to the city council with no recommendation.

Clyde Coleman was present and could not explain why it was referred with no recommendation.

Mr. Bill Karr who had opposed the application stated if the mobile home was placed on lots 6, 7, 8, & 9 in Folmer's Addition, he would have no objection. He understood it was to be placed on Mr. Caruther's property further North.

Mr. Caruthers stated he and his brother would live in the mobile home. There had been a question at the Planning & Zoning meeting as to whether he planned to reside in the mobile home. He also stated the mobile home would be a 1983 model or newer.

Moved by Poelms, seconded by Miller to allow Mr. Caruthers to place a 1983 or new model mobile home on Lots 6, 7, 8 & 9 in Folmer's Addition provided it complies with all city codes and requirements. Motion declared carried.

REZONING 13TH & MAIN
CK BROWN APPLICATION:

Planning & Zoning referred the application of C K Brown for rezoning property just south of 13th & Main on the East side from R-1 to C-2. They recommended the property not be rezoned.

Mary Schwartz stated they did not want this area rezoned. It has been a residential area and the residents opposing the rezoning wanted it to remain residential.

Mr. Brown stated he had taped the planning and zoning meeting. The protests stated at the meeting were old mobile homes, hot water tanks, weeds and junk cars. None of these objections were against a used car lot.

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Moved by Byrd, seconded by Hayes to accept the recommendation of the Planning & Zoning Commission and deny the rezoning of the 13 acres just south of 13th & Main on the East side. ROLL CALL VOTE:

AYES: HAYES, BYRD, MORAN, FITZGER, MILLER

NAYS: POELMA, TIPTON

Motion declared carried.

ALLEY BETWEEN 20th & 21st:

Mr. Babbitt who has requested to be on the agenda on this subject was not present. No discussion was held.

NORTH MAIN:

Residents in Empire had complaints on the smoke and condition of North Main street from C & N Corporation. They stated the smoke had turned the houses yellow and laid in a cloud over the area at times. They also stated the black granules on the street made walking difficult along with the water from their washing system. This is the entrance into Empire, and the residents felt it should be cleaned up. Traffic is also hindered at times due to the loading. Asked if EPA has approved their depositing the waste in the mines.

Larry Courtney stated his father had been a partner with Mr. Newby in this company and had purchased Mr. Newby's interest in November, 1989. Since that time, they were attempting to solve some of the complaints. A new wet scrubber had been permitted to be installed and should be complete in 3 to 6 weeks. This will alleviate some of the smoke problems. As they make changes in the operation, they are moving the work areas further from the street. He stated the waste placed in the mines has been checked and it is safe. He stated they employ 11 people, 9 from Galena, with a payroll of around \$120,000. He stated if he were provided with a list of complaints, he would address each one and try to correct them.

Moved by Poelma, seconded by Byrd to continue with the agenda. Motion declared carried.

Mayor Allen thanked the residents of Empire for attending the meeting and their interest in the city. He also thanked Mr. Courtney for their interest.

DUMPSTERS:

Superintendent Sills stated he has a problem with persons rummaging in the dumpsters throughout the city. They break open the bags and the trash is scattered. Several suggestions were made including the locking of the dumpsters. Chief Collins said he would work with Mr. Sills to alleviate the problem by giving these persons warnings.

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AUXILIARY PATROLMEN:

Moved by Byrd, seconded by Poelma to confirm Jeff Shear and David Newell as auxiliary patrolmen. Motion declared carried.

SIMULATOR FOR INTOXIMETER:

Moved by Hayes, seconded by Fitzer to purchase a simulator for the intoximeter at a cost of \$325. Motion declared carried.

COURT REPORT:

Moved by Poelma, seconded by Fitzer to place the court report on file with fines totaling \$1169. Motion declared carried.

WATER CHARGE-OFFS:

A list of utility accounts recommended for charge off was included in the council packets. These accounts totaled \$294.69.

Moved by Miller, seconded by Fitzer to charge off the accounts as presented totaling \$294.69. Motion declared carried.

PERSONNEL POLICY CHANGE
GROUP HEALTH INSURANCE:

Included in the council packets was the proposed change in the personnel policy to allow for the change in employee health insurance. The new policy statement is as follows:

"All full-time employees of the City of Galena, Kansas shall have health and life insurance furnished by the City of Galena, Kansas, effective the first (1st) day of the month following ninety (90) days of employment. For insurance purposes, full time employees are those scheduled to work a minimum of 5 eight hour shifts per week for 52 weeks per year."

Moved by Byrd, seconded by Poelma to approve the change in the Personnel Policy concerning health insurance as stated above. Motion declared carried.

RESOLUTION 90-22 SINGLE FAMILY
MORTGAGE:

Moved by Byrd, seconded by Fitzer to approve Resolution 90-22 Authorizing the execution of a cooperation agreement pursuant to the Kansas Local Residential Housing Finance Law, authorizing the issuers to exercise, the authority and powers conferred by the Kansas Local Residential Housing Finance Law in connection with the issuance by the issuers of their Single Family Mortgage Revenue Bonds. Motion declared carried.

SINGLE FAMILY MORTGAGE
AGREEMENT:

Moved by Fitzer, seconded by Miller to authorize the Mayor to sign the Cooperation Agreement between the City of Olathe, Labette County and the City of Galena for the Single Family Mortgage Program. Motion declared carried.

PURCHASE WATER METERS & LIDS:

Moved by Miller, seconded by Poelma to approve the purchase of 144 water meters at a cost of \$36.84 each and a minimum of 75 meter lids at a cost of \$12.11 each with 100 lids to be purchased if the larger purchase would result in a lower price on the lids. Motion declared carried.

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RURAL WATER DISTRICT:

The public works committee brought information on the contract agreement with the Rural Water District. The committee has recommended to the water district that the two trade water reports sent to the state weekly and trade reports and quarterly the tests for metals to be done on a quarterly basis. The city will be selling water on a regular basis through 3 meters (Oak Hill Cemetery, State Line Road, and South Wood Street). The charge for water service at each of these meters will be the rate charged other outside the city customers.

It was suggested we have them include the price for water should be the city have to purchase from them in an emergency.

SEWER PROJECT:

The solution for the installation of lines on private property which is not suitable to connect to the new sewer lines installed by the city was discussed. It was suggested we attempt to set up a pre-application program between the Citizens State Bank, FHA, and the residents so that the funds would be available immediately should the need arise. Also, each resident should be notified by mail of the project and the possibility of the necessary replacement of lines. Neighborhood meetings with these residents were suggested. An inspector for the city to be sure the contractor does not damage the lines was proposed.

POELMA LEFT 8:35, RETURNED 8:37 P.M.

CITY LICENSES & ZONING:

Several businesses in the city were mentioned who were operating in area with the improper zoning and no city license. It was recommended these be cited by the city inspector.

22ND STREET BLACKTOPPING:

Public Works committee reported the cost for blacktopping of 22nd Street was \$18,635.95 which was under the bid of \$20,800.

RESOLUTION 90-23 FHA LOAN/
GRANT:

Moved by Poelma, seconded by Miller to approve Resolution 90-23 adopting and providing standards for procurement, bidding and contract awards. Motion declared carried.

FHA CERTIFICATION REGARDING
DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS:

Moved by Miller, seconded by Byrd to execute Form AD - 1047 Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions. Motion declared carried.

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509 GALENA AVE:

Mr. Porter, city inspector, stated the owner of this property has started to put the siding on the structure. However, he has not installed the stairs to allow a means of egress from the second story of the building in case of fire.

501 MAIN:

Mr. Woodard has not been in contact with the city inspector since he met with the council in June. A citation will be issued concerning this.

601 JOPLIN:

City Inspector noted a demolition permit was issued earlier in the day for the removal of this structure.

APPROPRIATION ORDINANCE 90-9:

Moved by Poelma, seconded by Miller to approve Appropriation Ordinance 90-9 in the amount of \$48,569.26. Motion declared carried.

PAYROLL ORDINANCE 90-21:

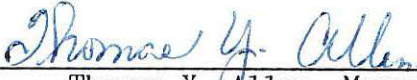
Moved by Hayes, seconded by Miller to approve Payroll Ordinance 90-21 in the amount of \$8418.14 plus \$643.98 FICA. Motion declared carried.

PAYROLL ORDINANCE 90-21A:

Moved by Poelma, seconded by Fitzer to approve Payroll Ordinance 90-21A in the amount of \$9394.19 plus \$718.64 FICA. Motion declared carried.

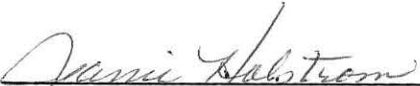
ADJOURNMENT:

Moved by Miller, seconded by Poelma to adjourn the Regular Meeting of the Galena City Council. Motion declared carried.



Thomas Y. Allen, Mayor

ATTEST:



Jeanie Holstrom, City Clerk

(SEAL)

ABJ9111