

MINUTES OF
REGULAR COUNCIL MEETING
SEPTEMBER 21, 1993

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, September 21, 1993 at 7:00 P.M. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present:
GABRIELSON, HAYES, HARPER, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS,
WARD, ROGERS
ABSENT: NONE

MINUTES:

Moved by BYRD, seconded by HAYES to approve and place on file the minutes of the Regular Council Meeting of September 7, 1993:
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

Moved by BYRD, seconded by ALLEN to approve and place on file the minutes of the Special Council Meeting of September 9, 1993.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

OIL DRUM:

Superintendent Sills requested the council allow a drum to be placed at the city lot to place used oil in. Simpson Oil Co. will set the drum and remove the oil to be recycled at a cost of \$15 per month. This would allow city residents a place to dispose of their used oil along with the city.

The council discussed whether to charge residents for disposing of their oil and whether to allow businesses to use it.

Moved by GABRIELSON, seconded by BYRD to approve the setting of the

September 21, 1993

drum at the city lot at a cost of \$15 per month for city use and to allow individuals to dispose of 5 gallons of oil per trip, with it not available to businesses.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE

Motion declared carried.

HYPOCHLORINATOR:

Superintendent Sills informed the council that a chlorinator is needed for the Empire Well. Rex Gandy, water superintendent, recommends the city purchase a hypochlorinator at a cost of approximately \$400. This will comply with state regulations.

Moved by ALLEN, seconded by GABRIELSON to purchase a hypochlorinator at a cost of \$400 for the Empire Well.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE

Motion declared carried.

FURNACE, COMMUNITY ROOM:

Byrd reported one of the furnaces in the community room is not working.

Moved by BYRD, seconded by ADAMS to have a repairman evaluate both furnaces in the Community room and make a recommendation on whether to repair or if they need to be replaced.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE

Motion declared carried.

COMMUNITY ROOM DRAPES:

Moved by BYRD, seconded by ADAMS to repair the drapery rods in the Community Room.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE

Motion declared carried.

FIRE HYDRANT ACCIDENT:

Scott inquired as to who is ultimately going to pay for the expenses from the accident at 5th & Water that destroyed the fire hydrant.

The owner of the vehicle will be billed for all costs and allowed a period of time to reimburse the city. If it is not paid within that time, it will be filed with

September 21, 1993

the insurance company of the owner of the vehicle.

Acting Chief Lawrence informed the council that a citation has been issued to the driver of the vehicle.

MANURE ON OLD LANDFILL:

Scott informed the council he had be notified that persons were dumping manure on the old landfill. He stated it is a non licensed truck, with no insurance on it. EPA and Midwest have complained about the odor from this.

Superintendent Sills informed the council he had given a company permission to placed the manure on the old landfill. He is using it for cover for the landfill and it will get grass to grow on it.

Acting Chief Lawrence informed the council that a citation has been issued to the driver for improper registration. The driver did have a CDL. The truck was registered to Diamond Tractor Supply. He said they are bringing the manure to the landfill late at night due to their schedule at the stockyards.

Midwest Environmental, the contractor for EPA for the remediation of the mining areas, has asked them to stop dumping the manure and Superintendent Sills has informed the company. It will be stopped.

CODE OF ETHICS:

Allen read the Code of Ethics which is a part of the City Code to the council members. He recommended the council reaffirm their committment to follow this.

Moved by BYRD, seconded by ALLEN to reaffirm Section 1-216 of the City Code.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS

NAYS: NONE
Motion declared carried.

ORD 93-12: CLUBS:

Gene Barrett reviewed proposed ordinance 93-12 which prohibits anyone under the age of 21 to be in any of kind of club that serves any alcoholic beverages. The ordinance currently in force only deals with cereal malt beverages. The proposed ordinance would

September 21, 1993

prohibit minors entering any place which serves alcoholic beverages for any reason. The previous ordinance allowed admittance if the parent or guardian were present.

Moved by ALLEN, seconded by HAYES to approve Ordinance 93-12 prohibiting persons under twenty-one years of age from entering the premises wherein cereal malt beverage or alcoholic liquor is sold.

AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD

NAYS: ROGERS

Motion declared carried.

CHARLES ANNEXATION:

Mayor Oglesby informed the council that the city has received a request from Bill and Janice Charles to annex into the city. This would be an "island" annexation since the property does not adjoin the city boundary.

Lee Price asked if anyone had explained to the owners all the details of what annexation would entail. If the city is going to annex the Charles property, she would like the property across the road annexed to fill one of the holes by making this a demolition landfill.

Marvin Thompson, speaking as an individual and not as a representative of Rural Water District #8, informed the council that he opposed the annexation. He said if the territory is annexed, it shows favoritism. As a water user, of Rural Water District #8, he doesn't want the water district to have the extra expense of collecting the city taxes which will be required if the property is annexed.

Moved by HAYES, seconded by GABRIELSON not to accept the annexation request.

ROLL CALL VOTE:

AYES: GABRIELSON, HAYES

NAYS: SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, BURKYBILE

NO VOTE: HARPER

MOTION FAILED

Byrd said the city did this when the Tony Foster property was annexed into the city.

September 21, 1993

Lee Price said the only reason the council is approving the annexation is due to the error at the last council meeting.

Moved by BYRD, seconded by ADAMS to request the City Attorney draw up an ordinance for the annexation of the Charles property.
AYES: SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: GABRIELSON, HAYES
NO VOTE: HARPER
Motion declared carried.

Marvin Thompson asked how the city sales tax will be collected. The Rural Water District does not serve anyone else inside the city limits.

This will be determined at a later time.

CHANGE ORDER #5, SEWER:

Moved by WARD, seconded by BURKYBILE to approve Change Order #5 for the sewer project pending approval by FHA.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

STREET LIGHTS:

The Finance Committee met concerning the street light requests. They recommend this be referred to the Street Committee.

Moved by BYRD, seconded by BURKYBILE to refer the street light requests to the Street Committee.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PARK DIRT:

The city has an opportunity to purchase dirt which is being removed from property across from Schermerhorn Park at a cost of \$30 per load. The Finance Committee recommends this be referred to the Parks Committee.

Moved by BYRD, seconded by BURKYBILE to refer the dirt for the parks to the Parks committee.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

September 21, 1993

WATER PROJECT:

Written reports from the Water Committee were provided council members in their packets. Allen stated the committee met concerning the water project. Rex Gandy will supervise, however the total project will come under the City Superintendent.

Burkybile said this might be a good time to look for someone to take Rex Gandy's place when he retires. The new person would need certification.

Moved by ALLEN, seconded by GABRIELSON to place the Water Committee report on file.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

WINFREY WATER BILL:

The Water Committee met just prior to the Council Meeting at 6:30 P.M. and this report was not presented in writing.

Cecile Winfrey had an unusually large bill on September 1. The City Clerk provided the amount due if a leak adjustment is allowed according to City Code.

Moved by BYRD, seconded by BURKYBILE to place on file the Water Committee's report and allow a leak adjustment to Cecile Winfrey according to the City Code.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

BLEVINS ASPHALT:

The Water Committee is to meet concerning the water used by Blevins Asphalt when they paved State Line Road.

PARK COMMITTEE:

The Park Committee provided Council Members with a written report of their meeting of September 7 at which time they discussed the city beautification program with Mary Graham, and the new diggers and grills for Schermerhorn Park with the Park Caretaker.

Moved by GABRIELSON, seconded by BYRD to accept the Parks Committee report and place it on file.
AYES: GABRIELSON, HAYES, HARPER,

September 21, 1993

SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

TRASH TRUCK TIRES:

Moved by GABRIELSON, seconded by
ROGERS to table the purchase of
tires for the trash truck until
two more bids are obtained.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

CARTER MOBILE HOME PARK:

Superintendent Sills informed the
council that Verlyn White will
survey the Carter Mobile Home Park
on Peco Drive for \$150. He
recommends this be done so the
easements will be correct.

Moved by WARD, seconded by HAYES
to allow Verlyn White to survey
the Carter Mobile Home Park at a
cost of \$150.
AYES: HAYES, HARPER, SCOTT,
BURKYBILE, BYRD, ALLEN, ADAMS,
WARD, ROGERS
NAYS: GABRIELSON
Motion declared carried.

APPROPRIATIONS ORD 93-9:

Moved by BYRD, seconded by ADAMS
to approve Appropriations
Ordinance 93-9 in the amount of
\$79,695.56.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

APPROPRIATIONS ORD 93-9A:

Moved by GABRIELSON, seconded by
BURKYBILE to approve
Appropriations Ordinance 93-9A,
City Beautification Fund, in the
amount of \$166.80.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BURKYBILE, BYRD, ALLEN,
ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORD 93-35:

Moved by HAYES, seconded by
GABRIELSON to approve Payroll
Ordinance 93-35 in the amount of
\$10,675.99 plus \$806.83 FICA and
\$166.17 KPERS.
AYES: GABRIELSON, HAYES, HARPER,
SCOTT, BYRD, ALLEN, ADAMS, WARD,
ROGERS
NAYS: NONE
ABSTAIN: BURKYBILE
Motion declared carried.

PAYROLL ORD 93-35A:

Moved by ADAMS, seconded by

September 21, 1993

GABRIELSON to approve Payroll Ordinance 93-35A in the amount of \$59.20 plus \$4.54 FICA.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
ABSTAIN: BURKYBILE
Motion declared carried.

PAYROLL ORD 93-36:

Moved by BYRD, seconded by WARD to approve Payroll Ordinance 93-36 in the amount of \$10,173.69 plus \$768.40 FICA and \$149.60 KPERs.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
ABSTAIN: BURKYBILE
Motion declared carried.

PARKING VIOLATIONS:

Acting Chief Lawrence informed the council that courtesy parking tickets were being issued to persons parking on the wrong side of the street.

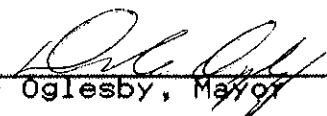
CATERPILLAR PAYOFF:

Burkybile asked the council to approve the early payoff of the Track Loader.

The council discussed the cost of the repairs that will need to be made to the track loader. No action taken.

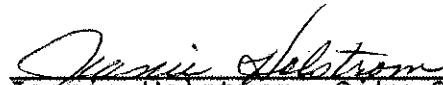
ADJOURNMENT:

Moved by BYRD, seconded by ALLEN to adjourn the Regular Meeting of the Galena City Council.
AYES: GABRIELSON, HAYES, HARPER, SCOTT, BURKYBILE, BYRD, ALLEN, ADAMS, WARD, ROGERS
NAYS: NONE
Motion declared carried.



Dale Oglesby, Mayor

ATTEST:



Jeanie Holstrom, City Clerk
(SEAL)