

MINUTES OF  
REGULAR COUNCIL MEETING  
OCTOBER 3, 1995

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, October 3, 1995 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, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS

MINUTES:

The minutes of the Regular Council Meeting of September 19, 1995 were corrected as follows:

Page 5: APPROPRIATION ORD. 95-9  
PRICE voted nay on the appropriations.

Page 4: STREET REPAIRS: Sills and not Lee recommended the \$2 charge to the gas company.

Moved by ROGERS, seconded by WARD to approve and place on file the minutes of the Council Meeting of September 19, 1995 with the above corrections.

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

ABSTAIN: BURKYBILE

NAYS: NONE

Motion declared carried.

FIREMENS RELIEF ASSOC:

Moved by DAVIS, seconded by LEE to place on file the minutes of the Galena Firemen's Relief Association Meeting of September 28, 1995.

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

NAYS: NONE

Motion declared carried.

SR. CITIZENS BOARD:

Moved by LEE, seconded by DAVIS to place on file the minutes of the Sr. Citizens Board Meeting of September 7, 1995.

October 3, 1995

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

FRAZIER AVENUE:

Bill Frazier requested the city accept the dedication of Frazier Ave which is East of Dewey off 21st Street.

Moved by BURKYBILE, seconded by LEE to accept the street, pending filing of proper paperwork.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, BURKYBILE, LEE, ALLEN,  
REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

CAR CLUB MEETING:

Bill Frazier also requested the city to block Main Street from 4th to 6th Street, Saturday evening, October 7 for a Cherokee Outlaws Car Club Show.

Moved by ROGERS, seconded by JENKINS to allow the above request.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, BURKYBILE, LEE, ALLEN,  
REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

STREET ACCEPTANCE:

Jenkins asked if the city accepts a street as they did Frazier Ave, is the city responsible for the maintenance of this street.

If the street is accepted by the city, the city maintains the street.

STANSBERRY ADD:

Darcy Hardman approached the council concerning the home being placed on the lot on Wood Street by Lonnie Stansberry. He said when he purchased his home in Stansberry Addition, he was under the assumption that homes of equal value would be built in this addition. He is now concerned that a mobile or modular home will be placed on this lot on Wood Street. He also informed the council that a street had been cut from Wood Street to Stansberry Ave by Lonnie Stansberry. He asked if the council had approved this street in this plat.

After reviewing the plat map, it appears the new structure is not

October 3, 1995

in Stansberry Addition.

Mr. Hardman then asked about the road. He said it is unsafe. He asked why the city is not monitoring the construction of this road. He feels the council was deceived when they accepted the plat.

He also asked if a building permit was purchased for this structure.

The city clerk informed the council that a building permit had been purchased that day. He said this was after the fact. He asked what the city is going to do about the violation.

The council informed him that the penalty for this violation is double the building permit price and this would be enforced.

He also asked about the zoning of this property.

Mayor Oglesby said the city will check on the zoning and Mr. Porter will report back at next council meeting.

Moved by LEE to refer the street to the street committee to see if it is a hazard.

Motion died for lack of second.

Moved by PRICE, seconded by JENKINS for the Building Inspector, Mr. Porter, to be sure everything is okay before the modular home is set.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

CELLTRON WATER LINE:

Elliott Hunter, Architect, of Elliott Hunter and Associates, met with the council concerning an 8 inch fire line on Celltron's property. They were not aware it was there and it is under where the new addition is to be built. The line could not be maintained under this addition. He asked that the city move this line to the west. Celltron will grant an easement for this.

Moved by BURKYBILE, seconded by

October 3, 1995

PRICE to move the line as requested.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

WARD REDISTRICTING :

Mayor Oglesby opened the public hearing on the Ward Redistricting. There will be hearings at the next two regular council meetings since this notice of the hearings was not published in the Galena Sentinel.

Mayor Oglesby informed the council that some people feel the city can be run more effectively with fewer council members. Registered voters in the current wards are not distributed evenly or within the 20% as required by the State. The State has informed us that we are going to have to redistrict the wards.

The council discussed whether to reduce the number of wards to 3 with 6 council members or to redistrict the five wards and retain 10 council members.

Bill Hall, fire chief, recommended the city look into the advantages and disadvantages of any program. He suggested the city could change to 3 wards with one council member elected from each ward and 2 council members be elected at large. He also recommends the city consider the mayor be selected from the council.

He stated that in a City Manager form of government, the person can run the city as a business. The City would have a full time person to oversee the problems. He said it would not necessarily need to be a person with a degree. There could be persons from the City who could do this. He also recommended the city have lay members serve on council committees. Before any changes are made, the people must be educated as to the changes.

BURKYBILE LEFT AT 7:56 P.M. AND RETURNED AT 7:57 P.M.

The council discussed hiring a city manager.

October 3, 1995

Allen suggested the changes be set up under a charter ordinance that would allow voters to vote at the end of 5 years as to whether they want to retain this form of government.

Moved by TIPTON to discuss only the ward redistricting and not to discuss the hiring of a city manager.

Motion died for lack of second.

Mayor Oglesby informed those present that this is for discussion only and no action will be taken until there are public hearings at the next two regular council meetings.

There being no further comment the public hearing was closed.

DISPATCH AREA:

Chief Hentz provided the council members with two proposals for the dispatch area. One was prepared by the Kansas Correctional Institution at a cost of \$4813.04. The second set of plans was a used modular section from Milton Wolf & Associates at a cost of \$1650 which includes installation except special wiring not common for office use. Chief Hentz asked Mr. Wolf to inform the council of his proposal.

Mr. Wolf explained to the council that his proposal consisted of panel sections. The one he quoted the price for is a used section which he obtain from Prudential Ins. Co. It is in very good condition and would serve the dispatcher area.

Chief Hentz informed the council he had obtained a pledge of \$1000 from the Cherokee County Ambulance Association toward the cost of renovating the dispatch area. This would leave the city's cost at \$650. However, it would be necessary for the city electrician to do the special wiring and for the city crew to remove the present fixtures.

JENKINS LEFT AT 8:16 P.M. AND RETURNED AT 8:17 P.M.

Mr. Wolf informed the council that

October 3, 1995

the modular section is on display at his store, Gilbert's Office Supply, at 1204 Main in Joplin.

Moved by REYNOLDS, seconded by DAVIS to allow the purchase of this unit and to use the street crew to remove the present fixtures with them to be paid from the police department budget.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

Mr. Wolf informed the council it would take approximately two weeks to prepare the units. There is no warranty on the units because they are used, but he will guarantee his workmanship in installing the panels.

LAGOON CHEMICALS:

Superintendent Sills discussed with the council the odor problem with the lagoon. He explained the weather is hot and dry and the lagoons are turning over. They have been creating the lagoons with a borrowed boat and a 3-horse air cooled motor and treating it with enzymes.

Chemco has a product called OdorRing 10 at a cost of \$44.75 per gallon that could be used. It would take approximately 15 gallon and he doesn't know how long it would eliminate the odor.

Moved by TIPTON, seconded by REYNOLDS to continue using the enzymes and to get prices on the purchase of a boat.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

JANITORIAL DUTIES:

Mayor Oglesby informed the council that Tom Noe, City Hall Janitor, had double by-pass surgery on Saturday. The city clerk contacted Winger Cleaning Service of Joplin, and they will provide service until Tom returns at a cost of \$75 per day.

Moved by TIPTON, seconded by DAVIS to approve using Winger Cleaning Service 2 days per week at a cost of \$75 per day until Tom Noe

October 3, 1995

returns to work.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, BURKYBILE, LEE, ALLEN,  
REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

PARK EQUIPMENT:

Ward reported to the council that the park caretaker, Ben Biddle, needs two spindles for his mower at a cost of \$100 each and some base rock for the park road North of the park caretaker house.

Moved by WARD, seconded by REYNOLDS to allow the purchase of the spindles and base rock.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, BURKYBILE, LEE, ALLEN,  
REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ORD. 95-12. PUB OFFENSE:

Moved by LEE, seconded by PRICE to approve Ordinance 95-12 regulating public offenses within the corporate limits of the City of Galena, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities" Edition of 1995, and repealing Ordinance 94-18 in its entirety.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, BURKYBILE, LEE, ALLEN,  
REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ORD 95-13, TRAFFIC:

Moved by LEE, seconded by PRICE to approve Ordinance 95-13 regulating traffic within the corporate limits of the City of Galena, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities" Edition of 1995, providing certain penalties and repealing Ordinance Numbered 94-19 in its entirety.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, BURKYBILE, LEE, ALLEN,  
REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

POLICE VESTS:

Lee reported that an officer was shot at over the weekend during a routine traffic stop. He suggests the city purchase vests for the officers.

Chief Hentz said he had contacted a company that would provide lease purchasing for the vests.

October 3, 1995

Moved by LEE, seconded by DAVIS to refer the purchase of vests for the police officers to the finance committee and for them to meet with Chief Hentz.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

DRUG TESTING:

Ward provided information to the council members he received at the League Conference on alcohol and drug testing. He sat in on a round table discussion on this. He will provide more information from the conference at the next meeting. He had only returned from the conference earlier Tuesday afternoon.

CONDEMNATIONS:

The City Clerk, Jeanie Holstrom, informed the council that the resolutions passed at the previous meeting were published but letters were not sent out due to her absence from the office. She asked that letters might be sent to allow two weeks from this council meeting.

This was approved.

216 E 7TH STREET:

No inspection has been done of the structure at 216 E. 7th Street. A meeting will be set up and the inspection done by the next council meeting.

701 MAIN STREET:

It was reported that Steve Vogel has started to clean up the debris from the structure at 701 Main Street.

STANSBERRY AVE:

Jenkins recommends a ditch be dug on the East side of Stansberry Ave. to solve the problem of the street washing out.

Moved by JENKINS, seconded by LEE to grade a ditch on the East side of Stansberry Ave.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

GANDY CONTRACT:

The council discussed the paying of FICA on the Gandy Contract.

Moved by ALLEN, seconded by LEE to enter into a contract with Rex



October 3, 1995

Gandy for consulting services with the city paying his health insurance premium of \$373.43 plus the FICA due for a total of \$404.36.

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

NAYS: NONE

Motion declared carried.

CITY ENGINEER:

Superintendent Bud Sills said he had contacted Mr. White concerning the City Engineer position and asked Mr. White to meet back with the council.

ROUTE 66:

Sam Robinson of the Chamber of Commerce informed the council that the chamber has ordered brochures to promote tourism of Route 66. He asked that the Route 66 sign and arrow at Front and Main Street be replaced. There will be traffic on this route. He also asked if anything can be done about the holes and bumps on Old 66 from Main and Front to the State Line.

Mayor Oglesby said he had applied for a grant through the Kansas Historical Society and it was turned down. The asphalt would have to be removed from Main Street and replaced with concrete.

The council also discussed installing city limit signs.

11TH & EUCLID:

The council discussed the structure at 11th & Euclid.

Gene Porter, Building Inspector, said he had informed the owner that the shed had to be disconnected from the house.

The owner of the structure was present and said she has also disconnected the fence from the other person's property.

She informed the council that the owner of the adjacent property had offered to buy her house for \$1000. She did not feel this was an adequate amount for it and refused the sell. She said she would sell it for what it is worth. She told the council that she feels an attempt is being made to force her from her property.

October 3, 1995

Mayor Oglesby assured her the council is not trying to force her from her property.

WHOLESALE WATER DISTRICT: Jenkins asked if the city still has an opportunity to withdraw from the Wholesale Water District and how much time does the city have if they want to withdraw.

Allen stated we will have approximately 1 year to withdraw after we pay the \$3 per meter. There is supposed to be a preliminary plan in the next two or 3 months which will determine the price of water purchased from them. The city will have an opportunity to withdraw at that time also.

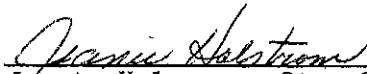
PAYROLL ORD. 95-38: Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 95-38 in the amount of \$13,699.74 plus \$1041.77 FICA and \$224.58 KPERs.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
ABSTAIN: BURKYBILE  
NAYS: NONE

PAYROLL ORD. 95-39: Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 95-39 in the amount of \$11,526.97 plus \$875.55 FICA and \$194.72 KPERs.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, REYNOLDS, WARD, ROGERS  
ABSTAIN: BURKYBILE  
NAYS: NONE  
Motion declared carried.

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

  
Dale Oglesby, Mayor

ATTEST:

  
Jeanie Holstrom, City Clerk

(SEAL)