

MINUTES OF THE CITY COUNCIL MEETING, GALENA, KANSAS, OCTOBER 6, 1970

The Council met in regular session October 6, 1970, at 7 o'clock, p.m., in the council-room, at the city building.

Present: Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; a quorum was present.

Absent: Councilmen Martin and Sturgis.

Presiding: Mayor Dillon.

Councilman Tackett moved, seconded by Councilman Kaehler, that paragraph four on page 104 of the minutes dated September 15, 1970, be corrected to read "Motion carried." Motion carried by a show of hands.

Councilman Pittman moved, seconded by Councilman Watkins, that the reading of the minutes dated October 6, 1970, be dispensed with and placed on file as corrected. Motion carried by a show of hands.

Mayor Dillon submitted a complaint by O. M. Smith residing at 809 Euclid relating to weeds and debris on the property to the north and the property to the south. He was advised that the matter had been made a matter of record and that the property to the north was owned by Jack Carlisle and to the south to F. Rosenberry, accordingly, no action was taken.

Mayor Dillon presented plans submitted by Audrey L. Penner for operating the Pencrest School, 1201 Short Street, which projected preschool education for children, aged 3 to 5 1/2 years. He advised the Governing Body that the Planning Commission recommended approval and licensing from the City, whereas, the State of Kansas had issued same. Councilman Bogle moved, seconded by Councilman Pittman, that the Governing Body approve the Pencrest School to be conducted by Audrey Penner for preschool children. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Pittman moved that Ordinance No. 908 and entitled:

AN ORDINANCE VACATING THE ALLEY NORTH OF SEVENTH STREET AND BEING ADJACENT TO AND BOUNDED ON THE SOUTH BY LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), THIRTY-EIGHT (38), THIRTY-NINE (39), FORTY (40), FORTY-ONE (41), FORTY-TWO (42), FORTY-THREE (43), FORTY-FOUR (44), FORTY-FIVE (45), FORTY-SIX (46), FORTY-SEVEN (47) AND FORTY-EIGHT (48) OF FOLMER'S ADDITION TO THE CITY OF GALENA, CHEROKEE COUNTY, KANSAS, SAID ALLEY BEING BOUNDED ON THE WEST BY THE WEST LINE OF LOT ONE (1) OF SAID FOLMER'S ADDITION AND ON THE EAST BY THE EAST LINE OF LOT FORTY-EIGHT (48) OF SAID FOLMER'S ADDITION ALL ACCORDING TO THE RECORDED PLAT THEREOF.

be placed on roll call vote for adoption. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, and Tackett; Nays - Councilman Kaehler. Carried.

Councilman Pittman introduced the following entitled ordinance:

ORDINANCE NO. 909

AN ORDINANCE VACATING THAT PORTION OF SIXTH STREET IN THE CITY OF GALENA, KANSAS, FROM WALL STREET ON THE WEST TO SHORT STREET ON THE EAST, ACCORDING TO THE RECORDS THEREOF: AND ALSO VACATING AN ALLEY IN GALENA, KANSAS, RUNNING NORTH AND SOUTH FROM SEVENTH

STREET ON THE SOUTH TO SIXTH STREET ON THE NORTH, BEING 20 FEET WIDE EAST AND WEST AND BOUNDED ON THE WEST BY THE FOLLOWING DESCRIBED REAL PROPERTY IN CHEROKEE COUNTY, KANSAS TO-WIT: BEGINNING AT A POINT 30 FEET NORTH AND 10 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION TWENTY-THREE (23), TOWNSHIP THIRTY-FOUR (34) RANGE TWENTY-FIVE (25), EAST OF THE SIXTH PRINCIPAL MERIDIAN, CHEROKEE COUNTY, KANSAS, THENCE NORTH 144.5 FEET MORE OR LESS TO THE SOUTH LINE OF SIXTH STREET, THENCE WEST ALONG THE SOUTH LINE OF SIXTH STREET 344 FEET MORE OR LESS TO EAST LINE OF ALLEY WEST OF WALL STREET, THENCE SOUTH 144.5 FEET MORE OR LESS TO THE NORTH LINE OF SEVENTH STREET, (IN THE CITY OF GALENA, KANSAS) 344 FEET MORE OR LESS TO THE PLACE OF BEGINNING BEING A PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$), OF SECTION 14, TOWNSHIP 34, RANGE 25, EAST OF THE SIXTH PRINCIPAL MERIDIAN, CHEROKEE COUNTY, KANSAS.

Councilman Pittman moved, seconded by Councilman Watkins, that Ordinance No. 909 be placed on roll call vote for adoption. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Noe, Watkins, Bogle, Tackett; Nays - Councilmen Kitch and Kaehler. Motion carried.

Councilman Pittman presented the City Marshal's Report for the month of September, 1970, wherein a total of \$12.70 was collected in fines and costs, 14 dogs were disposed, 12 cars inspected @ .50 total \$6. Councilman Pittman moved, seconded by Councilman Brown, that the report be accepted and placed on file. Motion carried by a show of hands.

Councilman Tackett read the Water Department Report for the month of September. Councilman Tackett moved, seconded by Councilman Pittman, that same be placed on file. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Pittman moved, seconded by Councilman Watkins, that water service be extended to Emmett and Helen Lentz, 24th and Short Streets, as they were residing within the city limits. Motion carried on roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Bogle requested an executive session and was granted same by Mayor Dillon at 7:35 p.m., the meeting was reconvened at 8 o'clock.

Councilman Bogle moved, seconded by Councilman Watkins, that the city attorney draw an ordinance relating to the charge for opening a grave to be \$50 and \$60 where a mausoleum was installed. Motion carried on roll call vote as follows: Councilmen Pittman, Kitch, Noe, Watkins, Bogle, and Kaehler; Nays - Councilmen Brown and Tackett.

Councilman Watkins moved, seconded by Councilman Pittman, that Appropriation Ordinance No. 627 be placed on roll call vote for adoption. Councilman Pittman moved, seconded by Councilman Brown, to amend the ordinance to include an additional \$99 for wages on the Cemetery Department, General Operating Fund. On roll call the amendment carried as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none. On roll call the ordinance as amended carried as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Kaehler moved, seconded by Councilman Pittman, that the matter of deleting the Item No. 21 Cut & Replace Asphalt Surface, 9165 @ 1.10 in the second phase of the sewer program and extending sewer lines as outlined in the third phase be taken under consideration. Motion carried by roll call vote as follows: Yeas - Councilmen Pittman, Brown, Kitch, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

Councilman Watkins moved that the following resolution be adopted:

BE IT RESOLVED THAT THE FOLLOWING FINAL ACCOUNTS BE ADJUSTED:

Acct.No.	Name	Final Reading	Deposit	Loss	Refund	Date
#187	Anise Donaldson	\$ 5.95	\$ 10.00	None	\$ 4.05	7-17-69
#738	Rayma McCumber	25.45	10.00	15.45	None	7-9-70

#1510.1	Paul H. Welch	16.45	15.00	1.45	None	4-4-70
#381	William Cox (Gidgets)	24.61	15.00	9.61	None	7-10-70
#1017	Galena Auction (Jerry Jester)	4.43	15.00	None	10.57	3-17-70
#564	Carol West	8.51	10.00	None	1.49	4-8-70
#600	Joe Dorris	10.00	10.00	None	None	7-8-70
#728	Dottie Phillips	11.78	15.00	None	3.22	8-10-70
#1217	Pierson's Antique	8.11	10.00	None	1.89	2-11-70
#1317	Marion Richardson	17.46	10.00	7.46	None	8-12-70
#872	Steve Hickman	16.57	15.00	1.57	None	9-15-70
#1364	David Warner	13.10	15.00	None	1.90	7-15-70
#1093	John McGaugh	29.83	10.00	19.83	None	7-13-70
#1127	Frank Barefoot	4.85	15.00	None	10.15	7-13-70
#331	Bob Hartman	24.16	10.00	14.16	None	9-9-70
		<u>\$221.26</u>	<u>\$185.00</u>	<u>\$69.53</u>	<u>\$33.27</u>	

Councilman Pittman seconded the motion. On roll call the vote was as follows: Yeas - Councilmen Pittman, Brown, Noe, Watkins, Bogle, Kaehler, and Tackett; Nays - none.

On motion duly made and seconded, the meeting was adjourned on a standing vote.

Mayor

Betty B. Chesnut
City Clerk