

MINUTES OF
GALENA CITY COUNCIL
REGULAR MEETING, OCTOBER 6, 1987

CALL TO ORDER:

The Regular Meeting of the City Council of the City of Galena was called to order Tuesday, October 6, 1987 at 7:00 P.M. in the Council Chambers with Mayor Thomas Y. Allen, presiding.

ROLL CALL:

Roll Call indicated the following council members present: Anderson, Hayes, Poelma, Watkins, Murray, Stephenson, King, Byrd, Moody, Fitzer

MINUTES:

Moved by Byrd, seconded by Anderson to approve and place on file the minutes of the Regular Meeting of September 15, 1987 with a correction in the amount of appropriations approved to \$39,971.59. Motion declared carried.

Moved by Anderson, seconded by Hayes to approve and place on file the minutes of the Special Meeting of September 29, 1987 Motion declared carried.

Abstained: Murray

BUDGET HEARING:

Moved by Watkins, seconded by King to amend the 1987 Revenue Sharing Budget to \$28,200.49. Motion declared carried.

CITY INSPECTOR REPORT:

City Inspector, Gene Porter, reported that the house at 802 Galena Ave has been sold and the new owner is in the service and stationed in Georgia. The previous owner, Mrs. Truster, will hire someone to clean the property up.

The property at 1708 Main has had the yard cleaned since a building permit was purchased by the owner, Chuck Wells.

The owner of the property at 902 Wall is still ill and sees no alternative to the city mowing the property and charging to taxes and has been done in the past.

Building permit at 2nd and Short. The owner of the property will be in October 7 to purchase a building permit.

GARRY ABRAM:

Moved by Watkins, seconded by Hayes to allow Naydene McCann vacation from October 16 through October 31 with the extra day for a holiday; Motion declared carried.

Moved by Anderson, seconded by Hayes to allow Alan Wade a vacation from October 14 through October 18. Motion declared carried.

Due to problems developing because of the detour, Chief Abram recommended action be taken at the intersection of 17th & Wood Streets. Moved by Murray, seconded by Watkins to make this intersection a three way stop with warning signs being placed on Wood North and South of 17th. Motion declared carried.

Nays: King & Fitzer

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BUD SILLS:

Moved by Watkins, seconded by Fitzer that the City sell approximately 200 old water meters containing red brass and yellow brass for \$450.00. Motion declared carried.

TRUCK ORDINANCE:

Moved by Poelma, seconded by Watkins that the City Attorney be instructed to draw an amended ordinance to No. 1023 restricting the trucks to parallel parking next to the curb or on a side street with a maximum unloading time of 45 minutes. Motion declared carried.

STANSBERRY WATER LINES:

Moved by Byrd, seconded by Watkins that the City install the line with Stansberry paying for the materials to run the water line to his new housing development with no tapping fee being charged in the future. The City will pay the cost of the Fire Hydrant. Motion declared carried.

TREMBLE WTER BILL:

Water committee reported they had a request to reduce the amount of Mable Tremble's water bill due to a leak. They requested council to approve a settlement of \$4.00 for the water portion of her bill.

Moved by Watkins, seconded by Poelma that this request be granted.

Ayes: Polema, Watkins, Murray, Moody and Stephenson

Nays: Anderson, Hayes, Fitzer, King and Byrd.

Mayor Allen voted with the Nays to defeat this motion.

SEK-CAP OFFICE:

Moved by King, seconded by Watkins that SEK-Cap Outreach office rental agreement be extended at \$50.00 per month for 1988. Cabinet space in the kitchen may also be utilized by this office for groceries for indigent. Motion declared carried.

LOCAL HOUSING BOARD:

Moved by Anderson, seconded by Byrd that Eugene Wilson be appointed to the Local Housing Authority board to fill the unexpired term of Clyda Reed, deceased, which expires in June, 1988. Motion declared carried.

WILLIAMS TAX ABATEMENT:

Moved by Anderson, seconded by Murray that Ordinance 87-10 be approved with it being effective upon publication in the Galena Sentinel Times. Motion declared carried.

COMMUNITY ROOM:

Moved by Anderson, seconded by Byrd that the Community Room cannot be used for commercial purposes except for non-profit organizations. Motion declared carried.

CEREAL MALT BEVERAGE LICENSE:

Moved by Watkins, seconded by King that Jim Bowman be permitted a Cereal Malt Beverage license for 520 W. 7th. Motion declared carried:

Nays: Poelma, Byrd, Moody, Murray

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SENIOR CITIZENS REPAIR:

Moved by Watkins, seconded by King that the City enter into contract with K-MO Seamless Guttering to repair the storm damage on the Senior Citizens Building at a cost of \$120.00 Motion declared carried.

STREET LIGHT 18th & OVERLOOK:

Moved by King, seconded by Anderson, that Empire District Electric Company be contacted and a quote gotten to place a street light at 18th & Overlook Drive. Motion declared carried.

ATTORNEY GENERAL MEETING:

Moved by Anderson, seconded by Murray that the Police Committee, Chief of Police and any other council members who desire be allowed to go to a meeting with the Attorney General at 1:00 P.M. on October 23rd concerning the juvenile problem. Motion declared carried.

Abstained: Watkins, Stephenson, & Moody

EXPANDING WATER SYSTEM:

Mayor Allen reported of the meeting between EPA representatives, State of Kansas representatives, Water Committee, City Attorney, and the City Superintendent, Water Superintendent, and City Clerk concerning the Alternative EPA is looking at to provide water to residents outside the Galena City Limits.

Moved by King, seconded by King to instruct the City Clerk to draft a letter to EPA stating that the City is favorable to providing water outside the city limits if this is the alternative EPA elects. Motion declared carried.

VACATIONS:

Moved by Byrd, seconded by Hayes to allow Bud Sills vacation time on October 7, 8, and 9th, Motion declared carried.

OLD BUSINESS:

TRAILER ON 8TH STREET

Moved by Anderson, seconded by Hayes that the owner of the trailer parked on 8th Street between Main and Short be contacted to move the trailer. Motion declared carried.

TAVERN ORDINANCE:

Moved by Moody, seconded by Murray to ammend the proposed ordinance number 87-12 to read persons under 21 years of age instead of Minors. and replace the word "eighteen" in Section 1 and Section 4 with the word "twenty-one." Motion declared carried.

Mayor Allen opened the meeting for comments concerning the ordinance and its merits.

Dan Whitworth, Attorney for Sgt. Peppers spoke for Sgt. Peppers. He gave some background of the club. He stated that the club was responsible for about \$2500 in sales tax per month, that other businesses profited from the business this club brought into the city and that the club had been generous in their donations to various

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civic and non-profit organizations including the City Fire and Police departments. He stated that if the ordinance was passed as amended the club would probably be forced to close. They had attempted to keep persons under the age of 18 from entering the establishment and that they checked all IDs. He also stated they were in compliance with all city ordinances and state regulations.

One of the stockholders from Sgt Peppers requested the council to change the ordinance to read under 18 years of age. He would be willing to have a night for these youths as they have done in the past with no alcoholic beverages being served. He also asked if the ordinance was passed with the age of 21, it be delayed to allow his stockholders an opportunity to sell the property.

Dale Carey spoke in favor of the ordinance.

Chief Abram reported that his department does have problems at Sgt Peppers. He stated that the City needs this ordinance.

Moved by Anderson, seconded by Poelma that the Amended Ordinance No. 87-12 be passed and become effective upon publication in the Galena Sentinel Times. Roll Call Vote was taken with all Council Members voting Aye. Motion declared carried.

DOG AND CAT ORDINANCE:

Moved by Moody to pass Ordinance 87-13. After discussion of Section VII, of the Proposed Ordinance concerning ownership of livestock in the City, Moody withdrew his motion.

Moved by Poelma, seconded by Watkins that Proposed Ordinance 87-13 be amended with the deletion of Section VII which pertains to the ownership of livestock in the City Limits. Motion declared carried.

Moved by Moody, seconded by Murray to pass Ordinance 87-13 as amended effective upon publication in the Galena Sentinel Times. Motion declared carried.

BACKHOE:

King, chairman of the Street Committee reported that the committee had been looking at various backhoes. Three had been used by the City as demonstrators. This committee recommends that the Case 580R be purchased on a 4 year lease purchase plan at 7% interest. The City was getting \$4000 trade in on the old Backhoe.

Moved by Murray, seconded by Moody to purchase the Case Back Hoe on a 4 year lease purchase plan with \$5000 down payment. Annual payments of \$6525.37. Motion declared carried.

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Mayor Allen recommended a monthly amount be set aside in the general fund to cover these payments.

ROOD REPAIRS ON CITY HALL:

Moved by Byrd, seconded by Poelma, to re-advertise for bids for repair to the City Hall roof since the company awarded this contract in May was unable to secure a performance bond. Motion declared carried.

1983 POLICE CAR:

Moved by Watkins, seconded by Moody to accept the offer of \$2300.00 for the sale of the 1983 police car to Gene Briley. Motion declared carried.

COMMITTEE REPORTS:

Moved by Watkins, seconded by Hayes to accept and place on file the court Report for August. Motion declared carried.

Moved by Watkins, seconded by Hayes to accept and place on file the court report for September. Motion declared carried.

Moved by King, seconded by Anderson to accept and place on file the Water Reports for July and August. Motion declared carried.

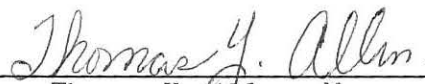
PAYROLL:

Moved by Watkins, seconded by Poelma to approve payroll ordinance 87-22 in the amount of \$3469.34 plus \$248.07 FICA. Motion declared carried.

Moved by Anderson seconded by Fitzer to approve payroll ordinance 87-22A in the amount of \$9323.07 plus \$666.58 FICA. Motion declared carried.

ADJOURNMENT:

Moved by Poelma, seconded by Fitzer to adjourn. Motion declared carried.



Thomas Y. Allen, Mayor

ATTEST



Jeanie Holstrom, City Clerk

SEAL