

MINUTES OF  
REGULAR COUNCIL MEETING  
NOVEMBER 1, 1994

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order Tuesday, November 1, 1994 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, LEE, ALLEN, ADAMS, WARD, ROGERS  
ABSENT: BURKYBILE

MINUTES:

The City Clerk informed the council of one correction on page 9, item 4, Fire Truck Driver.

The minutes are corrected to read as follows:

Moved by WARD, seconded by DAVIS to advertise for the position of fire truck driver.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

Moved by LEE, seconded by DAVIS to refer the scheduling of shifts for the fire truck driver to the personnel committee.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, BURKYBILE, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

Moved by LEE, seconded by TIPTON to approve and place on file the minutes of the Regular Council Meeting of October 18, 1994 with the above corrections.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

FIRE DEPT MINUTES:

Moved by ROGERS, seconded by WARD to place on file the minutes of the Firemen's Relief Association Meeting of October

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13, 1994.

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

REX HEAPE:

Rex Heape of the Kansas  
Department of Health &  
Environment was unable to attend  
the meeting.

ERIC WILLIAMS:

Eric Williams of the Galena High  
School was not present. He had  
called the City Clerk's Office  
and informed them they were not  
going to continue with the  
project of saving the bridge at  
Schermmerhorn Park.

RON DAVIS:

Ron Davis was not present.

CHILDREN AT PLAY SIGNS:

Mary Lou Gandy requested  
"Children at Play" signs be  
place on Elm Street between 8th  
and 11th. She said this is a  
heavily traveled street and is a  
danger to the children.

The council discussed whether to  
install a stop sign at 10th &  
Elm and whether to also install  
speed limit signs.

Moved by WARD, seconded by  
ROGERS to install two "Children  
at Play" signs on Elm Street  
between 8th & 10th Streets.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, LEE, ALLEN, ADAMS, WARD,  
ROGERS  
NAYS: NONE  
Motion declared carried.

Moved by LEE, seconded by WARD  
to refer to the Street Committee  
the traffic flow study on Elm  
Street to see if speed limit  
signs are warranted.  
AYES: TIPTON, PRICE, JENKINS,  
DAVIS, LEE, ALLEN, ADAMS, WARD,  
ROGERS  
NAYS: NONE  
Motion declared carried.

FACE SHIELD, FIRE DEPT:

Davis informed the council that  
the fire department needs to  
purchase 10 face shields at a  
cost of \$7 to \$8 each. With the  
spending freeze on the General  
Fund, she is requesting council  
approval on the expenditure.

Moved by LEE, seconded by DAVIS  
to approve the purchase with the  
Firemen's Relief Association to

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make the purchase and the city to reimburse them after the 1st of the year.

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

NAYS: NONE

Motion declared carried.

NOMEX COVERALS:

Davis informed the council the Fire Department will need to purchase Nomex Coverals this Spring for their members. The cost is \$100 to \$125 per suit. This is for information only and they will not need to be purchased until Spring.

DIRT AT 5TH & WASHINGTON:

Superintendent Bud Sills informed the council, he has access to fill dirt at 5th and Washington. This is from the construction of a new home and they have told him the city can have the dirt. He requests he be allowed to obtain the dirt at no cost to use as cover for the landfill.

Moved by LEE, seconded by TIPTON to allow Superintendent Sills to obtain the dirt for the landfill.

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

NAYS: NONE

Motion declared carried.

PECO DRIVE:

Superintendent Sills informed the Council that Jerry Carter has requested the city remove the master water meter at 8th & Peco Drive. The council discussed the water easement for lots which were sold and now water would be provided to the lots that have not been sold.

Superintendent Sills said property was being sold with these lots that belongs to the city.

ROGERS LEFT AT 7:27 P.M.

The Council discussed the easement for this water line.

Gene Barrett, City Attorney, said the city has an easement by prescription.

ROGERS RETURNED AT 7:30 P.M.

Mayor Oglesby said he would talk

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to Mr. Carter concerning the easement.

Moved by LEE, seconded by DAVIS to request the Mayor contact Mr. Carter concerning the waterline easement for Peco Drive.

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

NAYS: NONE

Motion declared carried.

905 PECO DRIVE  
RESOLUTION 94-14:

Gene Porter, City Inspector, read his letter to the council concerning the condition of the trailer at 905 Peco Drive.

Moved by ROGERS, seconded by LEE to approve Resolution 94-14 setting December 20, 1994 as the hearing date on the condemnation of the structure at 905 Peco Drive.

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

NAYS: NONE

Motion declared carried.

MUTUAL AID AGREEMENT:

Copies of the Mutual Aid Agreement for Fire Protection between the Cities of Baxter Springs and Galena was provided in the council packets.

Moved by WARD, seconded by ROGERS to approve the Mutual Aid Agreement for Fire Protection between the Cities of Baxter Springs and Galena.

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

NAYS: NONE

Motion declared carried.

INSURANCE REFUND:

The Council was provided copies of the letter received from Employers Mutual Insurance informing the council of a refund in the amount of \$1699.22.

EMPIRE DISTRICT:

Mayor Oglesby informed the council he had met with representatives of Empire District concerning their request for potable water and sewer service.

The plans for the structure have been altered and the sewer would service no more than 30 gallons per minute. There will be no chemicals in the output. The

facility would be unmanned but rest room facilities will be available. They request water service for this.

Empire District will pay all costs for the installation of these services. There will be no cost to the city.

Mayor Oglesby informed the council that in his meetings with Empire District they have stated that the Galena Office will be closed. There is no changing that.

Mayor Oglesby recommends we provide these services. This will assist in the city funds necessary for the payment of our sewer project.

Moved by TIPTON, seconded by ROGERS to provide water and sewer service to Empire District Electric Company for their facility on State Line Road.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ROGERS  
NAYS: ALLEN, ADAMS, WARD  
Motion declared carried.

WORLEY BENEFIT:

Mayor Oglesby informed the council a request had been received from Londa Sofia to use the Community Room on November 18, 1994 for a Chilli Supper and Dance to benefit the Ken Worley family in the loss of their home. He said the family lost all their property and had no insurance. The benefit would be held in the Community Room if the Elks Basement is not available.

Moved by ROGERS, seconded by DAVIS to allow this.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

ENTERPRISE ZONES:

A letter from Bob Nash of the Department of Agriculture was provided in council packets. The letter informed the city that a decision had not been made on the applications for designations of rural Empowerment Zones and Enterprise Zones.

The City had made application

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for an Empowerment Zone.

PURCHASE BULLDOZER:

Mayor Oglesby informed the council that he and Ward had looked at a bulldozer at the Federal Surplus Depot in Topeka. The city will be able to sell the one we are currently using at the landfill in about 6 months. The price for the dozer is \$6000. It runs well and has a full cab. It has a Detroit Engine.

The machine has not been used much but it had a minor fire. It will need new glass and paint. The approximate cost to make the necessary repairs for this unit to be used is \$500.

The unit we are currently using could be sold at the end of the 18 month period we are required to keep it for approximately \$12,000 to \$15,000.

The Mayor suggested that Superintendent Sillis would need to look at the unit before it is purchased.

Moved by WARD, seconded by LEE to put a bid on the unit if it passes Superintendent Sillis inspection.  
AYES: TIPTON, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: PRICE  
Motion declared carried.

FAIR RENTAL COMMITTEE:

Price said the committee held their meetings both publicly and independently. They provided council members with a report including a list of suggestions and a inspection form for the City Inspector to use. The committee requests the suggestions be brought into ordinance form.

The council discussed the report and the number of copies necessary for the inspection form. It was suggested that the owner of the property, the occupant and the city clerks office be provided a copy. A 4th copy could be kept by the building inspector.

Price also asked that Ordinance 94-20 passed by the council on September 6 be enforced.

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The committee also requests that "The Fair Rental Ordinance" 93-1 be repealed.

Moved by TIPTON, seconded by LEE to table the suggestions for two weeks to allow the council members and City Attorney to review the suggestions.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

REPEAL ORD. 93-1:

Moved by PRICE, seconded by JENKINS to repeal Ordinance 93-1 in its entirety.  
AYES: PRICE, JENKINS, DAVIS, LEE, ADAMS, WARD  
NAYS: TIPTON, ALLEN, ROGERS  
Motion declared carried.

PERSONNEL COMMITTEE REP:

A written copy of the Personnel Committee meeting of October 25 in which they interviewed one applicant for the position of relief dispatcher. This applicant later withdrew her application. The committee also requested the city clerk advertise for the position of fire truck driver.

The committee recommends the city continue the position of Fire Truck Driver as it has in the past. This is based on the financial impact caused by changing to another system.

The committee recommends the probational period be 60 working shifts and that if an employee changes jobs to the extent that the second job has different requirements, a new probationary period would be required.

Mayor Oglesby asked if any action was necessary. Allen said there was not.

Moved by ALLEN, seconded by TIPTON to place the Personnel Committee report on file.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

SCHERMERHORN PARK:

The council discussed the condition of the rock fences, posts, retaining wall and the diggers installed at

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Schermerhorn Park. It was noted that the diggers had only been installed for approximately 2 weeks and were broken and parts were missing. The steps up to the shelter are also in need of repair.

Mayor Oglesby said he would contact the park caretaker concerning this.

FIRE DEPARTMENT SAFETY RULES:

Copies of the Safety Rules adopted by the Firemen's Relief Association were provided in the council packets. Davis informed the council that Chief Hall requested the council approve these safety rules.

Moved by DAVIS, seconded by TIPTON to approve the Safety Rules adopted by the Firemen's Relief Association.  
AYES: TIPTON, PRICE, DAVIS, JENKINS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

POWER PHONE TRAINING POLICE DEPARTMENT:

Chief Hentz provided material concerning his request to have emergency medical dispatch training for city dispatchers. He recommends the use of the PowerPhone. He said Cheryl Haines attended one of their sessions as a demonstration at no charge to the city. He also showed the council members the textbook each participant will receive.

Chief Hentz explained to the council that city dispatchers will have to handle 911 calls when the county 911 plan goes into service. The county will take the call and dispatch it to the city covering this area. It will be necessary for our dispatchers to have the emergency medical dispatch training.

He said he has made arrangements to have the seminar here. As sponsor, the city will receive credit for one participant for each 10 enrollees. He said 11 have already enrolled. He asked the city to approve the seminar to be held on January 9 and 10, 1995 and to allow the city dispatchers to attend at a cost of \$204 per person. The city



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will only pay for those not covered by other persons enrolling.

Moved by LEE, seconded by JENKINS to approve the above seminar and to approve the city dispatchers attending.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

COURT REPORT:

Moved by ALLEN, seconded by LEE to place on file the court report for October with fines collected totaling \$2064.00  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, ADAMS, WARD, ROGERS  
NAYS: NONE  
Motion declared carried.

216 E 7TH STREET:

Gene Porter, City Inspector, informed the council that the 30 days are up on the extension granted Bob Abbott for repairs on the structure at 216 E. 7th Street. Mr. Abbott has put a door on the basement and removed two trailer loads of debris from the basement. No structural problems have been taken care of.

Rogers said Abbott was at the previous council meeting and was not recognized. He recommends no action be taken on the structure until Mr. Abbott has been notified and has an opportunity to address the council.

Moved by ROGERS, seconded by LEE to allow 2 weeks for Mr. Abbott to make additional repairs on the structure at 216 E. 7th Street, and to request his attendance at the next council meeting.  
AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN, WARD, ROGERS  
NAYS: ADAMS  
Motion declared carried.

815 JOPLIN STREET:

The council discussed the structure at 816 Joplin Street. Gene Barrett, City Attorney, informed the council that the structure is part of the estate of Anna May Moody. The property was used as collateral for a loan for Rick Moody.

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Moved by LEE, seconded by PRICE to begin the process for taking down the structure at 816 Joplin Street.

AYES: TIPTON, PRICE, JENKINS, DAVIS, LEE, ALLEN  
NAYS: ADAMS, WARD, ROGERS  
Motion declared carried.

PAYROLL ORDINANCE 94-46:


Moved by ADAMS, seconded by PRICE to approve Payroll Ordinance 94-46 in the amount of \$12,088.74 plus \$918.18 FICA and \$178.23 KPERS.

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

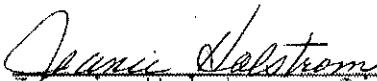
ADJOURNMENT:

Moved by ROGERS, seconded by LEE to adjourn the Regular Meeting of the Galena City Council.

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

  
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Dale Oglesby, Mayor

ATTEST:

  
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Jeanie Holstrom, City Clerk  
(SEAL)