

GALENA CITY COUNCIL MEETING

NOVEMBER 4, 1980

The City Council of Galena, Kansas met in regular session Tuesday November 4, 1980 with Mayor Dolores Smith presiding.

Eight members answered present for Roll Call. They were: Kelley, A. Wade, T. Wade, Watkins, Means, Mann, Hayes, and Hart. Absent was Piercefield.

Watkins made the motion to approve and place on file the minutes of the October 21, 1980 Council Meeting. Alan Wade seconded. Motion Carried.

Mrs. Smith asked council members if they were ready to make a decision on the employees health insurance. After several minutes of discussion, Watkins made the motion to accept the Blue Cross, Blue Shield policy to be effective December 1, 1980. Tom Wade seconded the motion, Motion carried 7-1 with Hayes voting No.

Concerning the retaining of an attorney for Judge Brown vs. the Commission of Judicial Qualifications, Mrs. Smith read a letter from Charles Menghini of Pittsburg stating he did not feel he could take this case. Another letter was presented to the council from the Insurance Company stating this is not covered in the policy since it is a disciplinary proceeding rather than a suit.

After discussion between councilmembers Kelley moved the City retain a lawyer of the Judge's own choosing to represent him in this case. Hayes seconded the motion. Motion carried 5-3, with Mann, Hayes, Hart, T. Wade & Kelley voting yes and Means, Watkins and Alan Wade abstaining.

Mrs. Smith asked that there be action taken on the resignation of the City Clerk. She stated the resignation was submitted September 30, and we are entering the 8th week without a City Clerk. The mayors' recommendation is to accept the resignation and terminate services as of Tuesday October 7, for neglect of duty and that pay be allowed for services rendered to that date. Hart made a motion to this effect. Mann seconded. Discussion was held as to this being a resignation or a termination. Means said it was his understanding the resignation was null and void. T. Wade stated he felt Mrs. Lutz would have done her job if she felt it were possible.

Hart changed his motion to state "we accept the resignation of Norma Lutz to be effective October 7, 1980 and that pay be allowed for services rendered to that date (3 days) and to advertise for vacancy to be filled at the next meeting." Mann seconded. Roll Call vote showed Motion Carried 7-1 with Means voting No.

Discussion was held concerning pay for the city clerk while in court in Columbus. No action was taken.

There were 6 applications to fill the Council vacancy in the 2nd ward. Applicants were: David Shallenburger, Mickey Walker, Larry Miller, Tim Green, Frank Tackett, and Wilbur Moody. Mann made the motion Wilbur Moody be appointed to the seat. Hayes seconded the motion. Roll Call showed a tie vote 4-4 with Kelley, Mann, Hayes, & Hart voting yes, and Means Watkins, Tom Wade & Alan Wade voting No. Mayor Smith broke the tie in favor of Mr Moody's appointment. Mr. Moody was then given the oath by Cheryl Haines, Asst. City Clerk.

T. Wade asked about plans on the ballpark and what progress has been made on this project. Mr. Randall replied that the ballpark had originally been for 4 diamonds but have been changed to 2 fields. One hardball and one softball complete with concession and restrooms. Thus far \$14,280 has been spent on the ground work. Mr. Randall stated that he would present approximate figures for completion of the fields at a later date.

Mrs. Smith mentioned the public official Liability Insurance is coming due November 22. She said Mr. Hartley would like to meet with the council regarding our policy. He would like to combine all the insurance policies we carry through him to be included in one payment. After discussion, the council decided we should take bids from several insurance companies.

An application for a Cereal Malt Beverage license was presented for Donald E. Long for the Green Parrot. Watkins made the motion to grant this license if it meets the requirements of the City and the Police Department. Hart seconded. Motion carried 5-2-2, with Mann, Hart, Means, Watkins, & T. Wade voting yes Kelley, & Moody voting No, and Hayes & Alan Wade abstaining.

Mrs. Smith asked that the committees be more active and to meet with the Department heads regularly and to meet with the mayor. She also asked that the Committees designate who is chairman and inform the City Clerks Office.

The need for a Judge Pro Tem was discussed. Scott Shaw said there should be a Judge Pro Tem appointed for the record. The question came up of the need of an ordinance to establish the position. Council referred the matter to the City Attorney.

Watkins made a motion to allow a 1 week vacation for Rodger Swaney beginning November 7. A Wade seconded the motion. Motion carried.

Mrs. Smith stated she had been contacted by Myrtle Kohl in regard to meals for election workers. No action was taken on the matter.

Watkins mentioned a petition signed by approximately 100 persons to repeal ordinance 1022. No action was taken.

Watkins made the motion to allow the boxing club water at No Charge while they are in the building at 6th & Main Streets. T. Wade seconded. Motion carried with 1 nay vote from Means.

Watkins made the motion to transfer the balance of Revenue Sharing money to the Water Fund. T. Wade seconded. Motion carried unanimous.

Ray Randall asked the council to allow Gene Porter, Building Inspector to go to Kansas City for 1 day for a certification Test. Expenses would be approximately \$75.00 plus \$35.00 certification fee. Kelley made the motion to allow this to be paid out of Administration. Hayes seconded. Motion carried unanimous.

Randall asked that he be allowed to attend a NARHO seminar for 3 days in Manhattan. Expected expenses to be \$133.00. Hart made the motion this be allowed to be paid out of Administration. Mann seconded. Motion carried 6-3 with A. Wade, Watkins, & Means voting no.

Jarvis asked for council approval of buying a seal for the Lift Station in Empire at a cost of approximately \$120. Watkins made the motion to approve this. Kelley seconded. Motion carried.

Tom Wade made the motion to allow Jeff Charles a 1 week vacation. Hayes seconded. Motion carried.

Jarvis asked to be allowed to place a new water line between 17th & 18th Streets between Main & Joplin Streets. He stated the water crew has been repairing leaks there at least once each week. Cost would be approximately \$120. Watkins made the motion to allow this, Hayes seconded. Motion carried.

Jarvis said he has had several calls about special trash pick-up. He would like to have Fall Clean up November 15 & Nov. 22. He asked that he be allowed to let the men off 1 day prior to those days so he would not have to pay overtime. Watkins made the motion to allow this. A. Wade seconded. Motion carried unanimous.

Jarvis stated he had been asked by a member of the Elks to use the City front End loader to fill his dump truck to haul gravel to their lot. Discussion followed on the use of city equipment and insurance coverage. Smith recommended the matter be turned over to the Street Committee to establish a policy for the use of City Equipment and define extenuating circumstances. T. Wade made a motion to this effect Hart seconded. Motion carried.

Hart made the motion seconded by Mann to approve C.D. Payroll and Appropriations. Motion carried with Means abstaining.

Watkins moved to table Check #5967 to Hartley Agency. A Wade seconded. Motion carried.

T. Wade made the motion to approve payroll & appropriations as amended. Hart seconded. Motion carried.

Jarvis asked if he could get Randall to draw up necessary easements to clean off property behind City hall. He would like an easement from Hansbraugh to push some big boulders into pigeon hole. He also would like an easement from Bazzano & High Winds to clean out the draugh between High Winds & the Fire Station.

Jarvis also informed the council that Teno Massa would like to trade 2 lots next to City Hall for property behind his house. Watkins made the motion to have Ray Randall get the necessary easements for Howard and Howard do this work. A Wade seconded, and the motion carried.

Mention was made by Mayor Smith that a statement had been received from C. B. Simmons for \$678.75. The council asked to find what the bill is for, if it is a retainer fee.

Kelley made the motion, A. Wade seconded, that the meeting adjourn. Motion carried.



Mayor of the City of Galena

ATTEST:

(Seal)



Assistant City Clerk