

MINUTES OF
REGULAR COUNCIL MEETING
DECEMBER 19, 1995

CALL TO ORDER: The Regular Meeting of the Galena City Council was called to order Tuesday, December 19, 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: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
ABSENT: LEE

MINUTES: Moved by BURKYBILE, seconded by DAVIS to approve and place on file the minutes of the Regular Council Meeting of December 5, 1995.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, REYNOLDS, WARD, ROGERS
ABSTAIN: ALLEN
Motion declared carried.

REZONING LOT 81 & 82 OP: Mayor Oglesby opened the public hearing on the request of Lonnie Stansberry to rezone Lots 81 and 82 OP from Commercial, General Business to Single Family Residential.

There were no protests on this rezoning.

Moved by ROGERS, seconded by BURKYBILE to rezone Lots 81 and 82 Block 5, Original Plat from Commercial, General Business to Single Family Residential.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

BALL MOBILE HOME APP: Mayor Oglesby opened the public hearing on the request of Rebecca Ball to place a mobile home at 408 W. Vine.

There were no protests on this application.

Moved by BURKYBILE, seconded by WARD to approve the placement of a mobile home at 408 W. Vine.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS

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NAYS: NONE
Motion declared carried.

CLARK MOBILE HOME:

Dianne Clark inquired of the council why Clinton Clark's application for the placement of a mobile home was not approved when the above application was approved. She asked if this was not discrimination.

Mayor Oglesby explained that protests were received concerning this application and none were received concerning the Ball application. She was advised to contact the persons protesting the application and if they withdraw their protests, the council will reconsider the application.

DRUG SEIZURE VAN:

Police Chief Jerry Hentz requested he be allowed to sell the 1979 Dodge Van which the city obtained through a drug seizure arrest. He stated the court has awarded the van to the city. He requested the funds be placed in the drug seizure fund.

Moved by PRICE, seconded by DAVIS to obtain sealed bids on the sale of the 1979 Dodge Van with the right to accept or refuse any and all bids.

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

NAYS: NONE
Motion declared carried.

HIGH PRESSURE CLEANER:

Charles Sweet, Acting Supt., requested he be allowed to purchase a high pressure cleaner. He had obtained prices from Sam's Wholesale as follows:

Electric Model 1760	\$179.95
Model 2200	996.00
Model 2000	679.00

Moved by BURKYBILE, seconded by WARD to approve the purchase of a high pressure cleaner at a cost of \$179.95.

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

NAYS: NONE
Motion declared carried.

WELDER:

Charles Sweet, Acting Supt., requested the council to consider the purchase of a new welder for the public works department. He had obtained the following prices from P. G. Walker:

Stick Welder	\$1118.00
Wire Feed	1400.00

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Moved by ROGERS, seconded by BURKYBILE to table this request until the next council meeting.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

It was requested that other quotes be obtained on this welder.

LANDFILL DOZER:

Charles Sweet announced that repairs will be complete on the dozer by Thursday or Friday. Cost will be approximately \$5000.

CEREAL MALT BEVERAGE LIC:

The following applications for renewal of the Cereal Malt Beverage licenses were received by the city clerk.

Joseph's Quik Shop No. 3
Green Parrot
Casey's General Store
Dale's IGA
Jack's Self Serve
Walton's Hickory Station

Moved by BURKYBILE, seconded by DAVIS to approve the above Cereal Malt Beverage Licenses for 1996.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

PAYROLL ORD. 95-20:

The Finance Committee met concerning pay increases for city employees. They recommend Payroll Ordinance 95-20 be approved.

Allen asked if the committee had considered where the funds will come from for the increase. He noted the unencumbered balance in the General Fund is approximately \$3000. He also noted that the city council has not allowed for adequate funds for this increase. He stated he is in favor of a pay increase for the employees but is concerned that there is not adequate funds for this increase.

Davis suggested employees receive the raise and purchases not be made for next year.

Moved by PRICE, seconded by JENKINS to approve Ordinance 95-20 fixing compensation for the employees of the City of Galena, Kansas and repealing Ordinance 94-4 in its entirety.
ROLL CALL VOTE:
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, REYNOLDS, WARD

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NAYS: ALLEN, ROGERS
Motion declared carried.

SICK LEAVE POLICY:

Burkybile asked if the Personnel Committee had met concerning the change in the city's sick leave policy. It has been recommended that employee sick leave policy be increased.

Due to the chairman of the Personnel Committee's absence from the city, the committee had not met concerning this.

The council discussed various changes in the sick leave plan.

Moved by ALLEN, seconded by BURKYBILE to increase the maximum sick leave time which can be accrued by each employee from 15 to 60 days with the employee continuing to accrue one day for each month of employment.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD

NAYS: ROGERS
Motion declared carried.

SWEET VACATION:

Mayor Oglesby informed the council that Charles Sweet, Acting Superintendent, has one week's vacation which would be lost if it is not taken before December 31, 1995. Mr. Sweet is filling the position of Bud Sills, who is on sick leave. Mayor Oglesby asked the council to allow Mr. Sweet to carry over two weeks vacation into 1996 instead of one which is allowed by the Personnel Policy due to the extenuating circumstances.

Moved by WARD, seconded by PRICE to allow Charles Sweet to carry over two week's vacation to 1996 due to his filling the vacancy created by the absence of the City Superintendent.

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

NAYS: NONE
Motion declared carried.

WARD REALIGNMENT
ORDINANCE 95-21:

Allen informed the council that there is one error in the ordinance which established the new ward boundaries for the city. An amendment to this ordinance was provided council members.

Moved by WARD, seconded by DAVIS to approve Ordinance 95-21 amending and correcting the description of First Ward in Ordinance No. 95-16.

AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD.

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ROGERS
NAYS: NONE
Motion declared carried.

EXECUTIVE SESSION:

Moved by PRICE, seconded by DAVIS to enter into Executive Session for 20 minutes to discuss legal litigation and personnel with the City Attorney and Police Chief remaining.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

ENTERED INTO EXECUTIVE SESSION AT 8:08 P.M. AND RETURNED AT 8:27 P.M.

CALL TO ORDER:

The Regular Meeting of the Galena City Council was called to order after Executive Session on Tuesday, December 19, 1995 at 8:27 p.m. in the Council Chambers with Dale Oglesby, Mayor, presiding.

ROLL CALL:

Roll call indicated the following council members present: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
ABSENT: LEE

RADIO BIDS:

Two sealed bids were received for a base station for the clerk's office to be used when the new radio frequency is obtained for the Public Works Department.

Moved by ROGERS, seconded by BURKYBILE to table the bids on the radios.
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: NONE
Motion declared carried.

GIRARD LITIGATION:

No action taken.

SILLS PAYROLL:

Moved by PRICE, seconded by JENKINS to delete Leonard Sills from Payrolls 95-49 and 95-50.
ROLL CALL VOTE:
AYES: PRICE, JENKINS, DAVIS, BURKYBILE, REYNOLDS
NAYS: ALLEN, WARD, ROGERS
Motion declared carried.

City clerk noted to the council that these checks have already been paid. Due to weekly payrolls, the checks are disbursed before the payroll is approved by council.

Moved by PRICE, seconded by JENKINS to not pay Leonard Sills in the future until he returns to work.

Allen noted to the council that this deviates from the previous two years

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and from the policy taken with Tom Noe.

ROLL CALL VOTE:
AYES: PRICE, JENKINS, DAVIS,
REYNOLDS
NAYS: BURKYBILE, ALLEN, WARD,
ROGERS
MAYOR OGLESBY BROKE THE TIE BY
VOTING NAY.
Motion failed.

Burkybile noted she is not against Mr. Sills but she is tired of getting telephone calls.

APPROP ORD. 95-12:

Moved by ROGERS, seconded by REYNOLDS to approve Appropriations Ordinance 95-12 in the amount of \$78,253.81.
AYES: DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: PRICE, JENKINS
Motion declared carried.

APPROP ORD. 95-12A:

Moved by ROGERS, seconded by REYNOLDS to approve Appropriations Ordinance 95-12A in the amount of \$14,007.13 which is a transfer from the Water Project Account and the City Beautification Account to the General Checking account.
AYES: DAVIS, BURKYBILE, ALLEN, REYNOLDS, WARD, ROGERS
NAYS: PRICE, JENKINS
Motion declared carried.

PAYROLL ORD. 95-47:

Moved by ROGERS, seconded by WARD to approve Payroll Ordinance 95-47 in the amount of \$11,059.64 plus \$839.80 FICA and \$185.26 KPERS.
AYES: ALLEN, WARD, ROGERS
NAYS: PRICE, JENKINS, DAVIS, REYNOLDS
ABSTAIN: BURKYBILE
Motion failed

BURKYBILE LEFT AT 8:50 P.M. RETURNED AT 8:51 P.M.

SILLS PAYROLL:

Moved by PRICE to delete Leonard Sills from Payrolls 95-47, 95-48, 95-49, 95-50, 49-50A
Motion died from lack of 2nd.

PAYROLL ORDINANCE 95-48:

Moved by ALLEN, seconded by ROGERS to approve Payroll Ordinance 95-48 in the amount of \$10,811.39 plus \$820.81 FICA and \$185.26 KPERS.
AYES: ALLEN, REYNOLDS, WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: PRICE, JENKINS, DAVIS
Motion declared carried.

PAYROLL ORDINANCE 95-49:

Moved by ROGERS, seconded by DAVIS to approve Payroll Ordinance 95-49 as amended in the amount of \$10,817.91 plus \$821.99 FICA and \$195.49 KPERS.


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AYES: DAVIS, ALLEN, REYNOLDS, WARD,
ROGERS
ABSTAIN: BURKYBILE
NAYS: PRICE, JENKINS
Motion declared carried.


PAYROLL ORDINANCE 95-50: Moved by ROGERS, seconded by WARD
to approve Payroll Ordinance 95-50
as amended in the amount of
\$11,123.43 PLUS \$845.36 FICA and
\$186.44 KPERS.
AYES: DAVIS, ALLEN, REYNOLDS, WARD,
ROGERS
ABSTAIN: BURKYBILE
NAYS: PRICE, JENKINS
Motion declared carried.

PAYROLL ORDINANCE 95-50A: Moved by ROGERS, seconded by DAVIS
to approve Payroll Ordinance 95-50A
in the amount of \$42.78 plus \$3.27
FICA.
AYES: PRICE, JENKINS, DAVIS, ALLEN,
REYNOLDS, WARD, ROGERS
ABSTAIN: BURKYBILE
NAYS: NONE
Motion declared carried.

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


Dale Oglesby, Mayor

ATTEST:


Jeanie Holstrom, City Clerk

(SEAL)