

MINUTES OF REGULAR
COUNCIL MEETING
September 6, 2011

CALL TO ORDER: The regular meeting of the Galena City Council was called to order Tuesday, September 6, at 6 pm in the council chamber with Mayor, Dale Ogelsby, presiding.

ROLL CALL: Roll call indicated the following council members
Present: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen
Absent: Mr. Alderman

PLEDGE OF ALLEGIANCE:

MINUTES: Moved by Mr. Allen, seconded by Mr. Watkins to approve and place on file the minutes of the regular council meeting, 08/15/11, and Galena Fire Dept. meeting 8/25/11.
Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen
Nays: none
Motioned carried.

JUDGE LYERLA: Judge Lyerla spoke to the council in regards to Municipal Fines schedule changes. The judge stated he will have to go through and adapt the changes from the Kansas statute mandated to the city ordinance population and establish appropriate fines. It will take 45 to 60 day to come in compliance with state fines and fees. That will raise the fines and fees. The Judge requested at completion of the adoption of this process that we publish it in our local paper. The new DUI Laws have been adopted by the state, 1st offense went up \$250.00 which makes it \$750.00 to \$1000.00 and must serve 48 consecutive hours incarceration and sentence up to 6 month may be imposed, 2nd offense is \$1250.00 to \$1750.00 also carries a 5 day minimum sentence and up to 1 year in the county jail, 3rd offense \$1750.00 to \$2500.00 minimum 9 day to one year in county jail and becomes a severe level 9 felony. Municipal Court can only handle cases involving 1st and 2nd violation. The judge also thanked the council for the computers and also suggested to the council that in 3 year interval that we update the systems and equipment.

EXECUTIVE SESSION:

Moved by Mr. Watkins; seconded by Mr. Reed for a 30 minute executive session for personnel requested by Judge Lyerla.

Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;

Mr. Nichols; Mr. Watkins; Mr. Allen

Nays: none

Motioned carried.

Began 6:12 pm; Ended 6:45 pm

ROLL CALL:

Roll call indicated the following council members

Present: Mrs. Watkins; Mr. Reed; Mr. Martin;

Mr. Nichols; Mr. Watkins; Mr. Allen

Absent: Mr. Alderman

STREET LIGHT:

Councilman Allen brought to the attention of the council an issue of kids playing basket ball in the alley between 9th in Dewey and 9th in Elm. Resident Paul Nolan stated he wanted to pay for a light to put in the alley but the light would face his property. Chief of Police Larry Delmont had issues with the complaints of speeding in that area and did not want to encourage kids playing in the street. Mayor Ogelsby did not feel we should encourage basketball courts in the middle of the streets, and Councilman Reed did not feel we should place street lights on every alley.

CITY BUDGET:

Moved by Mr. Watkins; seconded by Mr. Nichols to set the date of September 19, 2011 for the official budget hearing.

Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;

Mr. Nichols; Mr. Watkins; Mr. Allen

Nays: none

Motioned carried.

10 MINUTE BREAK:

Moved by Mr. Martin; seconded by Mrs. Watkins to take a 10 minute break to enjoy the pizza delivered to the Council by the new Pizza Hut.

Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;

Mr. Nichols; Mr. Watkins; Mr. Allen

Nays: none

Motioned carried.

Began 7:00 pm; Ended 7:10 pm

ROLL CALL:

Roll call indicated the following council members

Present: Mrs. Watkins; Mr. Reed; Mr. Martin;

Mr. Nichols; Mr. Watkins; Mr. Allen

Absent: Mr. Alderman

PARK LAWN MOWER:

Moved by Mr. Reed; seconded by Mr. Nichols to purchase a lawn mower for park department, a Snapper from R.W.'s for the same amount that he last quoted.

Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen

Nays: none

Motioned carried.

EAGLE PICHER LANDFILL:

Moved by Mr. Watkins; seconded by Mr. Reed to have Mayor Ogelsby draft a letter to be signed by the Council stating their displeasure on the Eagle Picher Trust placing the landfill/disposal site so close to the waterway, Shoal Creek.

Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen

Nays: none

Motioned carried.

C & D LANDFILL:

Machelle Smith, Sentinel Times, had questions in reference to burrito wrap material, bidding procedures, violating the contract between Jordan Disposal Service and the city, and areas where she felt the council violated the opens meeting act. She stated that the council did not state that the Mayor Dale Ogelsby had the authority to negotiate pricing with Jordan Disposal Service. Mayor Dale Ogelsby did not agree and stated the Council has agreed to look at contracts and bring contracts back and to negotiate and see what we will do and to back up what ever we do with contracts so that everything is above board and that's the position the council is taking. The council has not signed any contracts at this time.

SPEED LIMIT SOUTH OF TOWN:

Councilman Reed asked about the speed limit going out toward Schermerhorn Park reduced to 50 miles per hour. Mayor Ogelsby stated he has a KDOT meeting to attend and he will bring it to KDOT's attention.

23rd IN TERRACE STREETLIGHT:

Councilman Watkins stated that there needs to be a street light added to this block. Jerry Richey, City Superintendent, will check with Empire on it.


COURT CLERK PAY RAISE: Moved by Mr. Reed; seconded by Mr. Martin to increase the rate of pay for the city court clerk from \$10.54 to \$12.54 hourly and to have the City Attorney draft an ordinance to go into affect upon passage of the ordinance.
Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen
Nays: none
Motioned carried.

EXCECUTIVE SESSION: Moved by Mr. Martin; seconded by Mr. Watkins for a 5 minute Attorney Client executive session.
Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen
Nays: none
Motioned carried.
Began 8:10 pm; Ended 8:15 pm

ROLL CALL: Roll call indicated the following council members
Present: Mrs. Watkins; Mr. Reed; Mr. Martin;
Mr. Nichols; Mr. Watkins; Mr. Allen
Absent: Mr. Alderman

Adjourn: Moved by Mr. Alderman; seconded by Mr. Watkins for adjournment.
Ayes: Mrs. Watkins; Mr. Reed; Mr. Martin; Mr. Alderman;
Mr. Nichols; Mr. Watkins; Mr. Allen
Nays: none
Motioned carried.


Dale Ogelsby, Mayor

ATTEST: 
Flora R Charles, Office Assistant
(Seal)