

## MINUTES OF THE GALENA CITY COUNCIL, GALENA, KANSAS, OCTOBER 8, 1968

The council of the city of Galena, Kansas, met in special session in the council chamber at the city hall building, 7:30 o'clock, p.m., October 8, 1968.

Present: Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman.

Absent: Councilmen Kaehler, Cure, and Martin.

Presiding: Mayor Frank P. Dillon.

Also present: City Attorney Yount, City Marshal Karr, and Clerk Chesnutt.

Invocation: Mayor Dillon.

Mayor Dillon read the call for special meeting of the governing body and stated the object of said meeting being details pertaining to sewer construction and signed by Councilmen Frank Tackett, Bob Brown, and Bill Pittman.

Councilman Tackett introduced the following resolution:

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS, that the City of Galena enter into a pipeline contract, copy of which is attached hereto and made a part hereof, marked Exhibit "A", with the Missouri, Kansas, Texas Railroad Company, for the purpose of laying and constructing, maintaining, repairing, and operating two sanitary sewer pipelines, under the right-of-way and tracks of the Missouri, Kansas, Texas Railroad Company at or near Galena, Cherokee County, Kansas, at the following described locations:

Said 6.90 inch sanitary sewer pipe line crosses said Railroad Company's Joplin Subdivision main track and also crosses said Railroad Company's I.C.C. track No. 58 at an angle of 85 degrees, more or less, measured to the left, northerly, from the center line of said main track at Mile Post 432.06, being main track valuation chaining station 1159+62, distant 15 feet, more or less, measured westerly along the center line of said main track from the easterly line of Main Street.

Be it further resolved that a draft in the amount of Twenty-five Dollars (\$25.00), covering initial fee for excavation and execution of said contract, be forwarded to Missouri, Kansas, Texas Railroad Company, together with said contract properly executed by the City of Galena, Kansas.

It is further resolved that the Mayor, Frank P. Dillon, and the City Clerk, Betty B. Chesnutt, sign and attest said contract as provided by law in such cases.

Dated at Galena, Kansas, this 8th day of October, 1968.

Councilman Tackett moved, seconded by Councilman Watkins, that the aforementioned resolution be adopted by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman. Nays - None. Mayor Dillon declared passage of the resolution.

Councilman Bogle introduced the following resolution:

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS, that the City of Galena enter into a pipeline contract, copy of which is attached hereto and made a part hereof, marked Exhibit "A", with the St. Louis-San Francisco Railway Company commonly called the Frisco, for the purpose of laying and constructing, maintaining, repairing and operating three (3) sanitary sewer pipelines commonly referred to as pipelines, under the right-of-way and tracks of the Frisco at or near Galena, Cherokee County, Kansas, at the following described locations:

- one 6.90 inch line - J&G Main Branch at Mile Pole  
H-340 minus 825 ft.
- one 9.05 inch line - 2727 ft. east of MK&T crossing
- one 11.10 inch line - 2000 ft. east of MK&T crossing.

Be it further resolved that a draft in the amount of Twenty-five Dollars (\$25.00), covering initial fee of excavation and execution of said contract, be forwarded to St. Louis-San Francisco Railway Company, together with said contract properly executed by the City of Galena, Kansas.

It is further resolved that the Mayor, Frank P. Dillon, and the City Clerk, Betty B. Chesnutt, sign and attest said contract as provided by law in such cases.

Dated at Galena, Kansas, this 8th day of October, 1968.

Councilman Bogle moved, seconded by Councilman Pittman, that the aforementioned resolution be adopted by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman. Nays - None. Passage of the motion was declared by Mayor Dillon.

Councilman Kitch introduced the following resolution:

Be it resolved by the governing body of the City of Galena, Kansas, that for the Sewerage Facilities EDA construction account under Project No. 08-1-00735, the Citizens State Bank of Galena at Galena, Kansas, and the American National Bank of Baxter Springs, Kansas, are each and both made depositories for the City of Galena, Kansas.

Done at Galena, Kansas, this 8th day of October, 1968.

Councilman Kitch moved, seconded by Councilman Tackett, that the foregoing resolution be adopted by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman. Nays - none. The motion was declared passed by the Chair.

Councilman Pittman introduced the following resolution:

Be it resolved by the governing body of the City of Galena, Kansas, that said city and its officials and employees having custody of the EDA Sewerage Facilities Project No. 08-1-00735 account during acquisition, construction, development and operation shall be bonded at all times in an amount at least equal to the total funds in his custody at any one time; or not to exceed \$50,000.00 unless a greater amount is required by law.

Be it further resolved that the City of Galena, Kansas, hereby agrees that it or its successor satisfactory to the Government, will retain title to the

said facilities to be constructed by the said project for their useful lives, and that such facilities will be devoted solely to the public purposes and not reserved for the exclusive use of any particular user.

Done at Galena, Kansas, this 8th day of October, 1968.

Councilman Pittman moved, seconded by Councilman Tackett, that the foregoing resolution be adopted by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman. Nays - none. Mayor Dillon declared passage of the motion.

Councilman Watkins introduced the following resolution:

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

That whereas, The City of Galena has been awarded and accepted a grant from E.D.A. being Project No. 08-1-00735 Galena, Kansas Sewerage Facilities, and Municipal Bonds had to be issued by the city of Galena, Kansas in the sum of \$257,500.00 incurring necessary legal proceedings and duties of the city attorney, and whereas pursuant to request of the U. S. Department of Commerce, Economic Development Administration that a copy of the agreement of said city for legal services be furnished according to the plans and specifications submitted prior hereto to said agency,

Now therefore be it resolved and the Mayor and City Clerk are hereby authorized and directed to execute such agreement with Helen E. Yount, City Attorney to perform any and all necessary and proper services for and on behalf of this city in connection with said sewerage facilities project and to do all necessary things in connection therewith for the sum of Eight Thousand Dollars as set forth in the plans and specifications submitted in said project.

Done at Galena, Kansas this 8th day of October, 1968.

Councilman Watkins moved, seconded by Councilman Tackett, that the aforementioned resolution be adopted by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman. Nays - none. Mayor Dillon declared passage of the resolution.

Councilman Watkins moved, seconded by Councilman Tackett, that the Mayor, Frank P. Dillon, and the City Clerk, Betty B. Chesnutt, be authorized to enter into a pipeline contract with the Eagle-Picher Company for the purpose of laying and constructing sewer pipelines, under the right-of-way and tracks of said firm at or near Galena, Cherokee County, Kansas, and to do all necessary things in connection therewith as provided by law in such cases, by roll call vote. On roll call the vote was as follows: Yeas - Councilmen Tackett, Bogle, Watkins, Barker, Kitch, Brown, and Pittman. Nays - None. Mayor Dillon declared the passage of the motion.

Councilman Pittman moved, seconded by Councilman Brown, that the meeting be adjourned. Motion carried on a standing vote.

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Mayor

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City Clerk