

## RESOLUTIONS 2004

- 04-01 A RESOLUTION AUTHORIZING THE PLACING OF AN ITEM ON THE FIRST CITY OR STATE PRIMARY OR GENERAL ELECTION BALLOT FOR VOTE BY THE QUALIFIED ELECTORS OF THE CITY OF GALENA, KANSAS REGARDING THE ADOPTION OF THE MODIFIED MAYOR-COUNCIL FORM OF GOVERNMENT
- 04-02 A RESOLUTION FIXING THE COMPENSATION FOR EMPLOYEES OF THE CITY OF GALENA, KANSAS AND REPEALING AND/OR AMENDING ALL OTHER RESOLUTIONS DEALING WITH EMPLOYEE COMPENSATION.
- 04-03 A RESOLUTION OF CITY SUPPORT OF REGIONAL STRATEGIC PLAN AND REGIONAL INCENTIVES
- 04-04 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF GALENA, KANSAS, THE MAYOR PROTEM OF THE CITY OF GALENA, KANSAS, THE CITY CLERK OF THE CITY OF GALENA, KANSAS, AND THE TREASURER OF THE CITY OF GALENA, KANSAS TO BE THE OFFICIAL SIGNORS OF ALL OFFICIAL FINANCIAL TRANSACTIONS PERTAINING TO THE CITY OF GALENA , KANSAS.
- 04-05 A RESOLUTION FIXING THE COMPENSATION FOR EMPLOYEES OF THE CITY OF GALENA, KANSAS AND REPEALING AND/OR AMENDING ALL OTHER RESOLUTIONS DEALING WITH EMPLOYEE COMPENSATION.
- 04-06 RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH
- 04-07 NOT USED
- 04-08 A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS TO THE STREET SYSTEM TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
- 04-09 RESOLUTION CERTIFYING LEGAL AUTHORITY TO APPLY FOR THE 2005 KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM THE KANSAS DEPARTMENT

**RESOLUTIONS 2004 (Cont'd)**

**OF COMMERCE AND AUTHORIZING THE MAYOR TO SIGN AND  
SUBMIT SUCH AN APPLICATION**

04-10

**CONDEMNATION HEARING – 1711 S. MAIN STREET**

RESOLUTION NUMBER : 04-01

A RESOLUTION AUTHORIZING THE PLACING OF AN ITEM ON THE FIRST CITY OR STATE PRIMARY OR GENERAL ELECTION BALLOT FOR VOTE BY THE QUALIFIED ELECTORS OF THE CITY OF GALENA, KANSAS REGARDING THE ADOPTION OF THE MODIFIED MAYOR-COUNCIL FORM OF GOVERNMENT

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

Section 1: Motion for resolution to submit to the electorate of the City of Galena, Kansas, at the next scheduled city or state primary or general election, for a vote on the adoption of the Modified Mayor-Council form of government by the aforementioned city was made and passed by the governing body on the 5<sup>th</sup> of January, 2004.

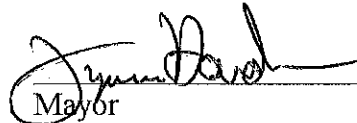
Section 2. That by statute this election must not occur within the sixty (60) days following the adoption of this resolution.

Section 3. Notice shall be published in the manner provide for in K.S.A. 25-105 through the Cherokee County Election officer.

Section 4. This Resolution shall take effect and be in force from and after its adoption by the Governing Body.

Section 5. The form of the ballot to be used at the election shall be as follows: "Shall the City of Galena, Kansas adopt the Modified Mayor-Council form of government and become a city operating under the general laws governing cities of like class?"  Yes  NO.

Passed and Approved by the Governing Body of the City of Galena, Kansas this 5th day of January 2004.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Deborah Kitch - City Clerk

**RESOLUTION NUMBER 04-02**

A resolution fixing the compensation for employees of the City of Galena, Kansas and repealing and/or amending all other resolutions dealing with employee compensation.

Be it resolved by the City Commission of the City of Galena that the following pay scales shall prevail:

Section 1: Position and salary computed by hourly, weekly and annual rate.

<u>POSITION</u>	<u>HOURLY</u>	<u>WEEKLY</u>	<u>ANNUALLY</u>
Chief of Police	EXEMPT	518.70	26,972.40
Asst. Chief of Police	10.89	435.60	22,651.20
Police Sergeant	10.40	416.00	21,632.00
Patrolman I (with Certification)	9.94	397.60	20,675.20
Patrolman II (no Certification)	9.62	384.80	20,009.60
Administrative Assistant	8.76	350.40	18,220.80
Dispatcher	8.22	328.80	17,097.60
Supt. of Public Works	EXEMPT	498.11	25,901.72
Supt. of Water, Sewer, & Landfill	10.89	435.60	22,651.20
Water and Waste Water Manager	9.51	380.40	19,780.80
Leadman Waste Water	9.08	363.20	18,886.40
Leadman Water	9.08	363.20	18,886.40
C & D Landfill Manager	9.08	363.20	18,886.40
Mechanic/Carpenter	9.08	363.20	18,886.40
Sanitation Truck Driver	9.05	362.00	18,824.00
Operator I (heavy)	8.98	359.20	18,678.40
Operator II	8.57	342.80	17,825.60
Meter Reader/Utility	8.18	327.20	17,014.40
Laborer	8.18	327.20	17,014.40
Stock Marshall	8.18	327.20	17,014.40
City Clerk	EXEMPT	539.31	28,044.12
Asst. City Clerk	10.60	424.00	22,048.00
City Treasurer	---	366.68 Monthly	4,400.16
Office Associate	8.34	333.60	17,347.20
And/or Court Clerk			
Code Enforcement	EXEMPT	360.50	18,746.00
And/or Cemetery Sexton			
Park Caretaker	7.79	311.60	16,203.20
Janitor (City Hall)	8.61	344.40	17,908.80
Swimming Pool Manager	---	225.00	
Fire Truck Driver (73 hrs/wk)	5.92	432.16	22,472.32
Asst. Fire Truck Driver			
Lifeguard	5.15	Varies	Varies
Seasonal Employee			

Section 2: The positions of Chief of Police, Superintendent of Public Works, City Clerk, Code Enforcement Officer and/or Cemetery Sexton, and City Treasurer are exempt positions, which means they do not receive overtime pay or compensatory time.

Section 3: Nothing in this Resolution shall prevent the City Manager, upon advise and consent of the City Commission, from adding, changing, or combining positions and job classifications. When such action is contemplated, the City Manager shall submit a recommendation to the City Commission for ratification.

Section 4: Upon any change in the Federal Minimum Wage, appropriate changes will be implemented in the rate paid to seasonal employees.

Section 5: Probationary employees will be paid at a rate of 25 cents per hour less than the adopted rate until they have worked 90 days. Part time and salaried employees will serve a probationary period of 90 days, but will be paid at the adopted rate.

Section 6: The City Manager, City Attorney, and Municipal Court Judge shall be compensated under separate agreement.

Section 7: Nothing in this Resolution shall prevent the City Manager from submitting any changes in the rate of compensation to the City Commission for their ratification.

Section 8: This Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

PASSED BY THE GOVERNING BODY OF THE CITY OF GALENA THIS **16th** DAY OF **FEBRUARY 2004**.

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Lynne Hardman, Mayor

ATTEST:

  
\_\_\_\_\_  
Deborah Kitch, City Clerk

RESOLUTION

City Support of Regional Strategic Plan and Regional Incentives

RESOLUTION # 04-03

A RESOLUTION of support for the qualifying regional strategic plan and requesting the Secretary of Commerce re-approve the County of Cherokee as a Kansas Enterprise Zone designated non-metropolitan business region.

WHEREAS, A regional strategic plan, required by K.S.A. 74-50,116(c)(2), has been reviewed and adopted by the Board of County Commissioners of the County of Cherokee on \_\_\_\_\_, 2003; and

WHEREAS, Regional business incentive(s) of free business finance counseling and a revolving loan business finance program provided the Southeast Kansas Regional Planning Commission will be offered to all qualified businesses in the City; and

WHEREAS, Additional city-wide business incentive(s) of Waive Building Permits

will be offered to all qualified businesses in the City; and

WHEREAS, Additional city-wide business incentive(s) of

will be offered to all qualified businesses in the City; and

WHEREAS, The (governing body) of City of Galena, KS chooses to participate with and be included in the Southeast Kansas Regional Planning Commission designated non-metropolitan business region, as provided for by K.S.A. 74-50,116; and

WHEREAS, The (governing body) of the City of Galena pledges to promote the continued review and update of its qualifying regional strategic plan:

NOW, THEREFORE, BE IT RESOLVED by the (governing body) of the City of Galena, Kansas; That the Secretary of Commerce is hereby requested to re-approve the County of Cherokee as a Kansas Enterprise Zone designated non-metropolitan business region pursuant to the Kansas Enterprise Zone Act; and

ADOPTED BY THE (governing body) OF THE CITY OF Galena, Kansas ON THIS 15th DAY OF March, 2004.

SEAL

SIGNED

[Signature] Mayor

[Signature] City Clerk

**RESOLUTION 04-04**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF GALENA, KANSAS, THE MAYOR PROTEM OF THE CITY OF GALENA, KANSAS, THE CITY CLERK OF THE CITY OF GALENA, KANSAS, AND THE TREASURER OF THE CITY OF GALENA, KANSAS TO BE THE OFFICIAL SIGNORS OF ALL OFFICIAL FINANCIAL TRANSACTIONS PERTAINING TO THE CITY OF GALENA, KANSAS

WHEREAS: The above designated officials as of this date are:

MAYOR: M. Scott Donaldson  
CITY CLERK: Deborah Kitch  
CITY TREASURER: Clifford McQuillen  
MAYOR PROTEM: Marion Davis

AND WHEREAS: The above named officials have been duly named by the Governing Body of the City of Galena, Kansas:

NOW THEREFORE: Be it resolved by the City Commissioners of the City of Galena, Kansas:

That the signatures of the above named individuals be honored on all pertinent financial documents relating to the City of Galena, Kansas.

PASSED BY THE GOVERNING BODY THIS 5<sup>th</sup> DAY OF APRIL, 2004

M. Scott Donaldson  
Mayor

ATTEST:

Deborah Kitch  
Deborah Kitch, City Clerk

(SEAL)

**RESOLUTION NUMBER 04-05**

A resolution fixing the compensation for employees of the City of Galena, Kansas and repealing and/or amending all other resolutions dealing with employee compensation.

Be it resolved by the City Commission of the City of Galena that the following pay scales shall prevail:

Section 1: Position and salary computed by hourly, weekly and annual rate.

<u>POSITION</u>	<u>HOURLY</u>	<u>WEEKLY</u>	<u>ANNUALLY</u>
Chief of Police	EXEMPT	518.70	26,972.40
Asst. Chief of Police	10.89	435.60	22,651.20
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Stock Marshall	8.18	327.20	17,014.40
City Clerk	EXEMPT	539.31	28,044.12
Asst. City Clerk	10.60	424.00	22,048.00
City Treasurer	---	366.68 Monthly	4,400.16
Office Associate	8.34	333.60	17,347.20
And/or			
Court Clerk			
<b>Code Enforcement</b>	9.01	Varies	Varies
And/or			
<b>Cemetery Sexton</b>			
Park Caretaker	7.79	311.60	16,203.20
Janitor (City Hall)	8.61	344.40	17,908.80
Swimming Pool Manager	---	225.00	
Fire Truck Driver (73 hrs/wk)	5.92	432.16	22,472.32
Asst. Fire Truck Driver			
Lifeguard	5.15	Varies	Varies
Seasonal Employee			

Section 2: The positions of Chief of Police, Superintendent of Public Works, City Clerk, and City Treasurer are exempt positions, which means they do not receive overtime pay or compensatory time.

Section 3: Nothing in this Resolution shall prevent the City Manager, upon advise and consent of the City Commission, from adding, changing, or combining positions and job classifications. When such action is contemplated, the City Manager shall submit a recommendation to the City Commission for ratification.

Section 4: Upon any change in the Federal Minimum Wage, appropriate changes will be implemented in the rate paid to seasonal employees.

Section 5: Probationary employees will be paid at a rate of 25 cents per hour less than the adopted rate until they have worked 90 days. Part time and salaried employees will serve a probationary period of 90 days, but will be paid at the adopted rate.

Section 6: The City Manager, City Attorney, and Municipal Court Judge shall be compensated under separate agreement.

Section 7: Nothing in this Resolution shall prevent the City Manager from submitting any changes in the rate of compensation to the City Commission for their ratification.

Section 8: This Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

PASSED BY THE GOVERNING BODY OF THE CITY OF GALENA THIS 19th DAY OF APRIL, 2004.

*M. Scott Donaldson*

\_\_\_\_\_  
Scott Donaldson, Mayor

ATTEST:

*Deborah Kitch*  
\_\_\_\_\_  
Deborah Kitch, City Clerk

**Resolution No. 04-06**

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

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

**WHEREAS**, the members of the City of Galena ("Lessee") have determined that a true and very real need exists for the equipment (the "Equipment") described in the Master Equipment Lease/Purchase Agreement, dated August 3, 2004, (the "Agreement") presented to this meeting; and

**WHEREAS**, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment, and

**WHEREAS**, Lessee proposes to enter into the Agreement substantially in the form presented in this meeting:

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:**

Section 1. BEST INTERESTS OF LESSEE. It is hereby found and determined that the terms of the Agreement in the form presented to this meeting and incorporated in this resolution are in the best interests of Lessee for acquisition of the Equipment.

Section 2. AUTHORIZATION. The Agreement is hereby approved. The City Manager of Lessee and other officers of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge, and deliver the Agreement with any changes, insertions and omissions therein as may be approved by the officer(s) who execute the Agreement, such approval to be conclusively evidenced by such execution and delivery of the Agreement. The City Manager or Clerk of the Lessee and any other officers of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Agreement and attest the same.

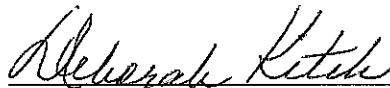
Section 3. EXECUTION OF DOCUMENTS. The proper officer(s) of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits, and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Agreement.

Section 4. DESIGNATION AS QUALIFIED TAX-EXEMPT OBLIGATION. Lessee hereby designates the Agreement as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986 as amended.

Section 5. EFFECTIVE DATE. This Resolution shall take effect upon publication in the official city newspaper.

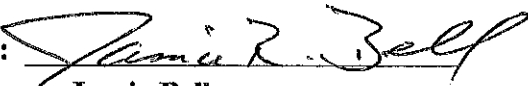
The undersigned certifies that the above resolution has not been repealed or amended and remains in full force and effect, and further certifies that the above and foregoing Agreement is the same as presented at said meeting of the governing body of Lessee.

Seal:

  
\_\_\_\_\_  
**Deborah Kitch**

I hereby certify that I am the City Manager of said governing body and that the foregoing is a correct copy of the resolution passed as therein set forth, and that the same is now in full force.

Lessee:

By:   
Name: **Jamie Bell**  
Title: **City Manager**

CITY OF GALENA, KANSAS

RESOLUTION NO. 04-08

**A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS TO THE STREET SYSTEM TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, The City of Galena is applying for Small Cities Community Development Block Grant funds under the Community Improvement Category, as administered by the Kansas Department of Commerce; and,

**WHEREAS**, The City of Galena wishes to utilize this funding for the purpose of constructing improvements to the city's street system, as described in the Community Development Block Grant application submitted to the Kansas Department of Commerce; and,

**WHEREAS**, The City of Galena has determined that the annual operation and maintenance costs of the street system improvements are anticipated to be approximately \$10,000; and,

**WHEREAS**, The annual budget has been determined to be adequate to fund the operation and maintenance of the street system,

**NOW, THEREFORE, BE IT RESOLVED THAT:** The Governing Body of the City of Galena, Kansas, hereby assures the Kansas Department of Commerce that sufficient funds will be provided for the continued operation and maintenance of the above described street system improvement; that these operation and maintenance costs will be reviewed annually; and that the budget will be adjusted, when necessary, to reflect and cover any increase in costs.

**ADOPTED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS THIS 20th DAY OF SEPTEMBER, 2004     .**

**ATTEST:**



**City Clerk**

(Seal)

  
**Mayor**

THE CITY OF GALENA, KANSAS

RESOLUTION NO. 04-09

RESOLUTION CERTIFYING LEGAL AUTHORITY  
TO APPLY FOR THE 2005 KANSAS  
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
FROM THE KANSAS DEPARTMENT OF COMMERCE  
AND AUTHORIZING THE MAYOR  
TO SIGN AND SUBMIT SUCH AN APPLICATION

WHEREAS, The City of GALENA, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City of GALENA, Kansas, intends to submit an application for assistance from the 2005 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City of GALENA, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the 2005 KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR of GALENA, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the 2005 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates \$114,396.28 in cash funds toward this project and \$375,934.28 in in-kind material and/or labor for same.

APPROVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS,  
this 20th day of September, 2004.

APPROVED

M Scott Donaldson  
MAYOR

ATTEST

Rebecca Kites

(SEAL)

RESOLUTION 04-10

BE IT RESOLVED:

That pursuant to K.S.A. 12-1752, The Governing Body of Galena, Kansas, after reviewing the written statement presented by the Code Enforcement Officer/City Manager, does hereby and herein set the 20th day of December, 2004 at 6:00 P.M. as the hearing date for any persons interested in the following described real estate.

Lots # 5 & 6 Spring Grove Addition  
Parcel ID #206-23-0-40-15-003

1711 S. Main Street  
Galena, KS 66739

TO SHOW CAUSE WHY SAID REAL ESTATE SHOULD NOT BE CONDEMNED.

City Clerk should notify all interested parties according to law.

Approved by the City Commissioners this 15th day of November, 2004.

  
\_\_\_\_\_  
Marion Davies

Mayor Pro-Tem of Galena, Kansas

ATTEST:

  
\_\_\_\_\_  
Deborah Kitch, City Clerk

(SEAL)