

City of Victoria

Council Minutes

August 20, 2012

Regular Meeting

The Governing Body of the City of Victoria met in regular session on August 20, 2012 at 5:30 PM in Council Chambers of City Hall.

**Roll Call**

Council Members Jerry Brungardt, Leroy Schmidtberger, Erica Dinges and Kenneth Pfeifer present. Absent Jan Piesker.

**Presiding**

The Honorable Mayor Curtis B. Unrein.

**Also Present**

Nancy Piatt, Police Chief Cole Dinkel, Keith Engweiler, Ken Beran, Chris Dreiling, Shannon Radke, City Attorney Don Hoffman, City Superintendent Julius Windholz, and City Clerk Mary Pfeifer.

**Minutes**

Minutes of the July 16, 2012 regular meeting and the August 2, 2012 special meeting were presented for review. Motion by Leroy Schmidtberger, second by Kenneth Pfeifer to approve the minutes as submitted.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Minutes from the Victoria Volunteer Fire Department were also reviewed.

## **Warrant Ordinance A-08-12**

Ordinance A-08-12, consisting of bills against the City for the month of July was presented for review. Motion by Leroy Schmidtberger, second by Jerry Brungardt that Ordinance A-08-12 be approved and all bills paid.

Vote: 4 Ayes 0 Nays, Motion declared carried.

## **Agenda**

Motion by Jerry Brungardt, second by Erica Dinges to approve the agenda with modifications of contractors license applications and homecoming parade.

Vote: 4 Ayes 0 Nays, Motion declared carried.

## **Police Department Report**

Police Chief Cole Dinkel gave his department report. Herzogfest went well with no major problems.

## **Ordinance B-529**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF VICTORIA, KANSAS: INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2012, AND REPEALING ORDINANCE NUMBER B-522.

Thereupon, Council Member Jerry Brungardt moved that said Ordinance be passed. The motion was seconded by Council Member Leroy Schmidtberger. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yes: Jerry Brungardt, Erica Dinges, Leroy Schmidtberger, Kenneth Pfeifer.

No: None

Thereupon Mayor Unrein declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-529 and was signed and approved by the Mayor and attested by the City Clerk. The City Clerk was directed to publish the Ordinance one time in the official newspaper of the City.

## **Ordinance B-530**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF VICTORIA, KANSAS: INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2012, WITH CERTAIN OMISSIONS PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER B-523.

Thereupon, Council Member Leroy Schmidtberger moved that said Ordinance be passed. The motion was seconded by Council Member Erica Dinges. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yes: Jerry Brungardt, Erica Dinges, Leroy Schmidtberger, Kenneth Pfeifer

No: None

Thereupon Mayor Unrein declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-530 and was signed and approved by the Mayor and attested by the City Clerk. The City Clerk was directed to publish the Ordinance one time in the official newspaper of the City.

## **Tree Removal**

Keith Engweiler proposed a plan to eliminate the need for the removal of a tree located on his property when the street and gutter improvements are made to Iron Street. After consideration of the plan and discussion, it was the consensus of the council that the tree would still have to be removed to avoid further damage to the street and curbing once it had been replaced.

## **Outdoor Basketball Court**

Shannon Radke with the Victoria Recreation spoke with council about the possibility of constructing an outdoor basketball court. The parking lot at the city park or the baseball park were two sites that had been suggested. Radke is going to approach the school board to get input from them and proceed from there. The city council expressed interest in the project.

### **Budget Public Hearing**

Motion by Jerry Brungardt, second by Kenneth Pfeifer to open the public hearing for 15 minutes for the 2013 budget.

Vote: 4 Ayes 0 Nays, Motion declared carried.

### **2013 Budget**

Ken Beran with Adams, Brown, Beran and Ball reviewed the 2013 budget. The mill levy for 2013 will be at 46.098. Expenditures for 2013 will be at \$1,061,114.

### **Close Budget Public Hearing**

Motion by Jerry Brungardt, second by Leroy Schmidtberger to close the public hearing for the 2013 budget.

Vote: 4 Ayes 0 Nays, Motion declared carried.

### **City Superintendent Report**

City Superintendent Julius Windholz gave his department report. The street project should be starting August 27, 2012. The roof on the garage located at 1007 Hickory needs to be replaced. Consensus of council was to replace the roof with metal. There was considerable discussion on the how the water wells are holding up. Most of the wells are being stressed. The Stage 2 Water Warning was reviewed, it includes only allowing outside watering for odd numbered addresses on Tuesday and Saturday. Even numbered addresses will be allowed to water on Wednesday and Sunday. Watering on those days will be allowed from 5 am until 10:00 am and 9:00 pm until midnight. Additionally, excess water use charges for usage of water over the amount used in the winter will be imposed. That amount was set at an additional 0.60 (sixty-cents) per thousand gallons of water. Motion by Leroy Schmidtberger, second by Jerry Brungardt to implement a Stage 2 Water Warning for the City of Victoria until further notice.

Vote: 4 Ayes 0 Nays, Motion declared carried.

### **Cereal Malt Beverage License**

Total Convenience, Inc. submitted a Cereal Malt Beverage License Application for council approval. Motion by Leroy Schmidtberger, second by Erica Dinges to approve the Cereal Malt Beverage License Application submitted by Total Convenience, Inc.

Vote: 4 Ayes 0 Nays, Motion declared carried.

## **2013 Budget Approval**

Motion by Jerry Brungardt, second by Kenneth Pfeifer to approve the 2013 Budget.

Vote: 4 Ayes 0 Nays, Motion declared carried.

### **Ordinance B-527**

AN ORDINANCE AMENDING ORDINANCE B-346 OF THE CODE OF THE CITY OF VICTORIA, KANSAS, CONCERNING THE REMOVAL OF WEEDS, PROVIDING FOR THE REMOVAL AND/OR FINE AND PENALTIES FOR FAILING TO REMOVE WEEDS.

Thereupon, Council Member Jerry Brungardt moved that said Ordinance be passed. The motion was seconded by Council Member Leroy Schmidtberger. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yes: Jerry Brungardt, Erica Dinges, Leroy Schmidtberger, Kenneth Pfeifer.

No: None

Thereupon Mayor Unrein declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-527 and was signed and approved by the Mayor and attested by the City Clerk. The City Clerk was directed to publish the Ordinance one time in the official newspaper of the City.

## **Ordinance B-528**

AN ORDINANCE AMENDING ORDINANCE B-492 OF THE CODE OF THE CITY OF VICTORIA, KANSAS, CONCERNING THE CONSERVATION OF WATER AND ELIMINATING THE WASTE THEREOF AND PROVIDING PENALTIES IN VIOLATION THEREOF.

Thereupon, Council Member Kenneth Pfeifer moved that said Ordinance be passed. The motion was seconded by Council Member Erica Dinges. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yes: Jerry Brungardt, Erica Dinges, Leroy Schmidtberger, Kenneth Pfeifer.

No: None

Thereupon Mayor Unrein declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-528 and was signed and approved by the Mayor and attested by the City Clerk. The City Clerk was directed to publish the Ordinance one time in the official newspaper of the City.

## **Contractors License Applications**

Contractors License applications were submitted by Dandurand Construction and Armor Construction for council approval. All items being in order, Motion by Leroy Schmidtberger, second by Jerry Brungardt to approve the license applications submitted by Dandurand Construction and Armor Construction.

Vote: 4 Ayes 0 Nays, Motion declared carried.

## **Parade**

Those councilmembers who are available will participate in the Homecoming parade.

## **Adjournment**

All business on hand having been discussed, Motion to adjourn the meeting by Erica Dinges, second by Leroy Schmidtberger.

Vote: 4 Ayes 0 Nays, Motion declared carried.

---

Curtis B. Unrein, Mayor

---

Mary Pfeifer, City Clerk