

City of Victoria
Council Minutes

April 18, 2016
Regular Meeting

The Governing Body of the City of Victoria met in regular session on April 18, 2016 at 5:30 PM in Council Chambers of City Hall.

Roll Call

Council Members Jerry Brungardt, Leroy Schmidtberger, Erica Dinges and Dustin Schumacher present.

Presiding

The Honorable Mayor Jerry Kanzenbach.

Also Present

Nancy Piatt, Ilona Patterson, Arlyn Schumacher, Otto Dinkel, Nicholas Rogers, Curt Unrein, Joe Porter, Patrol Officer Ryan Mauch, Mark Karst, Rosie Kreutzer, Jim Scheck, Kevin McCarter, Jim Pfanenstiel, John Schulte, Robert Stramel, Wilmer Dinkel Jr., Dale Weigel, Dave Gagnon, Police Chief Cole Dinkel, City Superintendent Jake Nuss, City Attorney Don Hoffman, Public Works Assistant Brad Schmidtberger and City Clerk Mary Pfeifer.

Minutes

Minutes of the March 21, 2016 regular meeting and the March 30, 2016 special meeting were presented for review. Motion by Leroy Schmidtberger, second by Dustin Schumacher to approve the minutes as submitted.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Minutes from the Victoria Rec Commission and Victoria Volunteer Fire Department were also reviewed.

Agenda

Approval of the agenda with modifications of moving the Mayor Comments and Ryan Mauch's evaluation and Cathedral Street Repairs by Leroy Schmidtberger, second by Jerry Brungardt.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Mayor Comments

Mayor Kanzenbach spoke about receiving a phone call from Councilmember Schmidtberger questioning Kanzenbach about a phone call from former mayor Curt Unrein and being disrespectful to him. Unrein told the council Kanzenbach was not disrespectful when speaking with him. The mayor also spoke about appointing Jerry Brungardt to fill the vacancy on council before he took office one year ago along with who he had considered for appointment to fill the vacancy from Kenneth Pfeifer's resignation.

Executive Session

5:40 PM Motion to go into executive session for the yearly evaluation of Ryan Mauch and include Police Chief Cole Dinkel and City Attorney Don Hoffman for 5 minutes by Jerry Brungardt, second by Erica Dinges.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Regular Session

5:45 PM Motion to return to regular session by Leroy Schmidtberger, second by Erica Dinges.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Salary Increase

Motion by Jerry Brungardt, second by Leroy Schmidtberger to increase the salary of Ryan Mauch to \$22.00 per hour.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Council Resignation

Motion by Leroy Schmidtberger, second by Jerry Brungardt to accept the resignation of Councilmember Kenneth Pfeifer from council, the zoning administrator and water board.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Council Appointment

Mayor Kanzenbach offered the name of Dale Weigel for appointment to fill the vacant council position. Councilmember Brungardt asked what criteria Kanzenbach had looked at in appointing a new councilmember? Kanzenbach wanted to get a fresh and different prospective and ideas from a new person. Councilmember Schumacher remarked if the mayor was appointing someone who would just agree with the mayor. Kanzenbach disagreed with the comment. The mayor expressed he felt that Weigel would have his own opinion on issues. Kanzenbach was asked if he had considered any other individuals for the position. He said he had spoken with Curt Unrein and no one else. Councilmembers questioned if Kenneth Pfeifer had recommended anyone to fill his position and Kanzenbach said Pfeifer had suggested John Schulte but he had not spoken with him. There was discussion about getting council approval for the position within 45 days. City Attorney Don Hoffman stated that after the 45 days, if the Mayor did not offer another name, Weigel would be appointed. Councilmember Erica Dinges questioned if the mayor was being objective when not considering anyone else for the open position on council. The Mayor expressed his opinion that Weigel was not being appointed to be a yes person. No motion was made for appointment.

Water Board Appointment

With Kenneth Pfeifer's resignation from the Water Board, Mayor Kanzenbach offered himself to be appointed in his place. Consensus of the council was to find another person to fill the position.

Council President

Mayor Kanzenbach offered the name of Leroy Schmidtberger for Council President. Motion to approve the appointment of Leroy Schmidtberger as Council President by Jerry Brungardt, second by Erica Dinges.

Vote: 3 Ayes 0 Nays 1 Abstain, Motion declared carried.

Warrant Ordinance A-04-16

Ordinance A-04-16, consisting of bills against the City for the month of March was presented for review. Motion by Leroy Schmidtberger, second by Dustin Schumacher that Ordinance A-04-16 be approved and all bills paid.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Citizens Comments

Citizens Comments: Mark Karst questioned the council appointment nominee and what direction the mayor is wanting to take the city in? Wilmer Dinkel Jr. talked about serving on a board and working for the good of the city. Jim Pfanenstiel spoke about appointments and when the next elections would be held.

Water Board Update

Curt Unrein, the Water Board Chairperson, gave an update. The Board would like to see pump testing done to confirm if there is water available around the current wells along with the Gorham well. The Board would not recommend changing the Stage 3 warning the city currently has in effect. Cost estimates will be looked into to get the testing done by a certified hydrologist. Unrein then gave his resignation from the Water Board.

Insurance Policy

The city insurance policy was reviewed. An additional policy was added to cover the city when employees are doing mechanical work. City Clerk Pfeifer will check to see where the work can be done to be covered.

Police Department Report

Police Chief Cole Dinkel gave his department report. Some of the worn uniforms are getting replaced. Will work on getting parking lines along 3rd Street.

City Superintendent Report

City Superintendent Jake Nuss submitted two estimates for replacement weed eaters. Vern Herrman estimate was \$439.98 and Carrico was \$450.00. Council agreed to purchase them from Vern Herrman. Ellis County has paid the city \$50.00 per load to dump septage in the city sewer. Nuss inquired if this fee could be waived since the county does help the city. Consensus of the city was to waive the fee. Council would like a formal letter sent to the county requesting the repair of Cathedral Street.

Stage 3 Update

Mayor Kanzenbach would like to see citizens have the opportunity to water outside for 4 hours on odd and even days. Council would like to wait until the water board gets the pump tests finished.

Water Rated

Mayor Kanzenbach suggested having citizens pay a water meter fee and then start charging based on water usage. City Clerk Pfeifer will look into seeing if a report can be generated showing consumption amounts in the different steps of billing usage.

12th Street

12th Street was discussed. The idea of curb and guttering with specials assessed to the residents was brought up. Employees will get some estimates for the repairs.

Charter Ordinance 8 Revision

Charter Ordinance 8 needed some additional wording added before publication. There was a line which needed a number of people for a candidate to file by petition. Also, whether the elections should be non-partisan. Motion to add the number of people for the petition to 20 and add the non-partisan wording to the ordinance by Jerry Brungardt, second by Erica Dinges.

Vote: 4 Ayes 0 Nays, Motion declared carried.

May Meeting

The May city council meeting will be held on May 9 at 5:30 pm.

Interim Building Inspector

Motion to approve Ryan Mauch as interim Building Inspector and increase his salary by \$.25 per hour with an additional \$0.25 increase when getting certified by Jerry Brungardt, second by Leroy Schmidtberger.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Brochures

Rueben Schuckman is running low on the brochures that he distributes through out the state. Councilmember Schmidtberger will check on the cost of publication for additional brochures.

Public Comments

It has come to Mayor Kanzenbach's attention that public comments should only be made during the specified time on the agenda. No comments from the audience will be allowed at other times during the meeting unless recognized by the Mayor.

City Flower Pots

In the past, the city has paid for flowers in the pots sitting around the business district. Consensus of the council was to allow the purchase of the plants. Wilmer Dinkel Jr. stated that he would supply the water for the individuals taking care of the pots.

Executive Session

7:28 PM Motion to go into executive session for 10 minutes to review the public works applications, and include City Clerk Mary Pfeifer, Police Chief Cole Dinkel and City Attorney Don Hoffman by Jerry Brungardt, second by Leroy Schmidtberger.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Regular Session

7:38 PM Motion to return to regular session by Leroy Schmidtberger, second by Jerry Brungardt.
Vote: 4 Ayes 0 Nays, Motion declared carried.

Public Works Position

Motion by Jerry Brungardt, second by Dustin Schumacher to offer the public works position to Terry Riedel at \$20.00 per hour.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Mayor Kanzenbach called Riedel to offer him the position. Riedel will call back to give his answer.

Executive Session

7:49 PM Motion to go into executive session for 5 minutes to discuss personnel issues of non-elected personnel and include City Attorney Don Hoffman and Public Works Employee Brad Schmidtberger by Jerry Brungardt, second by Leroy Schmidtberger.

Regular Session

7:54 PM Motion by Leroy Schmidtberger second by Erica Dinges to return to regular session.
Vote: 4 Ayes 0 Nays, Motion declared carried.

Executive Session

7:55 PM Motion to go into executive session for 10 minutes to discuss personnel issues of non-elected personnel and include City Attorney Don Hoffman and Public Works Employee Brad Schmidtberger by Leroy Schmidtberger, second by Jerry Brungardt.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Regular Session

8:05 PM Motion to return to regular session by Leroy Schmidtberger, second by Jerry Brungardt.
Vote: 4 Ayes 0 Nays, Motion declared carried.

Executive Session

8:10 PM Motion to go into executive session for 10 minutes to discuss personnel issues of non-elected personnel and include City Attorney Don Hoffman and Public Works Employee Brad Schmidtberger by Dustin Schumacher, second by Leroy Schmidtberger.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Regular Session

8:20 PM Motion to return to regular session by Leroy Schmidtberger, second by Jerry Brungardt.
Vote: 4 Ayes 0 Nays, Motion declared carried.

Public Works Position

Terry Riedel called Mayor Kanzenbach back and asked for \$21.00 per hour. Council discussed the issue and preferred to stay at \$20.00 per hour. Mayor Kanzenbach called Riedel back to let him know council would start him at the \$20.00 originally offered. Riedel wanted to think about the offer.

Job Positions

Council discussed with Jake Nuss that they felt it would be in the best interest of the city to have Brad Schmidtberger take over the superintendent position and give Jake the opportunity to learn the processes of the city and move back to the superintendent position in the future.

Public Works Position

Terry Riedel called Mayor Kanzenbach and accepted the position for \$20.00 per hour contingent on what Riedel finds out about his health insurance.

Adjournment

All business on hand having been discussed, Motion to adjourn by Dustin Schumacher, second by Jerry Brungardt.
Vote: 4 Ayes 0 Nays, Motion declared carried.

Jerry Kanzenbach, Mayor

Mary Pfeifer, City Clerk