

City of Victoria  
Council Minutes  
August 17, 2015  
Regular Meeting

The Governing Body of the City of Victoria met in regular session on August 17, 2015 at 5:30 PM in Council Chambers of City Hall.

**Roll Call**

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

**Presiding**

The Honorable Mayor Jerry Kanzenbach.

**Also Present**

Nancy Piatt, Police Chief Cole Dinkel, City Attorney Don Hoffman, Public Works Assistants Brad Schmidtberger & Scott Zimmerman, City Superintendent Jake Nuss, Jim Scheck, Tyler Saryerwinnie, Ned Marks, City Attorney Don Hoffman, Maren Moody, Jim Pfanenstiel, Delores Schmeidler, Dale Weigel, Dave Gagnon, Guy Windholz and City Clerk Mary Pfeifer.

**Minutes**

Minutes of the July 20, 2015 regular meeting and the July 27, 2015 special meeting were presented for review. Motion by Leroy Schmidtberger, second by Kenneth Pfeifer to approve the minutes as submitted.

Vote: 5 Ayes 0 Nays, Motion declared carried.

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

**Warrant Ordinance A-08-15**

Ordinance A-08-15, consisting of bills against the City for the month of July was presented for review. Motion by Jerry Brungardt, second by Leroy Schmidtberger that Ordinance A-08-15 be approved and all bills paid.

Vote: 5 Ayes 0 Nays, Motion declared carried.

## **Agenda**

Motion by Leroy Schmidtberger, second by Erica Dinges to approve the agenda with modifications of evaluation of Brad Schmidtberger and Delores Schmeidler and Maren Moody and an additional executive session.

Vote: 5 Ayes 0 Nays, Motion declared carried.

## **Comments**

There were no citizens present with comments.

## **Health Facility**

Maren Moody and Delores Schmeidler worked at the former health facility clinic and felt that they were going to be hired to staff the clinic when it reopens by First Care Clinic. They were told their services would not be needed. They were wondering if there is anything the city can do. The council already agreed with First Care that they will not have any say on who is hired to staff the clinic. Mayor Kanzenbach will however call First Care and let them know that Moody and Schmeidler are interested in working there.

## **2014 Audit**

Rex Ball with Adams, Brown, Beran and Ball reviewed the 2014 Audit. Motion to approve the 2014 Audit and management letter by Jerry Brungardt, second by Erica Dinges.

Vote: 5 Ayes 0 Nays, Motion declared carried.

## **2016 Budget Public Hearing**

Motion to have public hearing for 2016 budget for 5 minutes by Leroy Schmidtberger second by Erica Dinges.

Vote: 5 Ayes 0 Nays, Motion declared carried.

## **2016 Budget**

Motion by Leroy Schmidtberger, second by Erica Dinges to open the public hearing for the 2016 budget.

Vote: 5 Ayes 0 Nays, Motion declared carried.

Rex Ball Discussed the changes for the 2016 budget. The mill levy will be at 45.501 with expenditures for 2016 at \$1,237,735.00.

## **Close Public Hearing**

With no comments from the public, motion to close the public hearing for the 2016 Budget by Leroy Schmidtberger, second by Kenneth Pfeifer.

Vote: 5 Ayes 0 Nays, Motion declared.

Motion by Jerry Brungardt, second by Leroy Schmidtberger to approve the 2016 Budget.

Vote: 5 Ayes 0 Nays, Motion declared carried.

## **Approve 2016 Budget**

## **Police Department Report**

Cole Dinkel gave his department report. He has ordered signs for the school zones. A shed located on property at 1006 Cedar Street has not been demolished after receiving a letter to do so from the city. Consensus of the council was to let the property owners know it should be done by the next council meeting. A letter should also be sent to the property owner at 1005 Grant Street concerning the garage.

## **City Superintendent Report**

City Superintendent Jake Nuss gave his department report. There was a small water leak and public works will be working on painting the health facility. There was discussion on the condition of Grant Street from 10th to 12th, Public Works Assistant Brad Schmidtberger will get estimates to have the street repaved.

## **Health Facility Flooring Bids**

Bids were submitted to remove the carpet at the health facility and replace with tile. Motion to accept the bid from Victoria Lumber for the tile and installation from Braun Construction by Jerry Brungardt, second by Leroy Schmidtberger.

Vote: 5 Ayes 0 Nays, Motion declared carried.

## **Sewer Alarm**

Public Works employee Brad Schmidtberger is having Nex-tech install an alarm to alert him the sewer is close to backing up, after almost having that issue happen.

## **Empty Lots**

Schmidtberger also expressed concern to council that mowing the empty lots in town is doing damage to the city mowers.

## **Welder**

Schmidtberger submitted several estimates for a welder. Councilmember Pfeifer said he may have access to purchase a used one so this item will be tabled until the next meeting.

## **Service Pickup**

Schmidtberger also presented several bids for a city work pickup. Motion to purchase a suitable work pickup with a cap of \$20,000 or less by Jerry Brungardt, second by Leroy Schmidtberger. Vote: 5 Ayes 0 Nays, Motion declared carried.

## **Skid Steer**

Schmidtberger obtained an estimate for brand new one Skid Steer. Council would like to have Schmidtberger get some additional bids on different models.

## **Water Search Update**

Ned Marks with Terrane Resources gave council an overview of the work he and Tyler Saryerwinnie have compiled on where would be a good place to try and drill replacement wells. Trego Rural Water is currently bringing two new wells on line. Post Rock is willing to let the city connect to their water system.

## **Pre-annexation Agreement**

Council discussed what they would like put in the pre-annexation agreement with Kevin & Laura McCarter. City Attorney Don Hoffman will get a letter ready and send it to the McCarter's attorney.

## **Ordinance B-542**

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 2015, AND REPEALING ORDINANCE NUMBER B-538.

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: Kenneth Pfeifer, Leroy Schmidtberger, Jerry Brungardt, Erica Dinges, Dustin Schumacher.  
No: None

Thereupon Mayor Kanzenbach declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-544 and then 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-543**

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 2015, WITH CERTAIN OMISSIONS PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER B-539.

Thereupon, Council Member Leroy Schmidtberger moved that said Ordinance be passed. The motion was seconded by Council Member Kenneth Pfeifer. 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: Kenneth Pfeifer, Leroy Schmidtberger, Jerry Brungardt, Erica Dinges, Dustin Schumacher.  
No: None

Thereupon, Mayor Kanzenbach declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-543 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.

### **Zoning Fees**

At the present time the fee for zoning changes does not cover the actual cost to the city. Motion by Jerry Brungardt, second by Erica Dinges to increase Zoning Fees to \$75.00.

Vote: 5 Ayes 0 Nays, Motion declared carried.

### **Ordinance B-545**

AN ORDINANCE AMENDING SEC. 9-308 OF CHAPTER IV, ARTICLE III, OF THE CODE OF ORDINANCES OF THE CITY OF VICTORIA, KANSAS PROVIDING FOR AN INCREASE OF GARBAGE AND/OR RUBBISH COLLECTION RATES IN THE CITY OF VICTORIA, KANSAS.

Thereupon, Council Member Leroy Schmidtberger moved that said Ordinance be passed. The motion was seconded by Council Member Kenneth Pfeifer. 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 followed:

Yes: Dustin Schumacher, Erica Dinges, Jerry Brungardt, Leroy Schmidtberger, Kenneth Pfeifer  
No: None

Thereupon, Mayor Kanzenbach declared said Ordinance duly passed and the Ordinance was then numbered Ordinance B-545 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.

### **Drone Ordinance**

Mayor Kanzenbach brought up the issue of adding an ordinance concerning drones. City Clerk Pfeifer will check to see if any other city has passed a similar ordinance.

### **Ditch**

There is a ditch on property at 1102 3rd Street that is washing on the property. Public Works Assistant Brad Schmidtberger will talk with the property owner about how to fix the problem.

### **Trash Pickup**

As of this time the trash will continue to be picked up curbside.

### **Reverse Osmosis**

With the possibility of adding other water to our system, reverse osmosis was a possibility to clean the water. But the cost would be expensive.

### **Trash Limit**

There is a small number of residents that are having a large amount of trash that needs to be picked up weekly. A letter will be sent to residents who have large amounts of trash limiting the amount of trash cans the city will continue to pick up weekly.

### **Plumbers License Application**

A plumbers license application was submitted by American Boiler & Mechanical for council approval. All items being in order, Motion to approve the plumbers license application submitted by American Boilers & Mechanical by Leroy Schmidtberger, second by Jerry Brungardt.

Vote: 5 Ayes 0 Nays, Motion declared carried.

### **Court House Preservation**

Guy Windholz spoke with council about a group that has formed to preserve the history of the Ellis County Courthouse.

Councilmember Erica Dinges left council chambers.

### **Executive Session**

8:19 PM Motion to go into executive session for 5 minutes for the evaluation of Public Works Assistant Brad Schmidtberger and include City Superintendent Jake Nuss and City Clerk Mary Pfeifer by Jerry Brungardt, second by Dustin Schumacher.

Vote: 4 Ayes 0 Nays, Motion declared carried.

### **Regular Session**

8:24 PM Motion to return to regular session by Kenneth Pfeifer, second by Jerry Brungardt.

Vote: 4 Ayes 0 Nays, Motion declared carried.

Councilmember Erica Dinges returned to council chambers.

### **Salary Increase**

Motion to give Public Works Assistant Brad Schmidtberger a One dollar (\$1.00) per hour wage increase by Jerry Brungardt, second by Dustin Schumacher.

Vote: 4 Ayes 0 Nays 1 Abstain, Motion declared carried.

### **Adjournment**

All business on hand having been discussed, Motion to adjourn by Dustin Schumacher, second by Jerry Brungardt.

Vote: 5 Ayes 0 Nays, Motion declared carried.

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Jerry Kanzenbach, Mayor

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Mary Pfeifer, City Clerk

