

MONDAY

FEBRUARY 03, 2020

The Governing Body of the City of Pratt met in Regular Session in the Commission Room located at City Hall.

PRESENT:	Gary Schmidt	Mayor
	Doug Meyer	Commissioner
	Don Peters	Commissioner
	Jason Leslie	Commissioner
	Zach Deeds	Commissioner

ALSO PRESENT:	Bruce Pinkall	City Manager
	LuAnn Kramer	City Clerk
	Regina Probst	City Attorney
	Diana Garten	Finance Director
	Nate Humble	Chief of Police
	Russell Rambat	Public Works Director
	Jamie Huber	Director of Electric Utilities

CALL TO ORDER:

The regular meeting was called to order by Mayor Schmidt. The Mayor instructed the City Clerk to note that all Commissioners were present.

Mayor Schmidt reminded the audience that this meeting may be taped and/or recorded.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mayor Schmidt led the audience and staff in a moment of silence for Mr. Lane Gourley and his family, along with the invocation and the Pledge of Allegiance.

MINUTES:

- January 20, 2020 Regular Commission Meeting

Commissioner Peters made a motion to approve the minutes of the January 20, 2020 regular meeting. The motion was seconded by Commissioner Leslie and carried unanimously.

PRESENTATION OF MAYOR'S PLAQUE:

City Manager Pinkall stated that it was with great honor and privilege that he was asked to present the 2019 Mayor plaque to Commissioner Meyer. Mr. Pinkall commented that Commissioner Meyer's dedication to the City was unparalleled and his patience, leadership and guidance had allowed the City to move forward. Mr. Pinkall added that his stability and vision helped us to prosper and grow. Mr. Pinkall stated that thank you was not enough, but Commissioner Meyer would always be remembered for his outstanding job as Mayor, role model and leader. Mayor Schmidt thanked Commissioner Meyer for all the work he had done and that he had gone above and beyond the call on certain situations. Mayor Schmidt added that Commissioner Meyer deserved our gratitude.

BUSINESS:

PRESENTATION ON ECONOMIC IMPACT AND COMMUNITY ENGAGEMENT REPORT:

Dr. Mike Calvert, Pratt Community College President, stated that he would echo the sentiments that Mayor Schmidt had concerning the loss of Mr. Lane Gourley. Dr. Calvert commented that Mr. Gourley was a big part of their lineman program as an instructor for a number of years before re-joining the City. Dr. Calvert added that he would be missed and he had impacted a lot of lives. Dr. Calvert also thanked Commissioner Meyer for his hard work while Mayor.

Dr. Calvert stated that the college had almost 2,000 students throughout last year, which not only included students on campus, but also those online. Dr. Calvert commented that they had a motto that 'Community is their middle name' and they were truly about that. Dr. Calvert explained that they had 12,700 hours of community service that included students, athletics, staff and facility. Dr. Calvert stated that the college was host to a lot of events, such as Miss Kansas and there were always walkers out there as well. Dr. Calvert pointed out that they had bank deposits in the local institutions and they were the second largest employer behind PRMC.

Dr. Calvert stated that 34% of their purchases were made here in Pratt County. Dr. Calvert stated that they had a board policy that promotes local purchases whenever possible. Dr. Calvert explained that they had 5% for local vendors when he came and it was now 7.5%. Dr. Calvert added that the local vendor had been asked to lower and match the low bid if they were within the 7.5%; however, they did not have to change their bid. Dr. Calvert pointed out that their annual net economic contribution to Pratt County was \$32,457,222 and their annual payroll was \$6.1 million. Dr. Calvert stated that, for every dollar spent by a student, the return on investment was about \$4.30. Dr. Calvert added that the return on investment of a \$1 was about \$2.58 for the State and about \$5.73 for the County.

Dr. Calvert pointed out that the Aspen Institute had named Pratt Community College as one of the top one hundred fifty community colleges for the fourth consecutive time and Affordable Colleges.com named them as the twenty-sixth most affordable community college in the nation. Dr. Calvert stated that the college had led the State with the highest starting salary in five of the past seven years, which speaks highly of the staff and students.

Dr. Calvert thanked the Commission and staff for the wonderful partnership with the Track and Soccer Complex. Dr. Calvert stated that he was excited to get it paid off. Mayor Schmidt asked if the student profile percentage was mothers that go to school once their kids were in school. Dr. Calvert stated that they had not seen growth in the evening programs; however, online programs had increased.

CONSIDERATION AND APPROVAL OF ORDINANCE 2002 AMENDING ORDINANCE 1911:

City Attorney Probst stated that this ordinance and the Municipal Judge agreement were on the agenda again due to an administrative error. Ms. Probst added that the correction was exactly what the Commission had intended.

With no further discussion, the following Ordinance 2002 was then presented to the Commission for their approval: **AN ORDINANCE AMENDING ORDINANCE 1911; CLASSIFICATION AND COMPENSATION OF HOURLY EMPLOYEES AND SALARIES OF ELECTED AND APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF PRATT, KANSAS.** Commissioner Meyer made a motion to approve Ordinance 2002 Amending Ordinance 1911. The motion was seconded by Commissioner Peters and carried unanimously.

CONSIDERATION AND APPROVAL OF AMENDED MUNICIPAL JUDGE AGREEMENT FOR 2020:

With no discussion, Commissioner Meyer made a motion to approve the amended 2020 Municipal Judge Agreement. The motion was seconded by Commissioner Peters and carried unanimously.

CONSIDERATION AND APPROVAL OF ORDINANCES RELATING TO AMENDMENTS IN PREPARATION FOR THE GLOBAL FEE ORDINANCE:

City Attorney Probst stated that the new Ordinances and the amended ordinances were in the packet so that the Commission could see the changes being made. Ms. Probst stated that we were moving from a specific dollar amount to having a global fee ordinance. Ms. Probst explained that the intention was to have ordinances that prescribed a fee to be charged, but no dollar amount listed. Ms. Probst commented that instead of talking about a \$15 fee per day, the ordinance would use the generic term ‘prescribed fee’. Commissioner Deeds commented that this would lend better to keeping track of those fees and help us stay on top of things. Ms. Probst stated that that was correct and that it was easy to overlook something. Ms. Probst commented that the global fee ordinance would be for fines, court costs, license fees, recreation fees and many others. Mayor Schmidt stated that the ordinances could be approved in one motion with the individual ordinances being mentioned. Ms. Probst stated that they could be done individually if someone had any objections. City Manager Pinkall reminded the Commission that we would eventually have a total of about forty-two of these over multiple meetings.

With no further discussion, the following Ordinances were presented to the Commission for their approval: **ORDINANCE 2003 - AN ORDINANCE AMENDING SECTION 5.12.040 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING AN INVESTIGATION FEE FOR PEDDLER, SOLICITOR, AND CANVASSER LICENSE APPLICATIONS WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2004 - AN ORDINANCE AMENDING SECTION 5.12.050 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING AN INVESTIGATION OF PEDDLER, SOLICITOR, AND CANVASSER LICENSE APPLICATIONS AND ISSUANCE OF LICENSES WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2005 - AN ORDINANCE AMENDING SECTION 5.12.060 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING FEE EXEMPTIONS OF PEDDLER, SOLICITOR, AND CANVASSER LICENSE APPLICATIONS WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2006 - AN ORDINANCE AMENDING SECTION 5.20.080 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING LICENSE FEES TO BE PAID FOR CEREAL MALT BEVERAGE SALES WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2007 - AN ORDINANCE AMENDING SECTION 5.20.120 OF THE MUNICIPAL CODE OF THE CITY OF PRATT REGARDING CHANGE OF LOCATION OF CEREAL MALT BEVERAGE LICENSEE WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2008 - AN ORDINANCE AMENDING SECTION 5.32.020 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING AN ANNUAL LICENSE FEE FOR DRINKING ESTABLISHMENTS WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2009 - AN ORDINANCE AMENDING SECTION 5.36.020 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING AN ANNUAL CATERER’S LICENSE FEE WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH.**

ORDINANCE 2010 - AN ORDINANCE AMENDING SECTION 5.40.020 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ESTABLISHING A TEMPORARY PERMIT FEE WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. ORDINANCE 2011- AN ORDINANCE AMENDING SECTION 5.44.010 OF THE MUNICIPAL CODE OF THE CITY OF PRATT REGARDING CATERING OF FOOD AT SPECIAL EVENTS ON PUBLIC PROPERTY WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. Commissioner Leslie made a motion to approve Ordinance 2003 – Investigation Fee for Peddler, Solicitor and Canvasser License Applications; Ordinance 2004 – Investigation of Peddler, Solicitor and Canvasser License Applications and Issuance of Licenses; Ordinance 2005 – Establishing Fee Exemptions of Peddler, Solicitor and Canvasser License Applications; Ordinance 2006 – License Fees to be Paid for Cereal Malt Beverage Sales; Ordinance 2007 – Change of Location of Cereal Malt Beverage Licensee; Ordinance 2008 – Annual License Fee for Drinking Establishments; Ordinance 2009 – Annual Caterer’s License Fee; Ordinance 2010 – Establishing a Temporary Permit Fee; Ordinance 2011 – Catering of Food at Special Events on Public Property. The motion was seconded by Commissioner Deeds and carried unanimously.

CONSIDERATION AND EXPLANATION OF CHARTER ORDINANCE 22:

City Attorney Probst stated that this Charter Ordinance was on the agenda so that the Commissioners had the information in front of them and could ask questions before voting on it at the next meeting. Ms. Probst explained that charters were allowed under home rule when laws for various Cities were not uniform. Ms. Probst stated that this ordinance would allow the City to charter out of an election taking place in a bond issue. Ms. Probst commented that there could be a number of reasons for that, such as paying for improvements to the Green Sports Complex. Finance Director Garten added that elections could be expensive and, on the suggestion of Bond Council, we could opt out of having an election if we have a capital improvement plan and have community support for the project. Ms. Garten stated that it could help avoid two elections if there were to be one on a bond issue and then for sales tax. Ms. Garten commented that it makes sense to charter out so we have more options.

Ms. Probst stated that a Charter Ordinance did not become effective for sixty days, which was time for a petition to be generated. Commissioner Meyer asked if other Cities had done this. Ms. Garten stated that there was. Ms. Probst stated that other issues were the timing of projects and, if everything goes well with the pool, construction would begin after the pool closes this coming season; however, the next election would not be until November and we would have to have a special election that the City would have to pay for. Mayor Schmidt commented that this did not require any action tonight, but was just to plant the seed so the Commission could move on it at the next meeting. Mr. Pinkall stated that that was correct and they would find answers if they had any questions. Ms. Garten added that the Commission could chose to have an election even if they did the Charter Ordinance.

CONSIDERATION AND APPROVAL OF ORDINANCE 2012 AMENDING ANIMAL ORDINANCE 1910:

City Attorney Probst stated that the purpose of this amendment was to take out the intent. Ms. Probst explained that she had had a trial two weeks ago on running at large where a pit bull had been running around a neighborhood. Ms. Probst commented that the owner had been contacted multiple times and citations were written. Ms. Probst stated that the owner had fallen asleep and the animal went running and the way the ordinance was written was that it was unlawful for any animal to willfully run at large. Ms. Probst commented that that takes away the reason to have the ordinance; therefore, she took out willful, took out breed specific along with the redundant words ‘any animal or fowl’. Ms. Probst added that there was no reason to keep fowl in there since they were animals.

With no discussion, the following Ordinance 2012 was then presented to the Commission for their approval: **AN ORDINANCE AMENDING SECTION 6.04.104 OF THE MUNICIPAL CODE OF THE CITY OF PRATT ADDRESSING ANIMALS RUNNING AT LARGE WITHIN THE CITY OF PRATT, KANSAS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH.** Commissioner Leslie made a motion to approve Ordinance 2012 as presented. The motion was seconded by Commissioner Meyer and carried unanimously.

OPEN AGENDA:

No one wished to address the Commission.

REPORTS:

City Manager:

- **Thanks to Mayor Schmidt:**

City Manager Pinkall thanked Mayor Schmidt for the time of silence for Mr. Gourley. Mr. Pinkall commented that the staff was taking it as well as they could be.

- **Swimming Pool Committee:**

Mr. Pinkall stated that the swimming pool committee was on the agenda to get rolling again. Mr. Pinkall commented that people were still filling out the survey. Mr. Pinkall added that the Charter Ordinance would be part of the discussion.

- **Smiley Concrete:**

Mr. Pinkall stated that he had a very positive discussion with Mr. Robert Smiley and he would be meeting with him again after he returns from Spain.

- **Meeting with PCC:**

Mr. Pinkall informed the Commission that the Recreation Department had met with PCC last week to discuss maintenance and expenditures for the Track and Soccer Complex. Mr. Pinkall stated that a score board and PA system were in the initial budget; however, they might be able to use the one at the college. Mr. Pinkall commented that there was also discussion about concessions. Mr. Pinkall stated that there would be an additional maintenance person to do things at the Complex. Mr. Pinkall explained that there was interest in the parking lot and he had met with Public Works Director Rambat and Street Superintendent Sinclair about working with the street department. Mr. Pinkall added that they thought they could use the base that was there, but time would tell.

- **New Fixture at Track and Soccer facility:**

Mr. Pinkall stated that the light company would be getting a new fixture for one of the lights at the Track and Soccer Complex that was staying on. Mr. Pinkall explained that a computer card in the fixture had failed and this would be the expense of the company and not the college or City. Mr. Pinkall stated that the schedules were a work in progress and they would be working on track practices; however, the high school was not going to use the track. Mr. Pinkall commented that there was no place for the javelin, but they might have something worked out by fall.

City Attorney:

- **Municipal Court Amendment:**

City Attorney Probst stated that she had met with County Attorney Beverlin and Judge Meisenheimer about having a expungement drive. Ms. Probst explained that, if a citizen had paid fines, or served probation, they could have the crime wiped off their record. Ms. Probst commented that the cost of hiring an attorney was cost prohibitive and there was a Kansas Bar Association Grant to help cover the cost. Ms. Probst stated that not everyone understands what an expungement was, but it was when you could not afford to pay a fine or have it forgiven. Mayor Schmidt asked if it would be advertised in a legal notice. Ms. Probst stated that the lady was talking about Facebook, facilities like the Hope Center, flyers and the Circles program. Ms. Probst added that Municipal Court Clerk Walker, Judge Eisenhower and she would be responsible for the City convictions. Ms. Probst stated that this facilitates impoverished people that did not have the money to do this on their own.

Public Works:

- **Street Department:**

Public Works Director Rambat stated that the street department found themselves down three employees recently and a fourth one was home with an injury. Mr. Rambat commented that the snow and ice had been taken care of pretty decently despite the shortage of employees and with the help of the electric department. Commissioner Peters questioned why people were leaving. Mr. Rambat stated that he could not answer that; however, the younger generation think about the money and, even though insurance means a lot, we cannot start them out high on the pay scale. Commissioner Peters suggested looking at that during budget this year. Mr. Rambat stated that it would not hurt to look at it. Commissioner Leslie questioned what the starting wage was. Mr. Rambat stated that it was under \$12 per hour and they were encouraged to get their CDL, which would get them more money.

- **Cemetery Board:**

Mr. Rambat informed the Commission that the Cemetery Board met last week and Mr. Denis Rasmussen decided that he was done after forty years serving on that board. Mr. Rambat asked that the Commission let him know if they know someone that would be interested in being on the board. Commissioner Peters questioned what their responsibilities were. Mr. Rambat commented that they were just an advisory board and he would be bringing a generous donation to the attention of the Commission at a later meeting.

- **KLINK project:**

Mr. Rambat stated that he had applied for some KLINK money and had been working on it with EBH. Mr. Rambat commented that it was early, but he wanted to get on the docket early.

Electric Department:

- **Slow time of the year:**

Director of Electric Utilities Huber stated that things were pretty slow with the weather we had been having, but the guys were working on inventory. Mr. Huber commented that City Manager Pinkall had

come down and watched Unit 7 run. Mr. Huber informed the Commission that there were no major outages during the last snow.

- **Solar Farm:**

Mayor Schmidt asked if there was any progress on the gullies at the Solar Farm. Mr. Huber commented that they were really bad and some of the ruts were deep. Mr. Pinkall stated that EBH was working on a plan to see if we could have water out there. Mr. Mike Younger, EBH engineer, stated that they were wrapping up the survey in the office. Commissioner Peters questioned if this would be the City's responsibility. Mr. Huber stated that he was not sure.

Police Department:

- **Janitorial Services:**

Police Chief Humble stated that the LEC contract stated that the City was required to have a company come in and do janitorial services and they did have a professional service doing that; however, they had parted ways. Chief Humble informed the Commission that the Animal Control Officer had starting doing that as of February 01, 2020. Commissioner Peters stated that he liked that idea. Chief Humble added that Animal Control Officer Dover had done that type of work when he worked out at Skyline.

- **School Resource Officer:**

Chief Humble stated that the Court House now housed KBI agent Tracy Allen and her husband was a grant writer. Chief Humble commented that he used to work for Crawford County and the City of Parsons and he takes special interest in law enforcement. Chief Humble stated that one of the things he was interested in was School Resource Officer. Chief Humble explained that he had visited with the superintendent and principals and this was something they had wanted for years. Chief Humble stated that this was a three-year grant and the first year would help with 75% of the cost, the second year it would be 70% and 65% on the third. Chief Humble commented that he hoped the position would be permanent by the fourth year. Chief Humble added that the schools were very excited to work with this and were willing to do cost sharing. Chief Humble stated that the deadline was March 11th.

Commissioner Peters asked if they would be an employee of USD 382. Chief Humble stated that they would be a uniformed officer and work out of the school; however, they would work for the City while having a presence at the school. Chief Humble added that they would do regular patrol when school was not in session. Commissioner Peters asked how much it would cost to have the gentleman write the grant. Chief Humble commented that it was \$650 per month. Commissioner Deeds commented that the demand increases during the summer, so we could use the extra person on patrol. Chief Humble stated that that was correct.

Commissioner Deeds clarified that we were housing a KBI agent locally now. Chief Humble stated that they had an office in the Court House. Chief Humble explained that, if something goes wrong here, an agent was only allowed so many hours to investigate and that could be a short time in the field. Chief Humble stated that it would help out having someone here locally. Commissioner Leslie asked if they could come and introduce themselves at one of the meetings. Chief Humble stated that they could. Commissioner Meyer stated that it would have been a big asset to have an agent in charge here when we had the officer involved shooting.

Finance Department:

- **Sales Tax:**

Finance Director Garten stated that the sales tax report was in the packet and January was not typically a good indicator with all the holidays in there. Ms. Garten commented that the next month or two would tell how 2019 had ended up.

Mayor and Commission:

- **Getting to know employees:**

Mayor Schmidt stated that it was interesting how things fall together when you were not expecting it to and he wanted to improve the relationship the Commission had with the employees. Mayor Schmidt commented that we had great department heads and great employees; however, the Commission cannot associate names with faces. Mayor Schmidt explained that Commissioner Peters and he had talked about that and wanting to know those on the committees as well. Mayor Schmidt suggested having a meeting once a month and have a department here so they could introduce themselves and they could also get to know their Commissioners. Commissioner Peters added that the committees were all non-paid positions and he would like to thank them for stepping up and giving service that they did not have to give. Public Works Director Rambat stated that he did not think anyone would have a problem with that. City Manager Pinkall stated that he would meet with them and follow through.

- **Year in review:**

Commissioner Peters stated that Director of Electric Utilities Huber had given them good stuff about what they had done in 2019. Commissioner Peters commented that he would like to see that from other departments. Mr. Huber stated that this had been a busy year once they started writing down their projects.

- **Energy costs:**

Commissioner Meyer stated that he had talked with Mr. Huber about the cost per kilowatt and the difference between the City and Elm Mills. Commissioner Meyer commented that our electric and the solar farm had made a difference in electric costs and lowered our rates. Commissioner Meyer added that we needed to publicize that and that we had done a good job holding it down. Mr. Huber stated that it was just under \$.11 a kilowatt and he was doing a review of the State. Mr. Huber explained that most of the coops were what drive the cost up, but he was happy with ours and the solar did help. Mr. Huber added that it was only going to get better.

- **REAP:**

Commissioner Meyer stated that the Commission had approved a one-year membership to REAP and he would like to have them come out and give a presentation on what they could do for us.

- **City/County meeting:**

Commissioner Meyer stated that it was about time to schedule another City/County joint meeting. City Clerk Kramer stated that she would get with County Clerk Kruse and see what would work for them.

- **Next regular meeting:**

9 – February 03, 2020 (Regular Commission meeting)

Mayor Schmidt stated that the next regular meeting would be on Tuesday, February 18th due to the 17th being President's Day and City offices were closed.

ADJOURN:

Commissioner Leslie made a motion to adjourn. The motion was seconded by Commissioner Deeds and carried unanimously.

APPROVED BY THE MAYOR:

GARY A. SCHMIDT, Mayor



ATTEST:

LUANN KRAMER, City Clerk