

MONDAY

MARCH 01, 2021

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

PRESENT:	Gary Schmidt	Mayor
	Don Peters	Commissioner
	Zach Deeds	Commissioner
	Jeanette Siemens	Commissioner
	Kyle Farmer	Commissioner

ALSO PRESENT:	Bruce Pinkall	City Manager
	LuAnn Kramer	City Clerk
	Regina Goff	City Attorney
	Jamie Huber	Director of Electric Utilities
	Nate Humble	Chief of Police

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:

Commissioner Peters led the audience and staff in the invocation and Mayor Schmidt led the Pledge of Allegiance.

MINUTES:

- February 22, 2021 Regular Commission Meeting

Commissioner Deeds made a motion to approve the minutes of the February 22, 2021 regular Commission meeting. The motion was seconded by Commissioner Farmer and the motion and second carried unanimously.

BUSINESS:

DISCUSSION ON DANGEROUS ANIMAL ORDINANCE AND PIT BULLS:

- **Hamilton's:**

Mayor Schmidt informed the Hamilton's and Mr. Hubbard that the Commission appreciated them taking time to discuss their situation, but the Commissioners were limited with how they could respond. Mayor Schmidt then cautioned the Commission not to engage in the conversation. With that being said, Mr. Tracy Hamilton and Mrs. Jennifer Hamilton addressed the Commission about their concerns of loose dogs in the City. Mr. Hamilton stated that there had been two incidents for them in the last thirty days and one was walking their rescue beagle. Mr. Hamilton explained that the pit bull came across from 910 South Pine and jumped on their beagle and bit her in several places and he (Mr. Hamilton) jumped on the

pit bull and held on to him. Mr. Hamilton commented that he was afraid to let go of him, but he wiggled loose and ran home. Mr. Hamilton added that their beagle had healed up and was doing well. Mr. Hamilton added that he had another incident Saturday with another loose pit bull that came right up to him in his yard, but he ran off and the owner put him inside.

Mr. Hamilton stated that Pratt used to have a ban on pit bulls and he asked that they put the ban back in place. City Attorney Goff asked if they had filed a police report. Mr. Hamilton stated that they had. Ms. Goff stated that she had not seen the case yet, so she could not respond. Mr. Hamilton stated that he understood and added that the kid told them he would take care of the vet bill, but he moved and had not taken care of it. Ms. Jennifer Hamilton stated that she had another incident with a German Shepard today. Mr. Hamilton questioned if Pratt did not have a leash law where they could be ticketed. Ms. Goff stated that that would be relevant. Ms. Hamilton commented that this dog owner was a transient. Mr. Hamilton asked how they find out what happens in court and if they needed to be there. Ms. Goff stated that they could call Municipal Court and that any victim would be subpoenaed if there was going to be a trial. Ms. Goff add that they should fill out a victim's statement if there was not going to be a trial so there was documentation.

Mr. Hamilton stated that it was relaxing to walk in the park and now it was not because of a lot of dogs running loose. Ms. Hamilton asked if there was anything they could do to get the ban reinstated. Mayor Schmidt stated that this ordinance was put in place in 2018 after a lot of conversation and there were a lot of other breeds that could be vicious; therefore, it could not be breed specific. Mr. Hamilton questioned if that dog should have been taken off. Police Chief Humble stated that law enforcement could not have taken the dog. Mr. Hamilton asked if it could have been removed if it had had a previous track record. Ms. Goff commented that, if there had been prior findings and it was not removed, it should have had immediate removal after the first appearance. Ms. Hamilton stated that they live in one little block and they walk a lot, so they could not be the only ones with this problem. Mayor Schmidt thanked the Hamilton's for coming and sharing their experience with the Commission.

- **Hubbard:**

Mr. Kenny Hubbard stated that he had been walking his dog on January 6th on a public sidewalk and a pit bull had come from around a garage and got hold of his dog. Mr. Hubbard explained that the pit bull shook his dog for five or six seconds and critically injured him where he had to be put down. Mr. Hubbard stated that he would never get that image out of his head and considered this murder. Mr. Hubbard explained that he talked to police and animal control and had been told that they could not take the pit bull because it did not bite him. Mr. Hubbard stated that the animal control officer drives around neighborhoods picking up dogs and taking them to the pound and they did not have to bite anybody. Mr. Hubbard commented that that was a double standard that we needed to correct. Mr. Hubbard stated that, if a dog attacks another dog without provocation, that dog should be put in the dog pound automatically. Mr. Hubbard added that pet owners were not going to comply with the City ordinance even though it was pretty detailed. Mr. Hubbard stated that it did not go far enough to protect pet owners who have their pets on a leash.

Mr. Hubbard stated that any dog that attacks another dog while running at large should be put in the dog pound and then Municipal Court could decide what would happen to them. Mr. Hubbard commented that it did not make sense that they could not do that because the dog did not bite him. Mr. Hubbard stated that he understood that nothing could be done tonight, but he hoped Municipal Court could figure it out in the near future. Mr. Hubbard explained that he lost a member of his family and it had affected him greatly and changes needed to be made.

CONSIDERATION AND APPROVAL OF THE 2021 PUBLIC DEFENDER AGREEMENT:

City Attorney Goff stated that this agreement was identical to Ms. Hannah Brass' agreement for Public Defender and the only difference was this was dated to begin February 1st. Ms. Goff commented that that was when Mr. Robert Slinkard took over and that it reflects eleven months of service. Ms. Goff explained that this position pays \$3,000 per month and \$200 a month administrative allowance. Commissioner Peters asked how many times they have court. Ms. Goff stated that it was Monday and Thursday's. Commissioner Peters questioned that, a person that gets arrested and could not afford an attorney, would need this attorney. Ms. Goff stated that that was correct. With no more questions, Commissioner Farmer made a motion to approve the 2021 Public Defender Agreement for Mr. Robert Slinkard. The motion was seconded by Commissioner Deeds and carried unanimously.

CONSIDERATION AND APPROVAL OF FINANCING FOR THE NEW SANITATION TRUCK:

City Manager Pinkall stated that he had gone out for bids to finance the new sanitation truck and he got bids from all three local banks. Mr. Pinkall recommended that the Commission approve the low bid from Peoples Bank. Commissioner Peters stated that he was curious why the lease purchase amount was the same from all three banks and they all bid five annual installments and First State Bank had the lower rate, but Peoples Bank had the lowest payment amount. Mr. Pinkall stated that he had not specified payment options and Peoples Bank had stated that the first payment was due upon possession and the First State Bank's was due in a year. Mr. Pinkall explained that he had used former Finance Director Garten's template and details were not in there. Mr. Pinkall stated that he had discussed this with City Attorney Goff and, if they were uncomfortable, he would resubmit it with a specific payment schedule. Commissioner Deeds stated that the details were a game changer and we should define it. Mr. Pinkall commented that that had been Ms. Goff's request also. With little more discussion, Mayor Schmidt stated that this would be tabled until the next meeting.

OPEN AGENDA:

- **ECONOMIC DEVELOPMENT:**

Mr. Doug Meyer stated that the ED Board had appointed Ms. Kim DeClue treasurer at their last meeting and would be paying her a stipend to do that. Mr. Meyer commented that City Manager Pinkall offered to get the files that would be on Ms. Garten's computer for Ms. DeClue so that she would have what she needed.

REPORTS:

City Manager:

- **ECA:**

City Manager Pinkall stated that they were working on understanding the ECA across our area and there had been a zoom meeting with the Governor's office to help give us a clearer picture. Mr. Pinkall commented that there were some challenges and the high cost of energy would be affecting us. Mr. Pinkall explained that it was complicated to understand. Mr. Pinkall stated that the solar farm had operated at its lowest, because of the weather and cloud cover.

- **Turf project:**

Mr. Pinkall stated that the turf project was moving forward.

- **Management meeting:**

Mr. Pinkall stated that he had set up a management meeting concerning the track/soccer field for this Wednesday at 9:00 a.m. Mr. Pinkall commented that they would discuss concerns with insurance and topics that they needed to work through.

City Attorney:

- **Ride Along:**

City Attorney Goff stated that she had been with the City for four years and she did her first ride along with a police officer and it was interesting. Ms. Goff commented that she admired them for their patience out there on the streets.

- **Animal Ordinance:**

Ms. Goff stated that she would look through the animal ordinance because she wanted to understand it completely.

Public Works:

- **Test well:**

In the absence of Public Works Director Rambat, Mr. Pinkall informed the Commission that one of the test wells had tested high in nitrates. Mr. Pinkall commented that they were reaching out to water resources and looking for the next one. Mr. Pinkall added that this was a surprise to everybody that was working on it.

Electric Department:

- **Outage:**

Director of Electric Utilities Huber stated that the outage last Thursday had happened after we had been off the grid for most of the day. Mr. Huber commented that the dual fuels had been running since 7:00 a.m. and one of them had a bad bushing. Mr. Huber explained that one had a minor malfunction and it caused them to trip off. Mr. Huber stated that they were almost done when this happened, but they were looking into it. Mr. Huber commented that, when both units were running, they fight each other; therefore, both shut down. Mr. Huber added that they could handle the difference if we were tied to the grid. Mr. Pinkall stated that he had gone down there when we lost power and the crew handled it really well. Mr. Pinkall commented that he was impressed. Mr. Huber added that it was an unfortunate thing that happened.

- **Solar Farm:**

Commissioner Peters asked Mr. Huber about an update on something that was fixed at the solar farm. Mr. Huber stated that there was a reclosure that had never read correctly. Mr. Huber explained that, while the solar farm was shut down, the bottom off of a switch had popped apart, so they put it back together. Mr. Huber commented that it ended up being a manufacturing malfunction and we fixed it with gorilla

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glue. Mr. Huber stated that we had spent about \$2,000 on parts, so he had asked the company to reimburse us. Mr. Huber added that we will wait and see if we get any money back.

- **Executive Session:**

Mr. Huber asked for an executive session at the end of the meeting to last twenty minutes for data relating to financial affairs or trade secrets of second parties.

Mayor and Commission:

- **Officers:**

Commissioner Peters asked if Chief Humble was still down two officers. Chief Humble stated that he had one promising one coming, but they had no experience. Chief Humble commented that you did not get many with experience.

- **Park and Recreation:**

Commissioner Peters asked Mr. Pinkall if Recreation Director Eisenhower should be coming to the meetings like he used to do so they could stay up to date with their activities. Mr. Pinkall stated that that would be beneficial.

EXECUTIVE SESSION:

Mayor Schmidt made a motion to go into executive session for data relating to financial affairs or trade secrets of second parties to last twenty minutes returning at 6:25 p.m. The motion was seconded by Commissioner Farmer.

Mayor Schmidt made a motion to return from executive session at 6:25 p.m. with nothing to report. The motion was seconded by Commissioner Deeds and carried unanimously.

RECESS:

Commissioner Peters made a motion to recess until Friday, March 05, 2021 at 8:30 a.m. for the workshop/training. The motion was seconded by Commissioner Siemens and carried unanimously.

APPROVED BY THE MAYOR:

GARY A. SCHMIDT, Mayor



ATTEST:

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LUANN KRAMER, City Clerk