

MONDAY

July 19, 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
	Brent Carver	Finance Director
	Regina Goff	City Attorney (Remotely)
	Nate Humble	Chief of Police
	Russell Rambat	Public Works Director
	Larry Eisenhower	Recreation Director

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 the invocation and the Pledge of Allegiance.

MINUTES:

- July 06, 2021 Regular Commission Meeting

Commissioner Deeds made a motion to approve the minutes of the July 06, 2021 regular Commission meeting. The motion was seconded by Commissioner Peters and the motion and second carried unanimously.

BUSINESS:

UPDATE ON THE WATER MEETING WITH EBH:

Public Works Director Rambat stated that there had been a meeting with EBH concerning the City water system and Mr. Jerry Starkey from EBH was here to give the Commission a summary of the meeting. Mr. Starkey stated that they had discussed many facets concerning the City's water supply, water quality and water rights. Mr. Starkey commented that, as a result of the meeting, EBH would be working on putting together a scope of work to address the items discussed and they hoped to have that preliminary work done in the next few weeks. Mr. Starkey explained that they would not get in to the whole facet of it, but would get into the items that needed to be addressed and would work with City personnel to find a cost effective system that would meet the needs of the City for the next twenty to forty years. Mr. Starkey

stated that development would take time and he did not have any specific details, but they were in the process of letting and would get there. Mr. Rambat stated that they needed to take a snap shot of our water infrastructure supply and look at the big picture. Mr. Rambat commented that they would do what was best for Pratt.

Mr. Rambat explained that the standout item was the nitrates and they needed to get the public educated on that even though there were worse things out there. Mr. Rambat commented that adults were not that affected by nitrates, but they did affect infants six months and younger. Mr. Rambat added that it was not like people were drinking petroleum products or anything like that, but it was a common issue in ground water and it was growing in Kansas. Mr. Rambat stated that our numbers had been growing over the years and it was time to do a water study and work it into the Comprehensive Plan also. Mayor Schmidt stated that the numbers in the packet looked better than he had anticipated. Mr. Rambat stated that most of the high numbers were along the river, but our wells were spread out all over town and there were a lot of variations. Mr. Rambat commented that all of them were individually fed into the distribution system, so it was not feasible to blend wells to knock that back down and pick a high and low that would hamstring the ability to operate the system correctly.

Mr. Rambat stated that this would take six months to a year and entail a lot of information and might involve information outside of Pratt and private wells, which would find areas that were better to look into as far as supply goes. Mayor Schmidt asked if we would look for more water rights. Mr. Rambat stated that we had plenty of water rights and the water right perfections had another four years. Mr. Rambat explained that they could not touch an appropriated right well, but they could the invested right wells. Mr. Rambat stated that we need to figure that into our plan. Commissioner Peters commented that it had looked like we could lose a lot of that when he came on the Commission and had attended the meeting at the 4-H building. Mr. Rambat stated that that possibility still exists and the Department of Water Resources had tracked our water usage year by year for many years. Mr. Rambat reminded the Commission that there was a push to conserve water and people did that. Commissioner Farmer questioned what the nitrate levels had to be to shut down a well. Mr. Rambat stated that 10 mg per liter was the maximum contaminate level and well #15 had hit that level.

Mr. Rambat commented that they did a retest on #17 and it dropped down to a 9. Mr. Rambat explained that all wells have peaks and valleys, which were due to wet seasons and drought. Mr. Rambat stated that a water production geologist had said that he had never seen a well formation and production possibilities with them being so close in proximity, so there was the possibility that we could blend them. Mr. Rambat commented that the drawback was that you had to run both of them at the same time to get the blend and that limits your flexibility. Commissioner Peters asked how much it would cost if we had to do this well #17. Mr. Rambat stated that it had been a while since we had to do a well, but Water Superintendent Clay thought it was around the \$1 million mark to completely develop it and build the well house and that did not include the distribution. Mr. Rambat added that, if we would go south, we could bring it into the line the County just installed; however, we would have to have EBH look at all of that.

CONSIDERATION AND APPROVAL OF BID FOR ONE NEW PISTON FOR EITHER DUAL FUEL ENGINE:

Power Plant Superintendent Bryan Evans stated that they did not need this piston for either of the engines right now, but they would put it on the shelf. Mr. Evans explained that they have the engines inspected and want to have this in stock to be ready. Mayor Schmidt questioned if they could replace one piston without interrupting the others. Mr. Evans stated that they could and they had to do that a few times. Mayor Schmidt asked if we did that or if Fairbanks would come down. Mr. Evans commented that Fairbanks had done it and we had done one in house. Mayor Schmidt asked how many spare parts they

could plan ahead for. Mr. Evans stated that pistons were one of the main parts and then there were all the auxiliaries, so they had a fairly good supply. Mayor Schmidt asked about generator parts. Mr. Evans stated that, if most of it went bad, there were some components that we did have parts for. With no more discussion, Commissioner Farmer made the motion to purchase one piston for the cost of \$18,522.47 that did not include sales tax from Fairbanks. Commissioner Peters seconded the motion and it passed unanimously.

DISCUSSION ON DOG PARK:

City Manager Pinkall informed the Commission that the dog park committee had reconvened and Miss Holly Rook was the one wanting to keep it rolling. Mr. Pinkall stated that they had discussed the layout for the dog park, length of the fence, the size and parking area. Mr. Pinkall commented that it would include a waiting station. Mr. Pinkall stated that there would be some fundraising for things for the dogs to do while there and rules that would be posted. Mr. Pinkall added that all of that would be finalized by the committee. Mr. Pinkall stated that he had talked with Park Superintendent Quint and Public Works Director Rambat about the location and it fit well in that spot where there were a lot of trees and shade and it was not close to citizens or the street. Mr. Pinkall added that there was also the potential for restrooms. Mr. Pinkall explained that Ms. Rook was excited about grants and moving forward. Mr. Pinkall commented that they would be getting the Parks and Recreation Board involved. Mr. Pinkall stated that the Commission would hear more about it, but that would be to finalize the plan. Commissioner Siemens clarified that this was in Sixth Street Park. Mr. Pinkall commented that that was correct. Commissioner Farmer stated that the rules had been researched through Wichita and Emporia's dog parks, but could be changed. Commissioner Farmer commented that Ms. Rook would be doing more campaigning to get it built. Commissioner Deeds asked what they considered a large dog. Commissioner Farmer stated that it was 40 lbs. and above. Commissioner Farmer added that this was a work in progress and they were following our ordinance on dogs. Commissioner Peters questioned if the City would be liable if a dog killed another dog. City Attorney Goff stated that we would not be as long as the rules were posted.

CONSIDERATION AND APPROVAL OF ORD. 2015 AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY VEHICLES, UTILITY TERRAIN VEHICLES, AND GOLF CARTS ON THE STREET WITHIN THE CORP. LIMITS OF THE CITY:

City Attorney Regina Goff stated that she had been directed by Mayor Schmidt to meet with Chief Humble and City Manager Pinkall to draft this ordinance. Ms. Goff commented that there were some concerns about different areas and she did not expect any action tonight. Mayor Schmidt did not see any cost of a license for these vehicles, but he did appreciate the liability insurance. Mayor Schmidt questioned if they would have to get a tag and pay property taxes. Chief Humble commented that it would not be the same as the DMV, but they would have to have a permit through the police department. Mayor Schmidt asked if there would be fees and license through a one-time transaction. Chief Humble stated that they had talked about that and it would be a one-time thing. Mayor Schmidt commented, that when we do our vehicles every year, we have to have proof of insurance even if they were fifteen years old. Mayor Schmidt asked how we were going to enforce or keep track of that if this was a one-time transaction. Chief Humble stated that some people get vehicle insurance for a month and then cancel it. Mayor Schmidt commented that insurance companies used to notify a business that insurance had been canceled. Ms. Goff stated that could be true on building permits, but not for vehicles. Ms. Goff added that it would be based on infraction on action on the owner's part.

Ms. Goff stated that there was no price or prescribed fee, because it needs to be put in the global fee resolution that we address every year. Mayor Schmidt stated that he worries about enforcement of that

and questioned what enforcement we would have. Chief Humble stated that was with any vehicle infractions that we pull over. Chief Humble added that there was no way to keep track of it; however, a violation when pulled over would be the only way of knowing who the registered owner should be. Mayor Schmidt questioned who would be responsible if there were to be an accident if the insurance had been canceled. Chief Humble stated that it would be a civil issue if there was an uninsured vehicle. Mayor Schmidt questioned if we could not just take care of that by doing it every year. Chief Humble stated that we could, but we still have plenty of vehicles that did not have insurance. Chief Humble repeated that people get their tags and do not have a true policy. Commissioner Deeds asked if we could establish a high fee or fine. Ms. Goff stated that the fine for no insurance was \$300 according to the STO and the second offense was \$800.

Commissioner Peters asked about the required equipment in Section 2 and it dealing with golf carts more than anything. Commissioner Peters stated that a mirror on the left hand side and turn signals on an average golf cart would be expensive and he was not sure all that was necessary. Ms. Goff asked Chief Humble if it would be problematic if she lined through golf carts in Section 2. Chief Humble stated that it would not be as long as they use adequate hand signals. Chief Humble added that they were not worried about speeds, but they were with the other vehicles. Ms. Goff asked if the other vehicles should have these requirements. Chief Humble stated that they should and most of them did. Ms. Tami Krom asked if they could know what those requirements were. Commissioner Peters stated that they were windshield or eye protection, muffler or noise suppression system, safety/seat belts or harnesses, mirror on the right side of the vehicle or an inside center rear view mirror, mirror on the left side of the vehicle, turn signals, stop lamps, rear reflectors and head lamps.

Ms. Goff explained that this had come from several other jurisdictions ordinances along with the League's suggested ordinance. Ms. Goff stated that the City of Ellis had all of these requirements. Public Works Director Rambat stated that golf carts would be creeping along, but the others would be in traffic and should do able to stay up with the speed of the other vehicles. Commissioner Peters asked if golf carts would have to have a slow-moving vehicle sign. Chief Humble stated that they would. Ms. Goff commented that it would be required of all of them. Commissioner Peters stated that we did not want to do anything that was not necessary, but want it aggressive, safe and effective. Commissioner Deeds commented that the slow-moving and reflectors would be operated during the day, so were the reflectors and slow-moving vehicle signs necessary. Chief Humble stated that it was a State requirement. Commissioner Peters questioned if they would take slow-moving off everything, but golf carts. Chief Humble stated that that would be fine.

Commissioner Peters asked if this ordinance would be available at the police department so people would know what the requirements and fines would be and they would know their obligations. Chief Humble stated that it would be. Mr. Chad Krom asked if they bring their vehicle to the police department for inspection. Chief Humble stated that was correct. Ms. Krom asked if it had to be on a trailer. Chief Humble stated that it did, but just this one time.

DISCUSSION AND APPROVAL ON REVENUE NEUTRAL RATE:

Finance Director Brent Carver stated that legislation had passed in 2021 Senate Bill 13 and House Bill 2104 relating to the requirements of the revenue neutral rate. Mr. Carver commented that both of those were that you have to submit a notice of public hearing to exceed the revenue neutral rate. Mr. Carver explained that this was the first year for the revenue neutral rate and it would be for the 2022 budget year. Mr. Carver stated that the best way to explain how it works had to do with last year and how much our taxes were actually levied compared to what this year's estimated assessment was going to be. Mr. Carver commented that every year the County gives him the total estimated assessment value and that total came out in June 2021 of \$43 million.

Mr. Carver stated that, to calculate the revenue neutral rate, you need to know how much taxes were levied, which were \$2.2 million last year. Mr. Carver explained that you could ask how far last year's taxes would go towards this year's world. Mr. Carver continued to explain that you would take the \$2.2 million in revenue from taxes last year and divide that by the estimated assessment value of \$43 million. Mr. Carver commented that that number would be multiplied by a thousand and that would get you your revenue neutral rate and then that rate comes from the County and has to do with last year's taxes. Mr. Carver stated that our revenue neutral rate this year was 51.891.

Mr. Carver stated that he had studied the history of the mill levy for that past ten years and it steadily inclines year after year. Mr. Carver commented that our revenue neutral rate this year was 51.891 and, to exceed that, we had to hold a public hearing. Mr. Carver also explained that we also had to submit to the County a Notice of Revenue Neutral Rate Intent that we were going to exceed the revenue neutral rate by tomorrow to meet the deadline. Mr. Carver stated that one of the disadvantages of not exceeding the revenue neutral rate was that the actual rates come out in November, but the estimates come out in June. Mr. Carver commented that the League said that, if you did not choose to exceed the revenue neutral rate now, when the final assessments value rates were calculated in November, if the City's mill levy does exceed the revenue neutral rate, we would need to amend the budget or refund any property taxes levied in excess of revenue neutral rate. Mr. Carver stated that, by exceeding it now, we would not have to refund anything in November and we would not have to amend the budget and change things around. Mr. Carver commented that he had found out from the League that over sixty Cities were going to exceed the revenue neutral rate, because they did not want to have budget issues.

Mr. Carver stated that we had a deadline of July 20th to submit the Notice of Revenue Neutral Rate Intent to the County and to submit a hearing date. Mr. Carver added that this would be approved by the Commission, signed by the Mayor and have the City seal. Mr. Carver commented that he had met with the department superintendents and the City Manager to go over their budgets and the estimated mill for 2022 was 53.339. Mr. Carver stated that last year's mill levy was 52.163. Mr. Carver commented that they still wanted to meet with Commissioners on August 4th and 5th if that worked for them. Mr. Carver stated that it was to our advantage to go higher, because we cannot go lower than our revenue neutral rate. Mr. Carver stated that we would have a budget hearing and revenue neutral rate hearing September 7th, which was the soonest for the hearing date.

Commissioner Peters commented that the mill levy increase was about 1.5 mills. City Manager Pinkall stated that it was about 1.2, but they had already met with departments. Mr. Pinkall commented that that included salaries and a 3% cost of living for staff. Mr. Pinkall stated that this would be part of the 2022 budget workshop discussion and all they had now were estimates. Commissioner Peters asked if the total valuation this year was \$43,093,312. Mr. Carver stated that that was as of June 12th this year. Mr. Carver commented that last year was \$42,860,000. Commissioner Farmer stated that the first week of August was better for him for the budget work session, because school had not started. Mr. Pinkall stated that the earliest date for the revenue neutral rate hearing was August 20th and the last date for publishing was September 10th, so we wanted to meet in between those dates. Mr. Pinkall stated that they wanted to have the hearing on September 7th. Mr. Pinkall commented that August 4th and 5th would work for him for the budget workshop.

Mr. Pinkall stated that the departments might have to adjust their budgets or drop the cost of living if the Commission wanted to lower the 53.339 mill levy. Commissioner Peters stated that just because they asked for it did not mean they get it. Mr. Pinkall commented that we wanted to have the most flexibility we could and get to a point where we were not going to get any higher. Mr. Pinkall explained that you usually try to get your best numbers in first, but this was kind of backwards. Commissioner Peters stated that he was surprised that the valuation was not higher. Commissioner Deeds asked how you know you

were not going to exceed it before the budget hearings. Mr. Pinkall stated that they just wanted us to have a guess, but we still needed to be accountable to our taxpayers and citizens.

Commissioner Deeds commented that, over the last several years, our mill levy had not changed much, but the valuation on the back side had gone up and some see that as underhanded. Mr. Carver stated that he had not back calculated the revenue neutral rate for the last several valuation rates, but looked at the valuation for 2010 and it was \$37 million. Mr. Carver commented that the mill levy and the valuation move up together. Pratt Tribune Reporter Michael Blackford stated that the County set their revenue neutral rate at 53.520 earlier in the day. Mr. Carver stated that it was 52.19 last year. Commissioner Deeds asked if the difference in a mill levy and the revenue neutral rate was a cost of living adjustment for the government. Mr. Blackford stated that it was explained to him that the revenue neutral rate had to deal with the actual dollars collected and nothing to do with the mill levy, so if your valuation goes up 10% and your mill levy stays the same, your revenue neutral rate had to go up 10% just to keep up with what had been collected because of the additional assessment. Mr. Carver added that it was based on last year's actual received vs. this year's projection.

Mr. Carver proposed to the Commission that they make a motion to submit the Notice of Revenue Neutral Rate Intent of 53.339 to the County tomorrow, July 20, 2021. Commissioner Peters asked how you submit that. Mr. Carver stated that he had a draft copy that had that it was a Notice of Revenue Rate Intent and it had the rate and the date of the hearing with the Mayor's signature and the City seal. Mr. Carver explained that the budget work session was set for August 4th starting at 9:00 a.m. and would go until 5:00 p.m. the first day and August 5th was to be determined. With no more discussion, Mayor Schmidt made a motion that the Commission intended to exceed the revenue neutral rate and our proposed mill levy rate was at 53.339. The motion was seconded by Commissioner Deeds and it passed unanimously.

OPEN AGENDA:

No one wished to address the Commission.

REPORTS:

City Manager:

- **Budget Work Session:**

City Manager Pinkall stated that Mr. Carver had been well organized in getting all of the budget things around. Commissioner Peters asked if they could get the budget information around July 28th so that they had about a week to look it over before the work session. Mr. Carver stated that they would do their best to get it out to them.

- **Pratt Jam:**

Mr. Pinkall stated that Ms. Stacey Hansen had been promoting Pratt Jam and had big plans for bands, food truck and beer and wine gardens in the parks. Mr. Pinkall commented that she had met some challenges, but would be in to visit with the Commission at a future meeting to visit about an ordinance for the alcohol license and use of City property, which was similar to what they get for Oktoberfest. Mr. Pinkall commented that they had scaled down to using the parks and promoting downtown as well.

- **Tennis Complex:**

Commissioner Farmer asked if there was a update on negotiations with Pratt Community College and Pratt High School on use of the tennis facility. Mr. Pinkall stated that we do all the improvements and none of the schools pay to use it. Mr. Pinkall added that we had not spoken to the college about their practices or meets, so there would not be doubling up of meets and/or practices. Mr. Pinkall commented that Recreation Director Eisenhower would be a part of the scheduling. Mr. Pinkall stated that they had had tennis in the past and it had worked out okay. Mr. Pinkall added that they would be meeting with them next Tuesday concerning some court issues that they would have to look at. Commissioner Peters asked if they had a rough estimate of how much it cost to resurface the tennis courts. Mr. Eisenhower commented that it was probably around \$160,000 for everything, such as resurfacing, painting and moving poles on two of the courts. Mr. Eisenhower added that there was a potential to redo the entire court on court one on the north side by the restrooms. Mr. Pinkall stated that four of them have had new concrete in the last twelve years and all of them have been resurfaced twice since that point.

- **Chamber Director:**

Commissioner Farmers questioned if the Chamber Director position been filled yet. Mr. Pinkall stated that he was to give a community tour to one of them coming from out of State on August 3rd. Mr. Pinkall added that he thought that they were having interviews with three of them on the 5th.

- **Pool:**

Commissioner Peters asked if the pool committee had gotten some good information from Mr. Kyle McCawley. Mr. Pinkall stated that they were getting closer and that they got some layouts. Mr. Pinkall explained that they could move the pool to the west and that would make parking better on the east side. Mr. Pinkall stated that the committee had a design with the drop off/ticket area being on the south side and they could partner with the tennis courts so that there would be restroom facilities available. Mr. Pinkall commented that Public Works Director Rambat was looking at the mowing and maintenance of the sides to make it easier to take care of. Mr. Pinkall informed the Commissioners that Mr. McCawley was looking at project managers to work with.

- **Sandy Creek:**

Commissioner Peters asked if there was anymore to talk about Sandy Creek. Mr. Pinkall stated that he was still just talking and he wanted to get with City Attorney Goff.

Public Works:

- **Commend departments:**

Public Works Director Rambat stated that he wanted to commend the Street Department and Sanitation Department for the work they did before and after the Miss Kansas parade.

- **Overlay on Simpson:**

Mr. Rambat commented that the street department would be doing an overlay on the south side of Simpson Street.

- **Pool:**

Mr. Rambat stated that the pool was hanging in there, but they were still babysitting it. Mayor Schmidt asked about shutting down the pool at the end of summer or when they would be ready to start construction. Mr. Rambat commented that it was usually shut down the last weekend before school starts and he had not heard any requests to stay open any longer. Mr. Rambat added that he did not want it to interfere with the demolition.

Recreation Department;

- **Tennis Courts:**

Recreation Director Eisenhauer stated that he was going to set up a meeting with the Athletic Directors for the high school and the college, which were the two main tenants that we were pushing the upgrades for at the tennis facility. Mr. Eisenhauer commented that the nets were upgraded last year, so they were usable. Mr. Eisenhauer informed the Commission that the main course was in bad shape and fall was the best time for upgrades to be done.

- **State Tournament:**

Mr. Eisenhauer stated that they had a great State Tournament a couple of weeks ago.

- **Summer activities:**

Mr. Eisenhauer commented that summer activities would be wrapping up this week and they would be moving on to the fall activities.

Police Department:

- **Fully staffed:**

Police Chief Humble stated that he was fully staffed and the two new officers would be going to the academy on August 9th. Chief Humble commented that they would be getting out around November 20th.

Finance Director:

- **Valuation follow-up:**

Finance Director Carver stated that he would get with Commissioner Deeds to talk about the valuation and mill levy numbers. Mr. Carver commented that there was a cluster of sameness and he thought he might find that interesting and be able to provide him some perspective that he had not thought of.

- **Notice of Revenue Neutral Rate Intent:**

Mr. Carver stated that he would have the Notice of Revenue Neutral Rate Intent signed by Mayor Schmidt and it would state the levy rate and the date of the hearing, which was Tuesday, September 7th. Mr. Carver explained that it was recommended that the hearing for the revenue neutral rate and the budget hearing be held at the same time, which would be at 5:00 p.m. on September 7th.

ADJOURN:

9 – July 19, 2021 (Regular Commission meeting)

Mayor Schmidt made a motion to adjourn. The motion was seconded by Commissioner Farmer and it passed unanimously.

APPROVED BY THE MAYOR:

GARY A. SCHMIDT, Mayor



ATTEST:

LUANN KRAMER, City Clerk