

MONDAY

AUGUST 05, 2019

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

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

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

CALL TO ORDER:

The regular meeting was called to order by Mayor Meyer. The Mayor instructed the City Clerk to note that all Commissioners were present with the exception of Commissioner Peters.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Commissioner Deeds led the staff in the invocation and Mayor Meyer led the Pledge of Allegiance.

MINUTES:

- July 15, 2019 Recessed City/County Joint Commission Meeting
- July 15, 2019 Regular Commission Meeting
- July 17, 2019 Special Call Commission Meeting
- July 22, 2019 Special Call Commission Meeting

Commissioner Schmidt made a motion to approve the minutes on the agenda. The motion was seconded by Commissioner Leslie and carried unanimously.

BUSINESS:

2020 PROPOSED CITY OF PRATT BUDGET PUBLIC HEARING:

- **Open Public Hearing:**

Mayor Meyer made a motion to open the public hearing for the 2020 proposed City of Pratt budget. The motion was seconded by Commissioner Deeds and carried unanimously.

2 - August 05, 2019 (Regular Commission meeting)

- **Discussion:**

Mayor Myer then opened it up to the public for discussion, but there was no one that had any comments.

- **Close the Public Hearing;**

Mayor Meyer made a motion to close the public hearing for the 2020 proposed City of Pratt budget. Commissioner Schmidt seconded the motion and it passed unanimously.

CONSIDERATION AND APPROVAL OF THE 2020 CITY OF PRATT BUDGET:

Finance Director Garten commented that the total budget was \$23,313,239, which was a mil levy of \$52.047 and that was up 1.2 mil from last year. Ms. Garten explained that the main reason for the increase was the rehab of the Municipal Building. Ms. Garten also explained that ½% of that increase was for general operations that covers the increase in health insurance for the employees, since valuations were down a little bit; however, the neighborhood revitalization was also down. Ms. Garten stated that the value of a mil for the City went up by \$100, which would generate about \$2,213,000 and, after neighborhood revitalization, it would be around \$2,001,000 in taxes for 2020. With no further discussion, Commissioner Schmidt made a motion to approve the 2020 City of Pratt budget as presented. The motion was seconded by Commissioner Deeds and carried unanimously.

SECOND QUARTER 2019 TRAVEL AND TOURISM REPORT:

Chamber Director Kim DeClue stated that they had approved five requests for funds in the second quarter of 2019. Ms. DeClue explained that the Hot School had asked for increased funds this year to help pay for instructors and they do stay in the hotels in town and the fair also asked for more this year. Ms. DeClue stated that they had given out a total of \$26,600 in 2019. Mayor Meyer commented that they had three terms that would be ending in 2019 and 2020. Ms. DeClue stated that Becky Eastes, Shelly Shaw and Kevin Evans would be asked if they wanted to stay on and they usually did.

Ms. DeClue commented that the retail committee wanted to do a four-week promotion and end it with a lighted Christmas parade on the 14th of December. Ms. DeClue explained that it would not take the place of the Christmas in the Park event. Ms. DeClue stated that she was not sure where to start, so she had started with Interim City Manager Pinkall and Public Works Director Rambat. Mr. Pinkall commented that she had some unique thoughts.

DISCUSSION ON DETWILER BRIDGE:

Ms. Detwiler stated that she did not want the City to spend an astronomical amount of money on this bridge project, but they were not opposed if the City wanted to drop a concrete culvert there. Interim City Manager Pinkall stated that City Attorney Probst had written up some language where both parties would agree upon an amount the City would pay the Detwiler's to repair the bridge and they could get their own contractor with that money. Mr. Pinkall commented that those funds would repair the bridge and there would be an understanding that we would not continue to do things year after year. Mr. Pinkall added that it was on their property and they would take care of it and we would go from there. Ms. Detwiler stated that the ditch and bridge were put there by the City; therefore, it was not their bridge. Mr. Pinkall stated that he understood that there was not an easement so it was on Detwiler property. Commissioner Leslie stated that she does not own the bridge so she does not feel that she should alter the bridge. Commissioner Leslie commented that he understands where she is coming from on where the water comes down there and lifts the bridge up and there was constant water hitting that,

which has caused rot on those support boards. Ms. Detwiler stated that they just want the support structures put back so they can put the timbers on.

Public Works Director Rambat stated that he had gotten prices to rebuild or upgrade in its current capacity. Mr. Rambat explained that that would consist of taking the planks off and rebuilding the substructure and replacing it as is. Mr. Rambat commented that, if they were open to the idea of precast box culverts, he would revisit that option with the contractors. Mr. Rambat stated that there would be no more worry about wood rot and he could have something by the next meeting. Ms. Detwiler stated that that would be fine. Mr. Pinkall stated that that made sense. Mayor Meyer stated that he had no idea what the culverts cost, but Ms. Detwiler did not want the City to pay a lot of money for this. Mr. Rambat commented that it should not be a big deal for that area and they might end up with a stronger structure that requires less maintenance. Mr. Rambat stated that he would have numbers at the next meeting.

City Attorney Probst stated that there was a disagreement on ownership of the bridge and that would have to be addressed at some point. Ms. Probst added that the City had not claimed any ownership of the bridge, but had claimed that it had been abandoned for a long time. Ms. Probst stated that she was uncomfortable with the notion of the City being called the owner of the bridge and she wanted to dispel that immediately. Mayor Meyer asked if the City was the owner of the easement for the drainage. Building Inspector Blankenship stated that the easements were not the City's, but they were the owners. Mr. Rambat stated that he had literature from when the gas lines were built and there was no easement for the waterway, but there was an easement for the gas line. Mr. Rambat explained that the gas main was south of the waterway. Mayor Meyer questioned if it drained our water. Mr. Rambat stated that it did and that was the hook. Ms. Probst stated that there was drainage in that area along the waterway on that property, but that would be the only reason that we could justify using public funds on this private property.

Mr. Rambat stated that, in his opinion, it could be cleaner if we got one of the local general contractors on board and we all come to terms and let them take care of it. Mr. Rambat added that they could not come back here if things did not go as planned. Ms. Probst stated that she did have a draft that has proposed language to make sure that the City is not considered to be creating an obligation to continue to maintain the structure and also so that the City is indemnified against any decisions the Detwiler's make regarding this drainage and this waterway or any doubts during usage. Ms. Probst commented that, if there was damage downstream, it would not be the City's liability. Mayor Meyer stated that he still felt that we were draining water through their property and they needed to have access to both sides of the drainage ditch. Mr. Rambat stated that all the houses on Sixth Street have the same situation, but they did not all have a bridge. With little more discussion, Mayor Meyer stated that Ms. Probst was going in the right direction with her draft. Ms. Probst stated that she was uncomfortable, without speaking, up that the City is not agreeing or making any statements that we are the owners of that bridge. Ms. Probst added that the bridge was on private property and, if the City had owned it, it was abandoned long ago.

CONSIDERATION AND APPROVAL OF NEW MEMBER ON THE PLANNING AND ZONING COMMISSION:

Building Inspector Blankenship informed the Commission that the Planning and Zoning Commission met last month and they had recommended Ms. Jean Tharp be appointed to the P & Z Commission. Mr. Blankenship stated that they were still looking to fill one position. With no discussion, Commissioner Leslie made a motion to approve Ms. Jean Tharp for a three year term on the Planning and Zoning Commission effective immediately. The motion was seconded by Commissioner Deeds and carried unanimously.

CONSIDERATION AND APPROVAL OF REZONING OF 501 EAST FIRST AS RECOMMENDED BY THE PLANNING COMMISSION:

Building Inspector Blankenship stated that there had been a public hearing for the rezoning of 501 East First Street and there were no objections. Mr. Blankenship commented that the Zoning Commission voted to rezone 501 East First Street from R-2 Residential Dwelling to C-S Highway Services. Mr. Blankenship stated that this was the only one it would qualify for since it was on Highway 54. Commissioner Schmidt made a motion to approve the rezoning of 501 East First Street to C-S Highway Services as recommended. The motion was seconded by Commissioner Deeds and carried with three approved votes and one abstained vote by Commissioner Leslie.

CONSIDERATION AND APPROVAL OF LOW BID FOR THE IOWA STREET SIDEWALK AND TRAIL PROJECT:

Public Works Director Rambat stated that this was the project that Mr. Dewayne Bryan had presented to the Commission a couple of meetings ago and he had about two-thirds of the funding for. Mr. Rambat commented that he had gone out for bids and the City would have to come up with less than \$1,000, if Mr. Bryan comes up with the grant money he expects to get. Mr. Rambat reminded the Commission that the project parallels Fifth Street and goes to the practice field by Southwest School. Mr. Rambat stated that next year they would come back to the west.

Mr. Rambat recommended the low bid from Mansel Construction in the amount of \$11,935 that would complete this portion of the project. Commissioner Leslie made a motion to approve the bid from Mansel Construction for \$11,935. Commissioner Deeds asked if this was on the City's 10'. Mr. Rambat stated that it was on private property and that was part of the stipulations of the grant money that it not be on public property, so Mr. Bryan talked to the home owners beforehand. Mr. Rambat explained that it would be built up to one of ours that was on a right-of-way and would be ADA accessible. Mr. Rambat added that this was a good value to us. Commissioner Schmidt seconded the motion on the table and it carried unanimously.

CONSIDERATION AND APPROVAL TO APPROVE FUNDS FOR HIGHWAY 54 PROJECT:

Public Works Director Rambat stated that this was a project that he had applied for multiple times and it was a City Connecting Links Improvement Program through the State. Mr. Rambat commented that it was a 90/10 project and would be from New Street to Mound Street on West Highway 54. Mr. Rambat stated that the total project was estimated to cost \$1.1 million, so the City's share would be about \$110,429. Mr. Rambat explained that they were asking for the City's agreement that we were committing to do the project in the State's physical year 2020 and that the money would be there. Mr. Rambat commented that we would see how fast the State could get all the paper work together; however, we would still have to do preliminary engineering and preliminary construction and see when a contractor would have time to do the work. Mr. Rambat stated that he would pursue it for next summer, but he could not guarantee that it would get done. Mayor Meyer asked where the money would come from. Finance Director Garten stated that it would come from street reserves and street sales tax that we put back for projects. Ms. Garten explained that the City had to pay for the preliminary engineering and then get reimbursed later. Commissioner Deeds made a motion to approve the funds for the Highway 54 project from New Street to Mound Street in the amount of \$110,429. Commissioner Leslie seconded the motion and it carried unanimously.

CONSIDERATION AND APPROVAL OF ORDINANCE 1908 INCREASING WATER MINIMUM RATES EFFECTIVE 09/01/2019:

City Attorney Probst stated that this ordinance was memorializing the vote that took place during the budget work session to increase the water rates. Finance Director Garten added that the increase would help pay for the debt service on the waterline to the airport. With no discussion, the following Ordinance 1908 was then presented to the Commission for approval: **AN ORDINANCE AMENDING SECTION 13.04.100 OF THE PRATT MUNICIPAL CODE OF THE CITY OF PRATT, KANSAS: WATER RATES – ESTABLISHED.** Commissioner Deeds made a motion to approve Ordinance 1908 increase the minimum water rates effective September 01, 2019. The motion was seconded by Commissioner Leslie and carried unanimously.

CONSIDERATION AND APPROVAL OF RESOLUTION 080519 AUTHORIZING THE CONSUMPTION OF ALCOHOL AT GREEN SPORTS COMPLEX FOR OKTOBERFEST SEPTEMBER 28, 2019:

City Attorney Probst stated that Mr. John Beverlin was at the last meeting asking permission to use Green Sports Complex again for Oktoberfest and he had reported that the funds come back into the City. Ms. Probst commented that this resolution allows them to consume alcohol on City property. Mayor Meyer questioned if there were officers on duty. Chief Humble stated that they had asked that there be two officers there from 8:00 p.m. to 10:30 p.m. Interim City Manager Pinkall stated that they had always done well with set-up and clean-up. With no further discussion, Commissioner Deeds made a motion to approve Resolution 080519 authorizing the consumption of alcohol at Green Sports Complex for Oktoberfest September 28, 2019. The motion was seconded by Commissioner Leslie and carried unanimously.

CONSIDERATION AND APPROVAL OF THE NEW HEALTH INSURANCE RATES FOR 2019/2020 FOR CITY EMPLOYEES:

City Clerk Kramer stated that, even though the insurance had been incorporated into the 2020 budget, she would like for it to be approved separately. Ms. Kramer commented that the Blue Cross Blue Shield coverage had increased by 5.72%, which was much lower than last year. Commissioner Schmidt made a motion to approve the 2019/2020 health insurance rates for the City employees. The motion was seconded by Commissioner Leslie and carried unanimously.

DISCUSSION ON LAMP RYNEARSON AQUATICS PROPOSAL FOR THE POOL:

Public Works Director Rambat stated that Mr. Kyle McCawley from Lamp Rynearson Aquatics had sent a proposal to start to pull us together to move forward collecting data, having workshops, putting groups together and making a path to replace the swimming pool. Mr. Rambat commented that the proposal was fairly aggressive, but we needed somebody that had been through this process before. Mr. Rambat explained that the amount was under the \$10,000 and that should get us to the point that we would have a location narrowed down of where we want to build it. Mr. Rambat added that there would be other incurred costs such as travel and hotel, but we had been putting money back for professional services.

Mr. Rambat stated that the season was winding down, so this was a good time to start thinking about what we want to do. Mr. Rambat asked that they consider this professional service contract. Commissioner Leslie stated that he liked his approach and that he let the community make the decision. Mr. Rambat agreed and added that it was difficult today to know where to reach out, but people would help us figure out things. Mayor Meyer commented that he had been asked why we needed a new pool and it was a no brainer to us. Mr. Rambat stated that we had spent a lot in the last twelve years keeping it running. Mayor Meyer stated that he had read in the Ranson Code that there were Cities closing their pools and they were all built about the same time as ours and were at the end of their life.

Commissioner Schmidt asked if he would want to set up shop here. Mr. Rambat stated that he might want to be here sometimes, but it would depend on what stage they were at. Mr. Rambat added that they could also do webinars. Interim City Manager Pinkall stated that expectations for them would be to come and form a committee and crew that would have local meetings so that they could get feedback. Mr. Pinkall commented that, as they get feedback, they make changes in what they can do. Mayor Meyer asked if this was something that we wanted to pursue. Mr. Rambat stated that this was a process that was under \$10,000; however, he felt that it would be better to have a vote from the Commission. Mr. Pinkall stated that it would be good to show that the Commission was in support of this. Commissioner Leslie made a motion to approve Lamp Rynearson Aquatics' proposal for \$9,250 plus actual costs of expenses consisting of travel, reprographics and postage. The motion was seconded by Commissioner Deeds and carried unanimously.

OPEN AGENDA:

- **Scout Cabin:**

Mr. Gene Messick, Cub Scout Leader, approached the Commission on behalf of all Scouts. In an emotional request, Mr. Messick asked that some remodeling be done to the Scout Cabin in honor of Mr. Ted Loomis who had recently passed away. Mr. Messick stated that Mr. Loomis had been a Scout since he was seven years old and had earned every award, including Eagle Scout. Mr. Messick commented that Mrs. Linda Loomis was also involved by being the secretary for twenty years. Mr. Messick stated that Mr. Loomis had purchased a 110 acre lot of land for the Scouts and had created a foundation at the Peoples Bank that kept that money local. Mr. Messick asked for the Commission to consider naming the Scout Cabin after Mr. and Mrs. Loomis so that the kids would remember them in the future. Mr. Messick stated that the cabin was somewhere he could teach the kids first aide and basic life skills.

Mayor Meyer thanked Mr. Messick for coming to address the Commission. Interim City Manager Pinkall stated that the City did own the cabin and it did house the girl and boy scouts. Mr. Pinkall commented that we could logically take on some of the things that needed done and maybe some of the Scouts could get involved. Mr. Pinkall added that we could discuss the name change and that would be well received. City Attorney Probst asked if the cabin currently had a name. Mr. Pinkall stated that it did not that he knew of. Mayor Meyer stated that they had taken Mr. Messick's speech to heart and it was a good speech, but that these things would not happen overnight. Mayor Meyer added that they did take it seriously.

- **1st Street project:**

Mr. Bryan Evans stated that he was a First Street resident and he thanked Mr. Rambat for getting that project approved.

REPORTS:

Interim City Manager:

- **Productive Couple of Weeks:**

Interim City Manager Pinkall stated that it had been a productive couple of weeks and he had found out how much he did not know. Mr. Pinkall commented that he thought he knew budgets; however, Finance Director Garten had shown him a lot. Mr. Pinkall commented that City Clerk Kramer had kept him on track and City Attorney Probst had helped him with legal things. Mr. Pinkall stated that they had started a dialogue at the LEC and Police Chief Humble had done a great job along with Sheriff White. Mr. Pinkall

added that Commissioner Peters and Commissioner Borho had started good open thoughts. Mr. Pinkall commented that he felt confident that they could get things done. Mr. Pinkall stated that Building Inspector Blankenship had shown him all the things that he gets done and he heard stories and he saw how difficult his job was. Mr. Pinkall stated that Public Works Director Rambat was a mountain of knowledge and we needed to keep picking his brain. Mr. Pinkall commented that Director of Electric Utilities Huber had shown him the solar farm and the work done at Lemon Park. Mr. Pinkall stated that they had had a minor vibration at the power plant and they did a good job with that. Mr. Pinkall stated that it was a quick two weeks. Commissioner Leslie stated that he appreciated his email over the weekend. Mr. Pinkall commented that he would try to do that weekly.

Public Works:

- **Projects:**

Public Works Director Rambat stated that they would be opening up 10th Street on August 16th and they would also be opening the north side of the Uptown Café on Thursday. Mr. Rambat commented that he had sent out bids for the curb and sidewalk project. Mr. Rambat explained that he was going to have somebody go to Zerger Park and attach a sidewalk to the west side of the bridge by design, because Mr. Bryan had helped with the funding on that and he did not want to include a structure that was not ADA compliant. Mr. Rambat added that this would take it to the other side of Thompson Street and Third Street where Mr. Bryan's project had left off and it would make it complete. Mr. Rambat stated that he was going to do a little bit smaller mill and overlay project that would catch some of Pine Street, south from Sixth Street to Lemon Park, Rochester Street between Third Street and Sixth Street and East Third Street. Mayor Meyer asked why there were markings on North Champa Street. Mr. Rambat stated that somebody must have called in a locate, because he did not know of anything the City was doing.

Building Inspections:

- **Bathroom:**

Building Inspector Blankenship stated that the bathroom in Lemon Park was here and it went really well. Mr. Blankenship commented that the plumbers had been there and the electricians were there today for the sump pump alarms. Mr. Blankenship commented that it was going to be a nice addition and it had been needed in Pratt for a long time.

- **Train:**

Mr. Blankenship stated that the train had passed its inspection today after four tries. Mr. Blankenship commented that it took the inspector about fifteen minutes, but now we know what to expect. Mr. Blankenship stated that Mr. Tim Henderson thought our train was very nice and he had not known that we even had one. Mayor Meyer asked how soon it would be in operation. Mr. Blankenship stated that we had to send in money to get the permit. Interim City Manager Pinkall stated that he had talked to Mr. Rich Sanders about liability insurance and he was going to talk to Ms. Jan Jorns, because he had some things he was going to bring up with her. Mr. Blankenship commented that they could not find a serial number, so he had just assigned it one and that was all the State looked for.

- **Americare:**

8 - August 05, 2019 (Regular Commission meeting)

Mr. Blankenship stated that Americare was rolling along and that they were doing daily air pressure inspections. Mr. Blankenship commented that they were doing a wing at a time. Mayor Meyer asked if they were going to have a tornado safe area. Mr. Blankenship stated that they were not.

Electric Department:

- **Steam unit:**

Director of Electric Utilities Huber stated that he was happy with the way the steam unit had run and they had untied from the grid. Mr. Huber explained that Chubb Insurance had come in and found a few minor things that we would need to be fixed before the next run. Mr. Huber commented that experience had paid off. Mr. Huber added that they produced about a million and a half kw and that was a lot.

- **Projects:**

Mr. Huber stated that the line guys were down in Lemon Park and should be done with their part by the end of the week. Mr. Huber commented that the Solar Farm had gotten mowed and it was producing. Mr. Huber stated that the track and soccer field had power and so did the gun range.

Police Department:

- **LEC Agreement:**

Police Chief Humble stated that they had made a lot of progress at the LEC agreement meeting. Chief Humble commented that they had talked about what was being used and they were heading in the right direction.

- **Website:**

Chief Humble stated that their new website was up and running and there were links for common asked questions.

Finance Department:

- **Sales Tax:**

Finance Director Garten stated that sales tax had come in good and that we were 5% over last year.

Executive Session:

Mayor Meyer moved that the City Commission recess into executive session to discuss a potential litigation matter pursuant to the consultation with an attorney on matters protected by attorney-client privilege justification found in K.S.A. 75-4319(b) and that the open meeting would resume in the Commission room at City Hall at 6:50 p.m. The motion was seconded by Commissioner Schmidt and carried unanimously.

Mayor Meyer made a motion to return from executive session at 6:50 p.m. with nothing to report. The motion was seconded by Commissioner Deeds and carried unanimously.

9 - August 05, 2019 (Regular Commission meeting)

Mayor Meyer made a motion to return to the executive session for an additional ten minutes. The motion was seconded by Commissioner Deeds and carried unanimously.

Mayor Meyer made a motion to return from executive session at 7:02 p.m. with nothing to report. The motion was seconded by Commissioner Leslie and carried unanimously.

Return to open session:

Commissioner Leslie made a motion to renew the offer to extend pay and health insurance benefits to prior City Manager through December 31, 2019. Also, that the City Attorney be directed to work with outside counsel to see if Roy Eckert's KPERS can legally be preserved with limitations as stated. Commissioner Schmidt seconded the motion. The motion passed with three yes votes and one no vote. Roll call vote was as followed: Commissioner Deeds-no; Commissioner Leslie-yes; Mayor Meyer-yes; Commissioner Schmidt-yes.

ADJOURN:

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

Doug Meyer, Mayor



ATTEST:

LuAnn Kramer, City Clerk