

TUESDAY

September 07, 2021

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

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

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| ALSO PRESENT: | Bruce Pinkall | City Manager |
| | LuAnn Kramer | City Clerk |
| | Brent Carver | Finance Director |
| | Regina Goff | City Attorney |
| | Nate Humble | Chief of Police |
| | Brad Blankenship | Building Inspector |
| | Jamie Huber | Dir. of Electric Utilities |
| | 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 with the exception of Commissioner Deeds.

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:

- August 16, 2021 Regular City Commission Meeting
- August 17, 2021 Recessed Budget Work Session Meeting-Day 1
- August 18, 2021 Recessed Budget Work Session Meeting-Day 2
- August 26, 2021 Recessed City Commission Meeting

Mayor Schmidt stated that there was one change on the minutes of the August 26, 2021 Recessed City Commission meeting minutes. Mayor Schmidt explained that under ‘others’ it should read ‘\$30,000 annually (\$7,500 per quarterly) to match Pratt County’s quarterly payment, but set aside the other \$30,000 per year in its own line item for the purpose of the City’s use’ and not for the new Chamber Director. Under the direction of City Attorney Goff, Mayor Schmidt made the motion to have those minutes reflect that change in the August 26th minutes. The motion was seconded by Commissioner Peters and carried unanimously.

Commissioner Farmer made a motion to approve the minutes of the August 16, 2021 Regular City Commission meeting, the August 17, 2021 Recessed Budget Work Session, the August 18, 2021 Recessed Budget Work Session and the August 26, 2021 as amended. The motion was seconded by Commissioner Peters and carried unanimously.

BUSINESS:

CONSIDERATION AND APPROVAL OF CONDITIONAL USE FOR NINNESCAH RURAL ELECTRIC:

Building Inspector Blankenship stated that this is on the same par that the City did for the forty acres where our solar farm is located. Mr. Blankenship explained that Ninnescah is doing a 1 mega watt solar farm between 20th and 30th Street northwest of Pratt. Mr. Blankenship commented that the State of Kansas had given the rules and regulations over the zoning and this was a conditional use. Mr. Blankenship stated that they were allowed to do a permitted use; however, the conditional use reads as follows: #10-Electric and telephone substations, regulatory stations and other similar public utility uses on or above the ground. Mr. Blankenship stated that this would fall within that, but we had not updated it to say solar farms or wind farms. Mr. Blankenship commented that they had notified the public within 1,000 feet of there and there were no objections, but there was one gentleman that was on a fact-finding mission. Mr. Blankenship stated that he received many phone calls from him later that pertained to the solar farm.

Mr. Blankenship explained that they had to abide by the golden factors, which were the character of the neighborhood and that was all agriculture, and the zoning and use of the property nearby, the suitability of the subject property for which it had been restricted, the extent to which removal of the restrictions detrimentally effecting nearby properties, which it does not, and the amount of time the property had remained vacant. Mayor Schmidt asked if they would be moving any terraces or anything like that, which could affect drainage or water flow. Mr. Blankenship stated that they were doing all the grading and they know what happened to us. Mayor Schmidt stated that that had been his concern. Mr. Blankenship stated that #6 reads that the relative gain to the public health, safety and welfare as compared to the hardship imposed upon the land owner imposed upon the land owner.

Mayor Schmidt asked where this was located. Director of Electric Utilities Huber stated that it was just south of our substation and was in our territory. Mr. Huber explained that we had to do a territory change and it had been approved through KCC, but he did not see any reason why we would build out that far. With no further discussion, Mr. Blankenship stated that this had been approved by the Planning and Zoning Commission and he was recommending that the Commission do the same. Commissioner Peters made a motion to approve the conditional use for Ninnescah Rural Electric as presented. The motion was seconded by Commissioner Farmer and carried unanimously.

CONSIDERATION AND APPROVAL OF BID FOR NEW VEHICLES FOR THE POLICE DEPARTMENT:

Police Chief Humble stated that he was looking at getting two 2022 police interceptors, because they had fallen out of the 2021's due to chip shortages. Chief Humble commented that he had sent out bids to three dealers; however, Lanterman Motors was the only one that returned one in the amount of \$72,974. Chief Humble explained that there was a computer chip shortage and you had to get on a list and had to do that sooner than later. Chief Humble stated that he had the money in the budget under the capital outlay line item. Commissioner Peters asked if he got the discount through REAP. Chief Humble commented that he did not know, but he thought it was through the State and Ford had one for first responders.

Commissioner Peters asked if these would be fully equipped. Chief Humble stated that they would be. Chief Humble commented that there would be no trade-ins. Commissioner Peters questioned why no trade-ins. Chief Humble stated that the vehicles they were using now were working well and there was

no reason to trade them in. Mayor Schmidt asked if they would both be made at the same time. Chief Humble stated that he did not have an answer for that, but he would submit this to Ford and they would be given a VIN #. With little more discussion, Commissioner Siemens made a motion to approve the bid for new vehicles as presented not to exceed \$72,794. The motion was seconded by Commissioner Farmer and carried unanimously.

CONSIDERATION AND APPROVAL OF CHARTER ORDINANCE 23 NAMING CITY WEBSITE AS OFFICIAL NEWS OUTLET:

City Attorney Goff stated that a charter ordinance was different than a regular ordinance in that it allows a City under the home rule to charter out of non-uniform State law. Ms. Goff explained that State Statutes require Cities of the second class to designate a newspaper in general circulation to post all notices. Ms. Goff commented that, under the home rule provision of the Constitution, Cities were allowed to charter out of non-uniform State laws. Ms. Goff added that McPherson and Hays had already done that. Commissioner Peters commented that we had just made the Hutchinson News our official newspaper, so he asked what this charter ordinance was going to do. Ms. Goff explained that this was going to make our official news outlet our website. Ms. Goff stated that to have our budget hearings published had cost \$709; therefore, this would save the City a substantial amount of money.

Ms. Goff commented that a charter ordinance had to be adopted by 2/3 of the Governing Body and be posted twice in the official newspaper, which currently was the Hutchinson News. Ms. Goff added that the Charter Ordinance would then take effect sixty days after the final publication unless there would be a petition filed and that would have to have 10% of the voters in the last election opposing the ordinance. Ms. Goff explained that Section 1 of the ordinance gave the background of the Statutory explanation and Section 2 states that the Governing Body shall designate by Resolution the Pratt City website, www.cityofprattks.com, as the official news outlet and is authorized to designate any other media outlet as an official publication site via Resolution of the Governing Body. Ms. Goff explained that she wanted to add any other media outlet because she did not know what would be out there fifteen years from now or what types of media would be out there; therefore, this would give the Governing Body the ability to change the official publication. Ms. Goff explained that Section 3 stated that the ordinance had to be published twice in the Hutchinson News and Section 4 explains that it would take effect 61 days after the final publication. Ms. Goff added that Section 5 states that, if passed, the City Clerk would send a copy to the Secretary of State's office.

With no more discussion, the following Charter Ordinance 23 was presented to the Commission for their approval: **CHARTER ORDINANCE EXEMPTING THE CITY OF PRATT, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1651, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS WHICH RELATE TO THE NAMING OF AN OFFICIAL CITY NEWSPAPER, AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH.** Commissioner Farmer made a motion to approve Charter Ordinance 23 naming the City's website as our official news outlet. The motion was seconded by Commissioner Peters and carried unanimously.

CONSIDERATION AND APPROVAL ON CAR SHOW IN 6TH STREET HOSTED BY MISS KANSAS ON OCTOBER 30, 2021:

City Manager Pinkall stated that Miss Kansas Taylor Clark would like to do a project fund raiser in the form of a car show. Mr. Pinkall commented that she had initially thought that she would mirror the Fire Departments and do it in Sixth Street Park under the trees, but came back after the agenda went out and thought about using the parking lot at the Sports Complex or the Track and Soccer complex. Mr. Pinkall stated that Recreation Director Eisenhauer was going to check on those locations for October 30, 2021 and they would deal with the weather as it comes along. Mr. Pinkall asked for the Commission's

approval for Miss Kansas to host a car show on October 30, 2021 at either Sixth Street, the Sports Complex or the Track and Soccer Complex. Commissioner Farmer made a motion to approve a car show fund raiser hosted by Miss Kansas on October 30, 2021 in Sixth Street based on availability. The motion was seconded by Commissioner Siemens and it passed unanimously.

OPEN AGENDA:

No one wished to address the Commission.

REPORTS:

City Manager:

- **Sandy Creek lots:**

City Manager Pinkall stated that there had been one proposal for the Sandy Creek lots and, prior to closing, they had withdrawn. Mr. Pinkall commented that Mr. Chase Galle came by on Friday and had a proposal for lot #42 of \$8,000 and we had it listed for \$10,000. Mr. Pinkall recommended to the Commission that we accept that proposal. Mr. Pinkall commented that there had been no other offers or discussions and it was important that we recognize his commitment to the community. Commissioner Peters commented that we had that project there a long time and had reduced the price to get some development going, so he was in favor of accepting the offer, as was Commissioner Siemens and Commissioner Farmer. With little discussion, Commissioner Farmer made a motion to approve the offer of \$8,000 for lot #42 in the Sandy Creek Addition. Commissioner Peters seconded the motion and it passed unanimously. Commissioner Peters questioned if there had to be a house built within a year. Mr. Pinkall stated that that was correct.

- **Teen Center dance:**

Mr. Pinkall stated that the Commission had approved a Teen Center dance a few weeks ago and they had over seventy middle school kids and around one hundred high school kids participated. Mr. Pinkall commented that Ms. Brenda Ford wanted him to pass on her thanks to the Commission for their cooperation in blocking off Fourth Street.

- **Chamber meeting:**

Mr. Pinkall stated that he had attended a Chamber meeting and they were moving forward with an interim director. Mr. Pinkall commented that they had met with some people today and were finalizing those plans and were getting some organization. Commissioner Peters asked if they were not local. Mr. Pinkall stated that they were not and they were going to organize a membership drive.

- **Special Call meeting:**

Mr. Pinkall reminded the Commission that there would be a Special Call meeting on Monday, September 13th at 5:00 p.m. for the 2022 budget hearing and the 2022 revenue neutral rate hearing. Mr. Pinkall commented that we were able to get the hearing posted in the Hutchinson News on time without any mistakes. Mr. Pinkall added that the budget and the revenue neutral rate would be approved at the Special Call meeting on the 13th of September.

- **Customer Appreciation Day:**

Mr. Pinkall stated that Legacy Bank would like to have a Customer Appreciation Day on October 1st and would be setting up tents and tables on the sidewalk along 3rd Street and Main Street in front of the bank. Mr. Pinkall commented that they would need a few polycarts and a couple of barricades to block off a few parking spots. Mr. Pinkall recommended that the Commission approve the bank's requests. Commissioner Peters asked bank employee, Mr. Jack Galle, what time this event would be. Mr. Galle stated that it would be around 4:00 p.m. to 7:00 p.m. Mr. Pinkall added that the sidewalks were wide so there should not be any problem with people getting by. Commissioner Peters made a motion to allow Legacy Bank to have their Customer Appreciation Day on October 1st as presented. The motion was seconded by Commissioner Siemens and carried unanimously.

- **Chamber money:**

Commissioner Peters questioned if we give the Chamber money if they have no person. Mr. Pinkall stated that we had money set aside. Mayor Schmidt stated that we had \$18,000 a year. Mr. Pinkall commented that he would do some investigating, but he knew that the current interim was hourly.

- **54 project:**

Commissioner Farmer asked how the 54 project was looking. Mr. Pinkall stated that the project was going well, but slow. Mr. Pinkall commented that Public Works Director Rambat had been proactive with the schools about the bus routes and he had not heard of any issues there. Mr. Pinkall stated that they had had some issues with trash carts and driveways; however, those had worked themselves out and everyone had been cooperative.

- **Alley issues:**

Commissioner Farmer stated that he had been contacted by a few people and asked about who fixed up alleys left in disrepair after Kansas Gas had been working in them. Mr. Pinkall stated that Mr. Rambat had a coop relationship with Kansas Gas, so he would have him visit with them if Commissioner Farmer would leave him a list of those alleys.

- **Pratt Jamboree:**

Commissioner Farmer stated that he knew that Pratt Jamboree had been canceled, but he asked if Oktoberfest was on schedule. Recreation Director Eisenhower stated that they were, as far as he knew.

- **Healthy staff:**

Commissioner Farmer asked if City staff was staying healthy and welcomed Finance Director Carver back after his bout with COVID. Mr. Pinkall stated that he felt the staff were doing well and we did not have a mask mandate.

City Attorney:

- **Annexations:**

City Attorney Goff stated that she was working on some annexations that had been on hold and should be on the next agenda.

- **Sunday sales:**

Ms. Goff stated that legislatures expanded hours on Sunday sales and she would be working on a proposed ordinance for that also.

Electric Department:

- **Outage:**

Director of Electric Utilities Huber stated that there was an outage in the substation a week ago due to a critter getting into a switch gear that arched over 13,000 amps. Mr. Huber commented that it vaporized the animal and did some damage, so it would have to get replaced when the company comes out this Thursday. Mr. Huber explained that they would be ordering a plastic guard that would hopefully prevent this from happening again.

- **Cooper stolen:**

Mr. Huber stated that day to day things were going well with the exception of having some cooper stolen. Mr. Huber commented that they did not get a whole lot, but they did hang some cameras this afternoon and they should be able to identify someone if it happens again.

- **Louisiana disaster:**

Commissioner Peters asked if we would be going down to Louisiana to help with the disaster there. Mr. Huber stated that we were ready to go and were told to stand down until they assessed what was going on. Mr. Huber commented that several of the guys had been sleeping in their trucks because there was nowhere for them to go. Mr. Huber added that it would be weeks before everybody was back up.

Police Department:

- **Drink Drive Lose:**

Police Chief Humble stated that they did their Drink Drive Lose program and had eighty stops and zero DUI's. Chief Humble reported that people were using designated drivers or public transportation.

- **Standoff:**

Chief Humble informed the Commission of the standoff at the American Inn last week that had gone as well as it could have. Chief Humble commented that the Sheriff's department had assisted and there was no harm done to anybody.

- **Evidence Room:**

Commissioner Peters asked about the evidence room. Chief Humble stated that it was the same. Commissioner Peters commented that he thought that Commissioner Shriver was going to take the bull by the horns. Chief Humble stated that he was trying and that Mr. George Stevens was contacted, but he was working on a project in Medicine Lodge.

City Clerk/Utility Billing Department:

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- **New Employee:**

City Clerk Kramer stated that Ms. Laci Brown had started last week and was working out very well. Ms. Kramer also reported that Ms. Angie Branscom was going to be taking Mr. Brian Stecklein's place when he retires at the end of September, so everything was falling into place.

ADJOURN:

Mayor Schmidt made a motion to adjourn. Commissioner Farmer seconded the motion and it passed unanimously.

GARY A. SCHMIDT, Mayor



ATTEST:

LUANN KRAMER, City Clerk