

MONDAY

September 16, 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
	Don Peters	Commissioner
	Jason Leslie	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
	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 Deeds.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

MINUTES:

- September 03, 2019 Regular Commission Meeting

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

BUSINESS:

CONSIDERATION AND APPROVAL OF RESOLUTION 091619 CLARIFYING THE TERMS OF COMMISSIONER HEALTH INSURANCE BENEFIT TERMINATION:

City Attorney Probst stated that she had been approached regarding health insurance for Commissioners and she was also provided the minutes from the June 22, 2018 meeting where it had been discussed. Ms. Probst commented that the minutes had Commissioner Kumberg making a motion that new Commissioners would no longer be eligible for the health insurance benefits as of June 22, 2018 and Mayor Meyer seconded that motion. Ms. Probst explained that the motion and second passed with four approved and one abstained vote by Commissioner Leslie. Ms. Probst commented that Mayor Meyer had added that any Commissioner on the health plan on June 22, 2018 would be grandfathered in.

Ms. Probst stated that she had verified with Foulston Siefkin that it was appropriate to define what new Commissioners meant and that it was also appropriate to have the resolution define the term ‘new Commissioners’ to include any new term by any currently seated Commissioner. Commissioner Peters commented that he had always considered the Commission to be part-time employees, so he questioned why they were offered health insurance in the first place. Ms. Probst explained that classes of employees had to be treated the same way and the Commission were in their own class. Ms. Probst stated that the law did allow their class to be treated separately. Ms., Probst commented that it was not being applied the same way now, but health insurance was tricky. Mayor Meyer stated that they had determined at that budget meeting that this was an unnecessary cost to the City and any new Commissioners would not be eligible for that benefit. Commissioner Schmidt commented that Commissioner Hlavachick had been on then and it was not as expensive back in the day, but premiums had tripled since then. Finance Director Garten stated that a family plan was about \$19,800 a year and it goes down from there with the other types of plans available.

With little more discussion, the following Resolution 091619 was presented to the Commission for their approval: **A RESOLUTION CLARIFYING THE TERMS OF COMMISSIONER HEALTH INSURANCE BENEFIT TERMINATION.** Commissioner Peters made a motion to approve Resolution 091619 that clarifies the terms of Commissioner health insurance benefit termination. The motion was seconded by Commissioner Schmidt and carried with three approved votes and one abstained vote by Commissioner Leslie.

DISCUSSION ON THE BLIGHTING INFLUENCE CONCERNS OF KFC BUILDING:

Interim City Manager Pinkall stated that he had met with Commissioner Schmidt and City Attorney Probst about the blighting influence of the KFC structure and the State Statutes and our ordinances. Mr. Pinkall commented that Ms. Probst had emailed Building Inspector Blankenship and him about getting a description on the property. Mr. Pinkall explained that Mr. Blankenship had approached him about where this was coming from. Mr. Pinkall stated that he had explained that he had met with Commissioner Schmidt and Ms. Probst and he had not brought Mr. Blankenship into the loop.

Mr. Pinkall stated that Mr. Blankenship had brought in the Statute book and the City ordinances. Mr. Pinkall commented that, after going over the Statute and ordinances, he had thought there had already been a letter written, but there had not; however, Mr. Blankenship had gotten the certified letter in the mail last Monday. Mr. Pinkall explained that the City ordinance process started at that point and this would give the owner forty-five days to answer our concerns. Mr. Pinkall commented that this was where it was at now and he wanted to discuss it in an open meeting about what we were doing and what we had done so that the public would be informed. Mr. Pinkall stated that he knew that we were not as expedient as people wanted, but we had to follow the laws. Commissioner Peters questioned if we go a step further if the owner did not respond. Ms. Probst stated that they had forty-five days to remedy the issues such as the holes in the stucco. Ms. Probst added that he did not have to present us his plans as long as it was up to Mr. Blankenship’s approval level. Mr. Blankenship stated that he would have to fix the siding and the three holes on the side of the building.

Commissioner Leslie stated that he had been approached about the banner on the corner and traffic not being able to see across traffic. Mr. Blankenship stated that there were two sides to that and one was that this was a controlled intersection where you have to come to a stop. Mr. Blankenship explained that the second thing was the 120’ sight triangle. Mr. Blankenship commented that there was nothing in the ordinances or zoning that said that there cannot be a trailer there even though it violates the sight triangle, but he would let them know about it. Mr. Blankenship stated that the signage was not on State property, but there was an 80’ right-of-way. Mr. Blankenship explained that there was a 100’ on Highway 281 and 80’ on Highway 54 and it was clearly on public property. Mr. Blankenship explained that they had been

sent weed letters and they did do some weed eating, but it had grown back up and he had sent someone to mow it when it went past the 12” limit.

Mayor Meyer stated that this property was a constant complaint; however, it was not an unsafe structure, but it was unsightly. Mayor Meyer commented that he appreciated the efforts of Ms. Probst, Mr. Blankenship and Mr. Pinkall. Mayor Meyer added that we would hopefully see some progress. Commissioner Schmidt asked if that property had been checked for oil and fuel tanks. Mr. Blankenship stated that we had not done that. Commissioner Schmidt explained that the Methodist Church did theirs through the State and they had put in monitoring wells to check for contaminates. Commissioner Schmidt stated that most of the liability was handled through pooled money within the State and not to an individual owner since those could change often. Mr. Blankenship commented that he would have time tomorrow or Wednesday to check with KDHE.

Mr. Blankenship stated that there was no way to enforce anything on the cracked driveway and, if a citizen would trip and fall, it would be a civil matter since it was on private property. Commissioner Schmidt asked if the sidewalk was on City property. Mr. Blankenship stated that it was part of the State’s right-of-way from property line to property line. Mr. Blankenship explained that the City gets a certain amount of money to fix those types of things, but that was a case of where you stop if you do it for one owner. Mr. Blankenship stated that Public Works Director Rambat would be better at answering that question when he got back.

UPDATE OF THE MUNICIPAL BUILDING HVAC:

Interim City Manager Pinkall stated that they were about finished with all the electrical and should have it cleaned up by the end of the week at the Municipal Building. Mr. Pinkall had taken pictures of the progress of the project and showed the Commission a picture of the transformer and informed the Commission that they had tried to pull wires into the building today. Mr. Pinkall also pointed out that the four transformers in the back of the picture would no longer be there and that would look a lot better. Mr. Pinkall added that there was new concrete around the transformer. Mr. Pinkall stated that the second picture was of the air conditioning condensers on the east side. Mr. Pinkall stated that the wooden deck had a drainage swell from the roof and the water from the west would come from the roof and go into the alley. Mr. Pinkall explained that the deck kept them from having to run concrete all the way through there.

Mr. Pinkall commented that the next picture was the units on the west side and there were four posts put in for protection, which would eventually be painted. Mr. Pinkall stated that the posts would protect those units as cars travel back and forth. Mr. Pinkall explained that the next picture was a view from above the gym from the third floor and showed the six units on the east side and the return air. Mr. Pinkall commented that the next picture showed how high they had been built up off the floor and there were six units on the west side. Mr. Pinkall pointed out the air intake in the next picture and the return air. Mr. Pinkall stated that there were twelve units in line and they were exactly the same. Commissioner Schmidt asked if they were all vented separately or if there were more holes in the roof. Mr. Pinkall explained that there were no more holes in the roof, but they did have some on the sides. Mr. Pinkall stated that all the air conditioning condenser units for the front half were mounted on the roof; however, they were not on the wall, so they were not mounted to the roof itself. Mr. Pinkall added that the line sets came up through there and were attached. Mr. Pinkall commented that this could be a small area of concern, but it could also be fixed easily.

Mr. Pinkall stated that the next picture was the area intake before the project started. Mr. Pinkall commented that there was a picture of the single units in the front half of the building and added that there was a total of fifteen. Mr. Pinkall explained that those units could be controlled with a remote. Mr.

Pinkall added that in the bottom half of that picture was a condensate pump that goes with the existing condensation line. Mr. Pinkall stated that the pump shuts off if the pump fails. Mr. Blankenship added that it actually shuts the system down. Mr. Pinkall showed the Commission a picture from the kitchen and explained that they would be trying to move the old pieces, put the ceiling tiles back up and get rid of the circulation line to get a cleaner look. Mr. Pinkall stated that the last picture was of the entry way and he pointed out that there was no noticeable sight and there was a clean look all the way across. Mr. Pinkall commented that there were six that were not running, because they did not have the power in yet.

Commissioner Peters asked if there had been any cost overrides. Mr. Pinkall stated that there had not been any at this point and he hoped it would come in under. Mayor Meyer asked if we were making payments yet. Finance Director Garten stated that we were.

OPEN AGENDA:

No one in the audience wished to address the Commission.

REPORTS:

City Manager:

- **Track and Soccer Field:**

Interim City Manager Pinkall stated that he was excited about the track and soccer field. Mr. Pinkall informed the Commission that Building Inspector Blankenship had issued them a Certificate of Occupancy and it was all inspected and ours to take care of and use. Mr. Pinkall commented that they needed to finish the garage door at the maintenance building, but they had the track surfacing and field events done. Mr. Pinkall explained that the turf company should be getting their project started and it would take about sixteen days. Mr. Pinkall stated that Chamber Director DeClue and the college were trying to schedule a ribbon cutting ceremony for October 22nd or October 30th starting around 5:00 p.m. Mr. Pinkall commented that the Commissioners would be included in the ribbon cutting.

- **Pool project:**

Mr. Pinkall stated that he had received quite a few suggestions for members of the pool committee and those would be paired down. Mayor Meyer asked if there was a time line on doing things. Mr. Pinkall stated that he was pushing to get it rolling and get some of the mechanics going.

- **Water Board:**

Mayor Meyer stated that he was glad that Mr. Pinkall had pursued the Water Board. Mr. Pinkall stated that he had the book and had talked to Mr. Berry Bortz. Mr. Pinkall commented that this area had some interesting water issues, but he would stay involved and keep learning.

- **Soccer field drainage:**

Commissioner Peters asked about the drainage at the soccer field. Mr. Pinkall stated that they had completed the concrete work and he explained that there were pieces of drainage for the two culverts to the track and soccer field which were going to flow to the ditch. Mr. Pinkall commented that Public Works Director Rambat had purchased pieces that would attach to the farthest culvert and it would eventually be covered with dirt. Mr. Pinkall added that this would allow water to get out of there.

Commissioner Peters asked about where the dirt would come from to cover that up. Mr. Pinkall stated that that had not been worked out yet.

- **Detwiler bridge:**

Commissioner Leslie asked about the Detwiler bridge. Mr. Pinkall stated that Ms. Detwiler had called and thanked him for honoring the gentlemen's agreement. Mr. Pinkall added that Ms. Detwiler had said that they were welcome to come and look at it.

City Attorney:

- **Business as usual:**

City Attorney Probst stated that it had been business as usual and she had been working with the departments. Ms. Probst commented that there were not any major projects right now, but there would be some coming up.

Building Inspections:

- **Lemon Park Bathroom:**

Building Inspector Blankenship stated that Public Works Director Rambat was in charge of the sidewalk around the bathrooms; however, he felt that it was going to be steps and ADA ramps. Mr. Blankenship commented that it would be bid out as one project. Mayor Meyer questioned if they would be doing sod or seed. Mr. Blankenship stated that it was bermuda grass, so it would not take long to fill in.

- **Hollister property:**

Mr. Blankenship stated that the owner of the property on Pearl Street had been contacted by the State and he had until the end of the month to clean it up. Mr. Blankenship commented that the person over that had recently decided to give him thirty more days.

- **New Street property:**

Mr. Blankenship stated that the property on New Street had been cleaned up some. City Attorney Probst stated that the tenant had been very belligerent in court and had plead not guilty, so there would be a trial set for October. Ms. Probst explained that, if the Judge finds him guilty, he could appeal and get a jury trial.

- **Comprehensive Plan:**

Mayor Meyer asked about the Comprehensive Plan. Mr. Blankenship stated that they would be visiting it again in October. Finance Director Garten commented that Mr. Blankenship had budgeted for that in his 2020 budget. Mr. Blankenship stated that this was outside of our finances and a second party would do most of it; however, the citizens would also get involved.

Electric Department:

- **Florida trip:**

Director of Electric Utilities Huber stated that he and four others had had an uneventful trip to Florida. Mr. Huber explained that they had had four days on the road and two days in the hotel.

- **Fired up generator:**

Mr. Huber stated that they had been called upon to fire up the generator while he was in Florida. Mr. Huber commented that there was a problem somewhere in this region, so they called us. Mr. Huber added that we had been running for two weeks. Mr. Huber stated that this was profitable to us and something major must have happened somewhere. Mr. Huber informed the Commission that they were running about five megawatts right now. Mayor Meyer asked if this would affect the ECA. Mr. Huber stated that it probably would not.

Police Department:

- **New Dispatcher:**

Police Chief Humble stated that he had hired a new dispatcher that would be starting tomorrow. Chief Humble also informed the Commission that he had also hired Mr. Jarod Gilmore to fill an officer's position. Chief Humble commented that he would be attending the academy in January, but would do field training until then. Mayor Meyer asked if he had to be with another officer. Chief Humble stated that he did.

- **Supervisor position:**

Mayor Meyer asked about the dispatch supervisor position. Chief Humble stated that he would put that out in January.

Finance Department:

- **August financials:**

Finance Director Garten stated that she was working on the August financials and they should go out this week.

- **Oktoberfest table:**

Ms. Garten stated that they had discussed sponsoring a table at Oktoberfest at the last meeting rather than giving them assistance. Ms. Garten commented that they would be sponsoring two tables if anyone was interested in going to the event.

- **Chamber Gala:**

Ms. Garten stated that the Chamber Gala was October 8th and there was also a table sponsored there if any of the Commissioners wanted to attend. Mayor Meyer stated that he and his wife would be attending.

Mayor and Commission:

- **Toys for Tots:**

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Commissioner Leslie stated that Toys for Tots would be in Lemon Park on September 28th from 11:00 a.m. to 2:00 p.m. Commissioner Leslie commented that there would be bouncy houses and other things to do. Commissioner Leslie stated that they would be working on this for the next three months. Commissioner Peters asked if there were any toys left over from last year. Commissioner Leslie stated that there were and they had raised about \$40,000 last year.

- **Cyber Attacks:**

Commissioner Schmidt stated that there was a lot of talk about cyber attacks and he questioned how the City's back-ups were going and how often they were being checked. Ms. Garten stated that they were still in place, so we should be safe. Ms. Garten commented that Mr. Garrison checked them periodically; however, she would verify that with him. Mayor Meyer questioned if we could go to paper if we had to. Ms. Garten stated that we were live ghosting. Mayor Meyer asked that Mr. Garrison come in and give them a report.

ADJOURN:

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

DOUG MEYER, Mayor



ATTEST:

LUANN KRAMER, City Clerk