

MONDAY

OCTOBER 07, 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
	Zach Deeds	Commissioner

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

MINUTES:

- September 16, 2019 Regular Commission Meeting

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

BUSINESS:

DISCUSSION ON THE FUTURE OF THE VFW BUILDING:

Mr. Bob Blasi, owner of the Pratt VFW Building at 701 East First Street, requested the Commission's assistance in obtaining the Kansas State Historic Preservation Office's (SHPO) approval to demolish the building. Mr. Blasi stated that Mr. Kenny Roberts and he had purchased the building at auction last March. Mr. Blasi reported that he had contacted the State Historical Society prior to the purchase to inquire about demolishing the building and he was told that he could absolutely tear it down. Mr. Blasi added that he was told that it was easier to do that than actually renovating a designated historical place. Mr. Blasi explained that he had proceeded with the plan to demolish the building after he had purchased it and he had obtained a demolition permit from the City. Mr. Blasi stated that he received the letter from

the SHPO around the 6th of August about the requirements of the Historical preservation statute.

Mr. Blankenship stated that he was not aware of the requirements of the Governing Body to investigate, determine alternatives, verify and approve the demolition when the permit was issued. Mr. Blankenship added that there was no highway or frontage access; however, several previous owners had been denied egress by KDOT and the previous owner had tried to sell the building privately with no interest and it was because of the entrance issues before selling the property at auction. Mr. Blankenship also stated that there were maintenance issues with the building. City Attorney Probst interpreted the Kansas Preservation Act with regards to the Commission's responsibilities and stated that the Commission was not in a position to make that determination yet. Ms. Probst reported on an Attorney General's opinion regarding the Governing Body's responsibilities to determine that no feasible alternatives to demolition exist. Ms. Probst expressed that a written document with evidence of the investigation, all relevant factors and pertinent information would need to be compiled and acted upon by the Commission.

Commissioner Peters asked if there were any items of historical value in the building that could be saved for historical purposes. Mr. Blasi stated that Mr. George Stevens had already approached him about some of the contents for the B-29 Museum and he had given him permission to take anything he found with historical value. Commissioner Leslie commented that the information supplied by Mr. Blankenship had already covered the investigative work and the information provided justification for approval of demolition of the building. Mr. Blankenship commented that he felt like Mr. Blasi wanted to get the ball rolling. Mr. Blasi stated that he understood that the Commission had to do its due diligence. Mr. Blasi commented that he did not want the process to drag on; however, the final decision would be made by the State so he understood that they must follow the requirements to avoid a delay at the next level.

Mayor Meyer stated that the process was in place for when there were opponents to the demolition and there were no opponents at this meeting. Commissioner Schmidt suggested that a document be prepared with the relevant facts included for the Commission to review and act on at a later meeting. Ms. Probst stated that she agreed with that. Mr. Blasi also stated that the VFW had abandoned the building because of the disrepair. Commissioner Schmidt requested that they get a letter stating that from the VFW to include with the investigative document.

Mayor Meyer stated that this discussion would be tabled until the next meeting and instructed Ms. Probst and Mr. Blankenship to develop a document stating the process. Mayor Meyer added that it should contain all of the relevant information regarding the historical building, any possible alternatives or why there were no alternatives, and verification that all planning for demolition had been done to minimize harm to any remaining historical property or neighboring properties. Ms. Probst explained that once the Commission acted on the issue and submitted it to the State, the State had thirty days to respond. Ms. Probst stated that if they did not send a response in those thirty days, it was automatically approved.

DISCUSSION ON A PROPOSED IDEA OF A PLANNED UNIT DEVELOPMENT DISTRICT (PUD):

Mr. Eric Nystrom stated that several people had approached him about the option of patio homes in Pratt. Mr. Nystrom explained that a patio home was originally built around the needs of the elderly. Mr. Nystrom explained that the main difference was that the setbacks for construction of the patio home were different and that the homes were built with less setbacks to accommodate ownership of a home without outside maintenance. Mr. Nystrom commented that the development of patio homes would require an HOA (Homeowners Association) that would be responsible for the outside maintenance such as mowing, yard work and roof repairs. Mr. Nystrom stated that he had brought the idea in and discussed it with Building Inspector Blankenship.

Mr. Nystrom stated that some of the property in the Sandy Creek Addition could be used for patio homes; however, the restrictions of the current zoning would make it impossible to comply. Mr. Nystrom stated that it would not be a zoning change, but a change in criteria or an exemption granted for construction of patio homes. Mr. Nystrom explained that the two restrictions that would be problematic were the eighteen month time frame for construction and that it would have to be re-platted with different setbacks. Mr. Nystrom stated that he was bringing the idea to the City to see if they would even have an interest in allowing a patio home development in the Sandy Creek Addition.

Mr. Nystrom encouraged the Commission to go to the Parade of Homes in Wichita that was currently in progress to see a patio home. Mr. Blankenship stated that the setbacks would be ten feet with no yard work and the homeowner might have some say in the landscaping dependent on how the HOA was structured. Mr. Blankenship commented that it was condensed housing that was very nice and it was not low income. Mr. Blankenship explained that they were usually two or three bedroom, brick homes on smaller lots. Commissioner Schmidt asked what impact it would have on the value of the two homes already in Sandy Creek. Mr. Blankenship and Mr. Nystrom both felt that it would increase the value of those homes. Mr. Blankenship explained to the Commission that he had talked with Water Superintendent Kelvin Clay about splitting the water mains that were in place and he felt that, as long as the dfu's were not exceeded, it would not be a problem to hook up two or more patio homes. Mr. Blankenship also reported that the gas hookups would not pose a problem and Director of Electric Utilities Jamie Huber had stated that the electric lines could be worked out.

Mayor Meyers asked how difficult it would be to replat the property. EBH Engineer Alan Luttrell stated that re-platting would not be an issue, but it would take a little money to do it. Commissioner Schmidt asked if there were any other HOA's in Pratt. Mr. Blankenship stated that there were not any currently. Mr. Blankenship explained that a few had been formed in the past; however, they dissolved after a few years and the initial creating members were no longer invested. Mayor Meyer reiterated that the current zoning for Sandy Creek Addition was put in place so that an HOA was not necessary. Commissioner Leslie asked Mr. Nystrom where the closest city with patio homes was. Mr. Nystrom stated that it would be in Wichita.

Mr. Nystrom reported that several retirement age citizens had moved to patio homes in the Wichita area, but having a patio home option in Pratt could make a difference in retaining good citizens. Commissioner Peters inquired about the cost of a patio home. Mr. Nystrom replied that they would be around \$250,000. Commissioner Deeds asked if he was thinking of making the entire area patio homes. Mr. Nystrom stated that the idea would be to buy a portion of the lots available or possibly the lots around the cul-de-sac or a few of the lots along the street. Mayor Meyer asked who could make the zoning adjustment for the eighteen months build time. Mr. Blankenship stated that the Commission would need to make that adjustment in a public meeting. Commissioner Leslie asked Mr. Nystrom if he had investors that were willing to build a patio home development. Mr. Nystrom stated that he would not divulge that information at this time.

Commissioner Schmidt asked if the buyers would be required to retain the HOA once the property was sold. Commissioner Schmidt also questioned what happened if the HOA fell apart. Mr. Nystrom stated that he could not predict the future and an HOA in Pratt would be a scaled down version of those in a City with fewer amenities owned by the HOA, so those details would have to be worked out later. Commissioner Schmidt asked if it would be a gated community. Mr. Nystrom commented that he would like to see a fence along Maple Street, but he did not envision it as a gated community. Mr. Nystrom stated that this was strictly informational and a conversation to see if the City Commission would be open to the idea. Mr. Nystrom added that it was a premature idea, but he needed to find out how they felt before moving forward with the idea. Mayor Meyer stated that he was not sensing any opposition to the idea at this time and having more movement in the Sandy Creek Addition development area would be

positive.

OPEN AGENDA:

No one in the audience wished to address the Commission.

REPORTS:

City Manager:

- **Patio Home Discussion:**

Interim City Manager Pinkall stated that the previous discussion on patio homes was very positive and felt that it was a good step in the right direction.

- **Economic Outlook Conference:**

Mr. Pinkall reported that he had attended the Economic Outlook Conference in Wichita with Mayor Meyer, Commissioner Schmidt, Finance Director Garten and Chamber Director DeClue and that it was very informative with a lot of graphs and data.

- **KMEA Conference:**

Mr. Pinkall reported that he had also attended the KMEA Conference in Wichita. Mr. Pinkall gave credit to Director of Electric Utilities Huber for showing him around. Mr. Pinkall stated that he made some connections and had a nice feel for the organization.

- **PCC Soccer & Track Field:**

Mr. Pinkall stated that the ribbon cutting for the new soccer and track field facility was being planned for October 22nd. Mr. Pinkall commented that they planned to have some recreation and college soccer and track going on during the event. Mr. Pinkall added that there would also be refreshments.

- **Hail Damage:**

Mr. Pinkall informed the Commission that there was some damage to the Soccer Complex during the hail storm; however, The Law Company was handling the claim under their policy. Mr. Pinkall added that the adjustor was supposed to be here tomorrow morning. Mr. Pinkall commented that the parking lot had been barricaded for a while to work on the lot, but it was now opened back up.

- **Solar Farm:**

Mr. Pinkall stated that we had received promotional materials for the solar farm and Mr. Jordan Richardson was going to be here for the promotion of the sign contest; however, something had come up so they were trying to reschedule that. Mr. Pinkall added that the banner hanging at the location looked good.

- **Pool Committee:**

Mr. Pinkall reported that he was hoping to finalize the committee for the pool project tomorrow and start the meetings soon. Mr. Pinkall added that they were looking at a seven to nine member committee and had twelve possible people identified.

- **Chamber Gala:**

Mr. Pinkall reminded that Commission that the Chamber Gala was Tuesday evening and that the Chamber was very supportive of the City.

- **Daily Operations:**

Mr. Pinkall also reported that communication was going well and that everyone had been cooperative with good team work. Mr. Pinkall thanked the staff for all their support and felt that everything had been positive. Commissioner Leslie thanked Bruce for his email updates.

- **Pool issues in Garden City:**

Mayor Meyer stated that he had read that Garden City was dealing with similar issues with their pool and had done a fact-finding article. Mayor Meyer commented that they were looking at 2021 as the completion date for their new pool. Mr. Pinkall stated that he had connected with Garden City at the KMEA Conference and discussed the pools and how they were moving through their process.

City Attorney:

- **Municipal Court:**

City Attorney Probst stated there were a lot of property and animal nuisance cases in Municipal Court. Ms. Probst added that future projects were the false alarm registering and the resolution for fees.

- **LKM Conference:**

Ms. Probst stated that she would be attending the attorney portion of the LKM Conference next week in Overland Park.

- **LEC Committee meeting:**

Ms. Probst stated that there would be a LEC Committee meeting on Wednesday the 16th at 9:00 a.m. in the LEC Training room.

Public Works Director:

- **Drainage at Sports Complex:**

Public Works Director Rambat stated that the drainage improvements at Green Sports Complex had worked very well during the heavy rains last week.

- **Lemon Park bathroom project:**

Mr. Rambat stated that the Lemon Park bathroom project bids had been sent out for the ADA Ramps and concrete around the new facility. Mr. Rambat informed the Commission that he had had one bid returned on the first attempt and it was way over the budgeted amount. Mr. Rambat commented that he thought that the requirements of the hand rail in the bid documents was the reason for the added cost and for only getting one bid back. Mr. Rambat stated that he would re-bid the project for concrete only and hopefully get more competitive pricing.

- **Mill & Overlay Project:**

Mr. Rambat stated that the mill and overlay project would begin soon and the first entrance to Walmart would remain open when they were working on Fincham Street. Mr. Rambat commented that there was a question regarding fixing the South Pine Street intersection and he had let people know that it would be widened and the asphalt would be tapered to help.

- **Legacy Bank Alley:**

Mr. Rambat informed the Commission that Legacy Bank was upgrading their drive thru and would be replacing the alley between the bank and the drive thru. Mr. Rambat commented that the City would pay to lengthen that project to half the distance of the alley north while the contractor was in that area and we would finish replacing the rest of the alley north sometime next year.

- **Mosquito Control:**

Mr. Rambat stated that he was aware that the mosquitos were bad; however, it would be more effective if they wait out the cold weather and rain before doing a final spray. Mr. Rambat commented that the City would schedule a time in the near future depending on the weather forecast.

- **Dirt for drainage box:**

Commissioner Peters asked where the dirt would be coming from to cover the drainage box at the complex. Mr. Rambat stated that the contractor would make that decision. Commissioner Peters questioned how drainage in the area north of Xtra Factors and Pioneer Park did during the heavy rains. Mr. Rambat stated that it was better.

Building Inspector:

- **Americare:**

Building Inspector Blankenship reported that Americare was moving along and that they were very busy daily and progress was apparent.

- **Hail Storm:**

Mr. Blankenship stated that the hail storm caused lots of damage and the City had been dealing with several roofing permits, roofing company licenses and solicitor's permits. Mr. Blankenship stated that soliciting permits and license permits required a background check that was done by the Chief of Police. Commissioner Leslie asked if we ever denied a permit. Mr. Blankenship stated that we had and that Police Chief Humble had denied one this week based on the background check. Mr. Blankenship added

that they also check with the Attorney General's office on roofing companies, because they were typically very aware of them and their reputations.

- **Dent Repair:**

Mr. Blankenship stated that there were a lot of companies coming in and setting up tents or trailers for hail dent repair. Mr. Blankenship reported that we were also checking those out before allowing them to do business in Pratt. Mr. Blankenship stated that he had physically tracked some of them down if they had not been into the office. Mr. Blankenship commented that the dent trailer on the KFC parking lot had been approved and he had gone there and helped place the trailer so that it was outside of the site triangle. Mr. Blankenship added that the dent companies usually have a three to four week turnaround and they would be gone.

Electric Director:

- **Generation:**

Director of Electric Utilities Huber reported that the power plant would be taking Unit 5 off line tonight. Mr. Huber explained that they had been generating for one month and, at SPP (Southwest Power Pool) request, they ran two extra days, which went very well.

- **Municipal Building:**

Mr. Huber stated that the electrical work at the Municipal Building had been completed.

- **Solar Farm:**

Mr. Huber stated that the modules that were causing issues had been replaced and the Solar Farm had been mowed and the banner signs were installed today.

- **North Main Street lights:**

Mr. Huber informed the Commission that the bases had been installed on the North Main Street lights and the boring had started today. Mr. Huber stated that the goal was to complete that project by Halloween.

- **Solar Farm road:**

Mr. Huber stated that there was a gap under the gate at the Solar Farm and, even though it was not our responsibility, we had fixed it to prevent other issues occurring. Mr. Huber reported that there were some water drainage concerns that were a bigger issue to him. Commissioner Peters asked about the savings from having the Solar Farm. Mr. Huber explained that the cost was more per KWH; however, there were no transmission costs and that was where the savings occurs. Mr. Huber commented that it had lowered the ECA without transmission costs on those KWH's. Mr. Huber added that the real savings would come in fifteen years. Mr. Huber stated that we should make money from operating since SPP had called on us to generate for the past month to support the grid. Mr. Huber commented that they would know more when all the bills had come in. Power Plant Superintendent Evans stated that the energy market was so volatile that it was hard to predict. Mr. Huber stated they hoped to have an update on those costs at the next meeting. Mr. Huber added that our peak power contract with Rainbow was from June to October 1st, which would also save us money.

- **Arborist Certification:**

Mr. Huber stated that he had two linemen in Manhattan at Arborist training and they would return with their Arborist certification.

- **Equipment:**

Mr. Huber stated that the chipper truck and one bucket truck were experiencing some repairs and maintenance issues. Mr. Huber commented that both were in the capital equipment plan for future years, but might have to be moved up since the problems had not been anticipated.

- **KMEA Conference:**

Mr. Huber informed the Commission that he and a few of his staff had attended the KMEA Conference. Mr. Huber commented that we still benefit from the conference and stay informed even though we were not in the EMP2 group.

- **Navajo Nation Volunteer Program:**

Mr. Huber stated that Mr. Colin Hansen from KMU gave a presentation on “Where we are at in electric in Kansas”. Mr. Huber commented that part of the program spoke about the four corners area and the Navajo Nation and that there were around 14,000 homes without electrical service. Mr. Huber explained that they had put together a program where crews could donate labor and equipment to get power to some of these homes. Mr. Huber added that the utility provider in that area was poor and could not afford to build lines.

Mr. Huber stated that his electric department was large enough that they could split up and send a four man crew there to volunteer for a week and still have four guys here to take care of our system. Mr. Huber added that the second week they would switch and send four more guys from here. Mr. Huber stated that the Federal Government would pay for the materials, meals and lodging during the stay; however, the City would have to pay the crew’s wages and travel expenses to and from the job. Mr. Huber stated that they would work twelve hour days for six days using our bucket truck, digger truck and a pickup for the crew. Mr. Huber added that the other four guys could drive out in a car so the trucks could remain there after the six days and the others return in that car. Interim City Manager Pinkall stated that this would be a good opportunity for the electric department and good public relations for the City, along with helping others. Mayor Meyers stated that it was a great idea and thanked Mr. Huber for the written information he provided them.

Mr. Huber stated that the current plan would be to go sometime between April to June. Mr. Huber clarified that they would just be putting our name in the hat right now. Mr. Huber stated that, if something changed here in the City that would require all of our line crew to be here during that time period, we would always pull our name off the list. Mr. Huber added that, for now, they were needing to see if there were enough crews willing to volunteer for this to be a viable project to continue on with the planning. Commissioner Peters questioned that all we would be doing now was putting our name in the hat and clarified that we could retract it if necessary. Mr. Huber stated that that was correct and he added that it would only be for two weeks. Mr. Huber commented that he would really like his crews to experience this project. The Commissioners all agreed to allow Mr. Huber to put Pratt’s name on the list of possible participants.

Police Chief:

- **Academy training:**

Police Chief Humble reported that Officer Jarod Gilmore would be attending the Police Academy from January to April. Chief Humble also informed the Commission that Officer Jeremy Stitt was currently at the academy and would be graduating in November.

- **Dispatchers:**

Chief Humble reported that he had hired two additional dispatchers and he was at full staff now. Mayor Meyer asked if the two had any experience or if he was going to train them. Chief Humble stated that he was planning to have to train both of them.

- **K-9:**

Chief Humble stated that the K-9 would be at the Health Fair this weekend doing some public relations work. Commissioner Peters asked if they had had any call outs for the K-9. Chief Humble stated that they had used the dog several times locally, but they had not had many requests from other agencies to use him yet.

- **Business burglaries:**

Chief Humble stated that there had been a spike in business burglaries and break-ins. Chief Humble informed the Commission that two arrests had been made and the feeling was that these burglaries had been solved with those arrests.

Finance Department:

- **Cybersecurity:**

Finance Director Garten stated that she had provided the Commission with a printout from Mr. Greg Garrison of Quality Tech Computers. Ms. Garten stated that this was in response to the questions asked at the last meeting about the security of the City's computer system. Ms. Garten commented that she had contacted Mr. Garrison and asked him to compile a document outlining the processes used as back-up and security as well as providing any suggestions he might have for additional protection. Ms. Garten stated that the document was a good outline of our system security and provided the information requested; however, Mr. Garrison had suggested that this not be shared with the public, because it could do more harm rather than protecting if that information were to fall into the wrong hands. Ms. Garten introduced Mr. Garrison and stated that he would be happy to answer any questions they might have. Ms. Garten stated that Mr. Garrison listed a few suggestions that would improve our security. Ms. Garten clarified that, since we had just received the information today, the intent would be for the City Manager and some of the staff meet in the next two weeks to discuss those suggestions for feasibility of implementation.

- **Chamber of Commerce Annual Gala:**

Ms. Garten reminded the Commission that the Chamber Gala was tomorrow evening and the City had sponsored a table which came with tickets for the event. Ms. Garten commented that there were tickets for each of the Commissioners and their wives. Ms. Garten stated that the doors open at 5:30 p.m. and Miss Kansas would be doing a live painting that would be sold during the evening and dinner would to be served at 6:30 p.m.

Mayor and Commission:

- **Fire Department Training Facility:**

Mayor Meyer stated that the fire department training facility video had shown exactly what the fire department was wanting to build. Mayor Meyer commented that they would need six storage containers that were nine feet tall and the cost to buy them was estimated between \$1,500 and \$2,000 each, so the fire department would like to see if they could find some that were not being used from someone willing to donate them. Mayor Meyer commented that we need to spread the word that the fire department has a use for those containers that were not being used.

- **Interim City Manager:**

Mayor Meyer expressed the Commission's satisfaction with the job that Interim City Manager Pinkall had been doing. Mayor Meyer stated that it was now time to begin the search for a permanent City Manager and the Commission's intent would be to begin advertising in the next week or so and close taking applications on October 31st.

- **Tobacco and Vaping Minimum Age Discussion:**

Mayor Meyer commented that Newton had just passed an ordinance requiring the minimum age of 21 when purchasing tobacco and vaping products. Mayor Meyer reported that the schools were educating students about the problems with vaping. Mayor Meyer stated that PHS Principal Blankenship had told him that, if the City was willing to move forward with a similar ordinance, there were eleven high school students that would testify in favor of it. Mayor Meyer stated that he had heard Dr. Lee Norman testify on problems with nicotine for children under age 21 and that at least twenty-five cities had ordinances against tobacco use under age 21. Commissioner Leslie commented that having the high school students testify was a good idea. Mayor Meyer stated that PHS had surveyed their students and 30% of them were regular vape users and 50% of those surveyed self-reported they had tried vaping. With no more discussion, the Commissioners were in agreement to move forward and invite the students in to testify. Mayor Meyer stated that he would contact Mr. Blankenship to schedule a time for them to come. Commissioner Schmidt questioned how many businesses in Pratt sell nicotine or vaping products and also what the economic impact of this type of ordinance might have in Pratt.

- **Solar Farm tour:**

Mayor Meyer stated that he had given a tour of the solar farm to Mr. Rodney Lesh's class reunion this past weekend and he had provided the books that each of the Commissioners had received. Mayor Meyer commented that the books provided good information on solar energy.

- **Executive Session:**

Mayor Meyer requested an executive session at the conclusion of reports.

- **Health Fair:**

Commissioner Leslie reminded everyone that the Health Fair was this weekend and encouraged everyone to attend. Commissioner Leslie stated that he would be there doing Child ID cards.

- **Tennis meet:**

Commissioner Schmidt commented that he had been by the tennis meet today and was amazed at the large crowd.

EXECUTIVE SESSION:

Mayor Meyer made a motion to enter into executive session at 6:40 p.m. for non-elected personnel to last fifteen minutes. Commissioner Leslie seconded the motion and it passed unanimously.

Mayor Meyer made a motion to return from executive session at 6:55 p.m. with nothing to report. Commissioner Deeds seconded the motion and it passed unanimously.

Mayor Meyer made a motion to return to the executive session until 7:15 p.m. The motion was seconded by Commissioner Schmidt and passed unanimously.

Mayor Meyer made a motion to return from executive session at 7:15 p.m. with nothing to report. The motion was seconded by Commissioner Peters and carried unanimously.

ADJOURN:

Mayor Meyer made a motion to adjourn. Commissioner Leslie seconded the motion and it passed unanimously.

Doug Meyer, Mayor

City of



Kansas

ATTEST:

LuAnn Kramer, City Clerk