

MONDAY

OCTOBER 21, 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
	LuAnn Kramer	City Clerk
	Regina Probst	City Attorney
	Diana Garten	Finance Director
	Russell Rambat	Public Works Director
	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:**

- October 07, 2019 Regular Commission Meeting

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

**BUSINESS:**

**CONTINUED DISCUSSION ON MINIMUM AGE TO PURCHASE TOBACCO AND VAPING PRODUCTS:**

Mayor Meyer stated that it was the consensus of the Commission at their last meeting to move forward with increasing the minimum age to twenty-one in order to purchase tobacco and vaping products. Mayor Meyer stated that several Pratt High School students were in the audience tonight along with Principal Steve Blankenship. Mayor Meyer commented that the problem here is not any worse than any where else, but he hoped that raising the age limit was something the Commission could do to help the situation.

Mr. Blankenship stated that this had been a topic of discussion for a couple of years and this was a problem around the nation. Mr. Blankenship commented that they were addressing the problem at Pratt High by having a brainstorming group of students along with a few staff members. Mr. Blankenship

stated that they talk about the e-cigarette problem and several students stated that there were some of their classmates that were addicted. Mr. Blankenship explained that the companies target our kids with flavor and devices that could be hidden in clothing. Mr. Blankenship stated that they had heard that the Commission was in favor of the increase in the minimum age just days after they had met. Mr. Blankenship commented that they would love to help kids have the ability to say no and this was another case of saying no to peer pressure. Commissioner Leslie questioned if Mr. Blankenship thought raising the age from eighteen to twenty-one would make a difference for high school aged kids. Mr. Blankenship stated that he would hope that it would and added that, at that age, they were not as likely to interact.

Mayor Meyer thanked Mr. Blankenship and the students for coming and showing their support. Mayor Meyer stated that he wanted to do something that would help them and, speaking as a pharmacist, this was as addictive as heroin and the addiction happens quickly. Mayor Meyer commented that it was not just the nicotine, but the other chemicals that were absorbed into the lungs. Mr. Blankenship stated that this was not a silver bullet; however, it should slow it down. Commissioner Peters asked if any of the kids had been asked to try it. Mr. Blankenship commented that they all had stated that they had been asked and this was like any other bad habit through history. Mr. Blankenship added that they were looking at ways to say no. Mayor Meyer stated that he had attended a Pratt Prevention Partnership meeting and it was very educational and he had not realized that this was a problem in our community. Mayor Meyer commented that he had read that Juul was not going to sell any more flavored products. Mr. Blankenship stated that this was talked about in their League meetings and every principal said that there was a problem.

City Attorney Probst stated that she would work on an ordinance by using Topeka's as a model. Ms. Probst explained that they had passed the Uniform and Public Offense Code book and they could change it so that they could sell these products only to a person over the age of twenty-one. Ms. Probst stated that this ordinance had been challenged by a vaping company and the ordinance was upheld. Commissioner Leslie asked if this had to be a ballot issue or just go before the Governing Body. Ms. Probst stated that she thought that the ordinance was sufficient. Commissioner Schmidt thanked the students for taking a stand and added that they would never know how many lives they had touched.

#### **CONTINUED DISCUSSION AND POSSIBLE DECISION ON THE DEMO OF THE VFW BUILDING:**

Mayor Meyer stated that Mr. Bob Blasi had spoken to them at their last meeting about the potential plans for the VFW building. Mayor Meyer commented that the City had received letters from Sanders Agency and Arrowhead West in favor of the demolition of the building. Mr. Blasi stated that he appreciated the concerns and reminded the Commission that he had allowed Mr. George Stevens to take anything related to the VFW for the B-29 Museum. Mr. Stevens stated that the VFW building had been built in 1939 and was there for a place for soldiers to live. Mr. Stevens commented that that purpose was done and it would be nice to keep a building like that if it was a cost-effective thing to do. Mr. Stevens stated that the VFW had voted at their meeting to agree to let it be torn down. Mayor Meyer asked if the B-29 Museum would want the building. Mr. Stevens stated that they did not want it; however, they wanted the Earl Ellis out of there and that would be put in the museum. Mr. Stevens added that Mr. Ellis had predicted Pearl Harbor before it happened and was a famous local guy.

Mayor Meyer stated that they had discussed other alternatives for the building; however, the owner, neighbors and the Veterans had said that there were no other alternatives. Mr. Stevens added that it was hard enough to keep the current VFW. Mayor Meyer stated that Mr. Blasi would need to obtain a certified copy of the approved minutes of this meeting to submit to the Kansas Historical Society. Interim City Manager Pinkall stated that he thought they would have more concerned citizens at the meeting since it had been talked about on social media. City Attorney Probst stated that they had had the opportunity to

comment and they had not. Mr. Blasi repeated that the VFW had free rein with anything in the building. Mayor Meyer stated that that was very generous. Mayor Meyer asked if the Commission wanted to vote since it had been on social media and phone calls had been made, yet no one was here. With no more discussion, Commissioner Leslie made a motion to approve the demolition of the VFW building as presented based upon the fact that the Commission found no alternative use for the building. The motion was seconded by Commissioner Peters. Commissioner Deeds asked if we were getting the cart before the horse. Ms. Probst stated that the Kansas Historical Society had thirty days to give us a different direction and, if we did not hear from them in that thirty days, they were in agreement. Ms. Probst added that nothing could be done with the demolition yet. The motion and second passed unanimously.

**CONSIDERATION AND APPROVAL OF THE APPOINTMENT OF MS. CHRIS HIMMELWRIGHT TO THE LIBRARY BOARD:**

Mayor Meyer stated that the library director had sent in a recommendation for the appointment of Ms. Chris Himmelwright to the Library Board. Commissioner Peters stated that Ms. Himmelwright was well known and she would be a good member. With no more discussion, Mayor Meyer made a motion to approve the recommendation of Ms. Chris Himmelwright to the Pratt Library Board. The motion was seconded by Commissioner Schmidt and carried unanimously.

**CONSIDERATION AND APPROVAL OF THE SPORTS COMPLEX DRAINAGE EXTENSION BIDS:**

Public Works Director Rambat stated that it had been discussed a few times about the advantage of improving the drainage between Green Sports Complex and the Track and Soccer Complex. Mr. Rambat stated that Smiley Concrete and Mies Construction had submitted bids. Mr. Rambat stated that it was a good start and they would build the box in the future. Mr. Rambat stated that he had plenty of money in the sales tax fund that would allow them to complete the project. Mr. Rambat commented that we were looking at extending the drainage 200' to 300' and then it would be covered up and reshaped so that it would be easier to maintain. Commissioner Schmidt questioned if they were installing a berm to prevent flooding. Mr. Rambat stated that it would be flattened out and should handle water really well. Mr. Rambat added that once the grass started growing and was maintained, it would hold up very well. Mr. Pinkall stated that it would still go down south, but would not flood the javelin area. With no more discussion, Commissioner Schmidt made a motion to approve the bid from Smiley Concrete for \$88,385. The motion was seconded by Commissioner Deeds and it passed unanimously.

**OPEN AGENDA:**

No one in the audience wished to address the Commission.

**REPORTS:**

**City Manager:**

- **Ribbon Cutting:**

Interim City Manager Pinkall reminded the Commission that the ribbon cutting for the new Track and Soccer Complex was at 5:00 p.m. tomorrow. Mr. Pinkall commented that there would be youth soccer and flag football being played. Mr. Pinkall asked that the Commission assemble across from the bleachers. Mr. Pinkall stated that Mr. Greg Lesh would introduce the Foundation Board, then he would introduce the City Commissioners and PCC President Michael Calvert would introduce his college board. Mr. Pinkall commented that there would be refreshments after the second half of the sporting events were

done. Mr. Pinkall added that the lights would be turned on if it got dark enough. Commissioner Leslie questioned if the track was open to the public. Mr. Pinkall stated that it had been available; however, you would be able to walk out there after the ribbon cutting ceremony.

- **Storm damage:**

Mr. Pinkall informed the Commission that there had been some hail damage to vehicles and roofs. Mr. Pinkall stated that about ten vehicles had damage and had been turned into insurance. Mr. Pinkall added that there was no time frame for the roof and the cooling tower.

- **Phase 2 of Airport Waterline:**

Mr. Pinkall stated that bids had been opened for the second phase of the Airport waterline and were being reviewed by Engineer Mike Younger.

- **LEC meeting:**

Mr. Pinkall commented that the LEC Committee meeting had gone well thanks to Commissioner Peters and City Attorney Probst. Mr. Pinkall stated that it was a productive meeting and they had stayed civil.

- **Executive Session:**

Mr. Pinkall requested an executive session at the end of the meeting to discuss the dollar amount for City property that someone had interest in purchasing.

- **Pool Committee:**

Commissioner Peters questioned where we were at with the members of the pool committee. Mr. Pinkall stated that there were seven committed and they were Ms. Willa Beth Mills, Ms. Liz Kreibeil, Ms. Kim DeClue, Ms. Beverly Crump, Mr. Joe Kramer, Ms. Chanelle Thibault and Mr. Jarod Bishop. Commissioner Peters asked if there was anyone on the committee that was associated with the swim team. Mr. Pinkall commented that Ms. Thibault was not on the management side; however, had participants on the swim team. Commissioner Peters asked if he wanted a Commissioner on it. Mr. Pinkall stated that he would like one.

Mr. Pinkall commented that he would like to schedule a meeting for later this week. Commissioner Peters questioned if they would contact the pool representative after that meeting. Public Works Director Rambat stated that they would have a noon meeting first to get everyone acquainted. Mr. Pinkall stated that the goal was to engage the public for their feedback. Mr. Pinkall commented that they would be talking about location and options and then they would get costs from Mr. Kyle McCawley from Lamp Rynearson. Mr. Pinkall added that they may be limited to what they could do by the budget. Mr. Pinkall stated that the more things we thought we had to have could require us to have more lifeguards. Commissioner Leslie asked if they would be visiting other pools. Mr. Pinkall stated that he would give them that option. Commissioner Leslie suggested looking at Great Bend, Dodge City and Garden City. Mr. Pinkall stated that Commissioner Deeds and his family had been to a few. Mr. Pinkall commented that one of the focal points would be the location.

**City Attorney:**

- **Training:**

City Attorney Probst stated that she had been to training on October 11<sup>th</sup> at the League of Kansas Municipalities conference and they had a good showing for legal issues.

- **DUI Conference**

Ms. Probst stated that she had attended a DUI conference with Police Chief Humble. Ms. Probst commented that there had been a lot of changes in the DUI laws and those had been discussed. Ms. Probst informed the Commission that this conference was put on by the Attorney General's office and there would be a smaller training for the officers later.

- **Municipal Court:**

Ms. Probst stated that there were a lot of trials coming up in Municipal Court and there were two appeals from Municipal Court also.

- **Legislative training:**

Commissioner Peters asked if there was anything new to watch out for in legislation. Ms. Probst stated that there was a minor portion of the Attorney General's opinion that dealt with parking tickets. Ms. Probst commented that she would include the information in their next packets and give a quick overview at the next meeting.

**Public Works:**

- **Projects:**

Public Works Director Rambat stated that the mill and overlay project was completed and he had gotten the new sign at the Avenue of Flags put up. Mr. Rambat informed the Commission that he was using some of the ¼ cent sales tax monies to improve the approach and replace half of the alley behind The Legacy Bank. Mr. Rambat added that this was a good time to do this, since Arensdorf Construction was already there doing some work in their drive through.

- **Governor's Conference:**

Mr. Rambat stated that he would be attending the Governor's Conference on water in November. Mr. Rambat commented that water was a huge deal and our issues with nitrates were on the table for Pratt.

- **Airport Waterline Bids:**

Mr. Rambat stated that bids for the contractor portion of the airport waterline had been opened and were still being reviewed. Commissioner Peters questioned what all was involved. Mr. Rambat stated that there was the construction of a quarter or quarter and a half and a lot of boring. Mr. Rambat commented that there would be a booster pump station on the northeast corner by Kincheloe's, which would give the City access to two or three pumps. Commissioner Peters asked if there was a timeline. Mr. Rambat stated that it would probably be spring.

**Inspection Department:**

- **Lemon Park bathroom:**

In the absence of Building Inspector Blankenship, Mr. Rambat reported that he had gone out for bids twice for the sidewalk and ADA ramp for the new bathroom at Lemon Park. Mr. Rambat commented that he had gotten one bid back the first time; however, it was too expensive. Mr. Rambat explained that he had taken the ADA railing off the table and went out for a second bid. Mr. Rambat informed the Commission that he got no bids this time out. Mr. Rambat stated that he pulled the plug on that project and would look at it again in the spring.

Mayor Meyer asked if the bathrooms were open. Mr. Rambat stated that they were, but they were going to have to work on the electrical side of things. Mr. Rambat commented that they had not considered the electrical issues for the bathroom when the lights were shut off for the Christmas lights.

- **Monitoring the wells:**

Commissioner Schmidt asked if we were monitoring the wells. Mr. Rambat stated that we were getting ready for another round on the nitrates; however, nitrate levels go up when we get a heavy rain.

**Electric Departments:**

- **Lemon Park lights:**

Director of Electric Utilities Huber stated that the Lemon Park Christmas lights were on a timer, but his biggest worry was heat. Mr. Huber commented that they would come on in the morning and in the evening so he did not think there would be a problem. Mr. Huber added that they would work on getting it tied on next spring.

- **Street lights:**

Mr. Huber stated that the street lights on North Main Street were all on and the sidewalks were getting fixed. Mr. Huber commented that they needed to find what would match what a resident had in one yard.

- **Maintenance:**

Mr. Huber stated that they were getting maintenance things done since some of their projects were winding down.

- **Navajo Project:**

Commissioner Peters asked if Mr. Huber had talked to his crew about the Navajo Project. Mr. Huber stated that eight had signed up to go. Mr. Huber commented that he had gotten an email about the project that would begin around May 17<sup>th</sup>. Mr. Huber explained that four guys would go down with two trucks and be there for a week and then the other four would head down there on the following Saturday. Commissioner Peters clarified that they would provide the poles. Mr. Huber stated that they would and we would donate equipment and time. Commissioner Peters asked if this was going to put Pratt citizens in a bind. Mr. Huber stated that four would go and that left six here. Mr. Huber explained that KMU had said to call them if we ran into a problem and they would get another City here to help out. Mr. Huber stated that he would be staying here, so they should be able to handle it.

- **Solar Farm:**

7 – October 21, 2019 (Regular Commission meeting)

Commissioner Peters asked if it was a possibility that Inovateus would put gravel at the solar farm opposed to grass. Mr. Huber stated that he thought that we were going to do that, but the heat off the rocks would dissipate more and the grass would be established at some point.

Commissioner Peters questioned the savings from the solar farm that he has asked Mr. Huber about at the last meeting. Mr. Huber stated that it was a hard thing to do; however, he could get with him and show him what we were paying and what we are paying now. Mr. Huber stated that this would not be apples when you weigh the options. Commissioner Peters questioned if this was a good move. Mr. Huber stated that it absolutely was. Mr. Huber added that the ECA had been around two cents and had stayed that way.

**Finance Director:**

- **Financials:**

Finance Director Garten stated that she would be finalizing this month's numbers this week.

**Mayor and Commission:**

- **KDOT meeting:**

Mayor Meyer stated that there would be another KDOT meeting on November 18<sup>th</sup> in Great Bend.

- **Official Paper:**

Mayor Meyer stated that the Pratt Tribune only publishes once a week now and there was no one here for this meeting. Mayor Meyer asked if we could do our publications online. City Attorney Probst stated that we would have to make changes to the ordinance so that there would be a conjunctive way to have it on the website.

**EXECUTIVE SESSIONS:**

- **Executive Session #1:**

Mayor Meyer made a motion to enter into executive session at 6:20 p.m. for non-elective personnel and reconvene at 6:25 p.m. The motion was seconded by Commissioner Leslie and carried unanimously.

Mayor Meyer made a motion to return from executive session at 6:25 p.m. with nothing to report. The motion was seconded by Commissioner Leslie. The motion and second passed unanimously.

- **Executive Session #2:**

Mayor Meyer made a motion to enter into executive session at 6:35 p.m. for data relating to financial affairs or trade secrets of second parties to last twenty minutes. The motion was seconded by Commissioner Leslie and carried unanimously.

Mayor Meyer made a motion to return from executive session at 6:55 p.m. and to return to executive session for an additional fifteen minutes. The motion was seconded by Commissioner Deeds and carried unanimously.

8 – October 21, 2019 (Regular Commission meeting)

Mayor Meyer made a motion to return from executive session at 7:12 p.m. with nothing to report. The motion was seconded by Commissioner Deeds and carried unanimously.

- **Executive Session #3:**

Mayor Meyer made a motion to enter into executive session at 7:15 p.m. for data relating to financial affairs or trade secrets of second parties to last twenty minutes. The motion was seconded by Commissioner Leslie and carried unanimously.

Mayor Meyer made a motion to return from executive session at 7:35 p.m. and to return to executive session for an additional twenty-five minutes. The motion was seconded by Commissioner Peters and carried unanimously.

Mayor Meyer made a motion to return from executive session at 8:00 p.m. with nothing to report. The motion was seconded by Commissioner Schmidt and carried unanimously.

**ADJOURN:**

Mayor Meyer made a motion to adjourn at 8:05 p.m. The motion was seconded by Commissioner Peters and carried unanimously.

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Doug Meyer, Mayor



ATTEST:

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LuAnn Kramer, City Clerk