

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

Mayor Jacob LaRue presided and called the meeting to order at 6:30 p.m., the Pledge of Allegiance was recited.

Commissioners Present: Mayor Jacob LaRue and Commissioners Kevin Berthot, Sam Budreau, Phillip Chaney, and Tim Fairchild.

Staff Present: Todd Newman, City Manager; David Brake, City Attorney (via Zoom); Tina Bailey, City Clerk; Ryan Follmer, Assistant City Manager; Cory Kepley, Chief Finance Officer (via Zoom); and Wayne Robinson, Public Works Director.

**INVOCATION**

The invocation was given by Commissioner Sam Budreau.

**AGENDA**

Mayor LaRue requested the addition of Item 90 – Executive Session to Discuss Non-Elected Personnel. The amended Agenda was approved on motion by Commissioner Budreau, seconded by Commissioner Berthot. Voting Aye: All. Motion carried unanimously.

**CONSENT AGENDA**

The Consent Agenda is used to approve non-controversial or routine matters by a single motion and vote. The Consent Agenda consisted of the following:

- Minutes – City Commission – July 27, 2020
- Warrant Register dated July 29, 2020
- Warrant Register dated August 5, 2020

General discussion was made. Comments were made by City Manager Todd Newman and IT Director Chris Stogsdill.

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to approve the Consent Agenda. Voting Aye: All. Motion carried unanimously.

**PUBLIC COMMENTS**

Jim Whaley, Chanute Historical Society representative requested that the City Commission consider allowing placement of a “Warren Alford Historical Research Center” sign on the northwest corner of the Historic Society Museum.

General discussion was made.

Commission consensus was for Mr. Whaley to work with City staff for sign approval and placement.

Mr. Whaley also provided an update on the “Heroes Way” project and requested additional nominations.

### **CITY MANAGER’S REPORT**

City Manager Todd Newman gave his report on City activities and operations. Items reported on included an update on the CARES ACT and also recent Waste Water Treatment Plant tours.

General discussion was made.

Commission consensus was to hold a future work session to discuss future Waste Water Treatment Plant construction phases and finance options.

### **PUBLIC HEARING**

#### **CONDUCT PUBLIC HEARING FOR 2021 MUNICIPAL BUDGET**

Conduct a Public Hearing for the proposed 2021 Municipal Budget and for that purpose, Mayor LaRue opened a hearing at 6:48 p.m.

As there were no comments from the public the Public Hearing was closed at 6:49 p.m.

### **NEW BUSINESS**

#### **2021 BUDGET ADOPTION AND CERTIFICATION**

The County Clerk has submitted a preliminary assessed value for Chanute at \$62,976,795.00. Based on this assessment, the value of one mill should be approximately \$62,976, which is \$81 less per mill than the last year's mill value of \$63.057. The estimated tax rate for the 2021 budget is 41.039 mills which is .001 more than the 2020 assessed rate of 41.038.

The 2021 Budget Certification establishes a maximum spending limit of \$58,072,881. This limit is .48% higher than the 2020 limit of \$57,791,945. The Property tax levy is set at \$2,584,500, which is more than the 2020 proposed levy of \$2,584,194.

A Public Hearing for the 2021 Municipal Budget has been conducted.

General discussion was made.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to adopt the 2021 Budget as published and authorize the Governing Body to sign the Certificate. Voting Aye: All. Motion carried unanimously.

#### **CONSIDER ORDINANCE PROVIDING RATE ADJUSTMENTS – WATER, REFUSE, AND SEWER**

During the recent budget work session City Commissioners have discussed adjusting rates for certain City utilities. Adjusting periodically individual utility rates helps each utility receive sufficient revenue to cover the expenses of operation. The proposed new rates should meet the discussed goal of having positive yearly balances in each utility.

General discussion was made. Comments were made by City Manager Todd Newman, City Attorney David Brake, and Chief Finance Officer Cory Kepley.

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to pass an Ordinance Amending Chanute Municipal Code Sections 14.16.010 and 14.16.030 Pertaining to Water Schedule and Charges. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2636

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to pass an Ordinance Amending Chapter 8.08.170, Chanute Municipal Code, Pertaining to Refuse Fees. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2637

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to pass an Ordinance Amending Chapter 14.20.040, Chanute Municipal Code, Pertaining to Sewer Rates. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2638

#### **CONSIDER LANDFILL TONNAGE RATE INCREASE**

Landfill tonnage rates were discussed during a recent City Budget Work Session and City staff is suggesting a rate increase from \$40 per ton to \$50 per ton. The current rate of \$40 per ton was established March 2012. The tonnage rate does not include the State Solid Waste Fee set at \$1.00 per ton.

Per Ordinance 2588, before the City Manager can change any landfill rate, the proposed change must be placed before the City Commission at a regularly scheduled meeting.

General discussion was made. Comments were made by City Manager Todd Newman, City Attorney David Brake, and Chief Finance Officer Cory Kepley.

Motion made by Commissioner Berthot, seconded by Commissioner Fairchild, to authorize the City Manager to change the current landfill tonnage rate and set the tonnage rate at \$50 per ton, effective September 1, 2020. Voting Aye: All. Motion carried unanimously.

#### **CONSIDER APPROVAL TO PURCHASE TRASH TRUCK**

During recent budget work sessions City staff presented commissioners with a request to replace the Sanitation Department's 2009 Sterling Trash Truck. Two quotes were provided to the City Commission for review and consideration.

General discussion was made. Comments were made by City Manager Todd Newman and Public Works Director Wayne Robinson.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, to approve the purchase of a Pak-Mor R220C 20-Yard Trash Truck from Downing Sales & Service, Inc., in the amount of \$93,771.00, subject to finance options. Voting Aye: All. Motion carried unanimously.

**CONSIDER APPROVAL TO PURCHASE SEWER TRUCK**

During recent budget work sessions City staff presented Commissioners with a request to replace the Sewer Department's 2009 Sterling Vac-Con. A quote was provided to the City Commission for review and consideration.

General discussion was made. Comments were made by City Manager Todd Newman and Chief Finance Officer Cory Kepley.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to approve the purchase of a 2020 Vac-Con Truck from RED Municipal & Industrial Equipment Co., in the amount of \$360,000.00, subject to finance options. Voting Aye: All. Motion carried unanimously.

**CONSIDER APPROVAL TO PURCHASE LOADER**

During recent budget work sessions City staff presented commissioners with a request to replace the Landfill's 2004 CAT IT14G FRONT-END LOADER. A quote was provided to the City Commission for review and consideration.

General discussion was made. Comments were made by City Manager Todd Newman, Public Works Director Wayne Robinson, and Assistant City Manager Ryan Follmer.

Motion made by Commissioner Fairchild, seconded by Commissioner Berthot, to approve the purchase of a Caterpillar 914M Wheel Loader from Foley Equipment, in the amount of \$176,813.00, subject to finance options. Voting Aye: All. Motion carried unanimously.

**CONSIDER APPROVAL TO PURCHASE DUMP TRUCKS**

During recent budget work sessions City staff presented commissioners with a request to replace two dump trucks in the Street Department. Two quotes were provided to the City Commission for review and consideration.

General discussion was made. Comments were made by City Manager Todd Newman, City Attorney David Brake, and Chief Finance Officer Corey Kepley.

Motion made Commissioner Budreau, seconded by Commissioner Berthot, to approve the purchase of two new dump trucks from Merle Kelly Ford, in the amount of \$94,592.00 & \$84,836.00, subject to finance options. Voting Aye: All. Motion carried

**CONSIDER APPROVAL TO MILL AND OVERLAY**

During the regular City Commission meeting on July 27, 2020 discussion was made during the City Manager's report for road improvements at 21st and Santa Fe to the northbound lane. Previous road improvements including chip/seal and slurry have failed along this section of

highway. City staff has no permanent fix except for major road replacement including milling and overlay.

General discussion was made. Comments were made by City Manager Todd Newman, Assistant City Manager Ryan Follmer, City Attorney David Brake, and Public Works Director Wayne Robinson.

Commission consensus was for the City Manager to provide updated bids for mill and overlay of South Santa Fe from 20<sup>th</sup> Street to 35<sup>th</sup> Street at a future meeting for City Commission review and consideration.

Commissioner Fairchild requested that City staff provide the Commission with information relating to the Special Highway Fund and projected revenues.

**PROPERTY RESOLUTION – 722 SOUTH GRANT**

**PROPERTY RESOLUTION – 317 SOUTH WILSON**

**PROPERTY RESOLUTION – 617 NORTH GRANT**

**PROPERTY RESOLUTION – 517 NORTH SANTA FE**

**PROPERTY RESOLUTION – 301 SOUTH ASHBY**

**PROPERTY RESOLUTION – 507 NORTH EVERGREEN**

Motion made by Commissioner Budreau, seconded by Commissioner Fairchild, to adopt resolution declaring that the above properties are in violation of Chanute Municipal Codes and authorizing abatement of certain nuisances as presented. Voting Aye: All. Motion carried unanimously.

The Resolutions were assigned: No. 2020-41, No. 2020-42, No. 2020-43, No. 2020-44, No. 2020-45, and No. 2020-46

**EXECUTIVE SESSION – DISCUSSION OF NON-ELECTED PERSONNEL**

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, that the City Commission recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Commission Chambers at 8:20 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:20 p.m.

No action taken.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, that the City Commission recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Commission Chambers at 8:50 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:50 p.m.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to move Todd Newman from Interim City Manager to City Manager under the existing contract with a review in 90 days. Voting Aye: All. Motion carried unanimously.

**COMMISSION COMMENTS**

Commissioner Chaney thanked City Manager Todd Newman and City staff for their work during the recent transition period and that he is looking forward to the future.

Mayor LaRue commented on the Osa Martin Heights Subdivision infrastructure.

General discussion was made. Comments were made by City Manager Todd Newman and Assistant City Manager Ryan Follmer.

Mayor LaRue thanked City Manager Todd Newman and City staff for their service.

**ADJOURNMENT**

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:54 p.m.

Tina L Bailey, CMC  
City Clerk