

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; Tina Bailey, City Clerk; Ryan Follmer, Assistant City Manager; Cory Kopley, Chief Finance Officer; and IT Director Chris Stogsdill.

INVOCATION

The invocation was given by Commissioner Phillip Chaney.

AGENDA

The Agenda was approved on motion by Commissioner Fairchild, 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 – August 9, 2021
- Warrant Register dated August 11, 2021
- Warrant Register dated August 18, 2021
- Review Various Board and Committee Minutes and Reports

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

PUBLIC COMMENTS

None

CITY MANAGER'S REPORT

City Manager Todd Newman gave his report on City activities and operations. Items reported on included an update on the Chip & Seal Project, the South Santa Fe Striping Project, the Hike & Bike Trail Project, painting at the Aquatic Center, the Stone Creek Golf Course Bridge #9 Project, the Santa Fe Ballfield & Restroom Project, the 2nd & Evergreen/Highland Drainage Ditch Project, the Fiber Pon 2 Project, the \$.25 Sales Tax Revenue and Municipal Building Projects, a potential

21st & Plummer Cost Share Project, a TA Grant for further development of City sidewalks, the Water Plant Project, the Wastewater Treatment Plant Project, and he reported that the final Revolving Loan Fund (RLF) payment from Playmakers has been received.

General discussion was made.

Commissioner Chaney requested that City staff provide the Commission with a Profit and Loss Statement for the 2021 Swim Season for future rate review and discussion.

Commissioner Budreau requested that City staff research a citizen complaint of site obstruction from a bush located at the intersection of 1st & Plummer.

PUBLIC HEARING

CONDUCT PUBLIC HEARING FOR 2022 MUNICIPAL BUDGET AND TAX RATE

Conduct a Public Hearing for the proposed 2022 Municipal Budget & Tax Rate and for that purpose, Mayor LaRue opened a hearing at 6:45 p.m.

As there were no comments from the public the Public Hearing was closed at 6:46 p.m.

NEW BUSINESS

2022 BUDGET – REVENUE NEUTRAL RATE (RNR) RESOLUTION

The State of Kansas has passed new laws applicable to municipal budgets. If the City's actual ad valorem tax exceeds the revenue collected in a prior year, the municipality must refund any excess, unless a resolution authorizing an amount in excess of the revenue neutral rate is passed prior to adoption of the budget.

Based on the preliminary real estate valuation received from the County Clerk, the proposed budget and mill levy does not exceed the revenue neutral rate. However, passing a resolution will avoid tiny refunds to all of the real estate owners if the actual value is higher at the time of assessment.

The proposed Resolution does not affect the 2022 budget or the mill levy rate, which is set by separate action of the City Commission.

General discussion was made. Comments were made by City Manager Todd Newman and City Attorney David Brake.

Motion made by Commissioner Budreau, seconded by Commissioner Fairchild, to adopt a Resolution to Levy a Property Tax Rate that May Exceed the Revenue Neutral Rate. Voting Aye: All. Motion carried unanimously.

The Resolution was assigned: No. 2021-68.

2022 BUDGET ADOPTION AND CERTIFICATION

The County Clerk has submitted a preliminary assessed value for Chanute at \$59,376,255. Based on this assessment, the value of one mill should be approximately \$59,376, which is \$3,600 less per mill than the last year's mill value of \$62,976. The estimated Revenue Neutral Rate (RNR) for

the 2022 budget is 43.360 mills which is .172 less than the Neosho County provided rate of 43.532.

The 2022 Budget Certification establishes a maximum spending limit of \$59,625,968. This limit is 2.6% higher than the 2021 limit of \$58,062,151. The Property tax levy is set at \$2,574,557, which is less than the 2021 proposed levy of \$2,584,500.

A Public Hearing for the 2022 Municipal Budget has been conducted.

General discussion was made. Comments were made by City Attorney David Brake.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to adopt the 2022 Budget as published and authorize the Governing Body to sign the Certificate. Voting Aye: All. Motion carried unanimously.

FIBER RATES

At the August 9, 2021 regular City Commission meeting there was a consensus from the Governing Body to review Fiber rates.

Fiber has 406 Residential, 111 Commercial, and 7 Industrial customers. To date the City of Chanute has projected revenue of \$689,395 with \$661,969 in expenses with a net revenue of \$27,426 for fiscal year 2022.

City Manager Todd Newman provided a brief overview of Commercial, Industrial, and Residential Fiber Rates.

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

Commission consensus was for City staff to provide the Commission with a cost estimate for software that could allow the City to throttle down bandwidth and provide tiered rates for City fiber customers.

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 \$50 per ton to \$60 per ton. The current rate of \$50 per ton was established September 2020. 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, Assistant City Manager Ryan Follmer, and Chief Finance Officer Cory Kepley.

Motion made by Commissioner Budreau, seconded by Commissioner Chaney, to authorize the City Manager to change the current landfill tonnage rate and set the tonnage rate at \$60 per ton, effective September 1, 2021. Voting Aye: All. Motion carried unanimously.

Commission consensus was for City staff to provide the Commission with an estimated cost for future closure of the City Landfill and to add this projected cost to the CIP list for further review and discussion.

Commission consensus was for City staff to provide the Commission with an estimated cost for development of a C&D Landfill and to place this item on a future Agenda for review and discussion.

REQUEST FOR DONATION OF OSA MARTIN SUBDIVISION LOTS

Advanced System Homes, Inc. was awarded funds from Chanute Housing Improvement Program (CHIP) to assist them in constructing two (2) new homes. The Land Bank would like to request two (2) lots in the Osa Martin Subdivision be donated to them for the purpose of Advanced System Homes, Inc. to build two (2) new spec homes.

There are currently 13 available/buildable lots and 16 undeveloped platted lots in the Osa Martin Subdivision.

Donate two (2) lots in Osa Martin valued at \$7,500 each to the Land Bank.

City of Chanute Land Bank Administrator Kim Ewert provided a brief overview of their request.

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

Commission consensus was to table this item and for City staff to work with the Advanced System Homes and to draft a contract for donation of two (2) specific lots in the Osa Martin Subdivision directly to Advanced System Homes with the intent of building two (2) new spec homes as presented. This item will be placed on the next Agenda for consideration.

PROPERTY RESOLUTION – 209 SOUTH HIGHLAND

PROPERTY RESOLUTION – 1418 SOUTH EVERGREEN

PROPERTY RESOLUTION – 1420 SOUTH EVERGREEN

PROPERTY RESOLUTION – 409 NORTH HIGHLAND

PROPERTY RESOLUTION – 1202 SOUTH FOREST

PROPERTY RESOLUTION – 115 NORTH FOREST

PROPERTY RESOLUTION – 315 NORTH KANSAS

Ted Boatwright, property owner of 209 South Highland commented on the City's Code Enforcement Ordinance and City staff.

General discussion was made. Comments were made by City Manager Todd Newman.

Commissioner Chaney commented on the 1202 South Forest Property Resolution.

General discussion was made. Comments were made by Assistant City Manager Ryan Follmer and City Attorney David Brake.

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. 2021-70, No. 2021-71, No. 2021-72, No. 2021-73, No. 2021-74, and No. 2021-75.

COMMISSION COMMENTS

Commissioner Chaney commented on community housing needs and the recently released 2020 Census numbers.

General discussion was made. Comments were made by City Manager Todd Newman, Assistant City Manager Ryan Follmer, and CRDA Programming Director Kim Ewart.

Commission consensus was for City staff to reach out to other entities and to find a common goal to work toward the betterment of Chanute's housing needs and development.

Commissioner Chaney commented on the barricades located in front of 112 West Main and also general maintenance for this building per the MOU Agreement between the City of Chanute Landbank and the Developer.

General discussion was made. Comments were made by City Manager Todd Newman and City Attorney David Brake.

City Manager Todd Newman reported that the barricades will be removed.

Commissioner Chaney encouraged everyone to be patient while dropping students off at school and to watch for children and pedestrians.

Commissioner Berthot encouraged everyone to stay hydrated during the current hot weather and to check on the elderly.

ADJOURNMENT

Motion made by Commissioner Fairchild, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:50 p.m.

Tina L Bailey, CMC
City Clerk