

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; Assistant City Manager, Ryan Follmer; David Brake, City Attorney; Tina Bailey, City Clerk; Cory Kopley, Chief Finance Officer; and Ron Oliphant, Waste Water Treatment Plant Superintendent.

INVOCATION

The invocation was given by Commissioner Sam Budreau.

AGENDA

Mayor LaRue requested the removal of Agenda Item 9G-Property Resolution at 1323 W Mulberry and Item 9I-Property Resolution at 1003 S Santa Fe. The amended Agenda was approved on motion by Commissioner Berthot, seconded by Commissioner Fairchild. 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 – November 8, 2021
- Warrant Register dated November 10, 2021
- Warrant Register dated November 17, 2021
- Review Various Board and Committee Minutes and Reports
- Main Street Chanute Request to Block Certain City Streets in Order to Hold 30th Annual Christmas Parade of Lights

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

PUBLIC COMMENTS

Main Street Chanute Promotion Committee Chair Denise Hastings invited Commissioners to volunteer as judges at the Saturday, December 11, 2021 “Cookies for Santa Contest”.

General discussion was made.

CITY MANAGER'S REPORT

City Manager Todd Newman gave his report on City activities and operations. Items reported on included an update on City holiday hours, Governor Kelly's plan to eliminate State sales tax on food, and the 21st & Plummer Intersection Project.

City Manager Newman reported that Matt Godinez will provide an update on the 110-120 West Main Project at the December 13, 2021 meeting.

General discussion was made.

OLD BUSINESS

WATER PLANT BONDS AND REFUNDING BONDS

At the October 11, 2021 meeting, the City Commission received a presentation and proposal from UMB Bank to issue tax exempt general obligation bonds to finance the water plant project and to refund certain outstanding general obligation bonds. The City Commission passed a resolution authorizing UMB Bank to market and sell the bonds, provided the interest rate achieved was within the parameters set out in the resolution.

On November 2, 2021 and on November 17, 2021 UMB Bank was able to sell all of the bonds to the City's four financial institutions. The actual interest rate achieved for the bonds were under the caps set out in the resolution. The bonds for the water plant project provide that the City will have an option to call and pay off the 20-year bonds before interest rates reset for the final ten years. The bonds to refund the City's outstanding Series 2012-A, 2014-A, and 2014-C Bonds will fully mature by 2024.

Garth Herrmann from Gilmore & Bell bond counsel provided a brief overview of the bonds.

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

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, to pass an

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2021-A, OF THE CITY OF CHANUTE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

and adopt a

RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2021-A, OF THE CITY OF CHANUTE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. S-547 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND

SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-547

The Resolution was assigned: No. 2021-111

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, to pass an

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B, OF THE CITY OF CHANUTE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

and adopt a

RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B, OF THE CITY OF CHANUTE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. S-548 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-548

The Resolution was assigned: No. 2021-112

NEW BUSINESS

2021 BUDGET AMENDMENT – PUBLISH NOTICE OF HEARING

Kansas statutes allow for the governing body to increase the originally adopted budget for previously unbudgeted increases in revenue other than ad valorem property taxes.

The City will have fund modifications that will require an amendment to be conducted.

To do this, a notice of public hearing to amend the budget must be published in the local newspaper. The City is obligated to provide a 10-day notice, from date of publication, for purposes of conducting a budget hearing.

Chief Finance Officer Cory Kepley distributed a handout titled “2021 Amended Budget Notes” to the Commission for review.

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

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to authorize the City to publish the Notice of the Budget Hearing amending the 2021 Budget and to set the date of the Public Hearing for December 13, 2021. Voting Aye: All. Motion carried unanimously.

NEIGHBORHOOD REVITALIZATION APPLICATION – KJA ENTERPRISES

KJA Enterprises has submitted an application under the Neighborhood Revitalization Program. It has been verified that the property listed under the scope of the application, 909 North Garfield, parcel identification number 067-044-17-0-40-18-007.00-0 is within the scope of the city limits of Chanute. The application has been submitted and reviewed by the Neosho County Appraisers office along with the Neosho County Treasurer’s office.

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

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, to approve the Neighborhood Revitalization Application – KJA Enterprises, 909 North Garfield. Voting Aye: All. Motion carried unanimously.

SPECIAL USE PERMIT – ADVERTISEMENT SIGN

At the October 26, 2021 Planning Commission meeting, a Special Use Permit for a sign at 1502 South Santa Fe was unanimously approved.

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

Motion made by Commissioner Budreau, seconded by Commissioner Fairchild, to accept the Planning Commission vote and approve the Ordinance for a Special Use Permit at 1502 South Santa Fe. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-549

PUBLIC HEARING

CONDUCT PUBLIC HEARING ON ADOPTION OF A NEW ENFORCEMENT RESPONSE PLAN (ERP)

Conduct a public hearing for the purpose of hearing comments for the record on adoption of a new Enforcement Response Plan (ERP) and for that purpose the Mayor opened a hearing at 7:12 p.m.

As there were no comments from the public the hearing was closed at 7:13 p.m.

ORDINANCE TO AMEND CHAPTER 14.24, CHANUTE MUNICIPAL CODE – PERTAINING TO SEWER CONNECTION – DISCHARGE REGULATIONS

Chapter 14.24 of the Chanute Municipal Code covers sewer connections and sanitary sewer discharge regulations. Code sections need to comply with the current federal law and the changes have been reviewed and accepted by the Federal Environmental Protection Agency.

Chanute needs to be compliant with the Federal Water Pollution Control Act and changes to the current ordinance are necessary along with the adoption of a revised Enforcement Response

Plan. The Enforcement Response Plan has a 30-day comment period before the Enforcement Response Plan can become effective.

Waste Water Treatment Plant Superintendent Ron Oliphant and Assistant City Manager Ryan Follmer provided a brief overview of the changes.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to pass the Amended Ordinance and Enforcement Response Plan as presented. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2643

PROPERTY RESOLUTION – 1007 WEST MAIN

PROPERTY RESOLUTION – 1812 SOUTH EDITH

PROPERTY RESOLUTION – 921 SOUTH SANTA FE

PROPERTY RESOLUTION – 516 NORTH CENTRAL

PROPERTY RESOLUTION – 1009 NORTH GARFIELD

PROPERTY RESOLUTION – 511 NORTH CENTRAL

PROPERTY RESOLUTION – 16 NORTH WESTERN

Motion made by Commissioner Berthot, 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. 2021-113, No. 2021-114, No. 2021-115, No. 2021-116, No. 2021-117, No. 2021-118, and No. 2021-119.

COMMISSION COMMENTS

Commissioner Fairchild wished everyone a Happy Thanksgiving.

Commissioner Budreau wished everyone safe travels and a Happy Thanksgiving. He also commented on the 21st & Plummer Project.

Commissioner Chaney commented on the Airport Runway Extension Project.

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

Commissioner Chaney commented on the 21st & Plummer Project.

Commissioner Chaney commented on the recent passing of local Chanute story teller Jim Whaley.

Commissioner Berthot wished everyone a Happy Thanksgiving. He stated that Chanute is blessed with a great community and thanked the City Commission, City management, and City staff.

Mayor LaRue agreed with Commissioner Berthot's comments and thanked everyone for their comments and discussion.

ADJOURNMENT

Motion made by Commissioner Fairchild, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 7:28 p.m.

Tina L Bailey, CMC
City Clerk