

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 LaRue and Commissioners Sam Budreau (via phone), Phillip Chaney, and Tim Fairchild.

Commissioners Absent: Commissioner Kevin Berthot.

Staff Present: Todd Newman, City Manager; Ryan Follmer, Assistant City Manager; Tina Bailey, City Clerk; David Brake, City Attorney; and Cory Kepley, Chief Finance Officer.

INVOCATION

The invocation was given by Commissioner Phillip Chaney.

AGENDA

The Agenda was approved on motion by Commissioner Chaney, 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 14, 2022
- Warrant Register dated November 16, 2022
- Warrant Register dated November 22, 2022
- Review Various Board and Committee Minutes and Reports

Motion made by Commissioner Fairchild, seconded by Commissioner Chaney, 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 demolition of 221 E Main, the TBD Hospital Demolition Project, and City office hours during the Christmas holiday.

PUBLIC HEARING

CONDUCT PUBLIC HEARING FOR NEIGHBORHOOD REVITALIZATION PLAN RENEWAL

Conduct a Public Hearing on the Renewal of the Neighborhood Revitalization Plan and for that purpose, Mayor LaRue opened a hearing at 6:36 p.m.

As there were no comments from the public the Public Hearing was closed at 6:37 p.m.

OLD BUSINESS

PROJECT UPDATE – 21ST & PLUMMER INTERSECTION

The City of Chanute was awarded a Cost-Share grant from the Kansas Department of Transportation in the Fall of 2021. The Cost-Share grant was in the amount of \$780,000.00 for repairs at the 21st and Plummer intersection. These repairs will consist of curb and gutter, turning lanes, traffic signals, etc. The Mayor signed off on the KDOT Agreement on March 14, 2022, allowing City Staff to move forward with the official request.

Project bids were opened on October 20, 2022 and copies were distributed to the City Commission for review at their October 24, 2022 regular meeting. TranSystem representative Shawn Turner reported that all bids came in higher than the engineer's estimate.

City Attorney Brake reported that K.S.A 14-440 states that a city of the second class cannot enter into a contract for a street improvement project where the costs exceed the estimate and that it is common for the City Commission to authorize City staff and the Engineer to negotiate with the low bidder for the project.

City Manager Newman recommended approval to negotiate the removal of the traffic signal from the project bid and for the City to purchase and install the signal through the City Infrastructure Fund.

Mission Construction lowered their project bid to \$749,596.50.

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

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to authorize the Mayor to execute the Notice of Award as presented and also the Agreement with Mission Construction, Inc., contingent review of bond payments at the pre-construction meeting. Voting Aye: All. Motion carried unanimously.

NEW BUSINESS

RENEW NEIGHBORHOOD REVITALIZATION PLAN AND INTERLOCAL AGREEMENT WITH NEOSHO COUNTY

The City of Chanute offers a neighborhood revitalization program. The City of Chanute works with Neosho County for the implementation of the program.

Pursuant to State law this program comes up for review and possible renewal every two years.

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

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to pass an Ordinance to renew the Neighborhood Revitalization Plan as presented. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-556

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to approve and authorize the Mayor to execute a new Interlocal Agreement with Neosho County. Voting Aye: All. Motion carried unanimously.

NEIGHBORHOOD REVITALIZATION APPLICATION – GREEN LIVING FOUNDATION

Green Living Foundation has submitted an application under the Neighborhood Revitalization Program. It has been verified that the property listed under the scope of the application, 1728 13th St Circle, parcel identification number 067-049-30-0-10-15-001.02-0 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.

The application is now being submitted to the City Commission for consideration and approval. The application will be void one year from the date of the application being approved unless the construction is finished before then. The applicant is to notify the County Appraiser of the commencement of construction within ten (10) days after starting the project.

General discussion was made. Comments were made by NMRMC Foundation Director Anna Methvin.

Motion made by Commissioner Fairchild, seconded by Commissioner Chaney, to approve the Neighborhood Revitalization Application – Green Living Foundation, 1728 13th St Circle. Voting Aye: All. Motion carried unanimously.

NEIGHBORHOOD REVITALIZATION APPLICATION – FORD

Patricia Ford has submitted an application under the Neighborhood Revitalization Program. It has been verified that the property listed under the scope of the application, 1512 W 11th St., parcel identification number 067-049-30-0-10-10-010.00-0 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.

The application is now being submitted to the City Commission for consideration and approval. The application will be void one year from the date of the application being approved unless the construction is finished before then. The applicant is to notify the County Appraiser of the commencement of construction within ten (10) days after starting the project.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to approve the Neighborhood Revitalization Application – Patricia Ford, 1512 W 11th St. Voting Aye: All. Motion carried unanimously.

2022 BUDGET AMENDMENT – PUBLISH NOTICE OF PUBLIC HEARING

It is customary for the City to amend its annual budget before the end of each fiscal year. As is typical, we have fund modifications that will require an amendment to be conducted. Budget Amendment pursuant to K.S.A. 79-2929, we are obligated to provide a 10-day notice, from date of publication, for purposes of conducting a budget hearing. This will allow year-end financial wrap up.

Various municipal activities will require the budget to be amended. Revenue and unencumbered cash will support the proposed modifications. A list of funds was provided for review. Increasing the limit on these funds pursuant to Kansas Statute. This action will allow the City to remain compliant with State of Kansas budgetary restrictions.

No issue of liability, unless the budget amendment cannot be conducted in accordance with statutory terms. Budget violations can impact bond rating and other terms associated with bond compliance. Comply with provisions relating to statutory budget law.

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

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to authorize the City to publish the Notice of the Budget Hearing amending the 2022 Budget and to set the date of the Public Hearing for December 12, 2022. Voting Aye: All. Motion carried unanimously

RESOLUTION AUTHORIZING A REQUEST TO WAIVE THE USE OF GENERAL ACCEPTED ACCOUNTING PRINCIPLES (GAAP) SPECIFIED IN K.S.A. 75-1120a (a)

The waiver is provided to cities which demonstrate compliance with the cash basis and budget laws of Kansas, which is a comprehensive basis of accounting and differs with GAAP in the United States of America.

The Resolution and waiver request must be presented each year and the Resolution requires that financial statements and financial reports be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of the State. The City of Chanute audit is conducted in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and the Kansas Municipal Audit and Accounting Guide.

Motion made by Commissioner Fairchild, seconded by Commissioner Chaney, to adopt the Resolution authorizing a request to waive the use of GAAP specified in K.S.A. 75-1120a (a). Voting Aye: All. Motion carried unanimously.

The Resolution was assigned: No. 2022-244

EXECUTIVE SESSION – REAL ESTATE PROPERTY ACQUISITION

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, that the City Commission recess into executive session to discuss real estate property acquisition pursuant to

the Acquisition of Real Property exception, K.S.A. 75-4319(b)(6). The open meeting will resume in the City Commission Chambers at 7:10 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 7:10 p.m.

No action taken.

COMMISSION COMMENTS

Commissioner Budreau thanked everyone for their involvement with the 21st & Plummer Project.

Commissioner Chaney commented on the downtown Christmas decorations.

Commissioner Chaney commented on the downtown train caboos and suggested removal of the fence.

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

Commission consensus was for City staff to remove the fence and seal up the caboos.

Commissioner Chaney commented on the downtown box plane and suggested relocation of the plane to allow this area to open up for other development.

General discussion was made. Comments were made by City Manager Todd Newman, Assistant City Manager Ryan Follmer, and CRDA Executive Director Matt Godinez.

Commission consensus was for the City Manager to send this item to the Parks Advisory Board for review and discussion and to report back to the City Commission at a future meeting.

Commissioner Chaney commented on the recent budget reports.

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

Commissioner Chaney requested an update on the Masonic Temple building.

General discussion was made. Comments were made by City Manager Todd Newman and CRDA Executive Director Matt Godinez.

Commissioner Chaney commented on the old high school fisher building and suggested potential use for unused spaces.

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

Commissioner Chaney commented on the old high school trade building and the heat and air units.

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

Commissioner Chaney commented on use of Tourism Funds and the upcoming “150th Celebration”.

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

Commissioner Chaney commented on tourism billboards and future use.

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

Mayor LaRue commented on the Thanksgiving season and that he is thankful for everyone working together.

ADJOURNMENT

Motion made by Commissioner Fairchild, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 7:35 p.m.

Tina L Bailey, CMC
City Clerk