

**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, Interim City Manager; David Brake, City Attorney; Tina Bailey, City Clerk; Ryan Follmer, Assistant City Manager; and Cory Kepley, Chief Finance Officer.

**INVOCATION**

The invocation was given by Mayor Jacob LaRue.

**AGENDA**

Mayor LaRue requested the addition of Item 9B-Osa Martin Lot-Orizon Aerostructures to the Agenda. 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 – May 11, 2020
- Minutes – City Commission – Special Meeting – May 14, 2020
- Warrant Register dated May 13, 2020
- Warrant Register dated May 20, 2020
- Uncollectible Accounts
- KMEA Board of Directors Appointment

General discussion was made. Comments were made by Neil Phillips with Jarred, Gilmore and Phillips, PA.

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

**PUBLIC COMMENTS**

None

## **CITY MANAGER'S REPORT**

Interim City Manager Todd Neman gave his report on City activities and operations. Items reported on included updates on the Fire Department's new aerial platform truck, mosquito control operations, the Animal Shelter Project, a second Animal Control Officer position, 2021 Budget Work Session dates, the Fiber Project and Fiber Work Session dates, and a City and County 911 Dispatch Center operations meeting.

Interim City Manager Todd Newman introduced new Chanute 911 Dispatch Center Director Monica Mason.

Chanute 911 Dispatch Center Director Mason provided a brief update on the new center and operations.

Interim City Manager Todd Newman thanked the City Commission for the opportunity to serve as Interim City Manager and reported that he is excited about the future and working with them.

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

## **OLD BUSINESS**

### **PUBLIC SWIMMING POOL**

At the May 11, 2020 regular City Commission meeting, the Commission tabled this item to allow City staff time to provide an update at the next regular scheduled meeting relating to lifeguard applicants, lifeguard Red Cross certification, availability of PPE gear, pool capacity, and pool chemicals.

Maring Aquatic Center Manager Monica Colborn distributed a handout and provided an update on a potential 2020 season.

General discussion was made. Comments were made by Maring Aquatic Center Manger Monica Colborn and Interim City Manager Todd Newman.

Motion made by Commissioner Budreau, seconded by Commissioner Fairchild, to close the Maring Aquatic Center for the 2020 season due to staffing concerns. Voting Aye: All. Motion carried unanimously.

### **FUNDING REQUEST – FOURTH OF JULY CELEBRATION**

At the May 11, 2020 regular City Commission meeting, Fourth of July Committee representative Larry Pierce provided a brief overview of the 2020 Fourth of July celebration and fundraising activities. He requested that the City Commission consider an additional donation of \$5,000 to sponsor a concert during this year's events. The Commission requested that this item be placed on the May 26, 2020 Agenda for further review and consideration.

Larry Pierce, Fourth of July Committee Member, provided a brief overview of options for this year's Fourth of July celebration at Santa Fe Park as well as issues related to event funding.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, to authorize an additional \$7,000 from the Tourism Fund for the 2020 Fourth of July Fireworks Display and activities.

Further discussion was made.

Mayor LaRue called for a vote for the motion on the floor.

Voting Aye: All. Motion carried unanimously.

#### **INTERLOCAL AGREEMENT WITH USD 413 FOR SANTA FE BALL COMPLEX**

USD 413 and the City of Chanute had previously voted to enter into an Interlocal Agreement for purposes of covering costs for turf installation at the Santa Fe Ball Complex and detailing USD 413's use of the facility. USD 413 has now negotiated with a different company to provide the artificial turf. The Kansas Attorney General's office which oversees interlocal agreements has asked for a wording change in the indemnification paragraph.

The substance of the Interlocal Agreement between USD 413 and the City of Chanute remains the same. The revised Interlocal Agreement contains changes in paragraph 8.2 which covers indemnification. The Amendment sets out that the City would essentially perform as a transfer agent in making payments to the turf contractor.

General discussion was made. Comments were made by Interim City Manager Todd Newman, City Attorney David Brake, and City Auditor Neil Phillips.

Commission consensus was for the City Manager to provide the Commission with clarification relating to the holder of the turf warranty.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, to approve the amended Interlocal Agreement and First Amendment with the added indemnification clause.

Voting Aye: All. Motion carried unanimously.

#### **NEW BUSINESS**

##### **PRESENTATION OF THE 2019 AUDIT**

Neil Phillips with Jarred, Gilmore and Phillips, PA presented the 2019 Audit to the Commission. He reported that the Audit did not identify any deficiencies in internal control that are considered to be material weaknesses.

General discussion was made.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to adopt the 2019 Audit as presented. Voting Aye: All. Motion carried unanimously.

#### **CONSIDER CONVEYANCE OF LOT 5, BLOCK 1 IN OSA MARTIN HEIGHTS SUBDIVISION TO ASH REAL ESTATE, LLC ON BEHALF OF ORIZON AEROSTRUCTURES**

In June 2018, the City entered into a Third Amendment to the Development Agreement with Orizon Aerostructures which amended Section 5 (c) of the original 2016 Development Agreement. This section list "Free Land for New House Construction" and that the City shall provide up to ten (10) lots in the Osa and Martin Johnson Subdivision for Orizon or Orizon employees at no cost, for constructing new houses thereon.

At their June 11, 2018 regular meeting the governing body also approved conveyance of 3 lots in Osa Martin Heights Subdivision located in Block 1; Lots 2, 4, and 6 to Orizon Aerostructures.

Matt Godinez, CRDA Director, recently contacted City Staff on behalf of Orizon Aerostructures, indicating the company is currently seeking conveyance of Lot 5, Block 1. This is not one of the lots previously approved by the governing body. Orizon is also requesting that the lot be deeded to ASH Real Estate, LCC as they will be carrying the mortgage note for the Orizon employee.

General discussion was made. Comments were made by CRDA Executive Director Matt Godinez.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to authorize the Mayor to execute a Kansas Warranty Deed transferring ownership of Lot 5, Block 1 in Osa Martin Heights to ASH Real Estate LLC, counting against Orizon Aerostructure's Development Agreement as one of the ten lots. Voting Aye: All. Motion carried unanimously.

#### **NEIGHBORHOOD REVITALIZATION APPLICATION – ASH REAL ESTATE, LLC**

ASH Real Estate LLC has submitted an application under the Neighborhood Revitalization Program. It has been verified that the property listed under the scope of the application, 1608 W 11th, parcel identification number 067-049-30-0-10-10-008.00-0 is within the scope of the city limits of Chanute. The application has been reviewed by the Neosho County Appraisers office along with the Neosho County Treasurer's office.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, to approve the Neighborhood Revitalization Application from ASH Real Estate LLC. Voting Aye: All. Motion carried unanimously.

#### **PROPERTY RESOLUTION – 534 NORTH CENTRAL**

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

The Resolution was assigned: No. 2020-24

#### **COMMISSION COMMENTS**

Commissioner Chaney commented on fiber budgeting, the 911 Dispatch Center department & budget, the Special Highway fund and repair of the east north bound lane of South Santa Fe at 21<sup>st</sup> Street, the April 2020 Budget reports, Main Street buildings and fine assessments, the

Revolving Loan Fund, creation of a Main Street Downtown Revitalization Board, and the 21<sup>st</sup> & Plummer Intersection.

Commissioner Fairchild requested a list of outstanding Revolving Loans and also a list of City owned buildings.

Commissioner Budreau commented on turmoil due to COVID-19 and the need to be supportive of public safety employees.

Mayor LaRue thanked Interim City Manager Todd Newman and Assistant City Manger Ryan Follmer for hitting the ground running and that he looks forward to working with them.

Mayor LaRue commented on the intersection of 21<sup>st</sup> & Plummer, the Chanute 911 Dispatch Center, and the City pool.

**ADJOURNMENT**

Motion made by Commissioner Fairchild, seconded by Commissioner Berthot, to adjourn.  
Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:28 p.m.

Tina L Bailey, CMC  
City Clerk