

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 Kevin Berthot and Tim Fairchild.

Commissioners Absent: Commissioner Phillip Chaney.

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

INVOCATION

The invocation was given by Commissioner Kevin Berthot.

AGENDA

Mayor LaRue requested the removal of Agenda Item 10L-Resolution Declaring Property at 1522 S Evergreen in Violation of Chanute Municipal Codes. The amended agenda was approved on motion by Commissioner Berthot, seconded by Commissioner Fairchild. Voting Aye: All. Motion carried unanimously.

SWEARING IN CEREMONY FOR NEW COMMISSIONER – FILLING EXISTING UNEXPIRED TERM

City Clerk Tina Bailey swore in Tim Egner to fill the existing unexpired term of Sam Budreau.

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 13, 2023
- Warrant Register dated November 15, 2023
- Warrant Register dated November 21, 2023
- Review Various Board and Committee Minutes and Reports
- Main Street Chanute Request to Block Certain City Streets in Order to Hold 32nd Annual Christmas Parade of Lights
- Main Street Chanute Request to Block Memorial Building Parking Lot for Winter Festival Ice Rink Event

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

PUBLIC COMMENTS

Ruthann Boatwright, Chanute Main Street Executive Director commented on upcoming Main Street activities.

CITY MANAGER'S REPORT

City Manager Todd Newman gave his report on City activities and operations. He distributed the Orizon Aerostructures, LLC Audit to the Commission for review and reported that the City would make the development agreement payments to Orizon in January 2024 and June 2024.

City Manager Newman requested City Attorney David Brake to provide the City Commission with a brief update on the recent software hack on the Kansas Court System.

City Attorney David Brake provided a brief update on the recent software hack on the Kansas Court System.

OLD BUSINESS

EVERGREEN MULTI-FAMILY DEVELOPMENT

At the last city commission meeting, Consolidated Development Partners presented a proposed multi-family development for the corner of 1st & Evergreen.

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

Motion made by Commissioner Berthot, seconded by Commissioner Fairchild, to authorize City Manager and City Attorney to finalize Memorandum of Understanding with Consolidated Development Partners. Voting Aye: All motion carried unanimously.

NEW BUSINESS

2023 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 Fairchild, seconded by Commissioner Egner, to authorize the City to publish the Notice of the Budget Hearing amending the 2023 Budget and to set the date of the Public Hearing for December 11, 2023. 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 Berthot, 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. 2023-135

SALES TAX ORDINANCE

The City Commission voted to place on the general election ballot a continuation of a 1/4 percent citywide retailers' sales tax. In the November General Election, the majority of the voters approved implementation of the sales tax.

The next step in the process to implement the sales tax is to pass an ordinance authorizing the imposition of the sales tax. The City clerk shall send the Ordinance, prior Resolution and Affidavit of Publication to the Department of Revenue which oversees the collection of sales tax. The sales tax will continue until March 31, 2029.

The City Attorney has prepared the proposed Ordinance.

Motion made by Commissioner Berthot, seconded by Commissioner Fairchild, to pass an Ordinance of the Governing Body of the City of Chanute, Kansas, Authorizing the Imposition of a Special One-Fourth Percent (1/4%) Citywide Retailers' Sales Tax and Related Matters. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-563

NEIGHBORHOOD REVITALIZATION APPLICATION – ASH REAL ESTATE

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, 1316 Osa Martin Blvd., parcel identification number 067-049-30-0-10-14-012.00-0 is within the scope of the city limits of Chanute. The application has been submitted and reviewed by the Chanute Community Services Department, Chanute Regional Development Authority, the Neosho County Appraisers office, and 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 Fairchild, seconded by Commissioner Berthot, to approve the Neighborhood Revitalization Application - ASH Real Estate, LLC – 1316 Osa Martin Blvd. Voting Aye: All. Motion carried unanimously.

QUARTERLY REPORTS – AVAILABLE CASH

Chief Finance Officer Cory Kepley presented an update on Available Cash according to GFOA Standards.

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

CIP UPDATE

City Manager Todd Newman presented an update on the three (3) year Capital Improvement Project list.

General discussion was made.

Midwest Engineering CEO Danny Coltrane provided an update on the Water Treatment Plant project and Wastewater Treatment Plant project.

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

PROPERTY RESOLUTION – 1018 N GARFIELD

PROPERTY RESOLUTION – 923 N GRANT

PROPERTY RESOLUTION – 519 W ELM

PROPERTY RESOLUTION – 211 N MALCOLM

PROPERTY RESOLUTION – 215 S LAFAYETTE

General discussion was made.

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

Motion made by Commissioner Egner, 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. 2023-136, No. 2023-137, No. 2023-138, No. 2023-139, and No. 2023-140.

COMMISSION COMMENTS

Commissioner Egner thanked the Commission for his appointment. He also thanked the public for their support and vote.

Commissioner Fairchild reported that the Chanute Community Foundation received a check in the amount of \$100,000 from the Sunderland Foundation for the new playground located at Santa Fe Park.

Mayor LaRue encouraged everyone to visit Christmas in the Park.

ADJOURNMENT

Motion made by Commissioner Fairchild, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:08 p.m.

Tina L Bailey, CMC
City Clerk