

City Commission Minutes

Regular Session

April 13, 2020

Memorial Building Alliance Room

101 S Lincoln Ave.

Chanute, KS 66720

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: Jeff Cantrell, City Manager; Brian Duncan, Assistant City Attorney; Tina Bailey, City Clerk; Ryan Follmer, Community Services Director; and Todd Newman, Cemetery and Parks Director.

INVOCATION

The invocation was given by Commissioner Tim Fairchild.

AGENDA

Mayor LaRue requested the addition of an Executive Session to Discuss Non-Elected Personnel following Old Business Items. 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 – March 23, 2020
- Warrant Register dated March 25, 2020
- Warrant Register dated April 1, 2020
- Warrant Register dated April 8, 2020

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

PUBLIC COMMENTS

None

CITY MANAGER'S REPORT

City Manager Jeff Cantrell gave his report on City activities and operations. Items reported on included updates on the Fiber Project, City operations during the Coronavirus Pandemic,

Detention Basin Project, Chanute Dispatch Center, 35th Street Project, and 2020 Aquatic Center operations.

General discussion was made.

OLD BUSINESS

COMPETITIVE CAPITAL LEASE BIDS FOR AERIAL PLATFORM

The Fire Department Aerial Platform is due for delivery from Sutphen Corporation. In accordance with previous discussion, the City has received competitive capital lease bids from local banks. The favored offering on the \$1.33m capital lease amount was received from Commercial Bank. The City's obligation will include a ten-year term with an annualized payment of \$150,016.24. The life of the unit is expected to exceed 20 years.

Bids received included Commercial Bank – 2.25%; Community National – 2.49%; Bank of Commerce – 2.75%; and Home Savings Bank – 3.96%.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, to authorize the City Manager to execute the Capital Lease Purchase Agreement in the amount of \$1.33 million with Commercial Bank at a rate of 2.25%.

Voting Aye: Commissioners Berthot, Budreau, Chaney, and Fairchild

Voting Nay: None

Abstained: Mayor LaRue

Motion carried.

EXECUTIVE SESSION – DISCUSSION OF NON-ELECTED PERSONNEL

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, that the City Commission recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the Memorial Building Alliance Room 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.

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, that the City Commission recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the Memorial Building Alliance Room at 7:35 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 7:35 p.m.

No action taken.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, that the City Commission recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the Memorial Building Alliance Room at 7:47 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 7:47 p.m.

No action taken.

NEW BUSINESS

INTERIM CITY MANAGER APPOINTMENT AND CONTRACT

Current City Manager Jeff Cantrell's last day in office is May 14, 2020. Kansas Law and Chanute Municipal Code require that there be an interim or permanent City Manager. Accordingly, the City Commission needs to appoint an individual to hold that office and document the terms of the employment agreement.

Motion made by Commissioner Chaney, seconded by Mayor LaRue to appoint Todd Newman as Interim City Manager effective May 15, 2020 and approved the terms of his employment agreement as presented. Voting Aye: All. Motion carried unanimously.

TEMPORARY CLOSURE OF CHANUTE MUNICIPAL COURT

In March, the Kansas Supreme Court issued an Order which suspended most district court and appellate hearings. The Supreme Court has now issued an additional order providing for the temporary closure of municipal courts and suspension of speedy trial deadlines.

The Supreme Court has issued these orders to minimize in-person gatherings in the court room, which typically exceeds 10 individuals. The Municipal Court Clerk's Office remains open to accept pleas and payments. Attorneys are continuing to process diversion applications and journal entries.

To comply with the Supreme Court Order, a simple vote of the governing body to temporarily close Municipal Court is needed.

General discussion was led by Assistant City Attorney Brian Duncan.

Commission consensus was to comply with the Supreme Court Order and temporarily close Chanute Municipal Court until further notice from the Supreme Court as to when in-person hearings and trials will be allowed.

COMMISSION COMMENTS

Commissioner Berthot expressed his thoughts and prayers for those affected by the coronavirus and that everyone continues to have hope and compassion for their community.

Commissioner Budreau commented that he hopes we do not have trying times ahead of us and that we need to stand united as a community. He also thanked City Manager Jeff Cantrell for his

service to the community and congratulated Todd Newman on his Interim City Manager appointment.

Commissioner Chaney requested future discussion relating to alley trash complaints and code enforcement.

General discussion was made. Comments were made by Community Services Director Ryan Follmer.

Commissioner Chaney commented on previous discussion relating to a potential Retention Pond Project and the need for additional research and discussion.

Commissioner Chaney reminded everyone that the stay at home order is still in effect and that the Community needs to count our blessings that Neosho County only has two (2) confirmed COVID cases to date. He encouraged everyone to support and respect each other.

Mayor LaRue expressed his gratitude to current City Manager Jeff Cantrell and congratulated Todd Newman on his Interim City Manager appointment.

ADJOURNMENT

Motion made by Commissioner Fairchild, seconded by Commissioner Berthot, to adjourn.
Voting Aye: All. Motion carried unanimously. Meeting adjourned at 7:59 p.m.

Tina L Bailey, CMC
City Clerk