

**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, Sam Budreau, Phillip Chaney, and Tim Fairchild.

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 Sam Budreau.

**AGENDA**

Mayor LaRue requested the addition of Consent Agenda Item 5D-Request to Temporarily Close South Steuben, between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street on the Evening of October 31, 2022. The amended Agenda was approved on motion by Commissioner Budreau, 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 – October 10, 2022
- Warrant Register dated October 12, 2022
- Warrant Register dated October 19, 2022
- Review Various Board and Committee Minutes and Reports
- Main Street Chanute Request to Block Certain City Streets in Order to Hold 31<sup>st</sup> Annual Christmas Parade of Lights
- Request to Temporarily Close South Steuben, between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street on the Evening of October 31, 2022

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

City Manager Todd Newman requested separate discussion for Consent Agenda Item 5B:

- Request to Temporarily Close South Highland, between 9<sup>th</sup> Street and 10<sup>th</sup> Street on the Evening of October 31, 2022

City Manager Todd Newman requested that the City Commission approve closure of Highland, between 5<sup>th</sup> Street and 10<sup>th</sup> Street, on October 31, 2022, from 4:00-10:00 p.m. He reported that during Halloween this particular area of South Highland has become very popular with young Trick or Treaters and this would help to ensure the safety of the children trick-or-treating and associated with traffic.

City Manager reported that City staff will set up and take down the barricades for the event.

Commission consensus was for the City Manager to move forward with the event as he amended.

### **PUBLIC COMMENTS**

Janea Lawrence, the new Chanute Public Library Director, introduced herself to the Commission.

### **CITY MANAGER'S REPORT**

City Manager Todd Newman gave his report on City activities and operations. Items reported on included an update on the purchase and payment received for the property located at 615 West Cherry, weekend electric outages related to high winds, the execution of a three-year agreement between the City of Chanute and IBEW Union No. 304, fuel storage for winter consumption, and an upcoming Rotary Club meeting.

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

### **OLD BUSINESS**

#### **PROJECT UPDATE – 21<sup>ST</sup> & 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.

TranSystems representative Shawn Turner provided an update on the project. Project bids were opened on October 20, 2022 and copies were distributed to the City Commission for review. Mr. Turner reported that all bids came in higher than the engineer's estimate.

General discussion was made. Comments were made by City Manager Todd Newman, City Attorney David Brake, Neosho County Commissioner Nic Galemore, and Neosho County Road & Bridge Director Mike Brown.

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.

Motion made by Commissioner Budreau, seconded by Commissioner Chaney, to authorize the City Manager and Project Engineer to negotiate with Mission Construction as discussed. Voting Aye: All. Motion carried unanimously.

**PLAYMAKER’S – 221 EAST MAIN**

The restaurant at 221 East Main was heavily damaged by a fire in 2021. On January 10, 2022 the Chanute City Commission adopted Resolution No. 2022-01 declaring the property to be unsafe and dangerous and directing the owner to repair or remove same.

While the owner has started some repairs, the building remains unsafe and dangerous. Accordingly, the City Manager is requesting commission action to authorize removal of the structure and provide that the costs incurred by the City in removing the structure and in making the premises safe is assessed against the property. Costs for razing and removing the structure will initially be incurred by the City of Chanute.

Mr. Bartholomew, 221 East Main property owner, provided a brief project update.

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

Commission consensus was to table this item until the November 14, 2022 regular meeting to allow Mr. Bartholomew time to provide the City Manager with a Letter of Credit to secure funds for razing and removal of the structure if progress maintenance is not made as defined by the City Manager as a three (3) phase project.

**NEW BUSINESS**

**REZONING ORDINANCE FOR 3704 SOUTH SANTA FE**

The owner of 3704 South Santa Fe has filed an application for rezoning from District C-2 to Agricultural District. At the September 27, 2022 Chanute Planning Commission meeting, the commission unanimously approved the application and is now requesting that the City Commission approve an Ordinance for rezone.

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

Motion made by Commissioner Berthot, seconded by Commissioner Fairchild, to accept the Chanute Planning Commission’s action and pass Ordinance Changing the Zoning Classification for Certain Lands in the City of Chanute as presented. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-554.

**PROPERTY RESOLUTION – 201 NORTH CENTRAL**

**PROPERTY RESOLUTION – 329 WEST 3RD**

**PROPERTY RESOLUTION – 1118 SOUTH GRANT**

**PROPERTY RESOLUTION – 1609 SOUTH HIGHLAND**

**PROPERTY RESOLUTION – 1620 SOUTH HIGHLAND**

**PROPERTY RESOLUTION – 1624 SOUTH HIGHLAND**

Commissioner Fairchild commented on the property located at 1620 S Highland and the Chanute Land Bank.

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

Motion made by Commissioner Fairchild, seconded by Commissioner Berthot, 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. 2022-233, No. 2022-234, No. 2022-235, No. 2022-236, No. 2022-237, and No. 2022-238.

**COMMISSION COMMENTS**

Commissioner Fairchild commented on City cash reserves and project funding.

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

City Manager Newman reported that a Financial Review and CIP update will be placed on the Agenda at the November 14, 2022 regular meeting.

Commissioner Budreau commented on the annual League of Kansas Municipalities meeting.

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

Mayor LaRue congratulated the Chanute Blue Comet Football team for their perfect season.

**ADJOURNMENT**

Motion made by Commissioner Berthot, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 7:37 p.m.

Tina L Bailey, CMC  
City Clerk