

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, and Phillip Chaney.

Commissioners Absent: Commissioner Tim Fairchild.

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

INVOCATION

The invocation was given by Commissioner Phillip Chaney.

AGENDA

The Agenda was approved on motion by Commissioner Berthot, seconded by Commissioner Budreau. 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 – February 13, 2023
- Warrant Register dated February 15, 2023
- Warrant Register dated February 22, 2023
- Review Various Board and Committee Minutes and Reports

General discussion was made.

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

PUBLIC COMMENTS

Frank Robeage, 1018 South Tennessee commented on the VFW Monument and potential donation to the City, contingent help from the City to move the monument.

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

Commission consensus was for City staff to research this item and place it on the Agenda at the next regular City Commission meeting for further discussion.

CITY MANAGER'S REPORT

City Manager Todd Newman gave his report on City activities and operations. Items reported on included a reminder of the upcoming Kansas Broadband Show. Mr. Newman reported that he would provide an update on the City's Capital Improvement Projects at the next regular City Commission meeting.

City Manager Newman provided an update on Dalton's and provided an offer on behalf of Mr. Dalton for the City to purchase the restaurant's equipment inventory.

General discussion was made.

Motion made by Commissioner Berthot, seconded by Commissioner Chaney, to approve purchase of Dalton's Equipment Inventory in the amount of \$60,000.00 as presented by the City Manager. Voting Aye: All. Motion carried unanimously.

NEW BUSINESS

REAPPOINT & APPOINT MEMBERS TO THE PARKS ADVISORY BOARD

Terms for Parks Advisory Board members Terry Cathers, Debra Shields, and Jane Brophy have expired. Ms. Shields and Ms. Brophy have been contacted and have expressed interest to serve a new term if appointed.

In addition, the Parks Advisory Board currently has three board vacancies. Notice of Board Vacancy was made and the City received four board applications. City staff recommends that the Commission appoint John Alonzo, Taylor Hogue, and Kaila Ortiz to fill the current board vacancies, each for a four-year term. Copy of board applications attached.

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

Commission consensus was to amend Chanute Municipal Code 2.92.030 pertaining to Members residency from residents of the City of Chanute to a City of Chanute utility customer. This item will be placed on the Agenda at the next regular City Commission meeting.

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, to reappoint Debra Shields and Jane Brophy to a new four-year term and appoint John Alonzo, Taylor Hogue, and Kaila Ortiz to the Parks Advisory Board, each for a four-year term. Voting Aye: All. Motion carried unanimously.

APPLICATION FOR 2023 LICENSE TO SELL CEREAL MALT BEVERAGES

It is the City's policy to inspect the premises of any business applying for a Cereal Malt Beverage License. The business at 511 S Country Club Rd, The Chanute Municipal Golf Course, has applied for a Cereal Malt Beverage License.

An inspection of the building will be made and approved by the Building Inspector and Fire Department. Clearance through the Police Department will be made.

The City license fee of \$100.00 for an on-premise license and the State Cereal Malt Tax of \$25 will be paid upon City Commission license approval.

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

Motion made by Commissioner Budreau, seconded by Mayor LaRue, to approve the Stone Creek Golf Course application for a cereal malt beverage license contingent of payment for required fees, inspection approval from the City Building Inspector and Fire Department, and clearance through the Police Department. Voting Aye: All. Motion carried unanimously.

REQUEST TO TEMPORARILY BLOCK STREET – CHANUTE ELKS 806

Juanita Barker, Chanute Elks 806 Trustee, is requesting permission to temporarily block 1st Street from Evergreen Avenue going east to Central Avenue on Saturday, March 18, 2023, from 11:00 a.m. to 4:00 p.m., in order to utilize their parking lot for games during the Pub Crawl. This will help facilitate pedestrian safety during the event. The request also includes use of City barricades.

General discussion was made.

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, to approve Request to Temporarily Block Street as presented. Voting Aye: All. Motion carried unanimously.

STREET VACATION

GIS Mapping Office at the Neosho County GIS & Floodplain Office determined that on North Central Avenue the property owners were claiming 30 feet of a vacated street, but that office could not find a vacation ordinance on file. City staff has also searched for a vacation ordinance back through the old ordinance books and did not find an appropriate vacation ordinance.

There are only two homes remaining in Block 29 of Chicago Junction Addition to the City of Chanute. Those properties are accessed by a 15-foot alleyway. There is no need for the City to retain the east 30 feet of North Central as there is no existing city street on that right-of-way as that street is basically a continuation of the alley on the west 30 feet of the North Central right-of-way.

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

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, to Pass the Ordinance as presented. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-557

NATURAL GAS FUEL ADJUSTMENT ORDINANCE

Changing the City's current natural gas fuel adjustment ordinance was discussed at a recent City Commission meeting. Because of the current volatility in the natural gas price switching from a monthly to a quarterly fuel adjustment should provide a more level monthly payments for the City's retail customers.

Most gas utilities pass through the actual cost of the purchase of the gas to its customers through a fuel adjustment formula. Gas utilities then charge a set rate over the cost of gas to recover the costs of the infrastructure, employees, and other operational expenses of the utility. Darren Prince, Manager, Regulatory & Rates, Kansas Municipal Energy Agency, has worked with City staff on the revisions to the current ordinance setting the City's fuel adjustment formula. Also included in the proposed Ordinance is a true up that allows the gas utility to totally recover for all gas purchased and the transmission costs for that gas.

General discussion was made. City Manager Todd Newman, City Attorney David Brake, and Director of Electric Utilities Brandon Westerman.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to pass Ordinance Amending Chanute Municipal Code Section 14.16.120 Pertaining to Natural Gas Cost Adjustment for Purchased Fuel and Transport Action.

The Ordinance was assigned: No. 2651

TRANSIENT VENDOR LICENSE

The first adoption of an Ordinance pertaining to Transient Vendors was made in August of 2006. An Ordinance amending the fee for a Transient Vendor License was adopted in October of 2011.

It has been just over 11 years since the fee for a Transient Vendor License was last updated. As Transient Vendors, such as food trucks, have gained in popularity over the last few years, the need to amend the Ordinance to better align with local standards. While also continuing to protect our local retailers and residents by having certain standards be met in order to acquire a license.

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

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to pass an Ordinance Amending Chanute Municipal Code Sections 5.36.030 and 5.36.050 Pertaining to License Fees for Transient Vendors. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2652

PARKING ON ONLY APPROVED SURFACES

Chanute City Commission requested a review of Chanute Municipal Code 10.08.087 which makes it a violation to park vehicles and other items in the front yard of residentially zoned areas unless they parked on an "all-weather surface."

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

Commission consensus was to table this item to allow further research and for City Attorney David Brake to draft an amendment to the existing ordinance. This item will be placed on the Agenda at the next City Commission meeting for further review and consideration.

PROPERTY RESOLUTION – 121 SOUTH DENMAN
PROPERTY RESOLUTION – 219 NORTH MALCOLM
PROPERTY RESOLUTION – 620 SOUTH CENTRAL
PROPERTY RESOLUTION – 508 WEST 5TH
PROPERTY RESOLUTION – 802 NORTH FOREST

General discussion was made.

Motion made by Commissioner Berthot, seconded by Commissioner Budreau, 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. 2023-24, No. 2023-25, No. 2023-26, No. 2023-27, and No. 2023-28.

COMMISSION COMMENTS

Commissioner Chaney commented on the Main Street railroad tracks, Downtown Christmas decorations, and December 2022 budget reports.

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

Commissioner Berthot commented on the VFM Memorial.

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

Commissioner Budreau commented on the VFW Memorial.

Mayor LaRue congratulated the Chanute Blue Comet Girl's Wrestling Team on winning their State Championship.

ADJOURNMENT

Motion made by Commissioner Budreau, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 7:51 p.m.

Tina L Bailey, CMC
City Clerk