

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

**PROCLAMATIONS**

**NATIONAL BUSINESS WOMEN’S WEEK OCTOBER 17-23, 2021**

Jacob LaRue, Mayor of the City of Chanute, proclaimed October 17-23, 2021, as Chanute’s National Business Women’s Week and urged all citizens in Chanute, all civic and fraternal groups, all educational associations, all news media and other community organizations to join in this salute to women by encouraging and promoting the celebration of the achievements of all women as they contribute daily to our economic, civic and cultural purposes.

Chanute’s BPW representative Nancy Kernick accepted the Proclamation.

**DOMESTIC VIOLENCE AWARENESS MONTH – OCTOBER 2021**

Jacob LaRue, Mayor of the City of Chanute, proclaimed the month of October as Domestic Violence Awareness Month and urged Chanute citizens to work together to eliminate domestic violence from our community.

Hope Unlimited representative Lisa Chauncy accepted the Proclamation and provided a summary of available services.

**INVOCATION**

The invocation was given by Mayor Jacob LaRue.

**AGENDA**

Mayor LaRue requested the removal of Agenda Item 10K-Property Resolution for 1111 North Lee. The amended Agenda was approved on motion by Commissioner Fairchild, 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 – September 13, 2021
- Warrant Register dated September 15, 2021
- Warrant Register dated September 22, 2021
- Review Various Board and Committee Minutes and Reports

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

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**

City Manager Todd Newman gave his report on City activities and operations. Items reported on included an update on the Cost Share Grant Application for the 21<sup>st</sup> & Plummer Project, Artist Alley, painting and maintenance at the Aquatic Center, the 2<sup>nd</sup> & Highland Drainage Ditch Project, and Public Safety.

General discussion was made.

City Manager Todd Newman and Mayor Jacob LaRue thanked the Board of Neosho County Commission for their Letter of Support for the 21<sup>st</sup> & Plummer Project and their approval of 50/50 funding for the project.

### **OLD BUSINESS**

#### **FIRE PROTECTION ORDINANCES FOR BIG CREEK, CANVILLE, AND TIOGA TOWNSHIPS**

At the September 13, 2021, Chanute City Commission meeting the Commissioners voted to increase the fire protection contract costs to Big Creek Township, Canville Township, and Tioga Township by 2.5%.

Based on the action by the Commission, the required Ordinances are back before the Commission for approval. A copy of the Ordinances was provided to the City Commission for review.

General discussion was made.

Motion made by Commissioner Fairchild, seconded by Commissioner Berthot, to pass the Ordinances establishing 2022 Fire Protection Contract Price reflecting a 2.5% increase for Big Creek, Canville, and Tioga Townships. Voting Aye: All. Motion carried unanimously.

The Ordinances were assigned: No. S-543, No. S-544, and No. S-545.

### **NEW BUSINESS**

#### **DONATION OF OSA MARTIN SUBDIVISION LOTS – ASH REAL ESTATE, LLC**

At the August 23, 2021, Chanute City Commission Meeting the Commission voted to donate two lots to Advanced System Homes, Inc. with the intent of ASH Real Estate building two spec homes in the Osa Martin Subdivision.

After the Commission vote, City staff and Darin Luebbering have agreed on the two lots to be deeded.

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

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to authorize the mayor to execute deeds for the donated lots as presented. Voting Aye: All. Motion carried unanimously.

### **BUS BARN LEASE – USD #413**

In 2014 the City of Chanute entered a 20-year lease agreement with USD 413 so that USD 413 could have additional land for its bus barn complex adjoining Highland Park. USD 413 has now requested additional land to add on to its existing parking lot.

USD 413 Superintendent Dr. Adams met with the Parks Advisory Board (PAB) on September 2, 2021, to ask for their approval of additional park land to be utilized as parking. The PAB approved USD 413 request and sought City staff recommendation moving forward. The requested additional land will have little effect on how citizens use Highland Park. City staff is recommending adding this tract to the terms of the existing Lease Agreement.

The City Attorney has prepared an amended legal description to cover the new tract of land.

General discussion was made. Comments were made by City Manager Todd Newman and USD 413 Superintendent Dr. Addams.

Motion made by Mayor LaRue, seconded by Commissioner Fairchild, to approve the request from USD 413 and amend the current Lease Agreement legal description.

Voting Aye: Mayor LaRue and Commissioner Berthot, Budreau, and Fairchild

Voting Nay: Commissioner Chaney

Motion carried.

### **NEIGHBORHOOD REVITALIZATION APPLICATION - NEYER**

Bernard J Neyer has submitted an application under the Neighborhood Revitalization Program. It has been verified that the property listed under the scope of the application, 1129 South Forest - parcel identification number 067-049-29-0-10-30-006.00-0 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. Comments were made by Bernard Neyer.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, to approve the Neighborhood Revitalization Application – Bernard J Neyer. Voting Aye: All. Motion carried unanimously.

### **REVIEW OF POOL RATES**

At the August 23, 2021, regular City Commission meeting there was a consensus from the Commission to review Pool Rates.

To date expenses for the Maring Aquatic Center are \$257,723.72 and revenue is \$53,976.61.

General discussion was made. Comments were made by City Manager Todd Newman and Pool Manager Monica Colborn.

### **DOWNTOWN RESTROOM**

There have been yearly requests for a downtown restroom. City staff presented the current plans to the Downtown Revitalization Committee at their April 6, 2021, regular meeting with no objections. The downtown restroom was previously presented as a grant opportunity through the AARP Community Challenge that was unsuccessful.

A drawing for a block structure to be constructed on the old Southside vacant lot south of the CRDA building was provided for review.

City staff is seeking approval for \$43,000 in materials with City staff providing in-kind services to construct the building. Funding would be allocated from the City Infrastructure account.

General discussion was made. Comments were made by City Manager Todd Newman and Chanute Chamber of Commerce and Office of Tourism Executive Director Jane Brophy.

Motion made by Commissioner Berthot, seconded by Commissioner Chaney, to approve City Staff to move forward with the project as presented. Voting Aye: All. Motion carried unanimously.

### **ORDINANCE REVIEW – SPECIAL PURPOSE VEHICLE (SPV) PERMIT**

At the September 13, 2021, regular City Commission meeting there was a consensus from the Commission to review the City's Ordinance for Special Purpose Vehicle Permits.

The City issues an average of 18 SPV Permits per year. As of September 22, 2021 the City has issued 43 SPV Permits during 2021. A copy of City Ordinance No. 2606 and steps to obtain a SPV Permit was provided for review.

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

Commission consensus was to provide better enforcement of the existing City Ordinance.

**CONSIDER ORDINANCE AMENDMENT PERTAINING TO ABATEMENT OF NUISANCES**

To date advertisement costs for publishing resolutions twice in the official city newspaper per City Ordinance have amounted to \$17,000. Code enforcement is experiencing an increase in properties found to be in violation. City staff is requesting a change to 8.20.100 - C. to read “serving of resolution shall be made by publishing the resolution ONCE in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists”.

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

Motion made by Commissioner Fairchild, seconded by Commissioner Chaney, to pass an Ordinance amending Chapter 8.20.080 pertaining to Abatement of Nuisances as presented. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2641

**SPECIAL USE PERMIT**

At the September 7, 2021, Board of Zoning Appeals meeting and at the September 9, 2021, Planning Commission meeting, a Special Use Permit for a sign near Subway was unanimously approved.

Norris Outdoor Advertising President Jerod Norris provided a brief overview of his request.

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

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to accept the Planning Commission vote and approve the Special Use Permit as presented. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. S-546

**LOT SPLIT APPROVAL**

At the September 7, 2021, Board of Zoning Appeals meeting and at the September 9, 2021, Planning Commission meeting, a Lot Split was unanimously approved for the East 50’ of 1020 South Highland to join to 1000 South Highland.

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

Motion made by Commissioner Budreau, seconded by Commissioner Berthot, to accept the Planning Commission vote and approve the Lot Split Certificate as presented. Voting Aye: All. Motion carried unanimously.

**PROPERTY RESOLUTION – 911 SOUTH STEUBEN**

**PROPERTY RESOLUTION – 222 EAST 12TH**

**PROPERTY RESOLUTION – 1018 NORTH WASHINGTON**

**PROPERTY RESOLUTION – 215 SOUTH GRETCHEN**

**PROPERTY RESOLUTION – 1120 SOUTH WASHINGTON**

**PROPERTY RESOLUTION – 1302 SOUTH HIGHLAND**

**PROPERTY RESOLUTION – 716 WEST 10TH**

**PROPERTY RESOLUTION – 620 WEST 6TH**

**PROPERTY RESOLUTION – 212 NORTH EVERGREEN**

Motion made by Commissioner Fairchild, 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. 2021-89, No. 2021-90, No. 2021-91, No. 2021-92, No. 2021-93, No. 2021-94, No. 2021-95, No. 2021-96, and No. 2021-97.

**COMMISSION COMMENTS**

Commissioner Budreau requested an update on repair of City drainage ditches.

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

Commissioner Chaney thanked City Staff and the Board of Neosho County Commission for working together on the 21<sup>st</sup> & Plummer Project.

Mayor LaRue thanked City crews for their work with Artist Alley.

**ADJOURNMENT**

Motion made by Commissioner Fairchild, seconded by Commissioner Berthot, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:12 p.m.

Tina L Bailey, CMC  
City Clerk