

**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 Sam Budreau, Phillip Chaney and Tim Fairchild.

Commissioners Absent: Commissioner Kevin Berthot.

Staff Present: Todd Newman, City Manager; Ryan Follmer, Assistant City Manager; David Brake, City Attorney; Tina Bailey, City Clerk; Cory Kepley, Chief Finance Officer; and Chris Stogsdill, IT Director.

**INVOCATION**

The invocation was given by Mayor LaRue.

**AGENDA**

The Mayor requested the addition of an Executive Session to Discuss Non-Elected Personnel. 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 – May 23, 2022
- Warrant Register dated May 25, 2022
- Warrant Register dated June 1, 2022
- Warrant Register dated June 8, 2022
- Review Various Board and Committee Minutes and Reports
- Request to Shoot Fireworks – Guest Home Estates
- Request to Shoot Fireworks – Heritage Health Care

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 Todd Newman gave his report on City activities and operations. Items reported on included an update recent storm cleanup, Osa Martin lots, and fireworks.

City Manager Newman requested that Alan Miller with Miller's Pyrotechnics provide the Commission with an update on the July Fourth Fireworks Display.

Mr. Miller reported delivery delays and other potential options for a firework's display at a later date.

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

Commission consensus was to postpone the fireworks display until September, potentially Labor Day or Artist Alley weekend.

## **OLD BUSINESS**

### **221 EAST MAIN – REVIEW PROPERTY RESOLUTION 2022-001**

At their March 14, 2022 regular meeting the Chanute City Commission approved an additional 90 days for abatement of certain nuisances contained within Resolution No. 2022-01 for the property located at 221 East Main. Resolution No. 2022-01 was adopted at the January 10, 2022 meeting.

The Resolution authorizes and orders the City of Chanute and/or its contractors to abate the nuisances from the aforementioned property on or after March 14, 2022.

General discussion was made. Comments were made by 221 East Main property owner Earl Bartholomew, City Manager Todd Newman and City Attorney David Brake.

Commission consensus was to table this item and place it on the Agenda at the June 27, 2022 regular meeting for further discussion. This will allow Mr. Bartholomew time to provide a Project Guarantee of Funds Letter and documentation of debris removal expenses occurred to date.

### **REQUEST TO PURCHASE REMAINING OSA MARTIN HEIGHTS SUBDIVISION LOTS – ASH REAL ESTATE**

This item was tabled at the regular May 23, 2022 City Commission meeting. The Commission charged the City Manager with contacting Orizon.

ASH Real Estate LLC would like to purchase the remaining (13) thirteen lots in Osa Martin Heights Subdivision for a price of \$5,000.00 per lot. ASH's plan is to build these lots out in an (18) eighteen-month time frame with single family homes.

City Manager Todd Newman provided a brief update. He reported that after recent conversations with Orizon Aerostructures CEO Charlie Newell, Orizon plans to retain three (3) of the developed lots. He reported that there are 11 developed lots available for purchase.

General discussion was made. Comments were made by ASH Real Estate owner Darin Luebbering and City Manager Todd Newman.

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau to approve the purchase of the remaining 11 developed lots for ASHE Real Estate LLC in the amount of \$5,000.00 per lot. Voting Aye: All. Motion carried unanimously.

### **NEW BUSINESS**

#### **REQUEST TO PURCHASE OSA MARTIN HEIGHTS SUBDIVISION LOTS – HOMETEAM PROPERTIES, LLC**

During the May 23, 2022 regular City Commission Meeting, Travis West requested during Public Comments to purchase three (3) lots at Osa Martin Subdivision. This was not an agenda item and no action was taken for purchase price.

On May 24, 2022 Amy Callahan with HomeTeam Properties, LLC. dropped off a check in the amount of \$18,750 for the purchase of three (3) lots at a value of \$6,250.00 each.

No available lots for purchase. No action taken.

#### **MEMORANDUM OF LEASE AGREEMENT FOR 411 SOUTH CENTRAL – CHANUTE HISTORICAL SOCIETY**

The City of Chanute has been providing free space at the former Early Beginnings building at 411 South Central to the Chanute Historical Society and Genealogical Society for a storage and office area for records. As shown by the letter accompanying this agenda item, the Chanute Historical Society and Genealogical Society desires to continue the lease.

As set out in the proposed Memorandum of Lease Agreement, the use of this building is a cooperative agreement between the City, Chanute Historical Society and Chanute Genealogical Society to help preserve important family and public records.

The City is responsible for the structure and utilities. The Chanute Historical Society and Chanute Genealogical Society takes care of the interior maintenance.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild to approve renewal of the Memorandum of Lease Agreement as presented. Voting Aye: All. Motion carried unanimously.

### **FIBER PROMOTION**

During the June 6, 2022 City Commission Budget Work Session City staff presented commissioners with a fiber promotion for currently active Pons (0,2,3,11). The promotion is for a one (1) year contract with the first six (6) months at \$40.00 per month and the second six (6) months being the normal \$75.00 per month rate.

There are roughly 600 customers that would qualify for the promotion throughout the four (4) Pons.

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

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, to approve City staff to move forward with the promotional offer as presented. Voting Aye: All. Motion carried unanimously.

**FIBER RATE – SMALL BUSINESSES**

During the June 6, 2022 City Commission Budget Work Session City staff presented commissioners with a Fiber Small Business Rate for businesses with five (5) employees or less. The rate would be \$90 each month for businesses who qualify.

General discussion was made. Comments were made by City Manager Todd Newman and IT Director Chris Stogsdill.

Motion made by Commissioner Budreau, seconded by Commissioner Chaney, to approve City staff to move forward with the Fiber Small Business Rate as presented. Voting Aye: All. Motion carried unanimously.

**WATER METER CHARGE – ORDINANCE AMENDMENT**

During the June 6, 2022 City Commission Budget Work Session City staff presented commissioners with a \$2.00 meter increase to be disbursed across the board. The increase would bring in roughly \$100,000.00 annually for debt service.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to amend Chanute Municipal Code Sections 14.16.010 and 14.16.030 as presented, with the water meter charge increase going into effect for first billing cycle after its publication. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2646

**GAS METER CHARGE – ORDINANCE AMENDMENT**

During the June 6, 2022 City Commission Budget Work Session City staff presented commissioners with a gas meter charge increase. The current gas meter charge is \$10.00 with staff's recommendation to increase the meter charge to \$20.00. The increase would bring in roughly \$490,000.00 annually for debt service.

General discussion was made. Comments were made by the City Manager.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild to amend Chanute Municipal Code Section 14.16.110 as presented, with the gas meter charge increase going into effect for the first billing cycle after its publication. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2647

**PROPERTY RESOLUTION – 1105 NORTH STEUBEN**

**PROPERTY RESOLUTION – 324 SOUTH FOREST**

**PROPERTY RESOLUTION – 1801 SOUTH EVERGREEN**

**PROPERTY RESOLUTION – 1220 WEST MULBERRY LOT #12**

**PROPERTY RESOLUTION – 1220 WEST MULBERRY LOT #13**

**PROPERTY RESOLUTION – 1220 WEST MULBERRY LOT #14**

**PROPERTY RESOLUTION – 1118 NORTH FOREST**

**PROPERTY RESOLUTION – 1101 NORTH FOREST**

**PROPERTY RESOLUTION – 0 NORTH WASHINGTON**

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

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. 2022-160, No. 2022-161, No. 2022-162, No. 2022-163, No. 2022-164, No. 2022-165, No. 2022-166, No. 2022-167, and No. 2022-168.

**EXECUTIVE SESSION – DISCUSSION OF NON-ELECTED PERSONNEL**

Motion made by Commissioner Chaney, seconded by Mayor LaRue, 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 City Commission Chambers at 8:05 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:05 p.m.

No action taken.

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, 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) and for with the City Attorney. The open meeting will resume in the City Commission Chambers at 8:25 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:25 p.m.

Motion made by Mayor LaRue, seconded by Commissioner Chaney, to approve the following:

- In the event Employee is terminated by employer without cause, Employee is entitled to a continuation of a monthly base salary of \$12,000 and health insurance until employee resumes gainful employment or receives any form of Social Security or retirement. Employee has good faith duty to seek employment and in no event shall continuation of monthly base pay and health insurance exceed six months.
- Employer agrees to pay Employee an annual base salary of \$147,000.00,
- The Employee will be entitled to five percent (5%) lump sum payment based on Employee's current base salary as an incentive payment for continued employment twelve (12) months from the effective date of this renewal agreement.

Voting Aye: All. Motion carried unanimously.

### **COMMISSION COMMENTS**

Commissioner Chaney thanked City Manager Todd Newman for his dedication to the City and willingness to work with the City Commission for the betterment of the community. He also thanked City staff.

Commissioner Chaney requested review of attendance requirements for City Boards.

Commissioner Chaney commented on the need for two-way stop signs at all intersections in Chanute.

Commissioner Chaney commented on concessions at the City Aquatic Center.

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

Commissioner Fairchild thanked City Manager Todd Newman for his dedication to the City and open communication.

Commissioner Budreau thanked City Manager Todd Newman and City staff for the work performed for the City.

Commissioner Budreau commented on buildings located on Santa Fe, foul balls and concessions at Santa Fe Ball Fields, and 112 West Main.

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

Mayor LaRue thanked City Manager Newman for his dedication to the City.

Mayor LaRue He also appreciates the good open honest conversations during Agenda item discussion.

### **ADJOURNMENT**

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to adjourn.  
Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:41 p.m.

Tina L Bailey, CMC  
City Clerk