

**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, and Phillip Chaney.

Commissioners Absent: Commissioner Tim Fairchild.

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

**INVOCATION**

The invocation was given by Commissioner Phillip Chaney.

**AGENDA**

Mayor LaRue requested the removal of Agenda Item 9F-Property Resolution 905 West Walnut and Item 9G-Property Resolution 219 N Malcolm. He reported abatement by the property owners.

Mayor LaRue requested amendment of Agenda Item 9A-Funding Request for Fourth of July Celebration-Chanute Elks 806 to include Temporary Road Closures and Use of City Parking Lot to Hold a Fourth of July Celebration-Chanute Elks 806.

Mayor LaRue requested the addition of Agenda Item 9F-2021 Fireworks Show and Item 10-Executive Session-Discussion of 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 – June 14, 2021
- Warrant Register dated June 16, 2021
- Warrant Register dated June 23, 2021
- Review Various Board and Committee Minutes and Reports

- Request for Temporary Road Closure to Hold Fourth of July Celebration – American Legion
- Request to Shoot Fireworks – Country Place Senior Living and Memory Care

Motion made by Commissioner Berthot, 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 on the 2021 Mill and Overlay Project, the Hike and Bike Trail Overlay Project, the Chip and Seal Project, and the July 6, 2021 Budget Work Session and City Facility Tour.

City Manager Newman will provide a list of City streets for the upcoming Chip and Seal Project to the City Commission in the Weekly Bulletin.

City Manager Newman provided information relating to a recent Property Tax Appeal that Ash Grove Cement Company filed against Neosho County and how this may impact the City of Chanute's budget.

General discussion was made. Comments were made by City Manager Newman, City Attorney David Brake, and Chief Finance Officer Cory Kepley.

City Manager Newman will provide additional information on this item to the City Commission as available.

#### **OLD BUSINESS**

##### **NEW LEASE AGREEMENTS WITH THE SAFARI MUSEUM AND CHANUTE PUBLIC LIBRARY**

At the April 26, 2021 City Commission Meeting, representatives of the Safari Museum and Chanute Public Library discussed the need for new lease agreements as the terms of the 1990 original agreements were no longer applicable. The Commission directed the City Attorney to prepare new lease agreements and forward them to the Safari Museum and Chanute Public Library for the lessees' input.

Attorney Kent Pringle on behalf of the Safari Museum and Chanute Public Library made some revisions to the draft lease agreements and both proposed agreements were provided to the Commission for review and consideration. The proposed lease agreements are similar and provide for joint use and management of the common areas by the two tenants.

General discussion was made. Comments were made by Chanute Library Director Kara Hale, Safari Museum Executive Director Conrad Froehlich, City Manager Todd Newman, and City Attorney David Brake.

Commission consensus was to amend Section 4, Section 5, and Section 19 as discussed and defined by City Attorney David Brake.

Motion made by Commissioner Sam Budreau, seconded by Commissioner Berthot, to approve the new lease agreements for the Safari Museum and Chanute Public Library, contingent amendments to Section 4, 5, and 19. Voting Aye: All. Motion carried unanimously.

### **NEW BUSINESS**

#### **FUNDING REQUEST FOR FOURTH OF JULY CELEBRATION & REQUEST FOR TEMPORARY ROAD CLOSURES AND USE OF CITY PARKING LOT TO HOLD FOURTH OF JULY CELEBRATION – CHANUTE ELKS 806**

The City has received a request from Clete Hudson, Chanute Elks 806 Exalted Ruler, requesting that the City Commission consider a donation of \$2,000 to help sponsor their Fourth of July Celebration. This is a community event and will be held Saturday, July 3, 2021, from 7:00 a.m. to 10:00 p.m.

The City also received a request today from Clete Hudson, Chanute Elks 806 Exalted Ruler, requesting temporary road closures and use of City parking lot to hold Fourth of July Celebration.

Chanute Elks 806 Exalted Ruler Clete Hudson and Trustee Ashley Robinson provided a brief overview of the request and the planned activities for their Fourth of July Celebration.

General discussion was made. Comments were made by Mr. Hudson, Ms. Robinson, Mr. Kenny Ornelas, and City Manager Todd Newman.

Motion made by Commissioner Budreau, seconded by Commissioner Berthot to approve Chanute Elks 806 request for the following items, contingent on proof of event insurance:

- A donation in the amount of \$2,000 upon receipt of fireworks purchase.
- Permission to temporarily block 1<sup>st</sup> Street from Evergreen Avenue going east to Central Avenue on July 3, 2021 from 7:00 a.m. to 10:00 p.m.
- Permission to temporarily block Central Avenue from 2<sup>nd</sup> Street going north to Main Street from dusk to 10:00 p.m. during their Fireworks Display.
- Permission to use City Parking Lot and Vacant Lot.
- Permission to use City barricades, trash barrels, picnic tables, and dumpster.

Voting Aye: All. Motion carried unanimously.

#### **APPOINT ONE MEMBER TO THE CHANUTE RECREATION COMMISSION BOARD**

The Chanute Recreation Commission Board has one vacancy to fill for board member Ed Rosenberger, who resigned in May. CRC advertised the vacancy and received one application from Derek Sharp.

CRC Executive Director Monica Colborn, on behalf of the CRC Board of Directors, recommends that the City Commission appoint Derek Sharp to the Chanute Recreation Commission Board. Appointee will fill the remainder of the unexpired term through January 1, 2024

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, to appoint Derek Sharp to the Chanute Recreation Commission Board for the remainder of the unexpired term through January 1, 2024. Voting Aye: All. Motion carried unanimously.

**APPLICATION FOR 2021 LICENSE TO SELL CEREAL MALT BEVERAGE**

It is the City's policy to inspect the premises of any business applying for a Cereal Malt Beverage License. The business at 2110 South Santa Fe, The Red Pepper, LLC, has applied for a Cereal Malt Beverage License.

Prior to licensing clearance by the Police Department will be made and an inspection of the premises will be made and approved by the City Building Inspector and Fire Department.

The City License fee of \$100.00 for an on-premise consumption license and the State Cereal Malt Tax of \$25 have been paid.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, to approve the application for a 2021 Cereal Malt Beverage License for The Red Pepper, LLC, contingent approval and inspection by the Police Department, City Building Inspector, and Fire Department. Voting Aye: All. Motion carried unanimously.

**2021 FIREWORKS SHOW**

Commissioner Chaney has requested that the City Commission consider approval of funds for a 2021 Fireworks Show at Santa Fe Lake.

The 2020 Fireworks Show had been canceled due to Covid and the 2021 Fireworks Show had been canceled due to Larry Pierce moving out of town and no remaining members present on the Chanute Fireworks Committee to assume responsibility.

The City of Chanute has previously distributed money to the Chanute Firework Fund-Community Foundation through the budget process for outside agencies.

There are funds remaining in the fireworks account that could be distributed for a 2021 Fireworks Show dependent on a certified shooter, product, and open dates at Santa Fe Park.

Commissioner Chaney introduced Mr. Miller and Mr. Miller provided a brief overview of his services and cost for a 2021 Fireworks Show.

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

Motion made by Commissioner Budreau, seconded by Commissioner Chaney, to approve payment in an amount not to exceed \$8,000 and contingent upon proof of liability insurance for a 2021 Fireworks Show at Santa Fe Park on Friday, July 2, 2021 with a backup date of Saturday, July 17, 2021 due to inclement weather and parking conditions at Santa Fe Park.

Voting Aye: Commissioners Berthot, Budreau, and Chaney.

Voting Nay: Mayor LaRue  
Motion carried.

**PROPERTY RESOLUTION – 227 SOUTH KANSAS**

**PROPERTY RESOLUTION – 1220 WEST MULBERRY, LOT 17**

Motion made by Commissioner Chaney, 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. 2021-51 and No. 2021-52

**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 City Commission Chambers at 8:20 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:20 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 City Commission Chambers at 8:40 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:40 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 City Commission Chambers at 8:55 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 8:55 p.m.

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, to amend the City Manager's contract and approve an annual salary in the amount of \$135,000 for City Manager Todd Newman. Voting Aye: All. Motion carried unanimously.

**COMMISSION COMMENTS**

Commissioner Budreau stated that he appreciates the efforts of everyone to see that we have Fourth of July Events for the citizens.

Commissioner Chaney requested follow-up for previous discussion on e-mail utility billing.

City Manager Newman will provide this information in the Weekly Bulletin.

Commissioner Chaney also expressed his appreciation to everyone that helped to sponsor a Fourth of July Celebration for the community.

Commissioner Chaney requested that the Commission consider reinstating a previous Volunteer Tear Down Program that the City previously offered to City residents.

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

Commission consensus was to place this item on the Agenda at the next City Commission meeting for further discussion and review.

Commissioner Chaney requested that the Commission consider reviewing the City's weed and nuisance violation fees and approval of additional fines for repeat offenders.

City Manager Newman will contact City Attorney David Brake and research this item and provide information to the Commission at a later date.

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.

Commissioner Berthot thanked the community and volunteers for their dedication to make Chanute a great place to live.

Mayor LaRue thanked the entities that stepped up to provide Fourth of July events for the community.

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

#### **ADJOURNMENT**

Motion made by Commissioner Budreau, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 9:08 p.m.

Tina L Bailey, CMC  
City Clerk