

**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, 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 Tim Fairchild.

**AGENDA**

Mayor LaRue requested the removal of Item 9D-Resolution Declaring Property at 116 South Western in Violation of Chanute Municipal Code. The amended Agenda was approved on motion by Commissioner Fairchild, 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 – August 14, 2023
- Warrant Register dated August 16, 2023
- Warrant Register dated August 23, 2023
- Review Various Board and Committee Minutes and Reports
- Request for Street Closure for Neighborhood Block Party
- Request from the Chanute American Legion to Hold a 9/11 Memorial Ceremony

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

**PUBLIC COMMENTS**

Cindy Morrison, 724 South Evergreen commented of the City's property tax, utility rates, and smart meters. She distributed a list of questions to the City Commission for review.

Jane Brophy, Chanute Chamber of Commerce and Office of Tourism Executive Director requested that the City Commission consider holding a Joint Work Session on Monday, September 25, 2023, 5:30 p.m. to discuss future expectations.

General discussion was made.

Commission consensus was to hold a Joint Work Session between the City Commission and Chanute Chamber of Commerce and Office of Tourism on Monday, September 25, 2023, 5:30 p.m. to discuss future expectations.

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

City Manager Todd Newman gave his report on City activities and operations. Items reported on included an update on upcoming holiday hours for City offices and also the new sanitation trucks & carts.

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

### **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 City Attorney prepared new lease agreements and forwarded them to the Safari Museum and Chanute Public Library for the lessees' input. On August 14, 2023, the City Commission had a work session with the museum and library boards.

City Manager Todd Newman provided an overview of the proposed lease agreements and suggested changes.

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

Commission consensus was to table this item and for City staff to make the discussed changes to #3-Term and #9-Maintenance & Repairs. This item will be placed on the next Agenda for further review and consideration.

### **NEW BUSINESS**

#### **ADOPT 2023 STANDARD TRAFFIC ORDINANCES**

Every few years the City of Chanute adopts the latest version of the Standard Traffic Ordinances published by the Kansas League of Municipality.

The Kansas legislature on occasion will make changes to traffic ordinances that require a municipality to adopt the latest version of the Standard Traffic Ordinances.

General discussion was made. Comments were made by City Attorney David Brake.

Motion made by Commissioner Berthot, seconded by Commissioner Fairchild, to pass Ordinance amending section 10.04.010, Chanute Municipal Code, Providing for the Adoption of the 2023 Standard Traffic Ordinances. Voting Aye: All. Motion carried unanimously.

The Ordinance was assigned: No. 2662

#### **REQUEST FOR EXCHANGE FEDERAL FUNDS**

On February 5, 2018 KDOT and the City of Chanute entered into a supplemental agreement with KDOT regarding the federal fund exchange program (Supplemental No. 1 to Agreement No. 74-16). A program which allows a local public agency (LPA) to trade all or a portion of its federal fund allocations in a specific federal fiscal year with KDOT in exchange for state transportation dollars or with another LPA in exchange for their local funds. The 2023 Exchange Rate for the program is \$.90 of state funds for every \$1.00 of local federal obligations authority exchanged. State funds will be paid on a reimbursement basis as the LPA incur costs.

Currently the amount of City federal funds available to be exchanged is \$118,105.42. State funds must be used for transportation project(s) in accordance with the program guidelines and would be paid on a reimbursement basis as the City incurs costs on the project(s).

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

Motion made by Commissioner Chaney, seconded by Mayor LaRue, to approve the Request to Exchange Federal Funds and authorize the City Manager to complete and sign required forms. Voting Aye: Mayor LaRue and Commissioners Berthot and Chaney  
Voting Nay: None  
Abstained: Commissioner Fairchild  
Motion carried.

#### **REQUEST FOR TEMPORARY STREET CLOSURE FOR "A NIGHT WITH EDGAR ALLEN POE" EVENT**

Glenda Bruner, Chanute Art Gallery Board Chair, is requesting temporary closure of Elm Street between the Depot building and The Chanute Art Galler/Chamber of Commerce buildings, in order to hold "A Night with Edgar Allen Poe" event on both Friday, October 27, 2023 & Saturday, October 28, 2023. The event will be held each evening between 5:00 and 9:30 pm, the street closures will allow time to accommodate the preparation, performance, and dismantling of the production.

The request includes temporary street closure of Elm from the Depot entrance driveway west to the parking lot, the alleyway between Main & Elm (between the parking area and Lincoln Avenue), and appropriate street barricades.

General discussion was made.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, to approve the request for temporary street closure and for City assistance as presented. Voting Aye: All. Motion carried unanimously.

**PROPERTY RESOLUTION – 1315 SOUTH HIGHLAND**

**PROPERTY RESOLUTION – 1022 SOUTH FOREST**

**PROPERTY RESOLUTION – 221 WEST HICKORY**

**PROPERTY RESOLUTION – 616 NORTH EVERGREEN**

**PROPERTY RESOLUTION – 525 WEST OLIVE**

**PROPERTY RESOLUTION – 12 SOUTH ALLEN**

**PROPERTY RESOLUTION – 617 WEST ELM**

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. 2023-90, No. 2023-91, No. 2023-92, No. 2023-93, No. 2023-94, No. 2023-95, and No. 2023-96.

**EXECUTIVE SESSION TO DISCUSS ACQUISITION OF REAL PROPERTY**

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, that the City Commission recess into executive session for the preliminary discussion of the acquisition of real property; exception, K.S.A. 75-4319(b)(6). The open meeting will resume in the City Commission Chambers at 7:20 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 7:20 p.m.

No action taken.

Motion made by Commissioner Chaney, seconded by Commissioner Berthot, that the City Commission recess into executive session for the preliminary discussion of the acquisition of real property; exception, K.S.A. 75-4319(b)(6). The open meeting will resume in the City Commission Chambers at 7:35 p.m. Voting Aye: All. Motion carried unanimously.

The City Commission returned to open session at 7:35 p.m.

No action taken.

**COMMISSION COMMENTS**

Commissioners Chaney, Berthot, Fairchild and Mayor LaRue made comments and held general discussion related to the City's mil levy, property taxes, utility rates, and fiber. They also thanked City staff and fellow commissioners for the working toward the same community goals.

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

**ADJOURNMENT**

Motion made by Commissioner Fairchild, seconded by Mayor LaRue, to adjourn. Voting Aye: All. Motion carried unanimously. Meeting adjourned at 8:01 p.m.

Tina L Bailey, CMC  
City Clerk