

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, Phillip Chaney, and Tim Fairchild.

Staff Present: Todd Newman, City Manager; Ryan Follmer, Assistant City Manager; David Brake, City Attorney; Tina Bailey, City Clerk; Cory Kepley, Chief Finance Officer; Steven Trester, Community Services Director; and Jeff Litzel, Water Treatment Plant Foreman.

INVOCATION

The invocation was given by Commissioner Phillip Chaney.

AGENDA

The Mayor requested the addition of Consent Agenda Item 5C-Request to Temporarily Close the Parking Lot North of the Main Street Pavilion – Classic Car Cruise Night and the removal of Item 9F – Property Resolution Declaring Property at 0 N Lincoln in Violation of Municipal Codes and Item 9I -Resolution Declaring Property at 905 N Steuben in Violation of Municipal Codes. The amended Agenda was approved on motion by Commissioner Berthot, seconded by Commissioner Fairchild. 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 13, 2022
- Warrant Register dated June 15, 2022
- Warrant Register dated June 22, 2022
- Review Various Board and Committee Minutes and Reports
- Request for Temporary Road Closure to Hold Fourth of July Celebration – American Legion
- Request to Temporarily Close the Parking Lot North of The Main Street Pavilion – Classic Car Cruise Night

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

PUBLIC COMMENTS

Ruthann Boatwright, Main Street Chanute Executive Director reported on upcoming Main Street activities.

CITY MANAGER'S REPORT

City Manager Todd Newman gave his report on City activities and operations. Items reported on included upcoming holiday hours for City offices and an update on the Code Red Agreement between the City of Chanute and Neosho County.

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

OLD BUSINESS

221 EAST MAIN – REVIEW PROPERTY RESOLUTION 2022-001

At their June 13, 2022 regular meeting the Chanute City Commission tabled this item to allow property owner Earl Bartholomew time to provide a Project Guarantee Fund Letter and documentation of debris removal expenses occurred to date. Commission consensus was to place this item on the June 27, 2022 Agenda for further discussion.

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 City Manager Todd Newman, Mr. Bartholomew, Matt Martin, and Vicki Brown.

Commission consensus was to table this item to allow Mr. Bartholomew time to provide the City Manager with a copy of his current concrete contractor's contract and proof of the down payment. This item will be placed on the Agenda at the July 11, 2022 regular City Commission meeting for review and further discussion.

DOWNTOWN RESTROOM – BUDGET AND COMPLETION DATE

At the September 27, 2021 meeting it was approved to move forward with a \$43,000.00 material budget with funding from city infrastructure and the City providing in-kind services to construct. With the current prices for materials and sub-contractor availability City staff needs to amend the previous action taken for the material budget and completion dates.

City Manager Todd Newman and Assistant City Manager Ryan Follmer provided a brief update on the Downtown Restroom project.

General discussion was made.

Commission consensus was for City staff to move forward with the project and provide updates as the project progresses.

NEW BUSINESS

WHOLESALE WATER DISTRICT PURCHASE AGREEMENT – RURAL WATER DISTRICT NO. 13

June 27, 2006 City Commission approved the terms under the Wholesale Water Purchase Agreement. The new rate was \$2.24 with an annual increase of up to 3% per year.

After reviewing water rates city staff realized that the Wholesale Water Purchase Agreement is not current. The last annual increase was in 2006 and has gone 16 years without an annual increase. The current contract should have been reviewed in 2016 and again in 2026. If all contracts would have adjusted for an annual 3% increase the current rate would be \$3.59 per 100 cubic feet.

General discussion was made. Comments were made by City Manager Todd Newman, Assistant City Manager Ryan Follmer, City Attorney David Brake, and Water Treatment Plant Foreman Jeff Litzel.

Motion made by Commissioner Fairchild, seconded by Commissioner Chaney, to approve a new rate of \$3.59 per 100 cubic feet with an annual increase of up to 3% per year as presented.
Voting Aye: All. Motion carried unanimously.

TOURISM SERVICES AGREEMENT – ANNUAL REVIEW

During the May 24, 2021 regular meeting the Chanute City Commission approved a Tourism Services Agreement (TSA) between the City of Chanute and Chanute Chamber and Office of Tourism with a one-year term.

Section 8 of the agreement reads: Agreement Duration and Renewal; Termination, the agreement has an automatic extension for one calendar year unless either party gives written notice, prior to July 1, 2022, that they desire to amend or terminate the TSA.

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

Motion made by Commissioner Chaney, seconded by Commissioner Fairchild, to approve that the City Manager send notice by July 1, 2022 to the Chanute Chamber and Office of Tourism to amend or terminate the TSA Agreement commencing at the end of this year.

Further discussion was made.

Mayor LaRue called for a vote for the motion on the floor.

Voting Aye: Commissioners Berthot, Budreau, Chaney, and Fairchild

Voting Nay: Mayor LaRue

Motion carried.

CONSIDER ADOPTING THE NFPA 70 NATIONAL ELECTRICAL CODE HANDBOOK 2020 EDITION

The last National Electric Code (NEC) that was adopted was the 1984 Edition of the NEC. It was adopted in November of 1985. The State of Kansas does not have a statewide adoption of the

NEC. It is left for each local jurisdiction to adopt and enforce, what electrical code best fits their needs.

New editions of the NEC are released in three (3) year cycles. The most current cycle is the 2020 Edition of the NEC. There have been many changes, updates, and additions to the NEC in the 36 years between the 1984 NEC and the 2020 NEC. The purpose of the NEC is the practical safeguarding of persons and property from hazards arising from the use of electricity. The NEC contains provisions that are considered necessary for safety.

The City Attorney has prepared an ordinance to formally adopt the NFPA 70 National Electrical Code Handbook 2020 Edition. The same form of ordinance can be used to adopt newer or additional codes.

General discussion was made. Comments were made by Assistant City Manager Ryan Follmer and Community Services Director Steven Trester.

Motion made by Commissioner Chaney, seconded by Commissioner Budreau, to pass an Ordinance amending Municipal Code Sections 16.08.010, 16.08.021, 16.08.030, 16.08.050, 16.08.080, 16.08.120, 16.08.260, 16.08.270 and 16.08.280 pertaining to the Electrical Code and adopting the NFPA 70 National Electrical Code Handbook 2020 Edition.

The Ordinance was assigned: No. 2648

PROPERTY RESOLUTION – 1523 SOUTH KATY

PROPERTY RESOLUTION – 217 WEST 2ND

PROPERTY RESOLUTION – 1302 SOUTH HIGHLAND

PROPERTY RESOLUTION – 602 NORTH HIGHLAND

PROPERTY RESOLUTION – 501 WEST 1ST

Motion made by Commissioner Berthot, seconded by Commissioner Fairchild, 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. 2022-169, No. 2022-170, No. 2022-171, No. 2022-172, and No. 2022-173.

COMMISSION COMMENTS

Commissioner Fairchild thanked the Commission and City staff for working together and having a heart for the common good.

Commissioner Budreau commented on the recent Budget Work Session and discussion related to Refuse Collection and sanitation trucks.

Mayor LaRue thanked City Manager Todd Newman and Assistant City Manager Ryan Follmer for transparency and working well with the City Commission.

ADJOURNMENT

Motion made by Commissioner Fairchild, seconded by Commissioner Budreau, to adjourn.
Voting Aye: All. Motion carried unanimously. Meeting adjourned at 7:59 p.m.

Tina L Bailey, CMC
City Clerk