



City Commission Regular Meeting

Tuesday, May 04, 2021 at 6:00 PM
Commission Chambers, 124 S Bluff, Anthony, KS 67003

MINUTES

OPENING

- Welcome / Call to Order
- Invocation / Pledge of Allegiance
- Roll Call

PRESENT

Mayor Greg Cleveland
Commissioner Sherrie Eaton
Commissioner Jan Lanie
Commissioner Kenny Hodson Jr.
Commissioner Eric Smith

Administrator Cyndra Kastens, Deputy City Clerk Sherri Miller, Water/Wastewater Department Head Terry Stark, Street Department Head JD Rhea, Electric Lineman Dalton Seyb, Elec. Dist. Department Head Jerry Angle, Bette DeMeritt, Susan Croft, and Donna Crowe.

-Approval of Agenda

A motion was made to approve the agenda as presented.

Motion made by Mayor Cleveland, Seconded by Commissioner Smith.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

PUBLIC COMMENT - Introduction of new city employee Dalton Seyb.

PUBLIC HEARINGS - NONE

CONSENT AGENDA

1. Approve Minutes of Regular Commission Meeting of April 20, 2021
2. Appropriation Ordinance No. 6087 \$201,082.34
3. Approve 4.27.21 Payroll \$51,326.55
4. Appoint Vicki Longbine to fill Eric Smith position on Planning Commission until August, 2023.

5. Approve to Partner in County-Wide Economic Development Video, Paying \$6,545.00 from ID Board Fund
6. Approve EBH Engineering Contract for Anthony Lake Pump Station (RV Dump) \$18,000

The Mayor asked if any items should be removed from the consent agenda for further discussion. Hearing none, a motion was made to approve the consent agenda as presented.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

REGULAR BUSINESS

7. Transient Guest Tax Recommendation - \$10,000 Anthony Theatre and \$11,500 Anthony Chamber

Bette DeMeritt and Susan Croft presented the Transient Guest Tax recommendation to award \$10,000 to the Anthony Theatre for a new projector and \$11,500 to the Anthony Chamber for the 2021 Balloon Fest. After much discussion, a motion was made to table the recommendation for the theatre to explore other funding options and approve the \$11,500 for the Balloon Fest.

Motion made by Commissioner Lanie, Seconded by Mayor Cleveland.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

8. CDBG-CV3 Business Grants

Donna Crowe presented the guidelines for the CDBG-CV Round 3 grant to see if the Commission wanted to apply for more COVID grant dollars for local businesses. After a great discussion the Commission decided not to apply on this round.

9. Health Resolution No., 1076 Davidson 501 S. Lincoln

RESOLUTION NO. 1076 A RESOLUTION AUTHORIZING THE PUBLIC OFFICERS OR OTHER AGENTS OF THE CITY TO ABATE HEALTH NUISANCES AS AUTHORIZED BY ARTICLE 2 OF CHAPTER VII OF THE CITY OF ANTHONY CITY CODE.

WHEREAS, it is in the interest of the City Commission that the health, safety, and general welfare of the citizens of the City of Anthony be maintained; WHEREAS, that a health nuisance has developed in Lot Two (2) & the North Forty (40) ft. of Lot Four (4), in Meig's addition, in the City of Anthony, Harper County, Kansas; as shown by the recorded Plat thereof, 501 S. Lincoln, Anthony, Kansas. WHEREAS, Notice of Violations have been served in person to the property owner of record, Kimberly Davidson, 501 S. Lincoln, Anthony KS 67003. WHEREAS, the property owner has not alleviated the alleged violations nor requested a hearing before the City Commission within the time periods specified; WHEREAS, the public officer and other agents of the City of Anthony presents this Resolution to the

City Commission; BE IT RESOLVED BY THE CITY COMMISSION that the Public Officers and other Agents of the City of Anthony are authorized to abate the conditions causing the violations at the end of, May 14, 2021; and BE IT FURTHER RESOLVED that the cost incurred by the City shall be charged against the Lot or Lots or parcel of ground on which the nuisance or nuisances were located. The City Clerk shall, at the time of certifying other taxes to the County Clerk certify the cost as provided and the County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid. Amount is due from property owner(s) for services rendered by the City of Anthony upon presentation of bill. Failure of property owner(s) to pay amount due may result in the City bringing an action in district court, or causing a special assessment to be levied on the property, or any other manner of collection provided by law. ADOPTED at Anthony, Kansas, this 4th day of May, 2021.

A motion was made to approve Health Resolution No. 1076 for 501 S Lincoln as presented.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

10. **Inoperable Vehicle Resolution No. 1077 Davidson 501 S. Lincoln Ave.**

RESOLUTION NO. 1077 A RESOLUTION AUTHORIZING THE PUBLIC OFFICERS OR OTHER AGENTS OF THE CITY TO ABATE INOPERABLE VEHICLES AS AUTHORIZED BY ARTICLE 3 OF CHAPTER VII OF THE CITY OF ANTHONY CITY CODE.

WHEREAS, it is in the interest of the City Commission that the health, safety, and general welfare of the citizens of the City of Anthony be maintained; WHEREAS, that a vehicle nuisance has developed in Lot Two (2) & the North Forty (40) ft. of Lot Four (4) in Meig's addition, in the City of Anthony, Harper County, Kansas, as shown by the recorded plat thereof, 501 S. Lincoln, Anthony, KS. WHEREAS, Notice of Violations has been served in person to the property owner of record, Kimberly Davidson, 501 S. Lincoln, Anthony, KS 67003. WHEREAS, the property owner has not alleviated the alleged violations nor requested a hearing before the City Commission within the time periods specified; WHEREAS, the public officer and other agents of the City of Anthony presents this Resolution to the City Commission; BE IT RESOLVED BY THE CITY COMMISSION that the Public Officers and other Agents of the City of Anthony are authorized to abate the conditions causing the violations at the end of May 14th , 2021; and BE IT FURTHER RESOLVED that the cost incurred by the City to abate such conditions shall be charged against the Lot or Lots or parcel of ground on which the nuisance or nuisances were located. The City Clerk shall, at the time of certifying other taxes to the County Clerk certify the cost as provided and the County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid. If any assessments levied pursuant to unpaid costs remain for a period of one year or more after their initial levy the City may collect the amount due in the same manner as a personal debt of the property owner to the City by bringing an action in District Court. Interest will accrue from and after the date a delinquency occurs. The City may pursue collection by levying a special assessment in addition to any other manner provided by law. Amount is due from property owner(s) for services rendered by the City of Anthony upon presentation of bill. Failure of property owner(s) to pay amount due may result in the City bringing an action in district court, or causing a special assessment to be levied on the property, or any other manner of collection provided by law. ADOPTED at Anthony, Kansas, this 4th day of May, 2021.

A motion was made to approve Inoperable Vehicle Resolution No. 1077 for 501 S Lincoln as presented.

Motion made by Commissioner Hodson Jr., Seconded by Commissioner Smith.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

11. **Inoperable Resolution No. 1078 Catherwood 323 S. Bluff**

RESOLUTION NO. 1078 A RESOLUTION AUTHORIZING THE PUBLIC OFFICERS OR OTHER AGENTS OF THE CITY TO ABATE INOPERABLE VEHICLES AS AUTHORIZED BY ARTICLE 3 OF CHAPTER VII OF THE CITY OF ANTHONY CITY CODE.

WHEREAS, it is in the interest of the City Commission that the health, safety, and general welfare of the citizens of the City of Anthony be maintained; WHEREAS, that a vehicle nuisance has developed in Lot Thirteen (13) in Block Seventy-seven (77), in the City of Anthony, Harper County, Kansas, as shown by the recorded plat thereof, 323 S. Bluff, Anthony, KS. WHEREAS, Notice of Violations has been served in person to the property owner of record, Andrea L. Catherwood, 323 S. Bluff, Anthony, KS 67003. WHEREAS, the property owner has not alleviated the alleged violations nor requested a hearing before the City Commission within the time periods specified; WHEREAS, the public officer and other agents of the City of Anthony presents this Resolution to the City Commission; BE IT RESOLVED BY THE CITY COMMISSION that the Public Officers and other Agents of the City of Anthony are authorized to abate the conditions causing the violations at the end of May 14th, 2021; and BE IT FURTHER RESOLVED that the cost incurred by the City to abate such conditions shall be charged against the Lot or Lots or parcel of ground on which the nuisance or nuisances were located. The City Clerk shall, at the time of certifying other taxes to the County Clerk certify the cost as provided and the County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid. If any assessments levied pursuant to unpaid costs remain for a period of one year or more after their initial levy the City may collect the amount due in the same manner as a personal debt of the property owner to the City by bringing an action in District Court. Interest will accrue from and after the date a delinquency occurs. The City may pursue collection by levying a special assessment in addition to any other manner provided by law. Amount is due from property owner(s) for services rendered by the City of Anthony upon presentation of bill. Failure of property owner(s) to pay amount due may result in the City bringing an action in district court, or causing a special assessment to be levied on the property, or any other manner of collection provided by law. ADOPTED at Anthony, Kansas, this 4th day of May, 2021.

A motion was made to approve Health Resolution No. 1078 for 323 S Bluff as presented.

Motion made by Commissioner Lanie, Seconded by Commissioner Smith.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

12. ****Untable - Wayne Dennis Comm. Recommendation \$33,406.42 to Wahoo Docks for the Anthony Lake ADA Accessible Boat Dock**

A motion was made to untable item #12, Wayne Dennis Committee recommendation to Wahoo Docks for \$33,406.42 on behalf of the Lake Board.

Motion made by Commissioner Smith, Seconded by Commissioner Lanie.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

After a discussion regarding the dock not being available from the company until 2022, a motion was made to table the item again to pursue applying for a grant.

Motion made by Commissioner Eaton, Seconded by Commissioner Lanie.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

13. **Street and Sewer Department Deweze MC 72" Slope Mower Bids**

Admin Kastens, JD Rhea, and Terry Stark presented the bid for two 2013 model slope mowers from Harper Industries at \$18,000 each. These are demo models, one with 5 hours on it and one with 50. Though older models, this purchase would save the city approximately \$60,000 over the next two years from having to replace the existing mowers with new models (which run approx. \$50,000 each). The Commission reviewed the current mechanical condition and replacement needs and after further discussion, a motion was made to purchase both mowers for \$18,000 each and sell the old one's on purple wave or a comparable site.

Motion made by Commissioner Lanie, Seconded by Commissioner Smith.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

14. **Approval to Submit Bid to Remove House, Remove Quonset, and Demo All Structures and Trees in the Airport RPZ**

Admin Kastens sought the approval of the Commission to submit a request for bids to move forward with removing the structures at the Harmon property in order to clear the RPZ, as required by FAA. A motion was made to submit the bids to remove the house, remove the quonset, and or demo all structures and trees in the airport RPZ.

Motion made by Mayor Cleveland, Seconded by Commissioner Eaton.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

15. **Promote Anthony Incentive Package**

Admin Kastens sought official confirmation from the Commission as to whether lots 1-16, Block 5, Sunrise 2nd Addition to the City of Anthony (a.k.a. Wheatridge Development) would be committed as an incentive to interested persons who want to construct a new residential home. The Commission confirmed that the lots would be available as an incentive for the Promote Anthony project and would also be available to any existing residents as well. Specifics of the project would be worked out in the near future but commitment of the use

was sought for now. A motion was made to dedicate lots 1-16, Block 5, Sunrise 2nd as a free lot to those interested in building.

Motion made by Commissioner Smith, Seconded by Commissioner Lanie.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

16. **Masner Property Donation/Easements**

Admin Kastens reported back to the Commission the owner of the land the City is seeking sewer easement and drainage access to has requested that the City take all three lots on a donation basis as follows: Blk 1 Lot 3 Masner Comm 1st Add, Blk 1 Jennings Add, Pt of Blk A and Blk 7 Jennings Add.

A motion was made to accept the donation of the three properties and authorize the City Admin to close/execute the documents with the City paying the costs to prepare the deeds and any fees.

Motion made by Commissioner Hodson Jr., Seconded by Mayor Cleveland.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

17. **Dangerous Structure 112 S Jennings**

Admin Kastens updated the Commission on the current status of the dangerous structure at 112 S Jennings. She will report back once we have final comments from the City Attorney.

18. **Harper County Spring Clean-Up**

Admin Kastens made the Commission aware that Harper County had extended an invitation for the City to participate in the free clean-up. The Commission discussed various options of participation and concluded to support the advertising of the clean-up helping to make sure Anthony citizens were aware and could hopefully participate.

19. **CRRSA FAA Grant Application \$9,000 Anthony Airport**

Commissioner Hodson had to step out of the meeting.

Admin Kastens presented the application for the CRRSA FAA grant in the amount of \$9,000 for the Anthony Airport. A motion was made to apply for the FAA grant for \$9,000 for the Anthony Airport.

Motion made by Commissioner Eaton, Seconded by Commissioner Smith.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Smith

20. **Commission Room Arrangement Post COVID**

Admin Kastens sought direction from the Commission as to the arrangement of the Commission chambers. The Commission guided the Admin to move the room back to the pre-COVID set-up.

STAFF REPORTS

21. Administrator Report

Admin Kastens provided a written report on the following: Staffing, CHS Football Summer Service, LMI Survey, Airport Runway KDOT Inspection, and all department activities.

22. Police Chief Report

The Chief of Police reported on the following police department activity:

We served some notices

I inspected some properties

Officer Manning graduated from the academy and will ride with Deputy Chief Hadsall for awhile

We investigated a domestic disturbance in the 200 block of S. Madison, and we arrested Joy Barry and Ashley Imel for domestic battery. We removed an infant from the home

We investigated a theft in the 100 block of N. LL&G

We investigated a theft in the 500 block of W. Main, and turned the case over to the CA for possible charges

We investigated two cases of Identity theft

Commissioner Hodson returned to the meeting.

EXECUTIVE SESSION - NONE

23. Executive Session to Discuss Staffing Pursuant to "Personnel Matters of Non-Elected Personnel, K.S.A. 75-4319 (b) (1)."

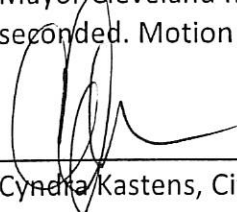
Commissioner Lanie made a motion to go into Executive Session for ten minutes until 7:45 p.m. Mayor Cleveland seconded. Motion carried 5-0.

At 7:35 p.m. the Commission chambers were cleared. Remaining present was the City Commission, and City Administrator.

At 7:45 p.m. Mayor Cleveland called the regular meeting back to order. No binding action was taken.

ADJOURNMENT

Mayor Cleveland made a motion to adjourn the regular city commission meeting. Commissioner Lanie seconded. Motion carried 5-0.


Cynthia Kastens, City Clerk/Administrator


Gregory Cleveland, Mayor