



City Commission Regular Meeting

Tuesday, September 07, 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.

City Administrator Cyndra Kastens, Deputy City Clerk Sherri Miller, Police Chief Kenny Hodson, Power Plant Superintendent, Larry Berry, Judy Kelley, Vicki Longbine, Denise Fawcett, Barbara Thomas, Phyllis Wiersig, Karen Younce, Wilma Moore, Mason Allman and Erin Albright.

ABSENT

Commissioner Eric Smith

- Approval of Agenda

A motion was made to approve the agenda.

Motion made by Commissioner Lanie, Seconded by Commissioner Eaton.

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

PUBLIC COMMENT - NONE

PUBLIC HEARINGS - NONE

CONSENT AGENDA

1. Approve Minutes of August 17, 2021 Regular Meeting and August 31, 2021 Special Meeting
2. Special Appropriations -

Capital Imp Pool Fund #34 - Grainger \$1,153.30 for pool pump

Municipal Eq. Fire Fund#34 - Mobile Radio \$1,203.07 for 3 pagers

Capital Imp Lake Maint & Imp Fund#34 - EBH \$1,600.00 RV Dump Station Engineering

3. Appropriation Ordinance No.6095 \$149,685.46
4. Approve 8.31.21 Payroll \$51,041.41
5. Approval to pay City of Harper for the Hydraulic Studios bill \$2,812.50 for County Eco Devo Video
6. July 2021 Municipal Court Report

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

Motion made by Commissioner Eaton, Seconded by Mayor Cleveland.

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

REGULAR BUSINESS

7. Proclamation Declaring September 17-23, 2021 as Constitution Week - Vicki Longbine (DAR)

Vicki Longbine (DAR) shared history of Constitution Week and asked the Commission to sign the proclamation and dedicate September 17- 23, 2021 as Constitution Week in the City of Anthony. Mayor Cleveland read the proclamation aloud. A motion was made to approve the Proclamation for Constitution Week.

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

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

8. Wayne Dennis Recommendation \$390.84 to Trevor Cullop for Eagle Scout Project - Erin Albright

Erin Albright presented the Wayne Dennis recommendation to fund Trevor Cullop's Eagle Scout project to build candy canes for the Chamber for city-wide Christmas decorations. A motion was made to approve the Wayne Dennis recommendation of \$390.84 for Trevor Cullop's Eagle Scout Project.

Motion made by Commissioner Eaton, Seconded by Commissioner Lanie.

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

9. Harper County Health Foundation Waive Hall Rental Fees \$60.00 - Erin Albright

Erin Albright requested the city waive the Hall rental fees of \$60 for the Harper County Health Foundation. A motion was made to waive the Hall rental fees for the Harper Co. Health Foundation.

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

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

10. Dangerous Structure Resolution No. 1090 206 E. Main Allman 2021

A public hearing was originally scheduled for this date but due to an error and new resolution had to be adopted. Mr. Allman was present today and spoke with the Commission about his situation.

RESOLUTION NO. 1090

A RESOLUTION AUTHORIZING THE GOVERNING BODY OF THE CITY TO FIX A TIME AND PLACE AT WHICH THE OWNER, THE OWNERS AGENT, ANY LIENHOLDER OF RECORDS AND ANY OCCUPANT OF THE STRUCTURE MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AUTHORIZED BY ARTICLE 5 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, the public officer of the City of Anthony has presented a report to the City Commission that a dangerous structure has developed in Lot Four (4) in Block Fifty-one (51) in the City of Anthony, Harper County, Kansas, as shown by the recorded plat thereof. Commonly known as, 206 E. Main, Anthony, Kansas 67003.

WHEREAS, copies of this resolution and a copy of the City Code regarding dangerous structures will be sent to the property owner of record, Mason S. Allman, 4930 E. Pine St., Wichita, KS 67208.

BE IT RESOLVED BY THE CITY COMMISSION that the Public Officers and other Agents of the City of Anthony are authorized to set a Public Hearing for November 02, 2021 at 6:05 p.m. in the City Commission room at the City Building, 124 S. Bluff, Anthony, KS 67003, for the owner, the owner's agent, any lienholder of records and any occupant of the structure may appear and show cause why structure should not be condemned and ordered repaired or demolished.

ADOPTED at Anthony, Kansas this 7th day of September, 2021.

After discussion with Mr. Allman, A motion was made to approve Resolution No. 1090 as presented.

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

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

12. **Powerplant Engine #2 Turbo Repair \$40,722.68 to Exine, Inc.**

Larry Berry presented the bid from Exine, Inc to perform the needed repairs on engine #2 turbo. A motion was made to approve the bid as presented.

Motion made by Commissioner Lanie, Seconded by Commissioner Eaton.

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

11. **House Bill 2137: Expanded Sunday Sales Times for Cereal Malt Beverage/Liquor**

Sherri Miller, Deputy City Clerk, reported on House Bill 2137 which allows for expanded Sunday Sales times for Cereal Malt Beverage/Liquor. The current hours on Sunday Sales is 12:00 noon - 8:00 p.m. Expanded sales allows for 9:00 a.m. - 8:00 p.m. After discussion, the Commission agreed to keep the original hours of 12:00 noon – 8:00 p.m. on Sunday's the same and make no changes at this time.

12. **Fall 2021 KDOT Cost Share Grant**

Admin Kastens presented information regarding the Fall 2021 KDOT Cost Share Grant. She received guidance from the Commission to reduce the scope of work as recommended by the EBH Engineer and dedicate a 20% match. The Admin will prepare the application under that guidance and place on the consent agenda for the next meeting.

13. **CRS Renewal - Floodplain Ordinance Discussion**

Admin Kastens informed the Commission of the National Flood Insurance CRS Renewal and discussed the update needed to the Floodplain Ordinance. The Commission guided Admin Kastens to update the floodplain ordinance to stay in the CRS Program and use the update to also remove the variance requirements that property owners are currently facing for garages/sheds built below the BFE.

14. **Power Plant Rental House Terms**

Admin Kastens sought guidance from the commission on the rental contract details for the Power Plant Rental Houses. After discussion, the Commission provided the following terms to

be placed in all future rental contracts: 1. Houses shall be available for city employees first. 2. \$300 deposit required, rent is \$300 per month. 3. Tenants shall maintain the property in good condition and shall be liable for any damages. 4. Scheduled quarterly inspections of the property shall be performed by the Powerplant Superintendent to check for damages. 5. Contracts shall be a month to month term. 6. Houses sitting vacant for a period of 60 days or more shall be eligible for rent by non-city employees however: non-city employee tenants must vacate the rental within 60 days if a current city employee desires to rent the unit and there are no other units available at that time. If more than one non-city employee house is rented, the most recently rented house shall be the first vacated for first right of rent by a current city employee.

15. Harper CORE Graduation Gift Cards \$75.00

Admin Kastens informed the Commission that the local cities wanted to unite to purchase gift cards for the Harper Core Graduates again this year and asked if Anthony wanted to participate. A motion was made to contribute \$75.00 for gift card purchases for Harper CORE Graduation. (Reimbursed to City of Harper)

Motion made by Commissioner Lanie, Seconded by Mayor Cleveland.

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

16. Vehicle Nuisance 218 S. Bluff Elliott 2021

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order

Motion made by Mayor Cleveland, Seconded by Commissioner Eaton.

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

17. Vehicle Nuisance 223 S. Kansas Costley 2021

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order.

Motion made by Commissioner Lanie, Seconded by Mayor Cleveland.

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

18. Vehicle Nuisance 420 N. Massachusetts Holmes 2021

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order.

Motion made by Commissioner Eaton, Seconded by Mayor Cleveland.
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr.

19. **Vehicle Nuisance 542 S. Springfield Bagnell 2021**

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order.

Motion made by Commissioner Eaton, Seconded by Mayor Cleveland.
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr.

20. **Health Nuisance 542 S. Springfield Bagnell 2021**

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order.

Motion made by Mayor Cleveland, Seconded by Commissioner Eaton.
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr.

21. **Health Nuisance 540 S. Springfield Bagnell 2021**

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order.

Motion made by Commissioner Eaton, Seconded by Commissioner Lanie.
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr.

22. **Vehicle Nuisance 536 S. Kansas Foss II 2021**

The Commission reviewed the nuisance. A motion was made to approve the Findings of Fact and issue the order.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Hodson Jr.

23. **Health Resolution No. 1089 302 N. Kansas Fye 2021**

RESOLUTION NO. 1089

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 Twelve (12) in Block Ten (10), in the City of Anthony, Harper County, Kansas; as shown by the recorded Plat thereof, 302 N. Kansas, Anthony, Kansas.

WHEREAS, Notice of Violations have been served in person to the property owner of record, Darryl D. Fye & Lilly R. Fye, 911 E. Steadman, Apt. 29, 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, September 17, 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 7th day of September, 2021.

A motion was made to approve Resolution No. 1089 as presented.

Motion made by Commissioner Lanie, Seconded by Mayor Cleveland.

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

STAFF REPORTS

24. Administrator Report

The Admin provided a written report on the Airport Runway Navigational update, Airport RPZ lease, Elliott Estate, Campspot, Creatives Commission, Promote Anthony Video Marketing, CCLIP South Jennings Project, KMEA O&M Plan, CHUBB Inspection, Staffing, and all department activities.

25. Chief of Police report

The police chief reported on the following police department activities:

Inspected some properties

Had the street department clean up the properties at 415 N. Anthony and 501 S. Lincoln

We arrested Lacey Horn and Andrew Blair on traffic offences

We investigated a counterfeit \$100 bill being passed at McDonalds and arrested Andrew Blair for theft and passing counterfeit money

We arrested Norma Bazer on a warrant

We arrested James Arnett on a warrant

We investigated a Child in need of care case and placed a juvenile out of the home

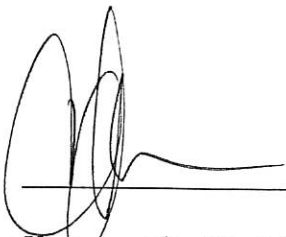
EXECUTIVE SESSION - NONE

ADJOURNMENT

A motion was made to adjourn the regular meeting

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

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



Cyndra Kastens, City Clerk/Administrator



Gregory Cleveland, Mayor