



# City Commission Regular Meeting

Tuesday, January 04, 2022 at 6:00 PM  
Commission Chambers, 124 S Bluff, Anthony, KS 67003

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## AGENDA

### OPENING

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

### PUBLIC COMMENT

*Public Comment allows the public an opportunity to address the City Commission. There is a five minute per person limit on public comments.*

### CONSENT AGENDA

- [1.](#) Approve Regular Meeting Minutes of December 21, 2021
- [2.](#) Approve Minutes - Special Meeting of December 28, 2021
- [3.](#) Appropriation Ordinance No. 6103 \$73,727.42
- [4.](#) Approve 01/04/2022 Payroll \$51,077.12

### PUBLIC HEARINGS - NONE

### REGULAR BUSINESS

5. Walking Trail Around Lake - Lake Board
- [6.](#) Ordinance S-306 Adoption of UDC Text Amendments
- [7.](#) Ordinance S-307 Special Use Permit in I-1 Industrial Dist.
- [8.](#) Ordinance S-308 Rezone 120 N LL&G
9. Sunrise Second Addition - Carl Schmidt
10. Golf Course Irrigation Water
11. AV Gas Bid 2700 Gallons

### STAFF REPORTS

[12.](#) Administrator Report

[13.](#) Chief of Police Report

#### **EXECUTIVE SESSION - NONE**

14. Executive Session for Annual Evaluation Pursuant to “Personnel Matters of Non-Elected Personnel, K.S.A. 75-4319 (b) (1).”

#### **ADJOURNMENT**

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##### Standing Committees:

- |   |                                      |
|---|--------------------------------------|
| a. Commissioner of Finance:                   | Jan Lanie – Sherrie Eaton (Vice)     |
| b. Commissioner of Utilities Depts.:          | Kenny Hodson Jr. – Jan Lanie (Vice)  |
| c. Commissioner of Parks, Police, Fire Dept.: | Sherrie Eaton – Eric Smith (Vice)    |
| d. Commissioner of Street Dept., Airport:     | Eric Smith – Kenny Hodson Jr. (Vice) |



## City Commission Regular Meeting

Tuesday, December 21, 2021 at 6:00 PM  
Commission Chambers, 124 S Bluff, Anthony, KS 67003

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### 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

City Administrator Cyndra Kastens, Deputy City Clerk Sherri Miller, Water/WW Dept Head Terry Stark, Creighton and Teresa Cullop and Carl Schmidt.

- Approval of Agenda

A motion was made to approve the agenda.

Motion made by Mayor Cleveland, Seconded by Commissioner Smith.

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

#### PUBLIC COMMENT – NONE

#### CONSENT AGENDA

1. Approve Regular Meeting Minutes of December 7, 2021
2. Appropriation Ordinance No. 6102 \$235,916.54
3. Approve 12.21.21 Payroll \$51,010.06
4. 2022 Cereal Malt Beverage Renewals: Anthony Golf Club, Clasen Inc. (Genes Heartland), Jack's Service Station, Kristy's Kafe, Shepherd's, The Sporting Zone and Dollar General.
5. Resolution No. 1095 - Annual GAAP Waiver

## RESOLUTION NO. 1095

**WHEREAS**, the City of Anthony, Kansas has determined that the financial statements and financial reports for the year end 2022 will be prepared in conformity with the requirements of K.S.A. 75-1120a(c) finding financial statements and financial reports to be prepared in conformity with the requirements of subsection (a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the City Commission or the members of the general public of the City of Anthony and

**WHEREAS**, there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year end 2022.

**NOW, THEREFORE BE IT RESOLVED**, by the City Commission of the City of Anthony, Kansas, in regular meeting duly assembled this 21st day of December, 2021 that the City Commission requests the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120a(a) as they apply to the City of Anthony for the year ended 2022.

**BE IT FURTHER RESOLVED** that the City Commission shall cause the financial statements and financial reports of the City of Anthony to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

**ADOPTED** this 21st day of December, 2021.

### 6. Resolution No. 1096 - Annual Approval of Permit Fee Schedule

## RESOLUTION NO. 1096

### A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ANTHONY, KANSAS ESTABLISHING THE CITY'S 2022 PERMIT FEE SCHEDULE

**WHEREAS**, it is beneficial for the City of Anthony to have a current and updated City Permit Fee Schedule.

**NOW, THEREFORE BE IT RESOLVED**, by the City Commission of the City of Anthony, Kansas, in regular meeting duly assembled this 21st day of December, 2021: As follows:

Section 1. The Anthony City Commission hereby establishes and adopts the formalized 2022 City Permit Fee Schedule which is attached hereto as Resolution Exhibit A and incorporated herein by this reference.

Section 2. The 2022 City Permit Fee Schedule shall be effective beginning January 1, 2022 and remain in effect until a resolution is passed replacing this resolution. All previous resolutions and permit fee schedules are repealed and replaced by this resolution.

**ADOPTED** by the City Commission this 21st day of December, 2021.



7. Reappoint Kanza Bank, BancCentral and Bank of Commerce as Official City Banks for 2022
8. Appoint Anthony Republican as Official City Newspaper for 2022

Mayor Cleveland asked if any consent agenda items should be pulled 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

## **PUBLIC HEARINGS – NONE**

## **REGULAR BUSINESS**

### **9. Municipal Hall Fee Waiver Request - Main Street Ministry**

Carl Schmidt was present to request a waiver of Municipal Hall rental fees for a dinner and auction fundraiser for Main Street Ministry on February 12, 2022.

A motion was made to waive the rental fees for up to \$240.00 and also waive the \$200 deposit fee.

Motion made by Commissioner Smith, Seconded by Commissioner Eaton.

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

### **10. 432 S Anthony**

Admin Kastens update the Commission on the information from the City Attorney as to whether the Commission could move from repair to demolition of the structure. To appropriately cover the requirements of the codes and statutes, the Commission guided the Admin to prepare a new resolution for this purpose.

### **11. Bid Opening - RV Dump Wastewater Valve**

Mayor Cleveland opened the sealed bids for the RV Dump Wastewater Valve. Bids were received from Salina Supply - \$3,881.25 and Core and Main-\$4,763.58. After review from Terry Stark, a motion was made to approve the bid from Salina Supply for \$3,881.25 for the RV Dump Wastewater Valve.

Motion made by Commissioner Lanie, Seconded by Commissioner Smith.

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

**12. Health Nuisance 34E Quail Creek Trail Williams 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., Commissioner Smith

**13. KCC Territorial Area Discussion**

Admin Kastens updated the Commission on a request for service received from a landowner outside of the City's territorial jurisdiction.

**14. Planning Commission Report**

Admin Kastens informed the Commission that the Planning Commission had performed a thorough review of the dog kennel regulations and unanimously decided not to change the current zoning regulations which require a minimum of 5 acres.

**STAFF REPORTS****15. Administrator Report**

The Admin provided a written report on permits, zoning, office end of year processes, break-in at the city shop, Nex-Tech Fiber line for USD 361, KMGA, squirrels, employee evaluation and other department activities.

**EXECUTIVE SESSION****16. Executive Session to Discuss Staffing/Personnel Pursuant to "Personnel Matters of Non-Elected Personnel, K.S.A. 75-4319 (b) (1)."**

At 7:30 p.m., Mayor Cleveland made a motion to go into Executive Session for fifteen minutes until 7:45 p.m. to discuss Staffing/Personnel Pursuant to "Personnel Matters of Non-Elected Personnel, K.S.A. 75-4319 (b) (1)." Commissioner Smith seconded the motion. Motion carried 5-0. The Commission chambers were cleared with the Commissioners and City Administrator remaining present.

At 7:45 p.m., Mayor Cleveland made a motion to extend the executive session ten minutes until 7:55 p.m. Commissioner Smith seconded the motion. Motion carried 5-0.

At 7:55 p.m., Mayor Cleveland called the regular meeting back to order. No binding action was taken.

## **ADJOURNMENT**

A motion was made to adjourn the regular meeting.

Motion made by Mayor Cleveland, Seconded by Commissioner Smith.

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

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Gregory Cleveland, Mayor

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Cyndra Kastens, City Clerk/Administrator



## City Commission Special Meeting

Tuesday, December 28, 2021 at 3:00 PM  
Commission Chambers, 124 S Bluff, Anthony, KS 67003

### MINUTES

#### CALL TO ORDER

Mayor Cleveland called the December 28, 2021 Special Meeting to order.

#### ROLL CALL

##### PRESENT

Mayor Greg Cleveland  
Commissioner Sherrie Eaton  
Commissioner Eric Smith

City Clerk/Admin Cyndra Kastens, Deputy City Clerk Sherri Miller and Water/WW Dept Head Terry Stark

##### ABSENT

Commissioner Kenny Hodson Jr.  
Commissioner Jan Lanie

#### ITEMS OF BUSINESS

##### 1. Approve Resolution No 1097 Opioid Settlement

##### RESOLUTION NO. 1097

A RESOLUTION OF THE CITY OF ANTHONY, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.

**WHEREAS**, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing litigating municipalities such as the City of Anthony to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the city's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

**WHEREAS**, the City of Anthony sustained damages related to the opioid epidemic; and

**WHEREAS**, the City of Anthony desires to enter an Agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants;

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF , KANSAS:**

**Section 1. Authorization of the Agreement.** City hereby authorizes the release of its legal claims arising from covered conduct to the Attorney General, and the assignment of any future legal claims arising from covered conduct to the Attorney General, pursuant to the Agreement by and between the Attorney General and the City in substantially the form presented to and reviewed by the governing body at this meeting (copies of this document shall be on file in the records of the City), with such changes therein as shall be reviewed by the City Attorney and the officials of the City executing such documents.

**Section 2. Execution of the Agreement.** The City Clerk/Administrator is hereby authorized and directed to execute, seal, attest and deliver the Agreement in substantially the form presented to and reviewed by the governing body at this meeting and such other settlement agreements, documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of the City.

**Section 3. Certification of Costs and Expenses.** The City hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and the City can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements. The City Clerk/Administrator is hereby authorized to execute, seal, attest and deliver such other documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of the City.

**Section 4. Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

**ADOPTED** this 28<sup>th</sup> day of December, 2021 and **SIGNED** by the Mayor.

A motion was made to approve Resolution No 1097 as presented.

Motion made by Commissioner Eaton, Seconded by Commissioner Smith.  
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Smith

**2. Approval of RV Dump Station Lift Station from Ray Lindsey Corporation for \$29,979.00**

Admin Kastens presented the quote from Ray Lindsey Corp for the lift station needed for the RV Dump at the lake. After discussion, a motion was made to approve the quote to Ray Lindsey Corp. for the RV Dump Lift Station in the amount of \$29,979.00 plus tax with adjustments as made by EBH and KDHE.

Motion made by Commissioner Smith, Seconded by Commissioner Eaton.  
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Smith

## **ADJOURNMENT**

Mayor Cleveland made a motion to adjourn the special meeting. Commissioner Smith seconded. Motion carried 3-0.

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Gregory Cleveland, Mayor

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Cyndra Kastens, City Clerk/Administrator

# BALANCE SHEET

## CALENDAR 1/2022, FISCAL 1/2022

ACCOUNT NUMBER	ACCOUNT TITLE	PTD BAL.	YTD BAL
01-00-0010	GENERAL OPERATING	20,374.88-	1,013,305.60
02-00-0010	WATER	8,607.44-	1,070,337.29
03-00-0010	ELECTRIC	24,357.69-	3,746,960.62
04-00-0010	SALES TAX & STATE FEES		30,589.46
05-00-0010	SEWAGE DISPOSAL	5,241.71-	267,538.49
10-00-0010	EMP INSURANCE/BENEFIT	29,844.39-	247,858.18
12-00-0010	AIRPORT	63.58-	197,928.38
14-00-0010	INDUSTRIAL DEVELOPMENT		22,557.65
16-00-0010	SERVICE DEPOSIT		73,808.23
17-00-0010	SPECIAL STREETS & HIGHWAY		165,260.18
18-00-0010	PUBLIC RELIEF		26,670.45
19-00-0010	WATER UTILITY RESERVE		103,333.10
21-00-0010	WWTF LOAN 2000		278,316.68
23-00-0010	WATER DEBT SVC RESERVE S2013		149,904.95
24-00-0010	BOND & INTEREST	1,062.50-	15,921.20
25-00-0010	LIBRARY		644.00
26-00-0010	RECREATION COMMISSION	720.81-	79,741.47
29-00-0010	RECREATION		3,489.43
30-00-0010	MUNICIPAL EQUIPMENT RESERVE		107,012.52
32-00-0010	SPECIAL PARKS & RECREATION		21,630.97
34-00-0010	CAPITAL IMPROVEMENT		1,197,581.53
37-00-0010	GO BONDS S2010 POOL		12,962.41
40-00-0010	ELECTRIC UTILITY RESERVE		1,586,579.33
41-00-0010	EL UTIL S2017 REV BOND		1,248,503.74
43-00-0010	EL UTIL S2017 BOND RESERVE		214,897.50
45-00-0010	SEWER RESERVE		80,000.00
50-00-0010	WAYNE DENNIS INVESTMENT FUND		750,141.35
54-00-0010	DEBT RES. WATER 2013		174,213.99
71-00-0010	CASH CONTROL		157,950.48
75-00-0010	COSTS OF ISS.ELEC BONDS 2013		2,421.53
81-00-0010	WASTEWATER LAGOON CLEANING		161,000.00
82-00-0010	WATER/EQUIPMENT REPLACEMENT		67,962.03
83-00-0010	ELECTRIC/EQUIP REPLACEMENT		1,897,959.53
85-00-0010	SEWER/EQUIPMENT REPLACEMENT		6,454.04
89-00-0010	TRANS GUEST APPROVED		120.94
96-00-0010	WAYNE DENNIS FUNDS		32,498.87
97-00-0011	DT REVIT. REVOLVING LOAN		.56
98-00-0010	TRANSIENT GUEST TAX		10,558.61
		=====	=====
	PROOF	90,273.00-	15,224,615.29
		=====	=====



# CLAIMS REPORT

Check Range: 12/23/2021- 1/05/2022

# 6103

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL OPERATING					
AMAZON CAPITAL SERVICES	NOTARY/TRASH BAGS	58.45	45896	12/31/21	
AT&T	DEC HALL WIFI	52.79	45895	12/31/21	
CITY OF ANTHONY	DEEDS	328.37	1249254	12/29/21	
FIRST BANK	JAN GRADER	2,963.50	1249261	1/04/22	
GREAT-WEST FINANCIAL	1/4/22 PR	312.24	1249259	1/04/22	
HAZEL'S SHEET METAL INC	LIQUID ALIVE	32.86	45901	12/31/21	
HOME LUMBER & SUPPLY INC	BATTERIES, NUTS BLOTS	33.09	45902	12/31/21	
HUB INTERNATIONAL	JAN BROKER FEE	51.00	45911	1/05/22	
IRS PAYROLL TAXES	1/4/22 PR	3,206.45	1249263	1/04/22	
J.P. COOKE COMPANY	DOG TAGS-2022	67.50	45899	12/31/21	
KANZA BANK	JANUARY FIRE TRUCK	2,675.85	45912	1/05/22	
KPERS	1/4/22 PR	2,264.18	1249262	1/04/22	
KS DEPT OF REV-WITHHOLDING	1/4//22 PR	489.66	1249264	1/04/22	
LIBERTY NATIONAL	JANUARY	1.86	1249258	1/04/22	
MANHATTANLIFE ASSURANCE COMP	CANCER INS	72.50	45913	1/05/22	
MUNICIPAL EMERGENCY SERVICES	#52 PARTS	1,171.71	45905	12/31/21	
NEW YORK LIFE	EMPLOYEE LIFE INS	4.79	45914	1/05/22	
PIONEER CELLULAR	PD CELL	29.62	45915	1/05/22	
SOUTH CENTRAL WIRELESS	3134,5123,5569	414.27	45916	1/05/22	
TERMINIX PROCESSING CENTER	HALL PEST CONTROL	72.84	45909	12/31/21	
VISION SERVICE PLAN	JANUARY	152.88	1249265	1/04/22	
01 GENERAL OPERATING TOTAL			14,456.41		
WATER					
AMAZON CAPITAL SERVICES	TRASH BAGS/NOTARY/BATTERIES	45.91	45896	12/31/21	
CITY OF ANTHONY	WATER MAILING	46.57	1249254	12/29/21	
CITY OF ANTHONY	ELECTRIC REIMB JAN 2021	1,838.78	45898	12/31/21	
GREAT-WEST FINANCIAL	1/4/22 PR	47.11	1249259	1/04/22	
HAZEL'S SHEET METAL INC	JONES WATER	21.10	45901	12/31/21	
HOME LUMBER & SUPPLY INC	FLAT IRON, GLASS	7.79	45902	12/31/21	
HUB INTERNATIONAL	JAN BROKER FEE	99.00	45911	1/05/22	
IRS PAYROLL TAXES	1/4/22 PR	1,557.87	1249263	1/04/22	
KPERS	1/4/22 PR	1,096.74	1249262	1/04/22	
KS DEPT OF REV-WITHHOLDING	1/4//22 PR	237.16	1249264	1/04/22	
LIBERTY NATIONAL	JANUARY	8.51	1249258	1/04/22	
MANHATTANLIFE ASSURANCE COMP	CANCER INS	20.11	45913	1/05/22	
MUTUAL OF OMAHA	JAN LIFE INSURANCE	46.80	1249257	1/04/22	
NEW YORK LIFE	EMPLOYEE LIFE INS	15.32	45914	1/05/22	
PIONEER CELLULAR	#2321	72.26	45915	1/05/22	
RUSTY ECK FORD	#19 FUEL SENDER KIT	194.23	45907	12/31/21	
SOUTH CENTRAL WIRELESS	SHOP LINES, EMERGENCY LINE	277.48	45916	1/05/22	
TELE-COMMUNICATIONS INC	ANSERING SERVICE-NOV	180.00	45908	12/31/21	
VISION SERVICE PLAN	JANUARY	67.06	1249265	1/04/22	
02 WATER TOTAL			5,879.80		
ELECTRIC					
AMAZON CAPITAL SERVICES	TRASH BAGS/NOTARY/BATTERIES	45.89	45896	12/31/21	
CITY OF ANTHONY	OFFICE MAILING PETTY CASH REIM	30.73	1249254	12/29/21	
NAAMAN CLARK	POWER PLANT CLEANING SUPPLIES	8.72	45910	1/05/22	
FARM & RANCH INC	BOOTS FOR TATE MENHUSEN	129.34	45900	12/31/21	
GREAT-WEST FINANCIAL	1/4/22 PR	363.88	1249259	1/04/22	



# CLAIMS REPORT

Check Range: 12/23/2021- 1/05/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
HAZEL'S SHEET METAL INC	71 C RENTAL FILTERS		81.75	45901	12/31/21
HOME LUMBER & SUPPLY INC	SUMP PUMP		211.94	45902	12/31/21
HUB INTERNATIONAL	JAN BROKER FEE		99.00	45911	1/05/22
IRS PAYROLL TAXES	1/4/22 PR		4,659.72	1249263	1/04/22
KPERS	1/4/22 PR		3,282.57	1249262	1/04/22
KS DEPT OF REV-WITHHOLDING	1/4//22 PR		770.38	1249264	1/04/22
LIBERTY NATIONAL	JANUARY		117.73	1249258	1/04/22
MANHATTANLIFE ASSURANCE COMP	CANCER INS		94.73	45913	1/05/22
MUTUAL OF OMAHA	JAN LIFE INSURANCE		93.54	1249257	1/04/22
NEW YORK LIFE	EMPLOYEE LIFE INS		21.72	45914	1/05/22
PIONEER CELLULAR	#7801		41.92	45915	1/05/22
PRONTO TIRE & SERVICE, LLC	#3 TIRE REPAIR		18.00	45906	12/31/21
RUSTY ECK FORD	#19 FUEL SENDER KIT		321.01	45907	12/31/21
SOUTH CENTRAL WIRELESS	5434,3219,3934,5753,5960		296.01	45916	1/05/22
TELE-COMMUNICATIONS INC	ANSERING SERVICE-NOV		180.00	45908	12/31/21
VISION SERVICE PLAN	JANUARY		154.86	1249265	1/04/22
	03 ELECTRIC TOTAL		11,023.44		
SALES TAX & STATE FEES					
DIRECTOR OF TAXATION	NOV 2021		8,692.56	1249255	12/29/21
KANSAS ALCOHOLIC BEVERAGE CONT	STAMP FEES 2022		200.00	45903	12/31/21
	04 SALES TAX & STATE FEES TOTAL		8,892.56		
SEWAGE DISPOSAL					
CITY OF ANTHONY	OFFICE MAILING PETTY CASH REIM		17.18	1249254	12/29/21
CITY OF ANTHONY	ELECTRIC REIMB JAN 2021		617.21	45898	12/31/21
GREAT-WEST FINANCIAL	1/4/22 PR		19.27	1249259	1/04/22
HUB INTERNATIONAL	JAN BROKER FEE		51.00	45911	1/05/22
IRS PAYROLL TAXES	1/4/22 PR		909.11	1249263	1/04/22
KPERS	1/4/22 PR		701.35	1249262	1/04/22
KS DEPT OF REV-WITHHOLDING	1/4//22 PR		123.82	1249264	1/04/22
LIBERTY NATIONAL	JANUARY		.39	1249258	1/04/22
MANHATTANLIFE ASSURANCE COMP	CANCER INS		11.32	45913	1/05/22
MUTUAL OF OMAHA	JAN LIFE INSURANCE		12.33	1249257	1/04/22
NEW YORK LIFE	EMPLOYEE LIFE INS		8.63	45914	1/05/22
RAY LINDSEY COMPANY	SEWER LIFT STATION PARTS		227.49	45904	12/31/21
VISION SERVICE PLAN	JANUARY		21.72	1249265	1/04/22
	05 SEWAGE DISPOSAL TOTAL		2,720.82		
EMPLOYEE BENEFIT					
BCBS OF KANSAS	JANUARY 2022		27,346.83	1249260	1/04/22
MUTUAL OF OMAHA	JAN LIFE INSURANCE		62.78	1249257	1/04/22
	10 EMPLOYEE BENEFIT TOTAL		27,409.61		
AIRPORT					
ANTHONY AUTOMOTIVE LLC	#49 STEERING PROGRAMMING		110.00	45897	12/31/21
CITY OF ANTHONY	ELECTRIC REIMB JAN 2021		406.72	45898	12/31/21
LIBERTY NATIONAL	JANUARY		9.87	1249258	1/04/22
RUSTY ECK FORD	#49 PARTS		65.13	45907	12/31/21
SOUTH CENTRAL WIRELESS	3400 AIRPORT LINE		46.88	45916	1/05/22

# CLAIMS REPORT

Check Range: 12/23/2021- 1/05/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
VISION SERVICE PLAN	JANUARY		6.83	1249265	1/04/22
	12 AIRPORT TOTAL		645.43		
BOND & INTEREST					
KANSAS STATE TREASURER	MAIN TRAFFIC WAY		1,062.50	1249256	1/04/22
	24 BOND & INTEREST TOTAL		1,062.50		
RECREATION COMMISSION					
AUDREY BEFORT	REFEREE		20.00	1249244	12/29/21
DALEN BLAIR	REFEREE		120.00	1249253	12/29/21
ASHLYNN CARRASCO	REFEREE		60.00	1249247	12/29/21
CITY OF ANTHONY	ELECTRIC REIMB JAN 2021		17.41	45898	12/31/21
KALE E GREVE	UMPIRE/REFEREE		120.00	1249251	12/29/21
TY HADSALL	UMPIRE/REFEREE		120.00	1249252	12/29/21
AUBURN HILL	REFEREE		120.00	1249248	12/29/21
IRS PAYROLL TAXES	1/4/22 PR		103.84	1249263	1/04/22
EMMERY KASTENS	REFEREE		180.00	1249242	12/29/21
KS DEPT OF REV-WITHHOLDING	1/4//22 PR		9.31	1249264	1/04/22
PIONEER CELLULAR	REC CELL		66.29	45915	1/05/22
KADENCE SMITH	REFEREE		80.00	1249241	12/29/21
HALLI STARKS	REFEREE		120.00	1249245	12/29/21
CHASE STRUBLE	REFEREE		120.00	1249239	12/29/21
KAYLEE SWARTZ	REFEREE		100.00	1249250	12/29/21
PAIGE SWINGLE	REFEREE		20.00	1249249	12/29/21
JACK WALKER	REFEREE		120.00	1249240	12/29/21
ELLA WHITE	REFEREE		140.00	1249243	12/29/21
	26 RECREATION COMMISSION TOTAL		1,636.85		
Accounts Payable Total			73,727.42		

**CLAIMS REPORT  
CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
01	GENERAL OPERATING	14,456.41
02	WATER	5,879.80
03	ELECTRIC	11,023.44
04	SALES TAX & STATE FEES	8,892.56
05	SEWAGE DISPOSAL	2,720.82
10	EMPLOYEE BENEFIT	27,409.61
12	AIRPORT	645.43
24	BOND & INTEREST	1,062.50
26	RECREATION COMMISSION	1,636.85
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	TOTAL FUNDS	73,727.42



C CTR DESCRIPTION	REG HRS	OT HRS	VAC HRS	SCK HRS	TOT HRS	REG AMT	OT AMT	VAC AMT	SCK AMT	TOT AMT	DEDUCTIONS
101 GEN. - ADM.	20.80	.00	.00	.00	24.00	1052.78	.00	.00	.00	1112.70	301.27
102 POLICE	395.60	.00	.00	.00	428.00	7585.58	.00	.00	.00	8168.24	1622.62
104 STREET	171.50	.00	.00	.00	240.00	3460.37	.00	.00	.00	5401.81	877.93
105 GEN-ZONING	.00	.00	.00	.00	.00	139.81	.00	.00	.00	139.81	.00
230 WATER-LAKE	11.25	.00	.00	.00	11.25	179.62	.00	.00	.00	179.62	370.32
231 WATER-PRODUCTIO	2.00	.00	.00	.00	2.00	32.00	.00	.00	.00	32.00	.00
232 WATER-DISTRIBUT	317.93	.00	.00	.00	358.20	3765.67	.00	.00	.00	4732.86	1455.86
233 WATER-COMM& GEN	78.42	.00	.00	.00	85.61	2260.98	.00	.00	.00	2398.54	.00
331 ELECTRIC-PROD	604.25	.00	.00	.00	646.75	7389.11	.00	.00	.00	8438.14	1280.28
332 ELEC-DISTRIBUTI	625.39	.00	.00	.00	686.60	7980.50	.00	.00	.00	9172.83	2145.18
333 ELECTRIC-COMM	103.52	.00	.00	.00	114.40	3733.76	.00	.00	.00	3936.58	427.34
533 SEWER-COMM & GE	27.66	.00	.00	.00	31.99	619.17	.00	.00	.00	697.76	.00
534 SEWER-TREATMENT	301.93	.00	.00	.00	330.20	3263.98	.00	.00	.00	3910.11	.00
2601 REC - GEN	38.00	.00	.00	.00	38.00	608.00	.00	.00	.00	608.00	.00
5101 OT GEN ADMIN	.00	4.50	.00	.00	4.50	.00	140.47	.00	.00	140.47	.00
5102 OT GEN POLICE	.00	23.00	.00	.00	23.00	.00	572.06	.00	.00	572.06	.00
5232 OT WATER DIST	.00	8.25	.00	.00	8.25	.00	278.60	.00	.00	278.60	.00
5331 OT ELEC PROD	.00	6.50	.00	.00	6.50	.00	332.65	.00	.00	332.65	.00
5332 OT ELEC DIST	.00	14.00	.00	.00	14.00	.00	491.44	.00	.00	491.44	.00
5533 OT SEWER CM/GEN	.00	1.00	.00	.00	1.00	.00	23.93	.00	.00	23.93	.00
5534 OT SEWER TREAT	.00	6.75	.00	.00	6.75	.00	227.47	.00	.00	227.47	.00
6102 SHIFT GEN POLIC	.00	.00	.00	.00	163.00	.00	.00	.00	.00	81.50	.00
99999 DISTRIBUTED	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	542.76
TOTAL	2698.25	64.00	.00	.00	3224.00	42071.33	2066.62	.00	.00	<u>51077.12</u>	9023.56

**PLANNING COMMISSION REPORT**  
Text Amendments to Unified Development Code

December 14, 2021

The Anthony City Planning Commission met on Tuesday, December 14, 2021 to review a request by the Zoning Administrator for adding and amending text amendments to the Unified Development Code. They are as follows:

**CHAPTER 1, ARTICLE 5; Sections 5-1 Accessory Buildings, Uses and Activities A-3**

3. All accessory buildings shall be secured in accordance with the adopted building codes of the City and shall be subject to the setbacks of this Code. ~~placed on a permanent foundation, slab, or piers approved by the Zoning Administrator. No permit shall be issued for an accessory building that is equipped with wheels, skids, or any other devices designed to make the building portable.~~

**CHAPTER 1, ARTICLE 12; INDUSTRIAL ZONING DISTRICTS; Section 12-1 C-10  
C. Uses Permitted by Special Use Permit**

10. Heavy equipment and vehicle sales, including automobiles, subject to provisions of Article 14, Section H, Supplementary Use Regulations.

**CHAPTER 1, ARTICLE 14; SUPPLEMENTARY USE REGULATIONS; Section 14-2  
H-4**

**H. Automobile Body Shop, Auto Machinery Repair Shop, and Auto Sales**

4. Uses applicable to Section H located in an Industrial District shall comply with all applicable standards related to access and accommodation for the disabled. All facilities, except for those having no workforce [such as self-storage] shall provide at least one unisex, handicapped toilet facility.

After conducting a public hearing the Planning Commission reviewed the text amendments and would like to recommend to the Anthony City Commission with a 7-0 vote to amend the above mentioned text amendments to the Unified Development Code.



Blake LePard  
Planning Commission Chairman

(First Published in the Anthony Republican on January 12, 2022) 1t

ORDINANCE NO. S-306

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANTHONY, KANSAS, BY AMENDING AND ADDING CERTAIN SECTIONS.**

**WHEREAS**, the Anthony Planning Commission has determined that certain amendments to the Unified Development Code of the City of Anthony, Kansas, are necessary to deal with changing conditions with the City; and,

**WHEREAS**, the Anthony Planning Commission has conducted a public hearing on the proposed amendments to the Unified Development Code of the City of Anthony, Kansas, on Tuesday, December 14, 2021; and,

**WHEREAS**, the Anthony Planning Commission has recommended that the proposed amendments to the Unified Development Code of the City of Anthony, Kansas, be adopted by the governing body of the City of Anthony, Kansas;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANTHONY, KANSAS:**

**Section 1:** That the Unified Development Code of the City of Anthony, Kansas, is hereby amended by repealing existing Chapter 1, Article 5, Section 5-1 A (3) and replacing with the following text.

**CHAPTER 1, ARTICLE 5; Sections 5-1 A (3)**  
**Accessory Buildings, Uses and Activities**  
**General Provisions**

*3. All accessory buildings shall be secured in accordance with the adopted building codes of the City and shall be subject to the setbacks of this Code.*

**Section 2:** That the Unified Development Code of the City of Anthony, Kansas, is hereby amended by adding the -following text in Chapter 1, Article 12, Section 12-1 (C-10).

**CHAPTER 1 – ARTICLE 12; Section 12-1 C (10)**  
**I-1 Industrial Zoning District**  
**Uses Permitted by Special Use**

*10. Heavy equipment and vehicle sales, including automobiles, subject to provisions of Article 14, Section H, Supplementary Use Regulations.*

**Section 3:** That the Unified Development Code of the City of Anthony, Kansas, is hereby amended by adding the -following text in Chapter 1, Article 14, Section 14-2 (H-4).

**CHAPTER 1 – ARTICLE 14; Section 14-2 H (4)  
SUPPLEMENTARY USE REGULATIONS**

**H. Automobile Body Shop, Auto Machinery Repair Shop, and Auto Sales**

4. *Uses applicable to Section H located in an Industrial District shall comply with all applicable standards related to access and accommodation for the disabled. All facilities, except for those having no workforce [such as self-storage] shall provide at least one unisex, handicapped toilet facility.*

**Section 4:** That the City Clerk shall make proper publication of this Ordinance, which will be published once in the official City newspaper and which will be effective from and after said publication.

**APPROVED AND ADOPTED** at Anthony, Kansas, this 4<sup>th</sup> day of January, 2022.

\_\_\_\_\_  
Gregory Cleveland, Mayor

ATTEST:

\_\_\_\_\_  
Cyndra Kastens, City Clerk/Administrator

## PLANNING COMMISSION REPORT

SU 21-02; Paul Jefferis

December 14, 2021

The Anthony City Planning Commission met on Tuesday, December 14, 2021 to review a request from Paul Jefferis for a Special Use Permit for heavy equipment and vehicle sales, including automobiles on property zoned as I-1 Industrial and located at 1221 N Industrial Drive in the City of Anthony

After conducting a public hearing, the Planning Commission reviewed the case and based their decision on the following criteria and conditions.

### Criteria

**A. The location and size of the proposed use in relation to the site and to adjacent sites and uses of property, and the nature and intensity of operations proposed.**

The proposed use is multipurpose with one use (equipment and automobile sales) not being relational to the adjacent properties. Vehicle sales use is approved in commercial zoning, the property in question is located in the city industrial park, under industrial zoning. Retail sales attracts more of a customer base than typically received in heavy industrial locations. However, the Planning Commission is currently considering a text amendment that would allow such use to be considered in an industrial zoning district via a special use permit.

**B. Accessibility of the property to police, fire, refuse collection and other municipal services.**

The property is adequately accessible by police, fire, and other municipal services.

**C. Adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of the off-street parking and loading areas.**

The ingress and egress appear adequate within the location however, it should be noted since this is an industrial district, there is no paved/asphalt roadway. The city should not be held to future requests to alter the road surface to a finish more conducive to public access for the retail customer base if allowed to be present under this special use request since this road was constructed for the uses as currently zoned for industrial.

When applicable, UDC requires 1 parking space for every 400 sq. ft. of structure for specialized retail sales. The zoning administrator can adjust to a lesser number of stalls required taking into account site location. In addition, at least (1) one regular or van accessible disability parking stall on a hard surface is required or (2) two disability spaces per 25 parking spaces, per UDC. There is adequate space to provide parking, but the spaces are not currently delineated. There is no disability parking. There is adequate loading areas.

**D. Utilities and services, including water, sewer, drainage, gas, and electricity, with particular reference to location, availability, capacity and compatibility.**

There is water and electricity on site. There is no sewer or gas service and no restrooms at this facility. City sewer is not available at this location. The lots at the industrial park are served by private sewerage systems.



Commercial uses require at least one unisex, handicapped toilet facility, except those uses having no work force (such as self-storage).

**E. The location, nature and height of buildings, walls, fences, and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.**

The location and height of buildings is relational to the district and adjacent properties. There is currently no screening. Appropriate storage and screening requirements as stated in the UDC should be followed for outdoor storage of auto body parts, scrap materials, non-operative motor vehicles or machinery, disassembled machinery, debris, solid waste containers, construction materials or equipment, and used machinery parts.

**F. The adequacy of required yards and open space requirements and sign provisions.**

There is adequate yard and open space at this location. Signage provisions of the UDC could be met here as well.

**G. The general compatibility with adjacent properties; other properties in the neighborhood; and the safety, health, comfort and general welfare of the community.**

Vehicle sales is not typically compatible with industrial zoning districts due to the nature of the activities typically found in industrial areas and the inventory display and public traffic of the vehicle sales market. However, there is a large distance at this location from the neighboring industrial lot and a perimeter fence in place surrounding the entire lot.

**H. The consistency of the proposed use with the Comprehensive Plan.**

The use is inconsistent with the Comp Plan. Though there is a recommendation in the land use planning section to provide a wider variety of zoning districts to create more flexibility to deal with development proposals, this reference was focused on single-family residential districts, commercial districts, and a better method to address higher density residential development, mixed use developments and home occupations. In reference to Industrial Land Uses, the siting of industrial activities must be done in a manner to provide the least amount of development impact. Land Use Objective 6 in the Comp Plan discourages individual lot developments for single purposes that fail to coordinate with the adjoining property development.

**The comments in this review provide the requirements from the UDC for vehicle sales. Not all of said comments stated here are typical for industrially zoned facilities.**

**Conditions for Approval**

1. Provide four parking stalls with curb stops and at least one regular or van accessible disability parking space positioned in close proximity to entrance doors. Parking must meet code standards.
2. Within one year from the approval date of the Special Use Permit at least one unisex, handicapped toilet facility must be functionable and available within the

facility. To achieve this, permits must be obtained to install an onsite wastewater system and an ADA bathroom. Portable ADA porta potties must be available in the interim.

3. Due to the nature of this change drawing a customer base for which the industrial district was not designed for, it is hereby understood the City of Anthony will not be responsible to provide improved access roads as part of this special use request or any future request at this site.

4. Must comply with all regulations set forth in the Unified Development Code Book.

5. Contingent upon the text amendment approval at the January 4, 2022 Commission Meeting.

6. Approval of a special use permit shall be deemed to authorize only the particular use for which it is approved. A special use permit shall run with the land.

The Planning Commission therefore recommends to the Anthony City Commission, by a 7-0 vote to allow the Special Use Request for heavy equipment and vehicle sales, including automobiles on property zoned as I-1 Industrial and located at 1221 N Industrial Drive in the City of Anthony.

A handwritten signature in cursive script, reading "Blake LePard".

Blake LePard  
Planning Commission Chairman

(Published in The Anthony Republican, January 12, 2022) 1t

**ORDINANCE No. S-307**

**AN ORDINANCE ISSUING A SPECIAL USE PERMIT FOR CERTAIN  
REAL ESTATE LOCATED WITHIN THE JURISDICTION OF THE  
CITY OF ANTHONY, KANSAS located at 1221 North Industrial Drive.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANTHONY,  
KANSAS:**

Section 1: That pursuant to Chapter XVIII, Zoning and Planning (Ordinance No. G-2718), of the City Code of the City of Anthony, Kansas, the following real estate affected by this ordinance is described as:

A 6.06-acre tract in the SW4 of Section 13, Township 33S, Range 7W to the City of Anthony, Harper County, Kansas.

Section 2: To allow a Special Use Permit for heavy equipment and vehicle sales, including automobiles on property zoned as I-1 Industrial, located at 1221 N Industrial Drive, in accordance with all Federal, State and Local requirements and conditional upon the requirements as designated on Exhibit A.

Section 3: This ordinance shall take effect from and after its publication in the Anthony Republican, the official City newspaper as provided by law.

Passed, approved, and adopted this 4<sup>th</sup> day of January, 2022.

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Gregory Cleveland, Mayor  
City of Anthony

ATTEST:

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Cyndra Kastens, City Clerk/Administrator

## EXHIBIT A

Conditional for ApprovalCase No. SU 21-02 December 14, 2021

1. Contingent upon the text amendment approval at the January 4, 2022 Commission Meeting.
2. Provide four parking stalls with curb stops and at least one regular or van accessible disability parking space positioned in close proximity to entrance doors. Parking must meet code standards.
3. Within one year from the approval date of the Special Use Permit at least one unisex, handicapped toilet facility must be functionable and available within the facility. To achieve this, permits must be obtained to install an onsite wastewater system and an ADA bathroom. Portable ADA porta potties must be available in the interim.
4. Due to the nature of this change drawing a customer base for which the industrial district was not designed for, it is hereby understood the City of Anthony will not be responsible to provide improved access roads as part of this special use request or any future request at this site.
5. Must comply with all regulations set forth in the Unified Development Code Book.
6. Approval of a special use permit shall be deemed to authorize only the particular use for which it is approved. A special use permit shall run with the land.

**PLANNING COMMISSION REPORT**  
**CASE PC 21-01**  
**CITY OF ANTHONY / CBC ANTHONY LLC**  
**120 N LL&G**

The Anthony City Planning Commission met on December 14, 2021 to review a request from the City of Anthony and CBC Anthony LLC for a rezone of a portion of land in Block 7 and 8 of Jennings Addition from R-1 Residential to B-2 Service Business located at 120 N. LL&G.

After conducting a public hearing, the Planning Commission reviewed the case and based their decision on the following criteria.

**Criteria for Review**

- A. The general character and location of the neighborhood.**  
 The property is located in the 100 block of North LL&G. North LL&G is a commercial business neighborhood with zoning uses such as retail, automotive, entertainment, restaurant, etc...
- B. The current zoning and use of nearby properties.**  
 North LL&G is zoned primarily B-2 commercial. The property in question is zoned B-2 commercial with the exception of the west side of the block which is zoned residential. This zoning request would make the entire property requested by CBC zoned uniformly under one district instead of mixed zoning as it is now. See attached diagram.
- C. Suitability of the subject property for the uses to which it has been restricted.**  
 The property is well suited for the applied zoning use. As stated above, this portion of the lot in question is already majority zoned commercial. This amendment would add the area needed to this commercial zoning to complete the construction of a commercial retail business. This is very suitable for this area.
- D. Extent to which the proposed use will detrimentally affect nearby property.**  
 As far as can be determined, there should be little to no detrimental effect to nearby properties. In fact, development would help maintain the area for existing businesses.
- E. The length of time the subject property has remained vacant as zoned.**  
 The subject property has no current record of prior development.
- F. The relative gain to public health, safety and welfare due to the denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

There does not appear to be a gain to the public if the application were to be denied.

**G. Recommendation of the city staff.**

It is the recommendation of the city staff to approve the zoning amendment as it is a minor zoning change which would more evenly carry the zoning district boundary line. In addition, it would provide the area needed for a commercial business to develop which is a benefit to the economy of the community.

**H. Conformance of the requested change to the adopted or recognized comprehensive plan, or other planning policies and documents of the City to guide its growth and development.**

The requested change conforms to the City of Anthony Comprehensive Plan.

**I. The availability and adequacy of required utilities and services to serve the proposed use. These utilities and services include, but are not limited to, sanitary and storm sewers, water and electrical service, police and fire protection, schools, parks and recreation facilities.**

Again, this is not a change in use but rather adding a small portion of land to the existing use. The existing use has adequate access to all required utilities.

**J. The extent to which the proposed use will adversely affect the capacity or safety of the street or road network influenced by the use. Or if the proposed uses provide adequate access roads or ingress and egress to prevent traffic hazards.**

The proposed use will construct a private access drive off North LL&G, which is also K-2 Highway. The proposed use will require KDOT approval. KDOT will verify safety of the road network. The city sees no adverse effects in the proposal thus far.

**K. The environmental impacts generated by the proposed use including, but not limited to, loss of prime farmland, flooding problems, excessive storm water runoff, soil erosion and sedimentation, reduction of water supplies, including surface and ground waters, air pollution, noise pollution, excessive nighttime lighting or other environmental harm.**

Since the use is very suitable to the neighborhood, there does not appear to be potential air, noise, or lighting pollution. The undeveloped land is currently not farmed. Any concern for stormwater runoff will be addressed properly through permitting during construction. There is potential for flooding nearby this location since it sits alongside a drainage pattern that runs through the city.

However, there does not appear to be an adverse environmental impact that would be generated by this proposed use at this location.

**L. The extent to which the proposed use will result in the destruction, loss, or damage of any natural, scenic or historic feature of significant importance.**

The proposed use should have no adverse effects on such features.

**M. The ability of the applicant to satisfy any requirement (e.g. site plan, etc.) applicable to the specific use imposed pursuant to the zoning regulations in the Unified Development Code and other applicable ordinances.**

The applicant would be required to satisfy all requirements of the UDC and the city building and permitting codes which will require providing stamped plans and specifications prior to approval. Thus far, the applicant has made no indication that such requirements would be a problem.

The Planning Commission therefore recommends to the Anthony City Commission, by a 7-0 vote that the portion of land in Block 7 and 8 of Jennings Addition located at 120 N LL&G be rezoned from R-1 Residential to B-2 Service Business.

Blake LePard  
Planning Commission Chairman



(Published in The Anthony Republican, January 12, 2022) 1t

**ORDINANCE No. S-308**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OF CERTAIN REAL ESTATE LOCATED WITHIN THE JURISDICTION OF THE CITY OF ANTHONY, KANSAS located at 120 N. LL&G AND VARIANCES THEREOF**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANTHONY, KANSAS:**

Section 1: That pursuant to Chapter XVIII, Zoning and Planning (Ordinance No. G-2718), of the City Code of the City of Anthony, Kansas, the following real estate affected by this ordinance is described as:

A Tract of Land in Blocks 7 and 8 of the Jennings Addition to the City of Anthony, Kansas, commencing at the Southeast Corner of the Southeast Quarter of Section 23, Township 33 South, Range 7 West, also being the Southeast Corner of Block 8 in Jennings Addition to the City of Anthony. Thence N 0°34'04" W along the East line of said Southeast Quarter and the East line of said Block 8, for a distance of 310.15 feet; Thence S 89°25'42" W, for a distance of 30.00 to the Point of Beginning; Thence continuing S 89°25'42" W, for a distance of 218.50 feet; Thence N 0°34'04" W parallel with the East line of said Block 8, for a distance of 198.50 feet; Thence N 89°25'42" E, for a distance of 218.50 feet to a point 30.00 feet West of the East line of said Block 7 and 8; thence S 0°34'04" E parallel with the East line of said Block 8, for a distance of 198.50 feet to the Point of Beginning. The described tract contains 0.996 acres, more or less, less the East 147.2' thereof.

Section 2: The classification of the said real estate shall be changed from R-1 Residential to B-2 Service Business District.

Section 3: This ordinance shall take effect from and after its publication in the Anthony Republican, the official City newspaper as provided by law.

Passed, approved, and adopted this 4<sup>th</sup> day of January, 2022.

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Gregory Cleveland, Mayor  
City of Anthony

ATTEST:

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Cyndra Kastens, City Clerk/Administrator



To: City Commissioners  
From: Cyndra Kastens

Re: City Clerk/Administrator Report  
1/4/22

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Commissioner Eaton will not be present for this meeting.

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#### CONSENT AGENDA

1. Approve Regular Meeting Minutes of December 21, 2021
2. Approve Minutes - Special Meeting of December 28, 2021
3. Appropriation Ordinance No. 6103 \$73,727.42
4. Approve 01/04/2022 Payroll \$51,077.12

#### PUBLIC HEARINGS - NONE

#### REGULAR BUSINESS

5. Walking Trail Around Lake - Lake Board

*The lake board has continued to meet and iron out the potential path around the lake. If you will recall, the lake board changed the focus from the east side to starting on the north which is the most difficult area to traverse. The reason behind that is because if they could connect the north loop as the first phase then technically, right at that point the path around the lake would be connected (utilizing the existing sidewalks and roads) and people could start going around. Some areas, like where the houses/cabins are, people will always have to utilize the road for the path but other areas, the lake board could eventually cut some trails along the road as part of the path. This will come in time. For now, the lake board will present the specific path on the north for Phase One to seek commission approval to keep going. Note: we have worked with John Elmore on this process as we mapped our way through the north.*

6. Ordinance S-306 Adoption of UDC Text Amendments

*These amendments fix the garden shed language to no longer require skids to be removed and made changes to both the industrial zoning requirements and the supplementary use sections of the Unified Development Code to allow **auto sales** in industrial districts in the City of Anthony. This industrial change is a request from Paul Jeffries who purchased the south most lot in the City's north industrial park and in order to obtain a state license to sell cars would have to have it zoned properly. The zoning laws would have to be changed to make it zoned properly (since auto sales is not normally found in industrial districts since it attracts a different customer base into the area than the surrounding roads/businesses are zoned for). Paul will be present for the case.*

7. Ordinance S-307 Special Use Permit in I-1 Industrial Dist.

*Once the above referenced zoning law was approved for recommendation to be changed then this special use permit (under the new law change) could be considered. The new law would allow auto sales in industrial districts subject to the approval of a special use permit. So, Paul is applying for a special use and that is what Ordinance S-307 is. If item 6 above is not approved, then item 7 can not be considered fyi.*

**To: City Commissioners**  
**From: Cyndra Kastens**

**Re: City Clerk/Administrator Report**  
**1/4/22**

8. Ordinance S-308 Rezone 120 N LL&G

*This is the ordinance to correct the zoning at the new Family Dollar. A small portion on the west (currently zoned residential) needed to be added to this commercial zoning to have adequate size for the area CBC has requested.*

9. Sunrise Second Addition - Carl Schmidt

*Carl Schmidt would like to discuss one of the vacant commercial lots in the Sunrise Second Addition.*

10. Golf Course Irrigation Water

*Just a quick update on where we are to date with the irrigation needs.*

11. AV Gas Bid 2700 Gallons

Admin's Report:

1. 432 S Anthony – I am editing the resolutions however; the City Attorney is on vacation until January 3<sup>rd</sup> so I could not get his verification on the documents until after the holidays. This will cause a longer delay. Just FYI.

2. Airport Infrastructure Grant – The first public release of the details for the upcoming FAA infrastructure bill funds are coming out. The following is what we have determined so far:

There will be \$500million/year for 5 straight years that will be split to the ~3300 nationwide NPAIS airports. It will be based on our FAA Role, ie most are "Local" with some "Regional". Each airport in the nation with a same category will get that exact same amount as all in that category. We will be getting that amount into our account just like we do the current entitlement funds each of the next 5 years.

They didn't say what the amounts were going to be.

They didn't say if it was going to be allowed to be banked like current entitlement funds.

They did say it would follow the same 90-10 split as the entitlements.

They did say it would follow all of the same other rules for projects as the entitlements.

3. Department Activities:

Street – On vacation.

**To: City Commissioners**  
**From: Cyndra Kastens**

**Re: City Clerk/Administrator Report**  
**1/4/22**

Water/WW –

Installed new water service 300 block N Franklin

Repaired sewer manhole at old hospital

Serviced vac truck

Preparing all buildings, lift stations and equipment for cold weather

Repaired septic tank lid

Daily rounds

Locates

Water meter readouts and turn offs

Electric Distribution -

Worked on Mike Kelso Oil service and completed

Matt Miles was here for annual PCB audit

Work Orders

Locates

Turn On, Off Orders

Just Read Orders

Electric Production –

No report

Mechanic –

No report.

To: Anthony City Commission

Re: Chief of Police report

From: Kenny Hodson

Date: 01-04-2022

We arrested Edward Coombs for No insurance, illegal tag, and possession of marijuana

We arrested Andrew Blair on several warrants

We investigated a fight and turned the case of to the CA for possible charges

We arrested Terry Tolbert for driving while suspended and possession of marijuana

We arrested Edward Sheen for possession of marijuana with intent to distribute

We investigated one minor traffic accident

We arrested Johnathan Hunter for possession of marijuana and drug paraphernalia

We arrested Eric Little Coyte for driving while suspended