



City Commission Regular Meeting

Tuesday, November 19, 2024 at 6:00 PM
Commission Chambers, 124 S Bluff, Anthony, KS 67003

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 November 5, 2024 Regular Meeting Minutes

2. Appropriation Ordinance No 3202 \$2,772,103.33

3. Special Appropriations

Fund #34 Capital Airport- Border States \$292.75 Elec Materials - AWOS/Beacon AV-2023-17

Fund #34 Capital Airport-Atlas Electric \$92,890.62 AWOS Materials & Labor - AWOS/Beacon AV-2023-17

Fund #34 Capital Street-Security First \$195.00 O&E Report Required for Easement - CCLIP KA-6909-01

Fund #83 Electric EQ Replacement-COOP \$130.00 T-Posts for Safety Fence - Sunrise 2nd BASE Grant

4. Approve 11.19.2024 Payroll \$57,062.91

5. Approve Drawdown #3 KDOT Project No. AV-2023-17 \$93,183.37 AWOS/Beacon Project

6. Approve Build Kansas Matching Grant Agreement of \$131,161.45 for Project 2024-030-40101d

7. Approval to Authorize City Administrator to Establish Just Compensation for Construction Easement for CCLIP 44-39 KA-6909-01

PUBLIC HEARINGS - NONE

REGULAR BUSINESS

- 8. Bid Opening Sunrise 2nd Street Lighting
- 9. Request for More Brackets/Banners - American Legion Auxillary
- 10. Welcome to Anthony Sign West Park - Randy Wiseley
- 11. Kayak Rental Services at Anthony Lake
- 12. Community Solar Discussion
- 13. Approve Fire Department Christmas Party - \$1,200
- 14. Approval - Employees Christmas 2024
- 15. Economic Development Review
- [16.](#) Health Nuisance 503 S. Anthony - Little Coyote 2024

STAFF REPORTS

- [17.](#) Administrator Report
- [18.](#) Department Reports
- [19.](#) Chief of police report

EXECUTIVE SESSION - NONE

- 20. Executive Session to Discuss Staffing Pursuant to “Personnel Matters of NonElected Personnel, K.S.A. 75-4319 (b) (1).”

ADJOURNMENT

Standing Committees:

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



City Commission Regular Meeting

Tuesday, November 05, 2024 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 Eric Smith
Commissioner Howard Hatfield

City Administrator Cyndra Kastens, Police Chief Kenny Hodson, Deputy City Clerk Sherri Miller and Melinda Ewertz, Randal & Jacquie Wiseley, Curt Miller, Tuana Swartz and Tim Rinke.

- Approval of Agenda

A motion was made to approve the agenda as presented.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Smith, Commissioner Hatfield. Motion Carried.

PUBLIC COMMENT - NONE

CONSENT AGENDA

1. Approve October 15, 2024 Regular Meeting Minutes
2. Ordinance No 3201 \$140,422.56
3. Approve 10.22.2024 Payroll \$57,826.60
4. Approve 11.05.2024 Payroll \$57,306.49
5. Approve Drawdown #1 KDOT Project No. AV-2023-17 \$24,153.69 AWOS/Beacon Project
6. Approve Drawdown #2 KDOT Project No. AV-2023-17 \$22,516.30 AWOS/Beacon Project

- 7. Approve Investment Renewal:
Bank of the Plains COD 5000001940-Public Relief \$21,332.27 Reinvestment- 24 months
- 8. Approve Aging Projects (Friendship Meals) Annual Agreement for October 1, 2024, through September 30, 2025
- 9. Approve Recreation Commission recommendation to reappoint Allen Finley to Anthony Recreation Commission for Term to expire in 2028
- 10. Appoint Robert Chandler and Randal Wiseley to Planning Commission/Board of Zoning Appeals - Three Year Term to Expire 2027
- 11. Approve October 2024 Court Report
- 12. Approve to Submit RFP for Contract Services to Construct the KCC-40101d-501 Electric Project
- 13. Approve Investment Renewal:
Bank of the Plains COD 5000002278-General Fund \$100,000 Reinvestment- 24 months

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

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

PUBLIC HEARINGS - NONE

REGULAR BUSINESS

14. Bid Opening 2024 Sunrise 2nd Dirt Work

Mayor Cleveland opened bids for the 2024 Sunrise 2nd Dirt Work. Four Bids were received. Henry Dick Digging \$98,560.00, Theis Dozer Service \$76,617.97, Dondlinger & Sons \$64,500.00, Mies Construction \$68,300.00. The dirt work is part of the BASE grant extension. A motion was made to accept the bid from Dondlinger & Sons for \$64,500.00.

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

15. Kayak Rental Services at Anthony Lake - Wiseley's

The Commission briefly discussed the kayaks and will have more information after the Lake Board meets on the 11th.

**16. Approve EBH Contract to Reconstruct Asphalt Taxiway from T-Hangars to Apron (180' x 35')
FAA Project# ANY 3-20-0002-016-2025**

The Administrator presented the Cost Analysis prepared to review the consultants fee proposal. After determination that the consultants fee proposal and hours submitted was adequate, a motion was made to approve the EBH Contract to Reconstruct Asphalt Taxiway from T-Hangars to Apron (180'x35') FAA Project #ANY 3-20-0002-016-2025 contingent upon FAA Approval.

Motion made by Commissioner Eaton, Seconded by Commissioner Hatfield.

Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Lanie, Commissioner Smith, Commissioner Hatfield. Motion Carried.

17. Approve Ordinance S-319 - Twp #2 Rural Fire Contract

The Commission discussed the need to increase contract pricing due to inflation and will start the process to allow all the townships time to prepare budgets accordingly for the next contract renewal.

A motion was then made to approve Ordinance S-319 Twp #2 Rural Fire Contract as presented.

Motion made by Commissioner Smith, Seconded by Commissioner Hatfield.

A roll call vote was then taken Mayor Cleveland -Yea, Commissioner Eaton - Yea, Commissioner Lanie- Yea, Commissioner Smith - Yea, Commissioner Hatfield - Yea. Motion carried.

18. Approve Ordinance S-320 - Twp. #3 Rural Fire Contract

A motion was made to approve Ordinance S-320 - Twp. #3 Rural Fire Contract as presented.

Motion made by Commissioner Lanie, Seconded by Commissioner Eaton

A roll call vote was then taken Mayor Cleveland -Yea, Commissioner Eaton - Yea, Commissioner Lanie- Yea, Commissioner Smith - Yea, Commissioner Hatfield - Yea. Motion carried.

19. Approve Ordinance S-321 - Twp. #4 Rural Fire Contract

A motion was made to approve Ordinance S-321 - Twp. #4 Rural Fire Contract as presented.

Motion made by Commissioner Hatfield, Seconded by Commissioner Smith.

A roll call vote was then taken Mayor Cleveland -Yea, Commissioner Eaton - Yea, Commissioner Lanie- Yea, Commissioner Smith - Yea, Commissioner Hatfield - Yea. Motion carried.

20. Review of Anthony City Code Article 2 – Fire Prevention, Section 6-204 Storage Supply Tanks

Administrator Kastens presented some discrepancies in the current city code addressing storage of crude petroleum and other fuel. The Commission will review the issue and the Fire Chief will prepare options to present back to the Commission for further discussion.

21. Approve 5% Match Commitment of \$45,284.78 to US Bureau of Rec WaterSMART Water Energy Efficiency Grant Paid from Capital Improvement Utility Funds.

A motion was made to approve the 5% Match Commitment of \$45,284.78 to US Bureau of Rec WaterSmart Water Energy Efficiency Grant paid from Capital Improvement Utility Funds.

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

STAFF REPORTS

22. Administrator Report

The Administrator introduced Melinda Ewertz to the City as the new Deputy City Clerk.

The Administrator reported on Airport Reconstruct Taxiway, KCC-40101d Grant, Water Sustainability Study, KMU Insurance Pool, Lake Eco Development, Wrecked Deweze Slope Mower, Sunrise 2nd, EPA Water Technical Assistance, Golf Course Bathroom, Solar Billing, Community Solar Project, Staffing, County Road Vacate, Continuing Ed, Roof Repair Update, KMEA Annual Conference.

23. Chief of Police Report

We are investigating a fraud report that happened in the 400 block of N. Jefferson
We arrested Jarid Wilson on drug charges
We investigated a criminal damage to property case in the 300 block of S Lincoln and turned the case over to the CA for possible charges
We investigated a domestic disturbance in the 800 block of N. Jennings and turned the case over to the CA for possible charges
I had the city mow some properties on N. LL&G
We helped with the Halloween parade

24. Department Reports

Department update activities were given from Electric Production, Electric Distribution, Water/Wastewater and Street.

EXECUTIVE SESSION

25. Executive Session to Discuss Employment Pursuant to “Personnel Matters of NonElected Personnel, K.S.A. 75-4319 (b) (1).”

At 6:40 p.m. Mayor Cleveland made a motion to go into Executive Session for ten minutes until 6:50 p.m. to Discuss Employment Pursuant to "Personnel Matters of NonElected Personnel, K.S.A. 75-4319 (b) (1)." Commissioner Hatfield seconded the motion. Motion carried 5-0. The Commission chambers were cleared with the Commissioners and Administrator remaining present.

At 6:50 p.m. Mayor Cleveland made a motion to extend the executive-session five minutes until 6:55 p.m. Commissioner Smith seconded the motion. Motion carried 5-0.

At 6:55 p.m. Mayor Cleveland called the regular meeting back to order. No binding action was taken.

ADJOURNMENT

A motion was made to adjourn the meeting.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

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

Gregory Cleveland, Mayor

Cyndra Kastens, City Clerk/Administrator

BALANCE SHEET
CALENDAR 11/2024, FISCAL 11/2024

ACCOUNT NUMBER	ACCOUNT TITLE	PTD BAL.	YTD BAL
01-00-0010	GENERAL OPERATING	34,449.48-	1,102,463.49
02-00-0010	WATER	47,387.21	904,563.95
03-00-0010	ELECTRIC	74,075.42	1,409,333.60
04-00-0010	SALES TAX & STATE FEES	2,312.08-	38,855.05
05-00-0010	SEWAGE DISPOSAL	20,271.59	547,611.88
10-00-0010	EMP INSURANCE/BENEFIT	16,143.80-	378,095.34
12-00-0010	AIRPORT	787.82-	174,099.98
14-00-0010	INDUSTRIAL DEVELOPMENT	174.31-	21,119.54
15-00-0010	ECONOMIC DEVELOPMENT	5,909.48-	106,997.85
16-00-0010	SERVICE DEPOSIT	650.00	85,579.28
17-00-0010	SPECIAL STREETS & HIGHWAY		306,584.96
18-00-0010	PUBLIC RELIEF		24,038.00
19-00-0010	WATER UTILITY RESERVE		244,277.72
21-00-0010	WWTF LOAN 2000		65,559.07
23-00-0010	WATER DEBT SVC RESERVE S2013		116,721.08
24-00-0010	BOND & INTEREST		10,463.73
25-00-0010	LIBRARY	2,802.10-	
26-00-0010	RECREATION COMMISSION	3,109.62-	39,693.33
29-00-0010	RECREATION	3,016.81	6,578.42
30-00-0010	MUNICIPAL EQUIPMENT RESERVE		145,016.56
32-00-0010	SPECIAL PARKS & RECREATION	23.10-	37,972.45
34-00-0010	CAPITAL IMPROVEMENT	175,479.99-	3,662,753.73
37-00-0010	GO BONDS S2010 POOL		8,240.79
40-00-0010	ELECTRIC UTILITY RESERVE		1,559,835.43
41-00-0010	EL UTIL S2017 REV BOND		198,679.63
45-00-0010	SEWER RESERVE		155,000.00
47-00-0010	WILDLIFE AND PARKS GRANT		491,849.41
50-00-0010	WAYNE DENNIS INVESTMENT FUND		750,141.35
54-00-0010	DEBT RES. WATER 2013		199,101.69
61-00-0010	MUNICIPALITIES FIGHT ADDICTION		12,487.11
81-00-0010	WASTEWATER LAGOON CLEANING		191,600.00
82-00-0010	WATER/EQUIPMENT REPLACEMENT		65,655.86
83-00-0010	ELECTRIC/EQUIP REPLACEMENT	130.00-	3,852,153.85
85-00-0010	SEWER/EQUIPMENT REPLACEMENT		94,005.71
89-00-0010	TRANS GUEST APPROVED	2,500.00-	8.32
96-00-0010	WAYNE DENNIS FUNDS		14,443.66
97-00-0011	DT REVIT. REVOLVING LOAN		.56
98-00-0010	TRANSIENT GUEST TAX		3,976.83
		=====	=====
	PROOF	98,420.75-	17,025,559.21
		=====	=====

CLAIMS REPORT
 Check Range: 10/01/2024-11/20/2024

#3202

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL OPERATING					
AT&T	HALL WIFI		74.90	52358	11/19/24
ADVANCED COMPUTERS	NEW EMPLOYEES/CAMERAS/PRODUCTS		744.75	52359	11/19/24
ANTHONY FARMERS COOP	#75 TIRES		193.88	52363	11/19/24
ANTHONY REPUBLICAN	FIRE PREVENTION		76.50	52365	11/19/24
ATMOS ENERGY	NATURAL GAS		353.99	52367	11/19/24
BAUGHMAN CO	CONSULTING NON-CONFORMING USES		500.00	52368	11/19/24
CITY OF ANTHONY	AMBER SWONGER		1.26	52371	11/19/24
ECOWATER SYSTEMS	PD WATER		9.00	52373	11/19/24
SAVANNAH FAIRCHILD	REFUND ON SVC DEPOSIT		6.88	52374	11/19/24
IRS	11/19/24 PR		4,549.27	12498949	11/19/24
GALAXIE BUSINESS EQUIPMENT INC	COPIER CONTRACT		92.75	52375	11/19/24
GODFREY'S	PD UNIFORM-TONIA		1,560.25	52377	11/19/24
HAZEL'S SHEET METAL INC	SHOP AIR LINE COUPLING		3.28	52381	11/19/24
HOME LUMBER & SUPPLY INC	STAPLE GUN/GLUE/SAW BLADES		238.06	52382	11/19/24
HOSPITAL DIST 6 OF HARPER CO	PRE EMPLOYMENT		100.00	52383	11/19/24
GREAT-WEST FINANCIAL	11/19/24 PR		503.17	12498950	11/19/24
JUSTICE BATTERY CO.	BAR OIL		19.00	52384	11/19/24
KPERS	11/19/24 PR	3,093.22		12498951	11/19/24
KPERS	11/19/24 PR	233.04	3,326.26	12498952	11/19/24
KANZA BANK	NOV DURANGO		698.13	52385	11/19/24
KANSAS PAYMENT CENTER	10/22/24 PR		207.69	12498947	11/19/24
KANSAS PEACE OFFICERS	KPOA MEMBERSHIP		30.00	52387	11/19/24
KSFFA	DUES		50.00	52388	11/19/24
KANSAS STATE TREASURER	OCT COURT FEES		192.50	12498958	11/19/24
KONICA MINOLTA BUSINESS SOLUTI	COPIER CONTRANT		92.00	52391	11/19/24
KS DEPT OF REV-WITHHOLDING	11/19/24 PR		925.70	12498948	11/19/24
LARRY'S HOMETOWN MKT.	SALT & BATTERIES FOR HALL		57.59	52393	11/19/24
NAPA AUTO PARTS ANTHONY	#33 HYDRAULIC HOSE REPAIR		641.65	52398	11/19/24
OFFICE PLUS OF KANSAS	PD DVDS/COPY PAPER		174.64	52400	11/19/24
PHIL'S REPAIR	CAR WASH		61.00	52401	11/19/24
COMPLIANCE ONE	OCT MONTHLY COST/PRE EMPLOYMEN		91.62	52408	11/19/24
TERMINIX PROCESSING CENTER	PD PEST CONTROL		251.43	52409	11/19/24
UNIFIRST CORPORATION	EMPLOYEE UNIFORMS		404.79	52410	11/19/24
VISA	MITCHELL TOOL		67.00	12498959	11/19/24
US BANK VOYAGER FLEET SYS	GAS/DIESEL		2,154.97	52411	11/19/24
WYATT TRASH SERVICE INC	MUNICIPAL HALL		276.00	52413	11/19/24
SUSIE YOUNG	PD UNIFORM		24.00	52415	11/18/24
01 GENERAL OPERATING TOTAL			18,753.91		
WATER					
ADVANCED COMPUTERS	AZURE/NEW COMPUTER/NEW EMPLOYE		466.60	52359	11/19/24
AMAZON CAPITAL SERVICES	CALLIE CHAIR MAT		62.61	52361	11/19/24
ANSWER PRO	9/28-10/25 ANS SVC		100.00	52362	11/19/24
ANTHONY FARMERS COOP	#19 TIRES		941.86	52363	11/19/24
ANTHONY REPUBLICAN	TREASURE'S REPORT		115.00	52365	11/19/24
ATMOS ENERGY	NATURAL GAS		47.67	52367	11/19/24
CARGILL, INCORPORATED	SALT		5,422.27	52369	11/19/24
CAMPSPOT	MARKETPLACE		192.17	52370	11/19/24
IRS	11/19/24 PR		1,771.29	12498949	11/19/24
GALAXIE BUSINESS EQUIPMENT INC	COPIER CONTRACT		92.75	52375	11/19/24
GENE'S HEARTLAND GOODS	WATER/GARAGE DOOR BATTERIES		42.91	52376	11/19/24
GWORKS	1099 & W2 FORMS		56.39	52379	11/19/24

CLAIMS REPORT
 Check Range: 10/01/2024-11/20/2024

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
OFFICE PLUS OF KANSAS	COPY PAPER/FOLDERS/REC PAPER		252.79	52400	11/19/24
PHIL'S REPAIR	CAR WASH		43.75	52401	11/19/24
POSTMASTER	POSTAGE FOR BILLS DUE 12/10/24		300.00	52402	11/19/24
PURE WORKPLACE SOLUTIONS	CYNDRA'S DESK STAND		716.00	52403	11/19/24
QLT	OUTDOOR GONG		10.39	52404	11/19/24
COMPLIANCE ONE	OCT MONTHLY COST		6.06	52408	11/19/24
UNIFIRST CORPORATION	EMPLOYEE UNIFORMS		1,063.84	52410	11/19/24
VISA	ZOOM	10.23		12498954	11/19/24
VISA	KMEA CONF HOTEL	292.57	302.80	12498959	11/19/24
US BANK VOYAGER FLEET SYS	GAS/DIESEL		1,330.25	52411	11/19/24
WYATT TRASH SERVICE INC	POWER PLANT		132.50	52413	11/19/24
03 ELECTRIC TOTAL			139,825.89		
SALES TAX & STATE FEES					
DIRECTOR OF TAXATION	OCT 2024		9,846.57	12498953	11/19/24
04 SALES TAX & STATE FEES TOTAL			9,846.57		
SEWAGE DISPOSAL					
ADVANCED COMPUTERS	AZURE/NEW COMPUTER/NEW EMPLOYE		466.59	52359	11/19/24
AMAZON CAPITAL SERVICES	CALLIE CHAIR MAT		62.61	52361	11/19/24
ANTHONY FARMERS COOP	SEWER SAFETY FENCE		261.00	52363	11/19/24
ANTHONY REPUBLICAN	TREASURE'S REPORT		115.00	52365	11/19/24
ATMOS ENERGY	NATURAL GAS		293.80	52367	11/19/24
IRS	11/19/24 PR		994.50	12498949	11/19/24
GALAXIE BUSINESS EQUIPMENT INC	COPIER CONTRACT		92.76	52375	11/19/24
GWORKS	1099 & W2 FORMS		56.39	52379	11/19/24
HOME LUMBER & SUPPLY INC	BULBS/ADAPTER		29.97	52382	11/19/24
GREAT-WEST FINANCIAL	11/19/24 PR		30.19	12498950	11/19/24
KPERS	11/19/24 PR	752.94		12498951	11/19/24
KPERS	11/19/24 PR	14.03	766.97	12498952	11/19/24
KS DEPT OF REV-WITHHOLDING	11/19/24 PR		202.13	12498948	11/19/24
NAPA AUTO PARTS ANTHONY	HYDRAULIC JACK OIL		117.69	52398	11/19/24
NUVEI	OFFICE CC FEES		67.13	12498956	11/19/24
POSTMASTER	POSTAGE FOR BILLS DUE 12/10/24		150.00	52402	11/19/24
COMPLIANCE ONE	OCT MONTHLY COST		6.06	52408	11/19/24
UNIFIRST CORPORATION	EMPLOYEE UNIFORMS		116.50	52410	11/19/24
VISA	AUTHORIZE	1.66		12498954	11/19/24
VISA	LKM CONF HOTEL-GREG	57.70	59.36	12498959	11/19/24
US BANK VOYAGER FLEET SYS	GAS/DIESEL		514.50	52411	11/19/24
WYATT TRASH SERVICE INC	SEWER PLANT		60.00	52413	11/19/24
05 SEWAGE DISPOSAL TOTAL			4,463.15		
AIRPORT					
GRAINGER	AIRPORT RUNWAY LIGHTS & HOLDER		74.61	52378	11/19/24
HEARTLAND MERCHANT	AIRPORT CC MACHINE		528.83	12498955	11/19/24
WYATT TRASH SERVICE INC	AIRPORT		30.00	52413	11/19/24
12 AIRPORT TOTAL			633.44		

CLAIMS REPORT

Check Range: 10/01/2024-11/20/2024

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
INDUSTRIAL DEVELOPMENT VISA	PARKER MCCOLLYN ECO PROMO PIZZ		174.31	12498959	11/19/24
14 INDUSTRIAL DEVELOPMENT TOTAL			174.31		
ECONOMIC DEVELOPMENT ANTHONY REPUBLICAN	ECO DEVO-LAKE PROPOSAL		464.10	52365	11/19/24
MATTHEW W RICKE ATTY AT LAW LL	LAKE ECO DEVO		52.50	52394	11/19/24
MICHAEL HODSON	CARE-REIM ERB		1,365.80	52395	11/19/24
15 ECONOMIC DEVELOPMENT TOTAL			1,882.40		
SERVICE DEPOSIT CITY OF ANTHONY	AMBER SWONGER		116.35	52371	11/19/24
SAVANNAH FAIRCHILD	REFUND ON SVC DEPOSIT		100.00	52374	11/19/24
AMBER SWONGER	REFUND SVC DEPOSIT		33.65	52414	11/19/24
16 SERVICE DEPOSIT TOTAL			250.00		
LIBRARY ANTHONY LIBRARY	APPROPRIATION AS BUDGETED		2,802.10	52364	11/19/24
25 LIBRARY TOTAL			2,802.10		
RECREATION COMMISSION PAUL W JEFFERIS dba	BALLFIELD MAINTENANCE		1,750.00	52355	11/14/24
IRS	11/19/24 PR		84.16	12498949	11/19/24
NBCRC	VOLLEYBALL & FLAG FB TROPHIES		162.03	52356	11/14/24
COMPLIANCE ONE	PRE EMPLOYMENT TESTING		79.50	52408	11/19/24
26 RECREATION COMMISSION TOTAL			2,075.69		
SPECIAL PARKS & RECREATIO WYATT TRASH SERVICE INC	TENNIS COURTS		23.10	52413	11/19/24
32 SPECIAL PARKS & RECREATIO TOTAL			23.10		
CAPITAL IMPROVEMENT FUND ATLAS ELECTRIC LLC	AWOS/BEACON AV-2023-17		103,211.80	52366	11/19/24
TROY LANKTON	WELCOME TO ANTHONY LAKE SIGN		2,109.00	52372	11/19/24
BORDER STATES INDUSTRIES, INC	AWOS- WIRE TERMINATORS		325.28	52392	11/19/24
MOTOROLA SOLUTIONS,, INC	PD PORTABLE RADIOS		39,002.70	52396	11/19/24
NOWAK CONSTRUCTION CO. INC.	16 MAIN PHC/CHS VALVE		29,905.00	52399	11/19/24
ROOFMASTERS ROOFING & SHEET ME	2024 HAIL STORM ROOF REPAIR		47,401.20	52405	11/19/24
SECURITY 1ST TITLE, LLC	FY25 CCLIP ANTHONY & K44		195.00	52406	11/19/24
34 CAPITAL IMPROVEMENT FUND TOTAL			222,149.98		
EL UTIL S2017 REV BOND KANSAS STATE TREASURER	2017 ELECTRIC 38 KV LINE		2,137,857.50	12498960	10/31/24
41 EL UTIL S2017 REV BOND TOTAL			2,137,857.50		

CLAIMS REPORT

Check Range: 10/01/2024-11/20/2024

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
EL UTIL S2017 RESERVE KANSAS STATE TREASURER	2017 ELECTRIC 38 KV LINE		214,897.50	12498960	10/31/24
	43 EL UTIL S2017 RESERVE TOTAL		214,897.50		
ELECTRIC EQUIPMENT/REPLAC ANTHONY FARMERS COOP	SUNRISE 2ND T POSTS FOR FENCE		130.00	52363	11/19/24
	83 ELECTRIC EQUIPMENT/REPLAC TOTAL		130.00		
	Accounts Payable Total		2,772,103.33		

CLAIMS REPORT CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
01	GENERAL OPERATING	18,753.91
02	WATER	16,337.79
03	ELECTRIC	139,825.89
04	SALES TAX & STATE FEES	9,846.57
05	SEWAGE DISPOSAL	4,463.15
12	AIRPORT	633.44
14	INDUSTRIAL DEVELOPMENT	174.31
15	ECONOMIC DEVELOPMENT	1,882.40
16	SERVICE DEPOSIT	250.00
25	LIBRARY	2,802.10
26	RECREATION COMMISSION	2,075.69
32	SPECIAL PARKS & RECREATIO	23.10
34	CAPITAL IMPROVEMENT FUND	222,149.98
41	EL UTIL S2017 REV BOND	2,137,857.50
43	EL UTIL S2017 RESERVE	214,897.50
83	ELECTRIC EQUIPMENT/REPLAC	130.00
-----		-----
	TOTAL FUNDS	2,772,103.33

2024 Anthony Municipal Airport AWOS & Beacon

Pay Estimate 1

13-Nov-24

Item	Description	Unit	Contract			Since last Pay Est	Constructed	
			Unit Price	Quantity	Price		Quantity	Price
Base Bid								
1	Mobilization	LS	\$ 9,812.00	1	\$ 9,812.00		1	\$ 9,812.00
2	2" PVC Conduit	LF	\$ 7.00	3,100	\$ 21,700.00		0	\$ -
3	2-2 AWG with 6 AWG Ground	LF	\$ 7.00	3,100	\$ 21,700.00		0	\$ -
4	Pull Box	EA	\$ 900.00	9	\$ 8,100.00		0	\$ -
5	Electrical Equipment	LS	\$ 17,000.00	1	\$ 17,000.00		1	\$ 17,000.00
6	AWOS III P/T	EA	\$ 150,634.00	1	\$ 150,634.00		0.17	\$ 25,607.78
7	AWOS Stacked Tower (30')	EA	\$ 11,500.00	1	\$ 11,500.00		1	\$ 11,500.00
8	L807A Beacon	LS	\$ 14,800.00	1	\$ 14,800.00		1	\$ 14,800.00
9	Beacon Tower	LS	\$ 33,300.00	1	\$ 33,300.00		1	\$ 33,300.00
10	1" PVC Conduit	LF	\$ 7.00	100	\$ 700.00		100	\$ 700.00
11	2-12 with #12 Ground	LF	\$ 3.00	120	\$ 360.00		120	\$ 360.00
12	Connection to Existing Panelboard	LS	\$ 1,600.00	1	\$ 1,600.00		1	\$ 1,600.00
13	Traffic Control	LS	\$ 2,900.00	1	\$ 2,900.00		0	\$ -
								\$ -
								\$ -
TOTAL					\$ 294,106.00			\$ 114,679.78

Change Order 1 - removed Line Item 2, 3, 4 & 13 from the contract \$ (54,400.00)

NEW CONTRACT TOTAL \$ 239,706.00

	TOTAL	USED	STORED MATERIAL
Stored Material	\$ -	0%	\$ -
Total Due Contractor from Construction			\$ 114,679.78
Retainage (constructed work only, not on stored material)		10.0%	\$ 11,467.98
Previously Paid			\$ -
Amount Due This Pay Estimate			\$ 103,211.80

Edmund Anfeld
 EBH Engineering
 11/13/24
 Date

Bryan Grosch
 Atlas Electric
 11/13/2024
 Date

[Signature]
 City of Anthony
 11.18.24
 Date

34-01-0002

"AWOS/BEACON AV-2037-17"
[Signature]



INVOICE

Invoice: 929223140
Cust Acct#: 209607
P.O.#: 116
Sales Order#: 10085996
Sales Doc Type: Sales Order
Packing Slip#: 8039836647
Payment Terms: NET 25TH PROX (31)

Date: 10/11/2024

Border States - WIC
3800 W Dora St
Wichita KS 67213-1211
Phone: 316-945-1313

CITY OF ANTHONY KS
PO Box 504
ANTHONY KS 67003-0504

Please remit to:
Border States Industries Inc
PO Box 201889
Dallas TX 75320-1889

Ship to:
CITY OF ANTHONY KS
124 S LAWRENCE AVE
ANTHONY KS 67003

Table with columns: Cust Item, Item, Material, Order Qty, Ship Qty, Back Ordered, Price, Per, UoM, Total Value. Includes handwritten notes like '1WOS', 'Tool', 'I.A.', and 'WIRE TERMINATOR'.

Summary table with rows: Total due by 11/25/2024, Shipping and Handling \$, State Tax \$, County Tax \$, Local Tax \$, Other Tax1 \$, Other Tax2 \$, Other Tax3 \$, Tax Subtotal \$, Net Invoice Amount \$.

A finance charge of 1.5% per month or the maximum allowable by law whichever is greater, will be assessed if payment is not received by invoice due date.

To access Border States Terms and Conditions of Sale, please go to https://www.borderstates.com/termsAndConditions#

Handwritten calculations: AWOS/BEACON \$325.28, - 10% 32.53, 292.75 (circled)

THE ANTHONY FARMERS COOPERATIVE ELEVATOR COMPANY
P.O. BOX 111
ANTHONY, KANSAS 67003
842-5181

CITY OF ANTHONY

CITY OF ANTHONY

PO BOX 504
ANTHONY KS 67003

PO BOX 504
ANTHONY KS 67003

BRANCH 14 - ANTHONY STA & STORE PAGE 1

10/03/2024	15005										
10/03/2024			1	CHUCK		600108	10/03/2024	599805			
						REGULAR CREDIT					
10	4803	20.000 EACH	6 FT. ORG T-POSTS		N	20.000	6.5000			130.00	

SUNRISE 2
SAFETY FENCE

Daniel Stanford

130.00

130.00

190751

"FY25 CLIP ANTHONY + K44"

Item 3.

34-04-0001



File No. 3103670

INVOICE

Invoice Date: November 08, 2024

INVOICED TO:

City of Anthony
Cyndra Kastens
124 S. Bluff
Anthony, KS 67003

FILE INFORMATION:

Buyer: Mitchell D. Gates and Alice Gates
Seller:
Address: 203 E MAIN ST, Anthony, KS 67003
Legal: Lots Thirteen (13), Fourteen (14) and Fifteen (15), Block Thirty-four (34), Original City of Anthony, Harper County, Kansas.

Description	Amount
O&E Report (\$1.00)	\$195.00
Total	\$195.00

Please Remit Payment To:

Security 1st Title
109 W. Main Street
Anthony, KS 67003 (620) 842-3333



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.	19.96	.00	.00	.00	20.14	1235.10	.00	.00	.00	1239.61	25.00
102 POLICE	496.25	.00	.00	.00	509.25	10617.85	.00	.00	.00	10830.40	1409.26
104 STREET	277.75	.00	.00	.00	320.00	5628.35	.00	.00	.00	6497.61	581.35
105 GEN-ZONING	6.19	.00	.00	.00	6.19	343.03	.00	.00	.00	343.03	.00
230 WATER-LAKE	78.50	.00	.00	.00	80.00	1285.05	.00	.00	.00	1309.61	269.83
231 WATER-PRODUCTIO	8.00	.00	.00	.00	8.00	153.36	.00	.00	.00	153.36	.00
232 WATER-DISTRIBUT	266.00	.00	.00	.00	274.25	3085.39	.00	.00	.00	3238.91	571.88
233 WATER-COMM& GEN	112.96	.00	.00	.00	116.77	3212.32	.00	.00	.00	3285.46	.00
331 ELECTRIC-PROD	456.00	.00	.00	.00	496.00	6281.04	.00	.00	.00	7257.61	777.11
332 ELEC-DISTRIBUTI	553.50	.00	.00	.00	577.25	8420.76	.00	.00	.00	9143.30	1547.04
333 ELECTRIC-COMM	160.10	.00	.00	.00	166.10	5539.75	.00	.00	.00	5650.42	222.32
533 SEWER-COMM & GE	47.29	.00	.00	.00	49.55	1005.81	.00	.00	.00	1045.17	.00
534 SEWER-TREATMENT	281.50	.00	.00	.00	289.75	3383.17	.00	.00	.00	3536.69	.00
2601 REC - GEN	34.25	.00	.00	.00	34.25	550.00	.00	.00	.00	550.00	.00
5102 OT GEN POLICE	.00	16.75	.00	.00	16.75	.00	589.76	.00	.00	589.76	.00
5232 OT WATER DIST	.00	9.25	.00	.00	9.25	.00	345.86	.00	.00	345.86	.00
5331 OT ELEC PROD	.00	4.00	.00	.00	4.00	.00	297.92	.00	.00	297.92	.00
5332 OT ELEC DIST	.00	12.50	.00	.00	12.50	.00	557.67	.00	.00	557.67	.00
5333 OT ELEC COMM/GN	.00	27.25	.00	.00	27.25	.00	893.76	.00	.00	893.76	.00
5534 OT SEWER TREAT	.00	5.25	.00	.00	5.25	.00	203.50	.00	.00	203.50	.00
6102 SHIFT GEN POLIC	.00	.00	.00	.00	186.50	.00	.00	.00	.00	93.26	.00
99999 DISTRIBUTED	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	418.80
TOTAL	2798.25	75.00	.00	.00	3209.00	50740.98	2888.47	.00	.00	57062.91	5822.59

DATE	VENDOR	AMOUNT PAID	90%
DRAWDOWN #1			
10/16/2024	Wichita Concrete	70.00	
10/16/2024	Border States	20600.82	
9/18/2024	Rickes Home Center	480.00	
9/4/2024	Border States	1.65	
9/4/2024	Border States	5684.97	
	TOTAL	26837.44	90% 24153.69
DRAWDOWN #2			
			90%
9/4/2024	Border States	501.07	
9/4/2024	Border States	5793.96	
12/6/2023	Rinke Backhoe	13175.00	
12/6/2023	EBH & Associates	1000.00	
12/6/2023	EBH & Associates	3701.40	
10/18/2023	Border States	763.88	
9/20/2023	Anthony Republican	82.80	
	TOTAL	25018.11	90% 22516.30
90% TOTAL DRAWDOWN REQUEST			\$46,669.99
DRAWDOWN #3			
			90%
11/20/2024	Border States	325.28	292.75
	Atlas Electric	114679.78	
	Less Retainage	-11467.98	
	Atlas Electric Total	103211.80	92890.62
	TOTAL	\$ 103,537.08	93183.37
90% TOTAL DRAWDOWN REQUEST			\$93,183.37
11/20/2024	TOTAL DRAWDOWN REQUESTS	\$ 155,392.63	90% \$139,853.36

BUILD KANSAS MATCHING GRANT AGREEMENT

This **BUILD KANSAS MATCHING GRANT AGREEMENT** (the “Agreement”) is entered into as of November 12, 2024, and is between the **TREASURER OF THE STATE OF KANSAS** (the “State Treasurer”) and the **CITY OF ANTHONY** (the “Recipient”).

RECITALS

1. The Kansas Legislature, through the Omnibus Appropriations Act of 2023, §§ 11(d) to 15, 2023 Kan. Sess. Laws 1530, 1535-45, authorized the State Treasurer to provide match funds required by the Bipartisan Infrastructure Law (“BIL”), through the Build Kansas Matching Grant Fund, to assist communities with accessing federal BIL funding for investments in sectors such as transportation, energy, water, broadband, and cybersecurity.
2. The Recipient applied for, and the Kansas Infrastructure Hub Steering Committee (the “HUB”) has recommended project number 2024-030-40101d (the “Project”) to the Build Kansas Advisory Committee (the “BKAC”) to participate in the Build Kansas Matching Grant Fund, as further described in this Agreement.
3. The BKAC met, reviewed the Project application, and recommended to the State Treasurer that it be funded with a Build Kansas Matching Grant in a matching amount not to exceed \$131,161.45.
4. The State Treasurer and the Recipient are empowered by the laws of Kansas to enter into agreements for the furtherance of federal BIL projects in the State of Kansas.
5. Local communities, and/or their private sector partners are, under certain circumstances, entitled to receive assistance in the provision of federal cost sharing requirements, provided however, to be eligible for such state aid, such work is provided a federal BIL share of funding and the work required is done in accordance with the laws of the State of Kansas.
6. The State Treasurer and the Recipient, in consideration of these premises and the mutual covenants set forth herein, agree to the following terms and provisions.

**ARTICLE I
DEFINITIONS**

Section 101. Definitions. In addition to terms defined elsewhere in this Agreement, the following terms as used in this Agreement have the designated meanings:

“**Agreement**” means this written document, including all attachments and exhibits, evidencing the legally binding terms and conditions of the agreement between the parties.

“**BIL**” means the federal Bipartisan Infrastructure Law, Pub. L. No. 117-58, 135 Stat. 429 (2021), also known as the Infrastructure Investment and Jobs Act.

“**BKAC**” means the Build Kansas Advisory Committee.

“**BKMGF**” means the Build Kansas Matching Grant Fund.

“**Effective Date**” means the date this Agreement is signed by the State Treasurer or the State Treasurer’s designee.

“**HUB**” means the Kansas Infrastructure Hub.

“**Non-participating Costs**” means expenditures for any items or services which the HUB, acting on the HUB’s own behalf or on behalf of the federal contracting agency, reasonably determines are not Participating Costs.

“**Participating Costs**” means expenditures by Recipient for items or services which are an integral part of the Project, as reasonably determined by the HUB.

“**Project**” means all phases and aspects of the BIL-funded endeavor to be undertaken by the Recipient, as and when authorized by the BIL Funding Agency being: Anthony Circuit Reconstruction located in or near Anthony, Kansas, assigned project number 2024-030-40101d, and is the subject of this Agreement.

“**Recipient**” means the City of Anthony, with its place of business at 124 S Bluff, Anthony, Kansas 67003 created pursuant to the laws of the State, and its successors and assigns or any agency, body, or instrumentality succeeding to or charged with the powers, duties, and functions of the original Recipient.

“**State**” means the State of Kansas.

“**State Treasurer**” means the State Treasurer of the State of Kansas or, if the functions and duties of the State Treasurer under K.S.A. 75-601 et seq. shall be given by law to any other person or entity, such person or entity.

**ARTICLE II
FUNDING**

Section 201. Funding. The table below reflects the funding commitments of each party.

Party	Responsibility	Amount
Federal Grantor	BIL Grant Funds	\$271,368.55
State Treasurer	Build Kansas Funds	131,161.45
Recipient	Applying Entity Funds	0.00
Other	Other Funding Sources (if applicable)	0.00
Total		\$402,530.00

State Treasurer’s Commitment as % of BIL Grant Funds: **48.33%**

**ARTICLE III
STATE TREASURER RESPONSIBILITIES**

Section 301. Fund Disbursement.

- (a) The State Treasurer agrees to reimburse the Recipient out of the “Build Kansas Funds” (that is, funds appropriated to the BKMGF, approved by the HUB for the Project, and certified by HUB for payment as further set forth below), to match payments or reimbursements for Participating Costs received by the Recipient

through the Recipient’s federal BIL grant award, but not to exceed the “Build Kanas Funds” identified in Section 201 above. The State Treasurer’s matching reimbursements to Recipient will be paid proportionally to the BIL Grant Funds payments made to Recipient for Participating Costs, at the percentage specified in Section 201 above (with the total of all such reimbursements not to exceed the “Build Kanas Funds” identified in Section 201 above). For the avoidance of doubt, subject to certification by the HUB as set forth in subsection (b) below, the State Treasurer agrees to make such matching reimbursement payments to Recipient from Build Kansas Funds for all periods for which reimbursements or payments are owing to Recipient under the terms of the Recipient’s federal BIL grant award, although such periods may have commenced prior to the Effective Date of this Agreement.

- (b) Except as otherwise stated in this Agreement, the terms of payment under this Agreement shall be consistent with the terms and conditions of the Recipient’s federal BIL grant award. To the extent the Recipient’s federal BIL grant award does not include specific payment terms, then the State Treasurer agrees to reimburse Recipient for Participating Costs in installments of not less than \$1,000.00 and no more frequently than monthly. In either case, such reimbursement payments will not be made prior to the State Treasurer’s receipt of certification by the HUB based on a review of progress reports, financial reports, and other information submitted by the Recipient to the HUB, which certification indicates to the State Treasurer’s satisfaction that the Recipient has satisfied all terms, conditions, and requirements applicable to Recipient’s receipt of funds pursuant to the BIL, Recipient’s federal BIL grant award, and Build Kansas Matching grant awards and the amount of reimbursements to be made under this Agreement. For reference only, a sample certificate in the form currently required by the State Treasurer is attached hereto as Exhibit A.
- (c) The Recipient shall provide to the State Treasurer, and any agencies or individuals designated by the State Treasurer, with all information and documentation reasonably requested to verify any applicable payment terms and conditions of the Recipient’s federal BIL grant award and to facilitate reimbursements to the Recipient through the state’s SMART accounting system.

**ARTICLE IV
RECIPIENT RESPONSIBILITIES**

Section 401. Treasurer Authorization. The State Treasurer is authorized by the Recipient to take such steps as deemed necessary or advisable by the State Treasurer to secure the financial benefits of this project.

Section 402. Legal Authority. The Recipient agrees to adopt all necessary ordinances and/or resolutions and to take such administrative or legal steps as may be required to give full effect to the terms of this Agreement.

Section 403. Conformity with State, Local, and Federal Requirements. The Recipient shall be responsible for compliance with the terms and conditions of the BIL grant award and further to comply with applicable federal, state, and local regulations. Failure to do so will jeopardize future disbursements of Build Kansas Matching Grant Funds.

- (a) Progress and Financial Reports. The Recipient shall provide copies of all progress and financial reports to the State Treasurer and the HUB when such reports are filed with the federal grantor agency.

Section 404. General Indemnification. To the extent permitted by law and subject to the maximum liability provisions of the Kansas Tort Claims Act (K.S.A. § 75-6101, *et seq.*) as applicable, the Recipient will defend, indemnify, hold harmless, and save the State of Kansas, the Kansas State Treasurer's Office and other agencies of the state of Kansas, and each of their officers, employees, and authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property, or claims of any nature whatsoever arising out of or in connection with the provisions or performance of this Agreement by the Recipient, the Recipient's employees, agents, subcontractors or its consultants. The Recipient shall not be required to defend, indemnify, or hold the State Treasurer harmless for negligent acts or omissions of the State Treasurer or the State Treasurer's authorized representatives or employees.

Section 405. Records; Audit. Within 30 days of final completion of the Project, the Recipient shall deliver notice of the date of final completion to the State Treasurer and the HUB, together with any documentation confirming the completion of the Project as may be reasonably requested by either the State Treasurer or the HUB. Throughout the Recapture Period, as defined in Section 406 below, the Recipient shall reasonably cooperate with any inquiries by the State Treasurer, or its designee to verify the status of public use of the Project (including, without limitation, by providing any reasonably requested records and other information in connection therewith). The Recipient shall make its records and books available to representatives of the State Treasurer, and any agencies or individuals designated by the State Treasurer, for review for a period of five (5) years after date of final payment under this Agreement or, if the federal BIL review schedule is longer, for the review period of the federal BIL grant. If any such review reveals reimbursements made to the Recipient for Non-Participating Costs, the Recipient shall promptly reimburse the State Treasurer for such items upon notification by the State Treasurer.

Section 406. Cancellation by Recipient; Recapture of Funds. If the Recipient is required to repay or reimburse BIL grant funds for any reason under the terms and conditions of the Recipient's federal BIL grant award, then the Recipient shall also repay or reimburse the State Treasurer for payments made to the Recipient out of the BKMGF, on terms consistent with the terms and conditions of the Recipient's federal BIL grant award. If the terms and conditions of the Recipient's federal BIL grant award do not require, or are silent with respect to, repayment or reimbursement of federal BIL grant funds in such circumstance, then the following subsections (a) and (b) shall apply. Any amounts due to the State Treasurer pursuant to this Section 406 shall be paid within thirty days after the Recipient's receipt of the State Treasurer's demand therefor.

- (a) If the Project is terminated prior to final completion of Project construction, then the Recipient shall reimburse the State Treasurer for all funds paid to the Recipient out of the BKMGF.
- (b) "Recapture Period" means the ten-year period commencing on (and including) the date final construction of the Project is completed. If, during the Recapture Period, public use of the Project terminates or the use of the Project is changed from the public use originally contemplated in the Recipient's grant application to the HUB (unless such termination or change is approved in writing by the State Treasurer, such approval not to be unreasonably withheld, conditioned, or delayed) (such unapproved termination or change, a "Recapture Event"), then the State Treasurer

shall be entitled to repayment from Recipient for the applicable percentage of the total funds paid to the Recipient out of the BKMGF, as set forth in the table below.

Portion of Recapture Period in which the Recapture Event occurs	Applicable Percentage
First year	100%
Second year	90%
Third year	80%
Fourth year	70%
Fifth year	60%
Sixth year	50%
Seventh year	40%
Eighth year	30%
Ninth year	20%
Tenth year	10%

**ARTICLE V
GENERAL PROVISIONS**

Section 501. Acceptance. No contract provision or use of items by the State Treasurer shall constitute acceptance or relieve the Recipient of liability in respect to any expressed or implied warranties.

Section 502. Amendment. Any amendment to this Agreement shall be in writing and signed by the Parties.

Section 503. Binding Agreement. This Agreement and all contracts entered into under the provisions of this Agreement shall be binding upon the State Treasurer and the Recipient and their successors in office.

Section 504. Compliance with Federal and State Laws. The Recipient shall comply with all applicable state and federal laws and regulations. The Recipient represents and warrants that any contractor and/or consultant performing any services on the Project will also comply with all applicable state and federal laws and regulations.

Section 505. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

Section 506. Entire Agreement. This Agreement, with all attached exhibits, expresses the entire agreement between the Parties with respect to the Project. No representations, promises, or warranties have been made by the Parties that are not fully expressed or incorporated by reference in this Agreement.

Section 507. Headings. All headings in this Agreement have been included for convenience of reference only and are not to be deemed to control or affect the meaning or construction or the provisions herein.

Section 508. Industry Standards. Where not otherwise provided in this Agreement, materials or work called for in this Agreement shall be furnished and performed in accordance with best

established practice and standards recognized by the contracted industry and comply with all applicable federal, state, and local laws and rules and regulations promulgated thereunder.

Section 509. No Third-Party Beneficiaries. No third-party beneficiaries are intended to be created by this Agreement and nothing in this Agreement authorizes third parties to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

Section 510. Nondiscrimination and Workplace Safety. The Recipient shall comply with all federal, state, and local laws, and rules and regulations prohibiting discrimination in employment and controlling workplace safety. Any violations of applicable laws, rules, or regulations may result in termination of this Agreement.

Section 511. Notices. Any notice required or submitted under this Agreement shall be deemed given if personally delivered or mailed by registered or certified mail, return receipt requested and postage prepaid, to the following addresses of the Parties or such other addresses as either party shall from time to time designate by written notice.

The State Treasurer:
State Treasurer of Kansas
900 S.W. Jackson, Suite 201
Topeka, Kansas 66612
Attention: State Treasurer

The Recipient:
City of Anthony
124 S Bluff
Anthony, KS 67003

Section 512. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected, and each provision of this Agreement shall be enforced to the fullest extent permitted by law.

Section 513. Technical Advice and Assistance; Limitations. Technical advice, assistance, or both, provided by the State Treasurer or the HUB under this Agreement shall not be construed as an undertaking by the State Treasurer or the HUB of the duties of the Recipient or any other individual or entity, or the duties of any Consultant, Contractor, licensed professional engineer, or inspector hired by the Recipient.

Section 514. Termination. If, in the judgment of the State Treasurer, sufficient funds are not appropriated to continue the function performed in this Agreement and for the payment of the charges hereunder, the State Treasurer may terminate this Agreement at the end of its current fiscal year. The State Treasurer will participate in all costs approved by the State Treasurer incurred prior to the termination of the Agreement.

Section 515. Waiver. A party's failure to exercise or delay in exercising any right, power, or privilege under this Agreement shall not operate as a waiver. Further, no single or partial exercise of any right, power, or privilege shall preclude any other or further exercise thereof.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their respective names by their duly authorized officers, all as of November 12, 2024.

CITY OF ANTHONY

(SEAL)

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title: _____

TREASURER OF THE STATE OF KANSAS

(SEAL)

By: _____

Name: _____

Title: _____

EXHIBIT A

SAMPLE
KANSAS INFRASTRUCTURE HUB STEERING COMMITTEE
CERTIFICATE FOR PAYMENT

(see following page)

KANSAS INFRASTRUCTURE HUB STEERING COMMITTEE CERTIFICATE FOR PAYMENT

Recipient: CITY OF ANTHONY

Project Number: 2024-030-40101d

Effective Date of Certificate: _____

The undersigned, acting on behalf of the Kansas Infrastructure Hub Steering Committee (the "HUB"), hereby certifies to the Treasurer of the State of Kansas (the "State Treasurer"):

1. In accordance with the Omnibus Appropriations Act of 2023, §§ 11(d) to 15 (as applicable), 2023 Kan. Sess. Laws 1530, 1535-45 (the "Act"), the Recipient identified above has applied for, and the Kansas Infrastructure Hub Steering Committee (the "HUB") has recommended the Project identified above to the Build Kansas Advisory Committee (the "BKAC") to participate in the Build Kansas Matching Grant Fund, as further described in the Build Kansas Matching Grant Agreement between Recipient and the State Treasurer.

2. The BKAC met, reviewed the Project application, and recommended to the State Treasurer that the Project be funded with a Build Kansas Matching Grant in an amount not to exceed \$131,161.45 (to proportionally match Recipient's federal grant award at **48.33%** of federal grant payments as further set forth in the Build Kansas Matching Grant Agreement between Recipient and the Treasurer of the State of Kansas).

3. The Recipient is an eligible entity pursuant to the federal Bipartisan Infrastructure Law, also known as the Infrastructure Investment and Jobs Act (the "BIL"), and has demonstrated a need for such grant, and has been approved by the federal government for a grant award pursuant to the BIL.

4. In connection with this Certificate, the HUB has reviewed progress reports, financial reports, and other information submitted by the Recipient. Based on that review and other information known to HUB members, the HUB has determined that, as of the Effective Date of this certificate:

- a. the Recipient has satisfied all terms, conditions, and requirements, applicable to Recipient's receipt of federal funds pursuant to the BIL, the Recipient's federal BIL grant award, and the Build Kansas Matching Grant Fund award pursuant to the Act; and
- b. the Recipient is entitled to payment in the amount of the "current payment" set forth below. The HUB has determined that the current payment is necessary to reimburse Recipient for expenditures by Recipient for items or services which are an integral part of the Project ("Participating Costs"); the current payment amount does not include expenditures for any items or services which the HUB determines are salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities or otherwise are not Participating Costs.

Total Build Kansas Funds commitment	\$	131,161.45
– Total of prior payments	\$	_____
± Adjustments (as applicable)	\$	_____
– Current payment	\$	_____
= Total remaining Build Kansas Funds commitment	\$	_____

The current payment is a progress payment / final payment for the Project.

5. The undersigned represents and warrants that he or she has the requisite authority to make this certification on behalf of the HUB.

Certified on behalf of the Kansas Infrastructure Hub Steering Committee, as of the Effective Date set forth above.

By: _____

Name: _____

Title: _____

Agency: _____

ORDER

DATE: November 19, 2024

TO: Byron Little Coyote
210 E. Ironton St
Anthony, KS 67003-2500

RE: 503 S. Anthony
Anthony, KS 67003

LEGAL: Lots Two (2) and Four (4) in Block Seven (7) in Meig’s addition, in the City of Anthony, Harper County, Kansas.

You are hereby notified that Chapter VII, Article 2, of the Anthony City Code provides for the abatement of Health Nuisance and the assessing of the expense thereof. Enclosed is a copy of the City Code for **Health Nuisance**.

FINDINGS OF FACT

- X Byron Little Coyote is in violation of Chapter VII, Article 2, of Anthony City Code.
- X Byron Little Coyote is ordered to abate the health nuisance within 10 Days of the receipt of this order.
- X You have 10 days from date of receipt of the Order to request a hearing before the Governing Body.

This is to notify you that you are ordered to clear the property of all health nuisances, including but not limited to: **Mattresses, Dresser, Toilet, Old Furniture, Boxes, Clothes, Trash Bags, Miscellaneous Trash, and all other Metal, Wood, Rock, & etc. Debris.**

Failure to abate the condition(s) or to request a Hearing, within the time allowed may result in prosecution or subject to procedure as provided in Section 7-207 and/or abatement of the condition(s). In the event the City abates or removes the health nuisance, said costs shall be paid by: **Byron Little Coyote, 210 E. Ironton Street, Anthony, KS 67003**

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.

Gregory L. Cleveland, Mayor
City of Anthony

Date

Enclosures:



To: City Commissioners
From: Cyndra Kastens

Re: City Clerk/Administrator Report
11/19/24

NOTICE: The Commission received an invitation to the Art Center's BENEFIT IN THE BARN to be held November 23rd 6-8 p.m. at Municipal Hall. All proceeds benefit 2025 arts programming.

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 November 5, 2024 Regular Meeting Minutes
2. Appropriation Ordinance No 3202 \$2,772,103.33

Don't fall out of your chair, the AP is high because this is the month the 138kV officially paid off, that is \$2,137,857.50 of this AP.

3. Special Appropriations

Fund #34 Capital Airport- Border States \$292.75 Elec Materials - AWOS/Beacon AV-2023-17

Fund #34 Capital Airport-Atlas Electric \$92,890.62 AWOS Materials & Labor - AWOS/Beacon AV-2023-17

Fund #34 Capital Street-Security First \$195.00 O&E Report Required for Easement - CCLIP KA-6909-01

Fund #83 Electric EQ Replacement-COOP \$130.00 T-Posts for Safety Fence - Sunrise 2nd BASE Grant

4. Approve 11.19.2024 Payroll \$57,062.91
5. Approve Drawdown #3 KDOT Project No. AV-2023-17 \$93,183.37 AWOS/Beacon Project
6. Approve Build Kansas Matching Grant Agreement of \$131,161.45 for Project 2024-030-40101d
7. Approval to Authorize City Administrator to Establish Just Compensation for Construction Easement for CCLIP 44-39 KA-6909-01

This is a formality of the KDOT process required for the construction easement we will need from Justice Battery for the rehab of the intersection at Main and Anthony.

PUBLIC HEARINGS - NONE

To: City Commissioners
From: Cyndra Kastens

Re: City Clerk/Administrator Report
11/19/24

REGULAR BUSINESS

8. Bid Opening Sunrise 2nd Street Lighting
9. Request for More Brackets/Banners - American Legion Auxiliary
10. Welcome to Anthony Sign West Park - Randy Wiseley
11. Kayak Rental Services at Anthony Lake
12. Community Solar Discussion
13. Approve Fire Department Christmas Party - \$1,200
14. Approval - Employees Christmas 2024
15. Economic Development Review
16. Health Nuisance 503 S. Anthony - Little Coyote 2024

Admin Report:

1. BOR WaterSMART Grant – The application has been submitted to Build Kansas to request the 45% grant match. This committee is meeting November 20th to give the final vote on the award. In addition, the application for the WaterSMART grant was submitted on November 13th, 2024. If awarded, this City of Harper joint project combined total budget would be \$2,287,297. We are currently in the review stages for both grant committees. The award notifications for the WaterSMART grant will be in May 2025. We estimated a three-year timeline for completion (mostly due to electric material lead times), with the hope of actually wrapping up in two years. Reminder, there is a chance the BOR may remove the electric portion of the project which is approximately \$800K of it. FYI.
2. Airport AWOS & Beacon – Just keeping you posted on this project: The beacon is complete and in use. The old beacon (a historical landmark now) was not painted or freshened up (as we had originally written into the project) due to the lack of adequate grant funds, but it is decommissioned and in protected condition. The majority of AWOS is installed and we did get the UHF datalink from FCC on November 8th (this authorizes radio communication between the outdoor sensor equipment, and the indoor unit) but we continue to wait on FAA spectrum to release a frequency for the VHF. Until that happens, we are unable to file with the FCC for the VHF license. This nationwide backlog remains an ongoing issue, but DBT is receiving weekly updates from FCC on the status of this backlog and will stay with it until we can complete the project. DBT is waiting on the VHF so they can program the equipment. Once that is complete, they will bring all of the equipment to site and install.

To: City Commissioners
From: Cyndra Kastens

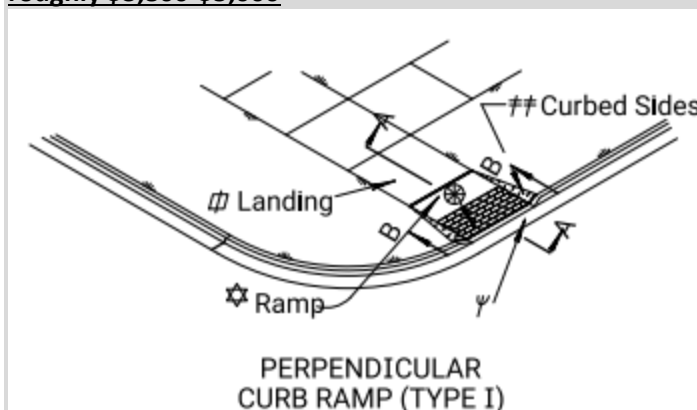
Re: City Clerk/Administrator Report
11/19/24

3. Shopko Building – Yes, the reports are correct, Bomgaar’s is coming into the Shopko building. I have talked with them about incentives, housing, and employees and I am also getting them in touch with our Economic Development Board as they proceed with the project. They are looking to hire 10-12 employees and open late winter, likely around March.
4. KCC-40101d Grant – We received the Agreement for the Build Kansas funds for the local match requirement for this grant. The agreement is on the consent agenda. This project does not start until January 2025. In the iterum we are still investigating the possibility of not having to bid out the construction work and bypass Davis Bacon requirements. No official answer on this yet. If it is a no, we will get started drafting the RFP.
5. Sunrise 2nd – At this meeting you are opening the bids for the street lighting. There are two sections to the bidding: the street lighting for Sunrise and materials needed for street lighting at the ID Park.
6. ADA Ramps – I received an email from KDOT as listed below:

Hello Cyndra,

I am the Active Transportation Manager at the KS Dept. of Transportation. A resident of Anthony recently reached out about options to make your sidewalks ADA accessible in a couple of key areas that have high curbs without ramps in an area with a good number of students walking and riding bikes to/from school and at least one resident with a mobility disability.

The main intersection discussed is Washington Street and Anthony Avenue. The very nice sidewalk then continues to the school, but then there is no curb cut/ramp at the end across the street from the school. I talked to one of our engineers about what this might cost per ramp to construct yourselves. He determined that utilizing the KDOT Standard for Type 1 ADA Ramps, **each installation would cost roughly \$3,800-\$5,000**



The cheapest route would be for the City of Anthony to do it themselves. If that is not possible, there are funding options I can direct you to, especially if you were interested in a broader city-wide effort.

I am going to research this further with Bryan. I know this location has been a discussion previously, so I think it helpful at this point to gauge the use of this location and identify similar locations to help bring back to the Commission to determine what you want me to do with it. We have not funded any new ADA installations in the sidewalks or streets of

To: City Commissioners
From: Cyndra Kastens

Re: City Clerk/Administrator Report
11/19/24

the community for some time. If we are going to move in this direction, it might be helpful to know how many you may be dealing with so you can decide if you want to and maybe prioritize the ones that could be a need. For now, we will just evaluate how many locations are in need and then we will bring that in on an agenda item. More to come on this.

7. EPA Water Technical Assistance – Kick-off meeting is Friday November 22nd. More to come after that. Still no word on the HB2302 grant application.
8. Staffing – We have had some interviews for the Administrative Assistant of Utilities position and hope to make final decisions by the end of this week. In addition, we have filled the power plant position. Brad Dory will be transferring from the water department to the power plant effective November 18th. We will start advertising for the vacant water department job.
9. ID/Eco Devo Board – The board met on the 12th, unapproved minutes are attached to my report. Their discussion centered strongly on the concern for the lack of community support (or understanding) of economic development efforts due to the outcome of the vote on the eco devo ballot question. I shared concerns over what this view of Anthony looks like to potential investors. The Board discussed ideas and strategies to address this, which could include some town hall meetings and possibly a survey. This was just a brainstorm session to start the discussion. The Board will work to solidify some ideas to present to the City Commission.

Side note: I actually faced the first backlash on the result of the vote. I met with a developer/investor and the results of this vote came up by them in the conversation. They shared concerns about public reception of outside investment and how receptive the community would be. Hopefully we can all work to correct this reputation, regardless of where you stand on the vote, this perception can be damaging for future growth potential of Anthony.

10. Lake Board – The Lake Board met on November 11th but due to an emergency, they did not have a quorum. Knowing the City Commission is waiting on a recommendation they did work together remotely to come up with a final recommendation regarding the Kayak building and location. The Lake Board is recommending to fund ½ the cost of the building out of the Lake Board Funds. In addition, they have recommended a location for the building just east of the volleyball courts. This locates it amongst campsites A & B where most of the customer/public traffic will be plus access to parking and bathrooms, but does not impact the disc golf routes and does not block any of the lake views. I will have maps at the meeting for the Commission to review showing the recommended locations from the city crew in combination with the recommendation of the Lake Board.

In addition, the new Welcome Sign has been installed at the lake:

To: City Commissioners
From: Cyndra Kastens

Re: City Clerk/Administrator Report
11/19/24



Anthony Economic/Industrial Development Board
11/12/2024, 12:00 PM
Anthony City Commission Chambers
124 S Bluff, Anthony, KS
Minutes

Call to order

Curt at 12:10

Attendance

Members: Curt Miller, Brad Davis, Jerry Turner, Ken Bellesine

Others: Cyndra Kastens - City Administrator

Election outcome for Lake property

Discussion focused on potential reasons for the disapproval by the public

Growth/Sustainability

Discussion on what the community sees for the future and how to grow economically.

Also discussed putting out a survey to get ideas from the public. Need to bring ideas of what may go on the survey to the December meeting.

Vacancies on Board

Discussion on bringing on new members. Cyndra will get with Mr. Schmidt and Mr. Lanie about their status.

Education

Discussion on having a town hall meeting to discuss taxing and the impacts of staying status quo

Minutes of 10/8/24 meeting

Motion to approve by Brad, 2nd by Jerry, passed unanimously

Adjournment - 1:10

Motion by Ken, 2nd by Brad, passed unanimously

DEPARTMENT REPORT

November 19, 2024

WATER/WASTEWATER

Rounds
Dig hole for Jerry on E. Spring
Checked heaters in wells and lift stations
UB Summary Tickets
Collect data on S. Mass
Clean shop
Repair water tower lift station
424 N Kansas leak repair
Water sample
420 N Franklin leak repair
Clean tools and trucks
Grease Red

ELECTRIC DISTRIBUTION

Attended KMU Safety Meeting
Replaced Pole at Second and Spring.
Replaced wiring to the Welcome to Anthony sign.
Replaced Disconnect at Well #4.
Report of outage at 524 N. Bluff. Cause was from wildlife.
Replaced tarp hose on Truck #7.
Replaced Christmas bulbs at Pronto.
Hung Christmas Decorations.
Turn On/Off Orders
Just Read Orders
Locates

STREET

Regular grading lake and town
Spread sand after rain lake & town
Patch pot holes
Hauled cut trees for line crew
Picked up tree limbs from wind
Began sweeping up rock
Helped put up Christmas decorations

POWER PRODUCTION

No Report

To: Anthony City Commission

Re: Chief of Police report

From: Kenny Hodson

Date: 11-19-2024

Contacted some property owners about properties needing cleaned up

New officer Iansun Hyrst started Monday and will be attending the academy on 12-03-24

We arrested Goerge Gilchrist Jr for no insurance, illegal registration and attempting to flee

We investigated a disturbance in the 300 block of N. Jefferson and turned the case over to the C.A. for possible charges

We are investigating a possible rape of a minor that occurred a few years ago

We investigated a minor accident