



City Commission Regular Meeting

Tuesday, September 05, 2023 at 6:00 PM
Commission Chambers, 124 S Bluff, Anthony, KS 67003

MINUTES

OPENING

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

PRESENT

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

Administrator Cyndra Kastens, City Superintendent Randy Moore, Randall Wiseley and Brian Waldschmidt

- Approval of Agenda

A motion was made to approve the agenda.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

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

PUBLIC COMMENT

A thank you note from the Hodson Family was presented.

CONSENT AGENDA

1. Approve August 15, 2023 Regular Meeting Minutes
2. Approve August 22, 2023 Special Meeting Minutes
3. Special Appropriations:

Fund #34 Street Improvements-Pavement Maintenance-\$2,137.89-Street Paint, Cold Patch, & Filter

Fund #95 Fire - Anderson Welding - \$5,474.93 - #53 Grass Truck Grill Guard

Fund #95 Fire - K&S Tire - \$1,196.00 - #50 Aerial 2 Rims Blown Tire 2/23

Split Funds Approve \$263.90 over the Pre-Approved \$2000 Donation for Pioneer Feed

4. Appropriation Ordinance No 3173 \$267,821.21
5. Approve 08.29.2023 Payroll \$62,584.41
6. Approve to Pay up to \$170 of Lake Board Capital to Complete Purchase of Two More Fire rings for the Lake
7. Approve Reappointment to Lake Board for Dick Aldis and Andi Giesen - Terms to expire 2027
8. Ordinance No. S-316 Creation of Economic Development Fund
9. Sunrise 2nd BASE Grant - Mies Construction Pay Estimate #1 - \$313,016.40
10. Approve Consultant Preliminary Engineering Services Agreement with EBH Engineering for Project No. 39 KA-6909-01 (CCLIP Main & Anthony)

Mayor Cleveland asked if any items should be pulled from the consent agenda for further review. Items 4 Appropriation Ordinance No 3173 \$267,821.21 and Item 8 Ordinance No S-316 Creation of Economic Development Fund were pulled for further discussion. A motion was made to approve the consent agenda minus items 4 and 8.

Motion made by Mayor Cleveland, Seconded by Commissioner Eaton.

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

After discussion on labeling the reissuance of a lost check differently on Item #4, a motion was made to approve Ordinance No. 3173 \$267,821.21 as presented.

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

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

A typo was reported in Section 3 to change the word "form" to "from". A motion was made to approve Ordinance No S-316 as amended.

Motion made by Mayor Cleveland, Seconded by Commissioner Smith.

A roll call vote was taken. Mayor Cleveland-Yea, Commissioner Eaton-Yea, Commissioner Lanie-Yea, Commissioner Hodson Jr. - Yea, Commissioner Smith-Yea. Motion passed.

PUBLIC HEARINGS – NONE

REGULAR BUSINESS

11. Request from County to Purchase Available lots (South half of 3, and all of 6, 7, and 10) in Block 23 in Anthony - HP CO Commission

County Commissioner Brian Waldschmidt discussed the current condition of the jail and the need to do something in the future.

12. PRIDE Trivia Fundraiser Use of Municipal Hall and Waiver of Fees Nov 4th

A motion was made to waive the hall rental fees and allow PRIDE to use the Hall for a Trivia Fundraiser on Nov. 4th.

Motion made by Commissioner Lanie, Seconded by Commissioner Smith.

Voting Yea: Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

Voting Abstaining: Mayor Cleveland, Commissioner Eaton

13. PRIDE - Approve to add Flyer to Utility Bills

A motion was made to approve adding a flyer to the September utility bills for the PRIDE City Wide Clean Up on October 20-21, 2023.

Motion made by Commissioner Smith, Seconded by Commissioner Lanie.

Voting Yea: Commissioner Lanie, Commissioner Hodson Jr., Commissioner Smith

Voting Abstaining: Mayor Cleveland, Commissioner Eaton

14. Approve Special Event Retailers' Permit Application - Chamber of Commerce

A motion was made to approve the Special Event Retailers' Permit Application from the Chamber of Commerce for the Muddy Water Obstacle Course Race on September 30, 2023.

Motion made by Commissioner Eaton, Seconded by Commissioner Lanie.

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

15. Approve Street Sign Proof

The Commission gave direction to go with Proof A for street signs.

16. Planning Commission Recommendation for Approval of Ordinance S-315 Rezone Sunrise 2nd Addition

There was discussion on the Planning Commission recommendations to approve the following use and design standards for the Sunrise 2nd development: 1. No commercial traffic on the new West Ave. 2. Access easement from Lot 4 for Lot 5. 3. Screening on west side of commercial lots to separate visually from new West Ave. The Commission gave direction to the Administrator to talk to landowners regarding access easement and report back. A motion was made to approve Ordinance S-315.

Motion made by Commissioner Smith, Seconded by Commissioner Hodson Jr..
A roll call vote was taken. Mayor Cleveland - Yea, Commissioner Eaton -Yea, Commissioner Lanie - Yea, Commissioner Hodson Jr. - Yea, Commissioner Smith – Yea. Motion passed.

17. Banner Update

Administrator Kastens reported the additional costs to include banners along LL&G as well as Main Street in Anthony. A motion was made to approach the Wayne Dennis Fund to purchase additional banners to complete North LL&G and Main Street and to pay the difference from the General Fund.

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

18. HPCO Community Flag Mural for Anthony

The Arts Center received a grant to do some murals in the Harper County Communities, including the City of Anthony. The Commission granted permission to place the mural on the west wall of the lake bathroom in Campsite A.

19. Fire Department Request to Bid Electronic Nozzle for #53 Grass Truck to be Paid from Fund#95

A motion was made to request bids for an electronic nozzle for #53 grass truck to be paid from Fund #95.

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

20. Approve Municipal Court Report August 2023

A motion was made to approve the August 2023 Municipal Court Report.

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

21. Health Resolution No. 1134 611 N. Jennings Cherry 2023

RESOLUTION NO. 1134

A RESOLUTION AUTHORIZING THE PUBLIC OFFICERS
OR OTHER AGENTS OF THE CITY TO ABATE HEALTH NUISANCES
AS AUTHORIZED BY ARTICLE 2 OF CHAPTER VII OF
THE CITY OF ANTHONY CITY CODE.

WHEREAS, it is in the interest of the City Commission that the health, safety, and general welfare of the citizens of the City of Anthony be maintained;

WHEREAS, that a health nuisance has developed in The North Sixty (60) ft. & the South One-hundred Forty-Two (142) ft. of Block Three (3), in East Highland Addition, in the City of Anthony, Harper County, Kansas; as shown by the recorded Plat thereof, 611 N. Jennings, Anthony, Kansas.

WHEREAS, Notice of Violations have been mailed to the property owner of record by certified mail to David G. Cherry EST & Carole A. Cherry, 1216 N. IMO RD, Enid, OK 73703; Notice was never picked up by property owner.

WHEREAS, the property owner has not alleviated the alleged violations nor requested a hearing before the City Commission within the time periods specified;

WHEREAS, the public officer and other agents of the City of Anthony presents this Resolution to the City Commission;

BE IT RESOLVED BY THE CITY COMMISSION that the Public Officers and other Agents of the City of Anthony are authorized to abate the conditions causing the violations at the end of September 15, 2023; and

BE IT FURTHER RESOLVED that the cost incurred by the City shall be charged against the Lot or Lots or parcel of ground on which the nuisance or nuisances were located. The City Clerk shall, at the time of certifying other taxes to the County Clerk certify the cost as provided and the County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid.

Amount is due from property owner(s) for services rendered by the City of Anthony upon presentation of bill. Failure of property owner(s) to pay amount due may result in the City bringing an action in district court or causing a special assessment to be levied on the property, or any other manner of collection provided by law.

ADOPTED at Anthony, Kansas, this 5th day of September 2023.

A motion was made to approve Resolution No. 1134 611 N Jennings Cherry 2023.

Motion made by Commissioner Eaton, Seconded by Mayor Cleveland.

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

STAFF REPORTS

22. Administrator Report

The Administrator provided a written report on BASE Grant/HCCF, Housing Conference, Anthony Lake Trail and Banners.

23. Police Report

We inspected some properties to be cleaned up.

We served several weed notices

We investigated a domestic disturbance in the 400 block of S. LL&G and turned the case over to the C.A. for possible charges

We arrested Katie Crippen on a warrant for the above case

We arrested Cameron Tambunga on a warrant from another county.

We investigated a theft in the 400 block of W. Main

We investigated a domestic disturbance in the 400 block of S. LL&G and turned the case over to the C.A. for possible charges

We investigated 3 minor traffic accidents

We took a juvenile female into protective custody

Commissioner Hodson Jr. left the meeting at 7:32 p.m.

EXECUTIVE SESSION - NONE

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

Gregory Cleveland, Mayor

Cyndra Kastens, City Clerk/Administrator