



City Commission Regular Meeting

Tuesday, December 20, 2022 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

City Administrator Cyndra Kastens (arriving later), Police Chief Kenny Hodson, City Superintendent Randy Moore, Deputy City Clerk Sherri Miller, Creighton and Teresa Cullop, Wesley Gilchrist, Devan Ball, Brenton Washausen, Grant Wisenbaker, Mark and Judy Kelley and other individuals.

- Approval of Agenda

A motion was made to approve the agenda.

Motion made by Commissioner Lanie, Seconded by Commissioner Eaton.

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

PUBLIC COMMENT - NONE

CONSENT AGENDA

1. Approve Regular Meeting Minutes of December 6, 2022
2. Special Appropriations:
 - Fund #34 Police Capital- Home Lumber \$305.99 Door for Police Lobby
3. Appropriation Ordinance No. 6125 \$293,788.00
4. Approve 12.202.2022 Payroll \$58,958.53

5. Resolution No. 1106 - Annual GAAP Waiver

RESOLUTION NO. 1106

WHEREAS, the City of Anthony, Kansas has determined that the financial statements and financial reports for the year end 2023 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 2023.

NOW, THEREFORE BE IT RESOLVED, by the City Commission of the City of Anthony, Kansas, in regular meeting duly assembled this 20th day of December, 2022 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 2023.

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 20th day of December, 2022.

6. Resolution No. 1107 - Annual Approval of Permit Fee Schedule

RESOLUTION NO. 1107

A RESOLUTION OF THE CITY COMMISSION
OF THE CITY OF ANTHONY, KANSAS
ESTABLISHING THE CITY'S 2023 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 20th day of December, 2022: As follows:

Section 1. The Anthony City Commission hereby establishes and adopts the formalized 2023 City Permit Fee Schedule which is attached hereto as Resolution Exhibit A and incorporated herein by this reference.

Section 2. The 2023 City Permit Fee Schedule shall be effective beginning January 1, 2023 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 20th day of December, 2022.

7. Resolution No. 1108 - Local Participation in Rural Opportunity Zone Match
RESOLUTION NO. 1108

**A RESOLUTION OF THE CITY COMMISSION FOR
THE CITY OF ANTHONY, KANSAS AUTHORIZING
PARTICIPATION IN RURAL OPPORTUNITY ZONE
STUDENT LOAN REPAYMENT PROGRAM
CALENDAR YEAR 2023.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF ANTHONY, KANSAS, IN THE COUNTY OF HARPER:

Section 1. Pursuant to K.S.A. 2021 Supp. 74-50,223, the City Commission expresses its intent to participate in the Rural Opportunity Zone (ROZ) student loan repayment program.

Section 2. Harper County has been designated a Rural Opportunity Zone pursuant to K.S.A. 2021 Supp. 74-50,222.

Section 3. The City of Anthony Commission hereby obligate the City of Anthony to participate in the ROZ student loan repayment program as provided by K.S.A. 2021 Supp. 74-50,223 for a period of five years, which shall be irrevocable.

Section 4. The City of Anthony agrees to pay in equal shares with the State of Kansas the outstanding student loan balance of any individual domiciled within the incorporated and unincorporated areas of the City of Anthony for a period of five years, if the domiciled individual meets the terms of qualification provided by the State of Kansas in K.S.A. 2021 Supp. 74-50,223, and the appropriate rules and regulations. The number of qualified resident individuals receiving such payments will be subject to the availability of funds.

Section 5. The maximum student loan balance for each qualified resident individual to be repaid jointly The City of Anthony and the State of Kansas shall be \$15,000 over a term of five years.

Section 6. The City of Anthony shall allocate \$ 7,500.00 a calendar year for the purpose of matching payments from the State of Kansas to qualified resident individuals. The City of Anthony shall revise its ROZ budget on an annual basis submitting a new Resolution to the State of Kansas by January 30th each year. The City of Anthony shall submit their obligation in full to the Department of Commerce before the first day of September each year.

BE IT FURTHER RESOLVED that this resolution shall be published once in the official city newspaper and shall be in effect from and after its date of publication.

Adopted this 20th day of December, 2022 by the City Commission of Anthony, in Harper County, Ks.

8. Reappoint Kanza Bank, Plains State Bank and Bank of Commerce as Official City Banks for 2023
9. Appoint Anthony Republican as Official City Newspaper for 2023
10. Approve Quote from Feld Fire \$23,870.00 for Repair of Aerial Fire Truck
11. Reappoint Kenny Hodson as Fire Chief
12. 2023 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.

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

Motion made by Commissioner Eaton, Seconded by Commissioner Smith.

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

PUBLIC HEARINGS – NONE

13. Dangerous Structure Public Hearing – 432 S Anthony Gilchrist

Mayor Cleveland convened the public hearing for 432 S Anthony and the Commission reviewed the evidence of the case presented by the Enforcing Officer. Owner Wesley Gilchrist being present, had no evidence to present in the case but thanked the commission for the amount time that was given to attempt correction. Based upon the findings of this hearing the Commission does determine this structure at 432 S Anthony has been found dangerous or unsafe. Therefore, the site has been ordered for removal commencing on January 11, 2023, and completing by February 10, 2023. If the structure has not been removed by said date, the city will cause the removal and the costs of such will be paid by the property owner.

14. Dangerous Structure Public Hearing – Lot 1 Block 73 Anthony a.k.a. Southwest Corner of Grant and S. Massachusetts Rathgeber

Mayor Cleveland convened the public hearing for Lot 1 Block 73 Anthony and the Commission reviewed the evidence of the case presented by the Enforcing Officer. There was no owner or party of interest present at the hearing. Based upon the findings of this hearing the Commission does determine this structure at the southwest corner of Grant and S. Massachusetts - Lot 1 Block 73 - has been found dangerous or unsafe. Therefore, the site has been ordered for removal commencing on January 11, 2023 and completing by February 10, 2023. If the structure has not been removed by said date, the city will cause the removal and the costs of such will be paid by the property owner.

REGULAR BUSINESS

15. Municipal Court Report November 2022

After review, a motion was made to approve the Municipal Court Report for November 2022.

Motion made by Mayor Cleveland, Seconded by Commissioner Lanie.

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

16. Harper County CORE Community Donation Request - Devan Ball

Devan Ball presented an update on the Harper County CORE Program and requested a donation from the city for continued support. A motion was made to approve the Harper County CORE Community donation Request for \$1000.

Motion made by Commissioner Eaton, Seconded by Commissioner Lanie.

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

17. Salt Plains Outfitters and Bow Hunters Club Discussion

Grant Wisenbaker and Brenton Washhausen representing Salt Plains Outfitters and Mark and Judy Kelley representing the Bow Hunters Club met with the City Commission to discuss a proposed residential development on the north end of Anthony Lake.

18. Dangerous Structure Resolution No. 1110 Fixing Time and Place of Hearing 301 N. Kansas Drosselmeyer

RESOLUTION NO. 1110

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF ANTHONY, KANSAS, AT WHICH THE OWNER, HIS OR HERAGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS OR UNSAFE STRUCTURE.

WHEREAS, the enforcing officer of the City of Anthony, Kansas, did on the 20th day of December, 2022, file with the governing body of said city, a statement in writing that the structure, hereinafter described, is dangerous or unsafe.

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

That a hearing will be held on the 7th day of February, 2023, before the governing body of the city at 6:00 p.m. at City Hall, 124 S Bluff, Anthony, Kansas 67003 at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure located at:

All of Lots Ten (10) and Eleven (11), in Block Nine (9), in the City of Anthony, as shown by the recorded plat thereof, EXCEPT the East Fifty (50) feet thereof; together with easements reserved therein in General Warranty Deed dated August 3, 1950, and recorded in the office of the Register of Deeds of Harper County, Kansas, in Book 76, Page 257, which said easements are hereby conveyed to second parties.

301 N. Kansas
Anthony, KS 67003

may appear and show cause why such structure should not be condemned as a dangerous or unsafe structure and ordered repaired or demolished.

BE IT FURTHER RESOLVED, that the City Clerk, or designated representative, shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

Adopted this 20th day of December, 2022.

A motion was made to approve Dangerous Structure Resolution No. 1110 Fixing Time and Place of Hearing for 301 N Kansas - Drosselmeyer.

Motion made by Mayor Cleveland, Seconded by Commissioner Smith.

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

19. SEED Grant Awarded

Deputy Clerk Miller announced to the Commission that the City of Anthony, in partnership with the City of Harper and City of Attica, have received approval for the SEED grant sponsored through the Harper County Community Foundation to purchase new street pole banners in each of the three communities to promote community vibrancy for rural America.

20. BASE Grant Sunrise Project EBH Contract Amendment #1 \$10,000

Deputy Clerk Miller presented the contract amendment for EBH for the Sunrise 2nd infrastructure project to add \$10,000 for design work to incorporate a grinder pump station. A motion was made to approve the BASE Grant Sunrise Project EBH Contract Amendment #1 for \$10,000 as presented.

Motion made by Commissioner Lanie, Seconded by Commissioner Smith.

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

Administrator Kastens entered the meeting at 7:25 p.m.

21. Compensation Study

Administrator Kastens presented the employee comments on the benefit changes recommended via the compensation study. After discussion, the Commission guided the

Administrator to prepare the resolution to approve the changes as discussed with the removal of the requirement for the 3-day doctor note to utilize the sick bank.

22. December 17, 2022 Water Main Break

Administrator Kastens updated the Commission on the water main break on December 17, 2022.

23. Sunrise 2nd BASE Grant Design Update

Administrator Kastens updated the Commission on some design considerations regarding the road and the placement of the 16" main.

STAFF REPORTS

24. Chief of Police report

We investigated a shoplifting at Dollar Tree

We arrested Erick Francis on a warrant

We investigated a child abuse case in the 500 Block of S. Kansas and turned the case over to the CA for possible charges

We investigated a traffic accident at Main and Springfield

We investigated a runaway, she was found a few days later and we transported her to Wichita

We investigated a sexual assault to two juvenile females and arrested David Little for rape, kidnapping and aggravated sexual battery.

25. Superintendent Report

Superintendent Moore presented a written report for activities of the Superintendent, Street, Water/Wastewater, Shop, Power Plant and the Electric Departments.

EXECUTIVE SESSION - NONE

ADJOURNMENT

A motion was made to adjourn the meeting.

Motion made by Mayor Cleveland, Seconded by Commissioner Smith.

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

Gregory Cleveland, Mayor

Cyndra Kastens, City Clerk/Administrator