



City Commission Regular Meeting

Tuesday, February 21, 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 (by phone)
Commissioner Jan Lanie
Commissioner Kenny Hodson Jr.
Commissioner Eric Smith

Deputy City Clerk Sherri Miller, City Superintendent Randy Moore, Police Chief Kenny Hodson, Creighton Cullop, Alex Ladezma and Shelly Hansel

-Approval of Agenda

A motion was made to approve the agenda

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

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

PUBLIC COMMENT

Police Chief Hodson introduced the new police officer Alex Ledezma.

CONSENT AGENDA

1. Approve February 7, 2023 Regular Meeting Minutes
2. Approve February 25, 2023 Special Meeting Minutes
3. Appropriation Ordinance No. \$68,104.23
4. Approve 02.14.2023 Payroll \$57,412.97

5. Approve Amendment No. 1 KDHE Cell 1 Wastewater Loan No. C20-3005-01 Reducing the Loan from \$1,117,400 to \$845,489.44
6. Reappoint Karen Younce and Marcy Kastens to the Transient Guest Tax Committee for a Four-Year Term to Expire in 2026
7. Approve Repair of High Service Pump #1
8. Approve Recommendation of Anthony Lake Board for \$146.40 Plus Shipping to Purchase Tree Gators from Lake Board Capital
9. Dangerous Structure Resolution No. 1115 Findings of Unsafe or Dangerous Structure 301 N. Kansas Drosselmeyer 2023

RESOLUTION NO. 1115

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON 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 BLOOK 76, PAGE 257, WHICH SAID EASEMENTS ARE HEREBY CONVEYED TO SECOND PARTIES IN THE CITY OF ANTHONY, HARPER COUNTY, KANSAS, COMMONLY KNOWN AND REFERRED TO AS 301 N. KANSAS, ANTHONY, KANSAS, IS DANGEROUS OR UNSAFE AND DIRECTING THAT THE STRUCTURE BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

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 a certain structure, hereinafter described, was dangerous or unsafe; and,

WHEREAS, the governing body did by Resolution No. 1110 dated the 7th day of February, 2023, fix the time and place of a hearing at which the owner, his or her agent, lienholders, any occupants and all other parties of interest of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and,

WHEREAS, Resolution No. 1110 was published in the official city paper on the 28th day of December, 2022, and on the 4th day of January, 2023, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on the 7th day of February, 2023, the governing body did conduct the hearing scheduled in Resolution No. 1110 and took evidence from the following: the enforcing officer on behalf of the city; David Drosselmeyer, the owner; The following parties in interest failed to appear and did not present evidence: David Drosselmeyer.

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

1. The governing body hereby finds that 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 Blook Seventy-six (76), page 257, which said easements are hereby conveyed to second parties in the City of Anthony, Harper County, Kansas and commonly known and referred to as

301 N. Kansas, Anthony, Kansas, is dangerous or unsafe and directs that such structure is to be removed and the premises made safe and secure.

2. The owner of such structure is hereby directed to commence the removal of the property no later than the 1st day of March, 2023, and to have the removal completed within 30 days of the date of commencement (not later than the 31st day of March, 2023). Provided, that upon due application by the owner and for good cause shown, the governing body, in its sole discretion, may grant the owner additional time to complete the removal of the property. The owner shall bear full responsibility for any and all expenses associated with the removal of the structure and making the premises safe and secure.

3. If the owner fails to commence the removal of the structure within the time stated herein, or any additional time granted by the governing body, or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed, make the premises safe and secure, or let the same to contract, and the costs of razing and removing and making secure, less salvage if any, shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, shall be assessed as a special assessment against the lot of parcel of land upon which the structure is located, and or by an action in district court, and any other manner of collection provided by law.

4. The owner of any structure, upon removing the same, shall fill any basement or other excavation located upon the premises and take any other action necessary to leave the premises in a safe condition, with the ground level and free of debris, at owner's expense. If the owner fails to take such action, the enforcing officer may proceed to make the site safe. The cost of which shall be recovered by any means stated in Section 3 of this resolution.

5. The owner of the structure must obtain an approved demolition permit from the City of Anthony prior to starting construction/demolition.

APPEAL, Any person affected by an order issued by the governing body under this resolution may, within 30 days following service of the order, petition the district court of Harper County for an injunction restraining the enforcing officer from carrying out the provisions of the order pending final disposition of the case.

BE IT FURTHER RESOLVED, that if the owner fails to commence the repair or removal of the structure within the time provided herein or fails to diligently prosecute the same until it is completed, the governing body may take such further action as it deems necessary to raze and remove the structure without further notice to the owner or other parties in interest.

BE IT FURTHER RESOLVED, that the City Clerk or designated representative shall cause this Resolution to be published once in the official city paper and mail a copy to the owner, agents, lienholders, occupants, and other parties in interest.

Adopted this 21st day of February, 2023,

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 Mayor Cleveland, Seconded by Commissioner Lanie.

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

PUBLIC HEARINGS - NONE

REGULAR BUSINESS

10. SC Telcom - Shelly Hansel

Shelly Hansel was present to introduce herself as the new Public Relations Director for SCTelcom.

11. Dangerous Structure Ordinance S-309 Directing Action To Remove 432 S. Anthony Gilchrist 2023 **Roll Call Vote**

A motion was made to approve Dangerous Structure Ordinance S-309 Directing Action to Remove 432 S. Anthony - Gilchrist.

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.

12. Approve Lake Camp Host for 2023 Camping Season

A motion was made to approve a Camp Host Volunteer for 2023 from May 1 through September 15, 2023, to receive free camping and a \$200.00 per month fuel stipend.

Motion made by Commissioner Smith, Seconded by Commissioner Lanie.

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

13. Approve Transient Guest Tax Committee Recommendation to Show and Shine Car Show \$3,500

There was a discussion on a recommendation from the Transient Guest Tax Committee to approve \$3500 to Show and Shine Car Show. Concerns were revenue going forward to fund other requests. The Commission gave direction to send back the recommendation to the Transient Guest Tax Committee to reconsider the amount.

STAFF REPORTS

14. Administrator Report

The Administrator provided a written report on Rural Housing Playbook, Salt Plains Outfitters Proposal, BASE Grant/Sunrise 2nd, Investments, SEED Grant, Staffing, LKM Legislative Updates.

15. Chief of Police Report

We arrested Vicki Prouse on several traffic violations

We investigated a theft in the 400 block of S. Penn

We served a search warrant at 401 S Springfield and arrested Robert Bruce for aggravated child endangerment, possession with intent to distribute marijuana within 1,000 feet of a

school and possession of drug paraphernalia. We arrested Heather Bruce for child endangerment. We took four kids into protective custody. We hired Alex Ledezma as a new officer, and he started on 2-25-2023.

16. Superintendent Report

Superintendent reported on contacts with KDHE, Ponca Products, State Fire Marshall, worked with County on rezoning a building, quotes to replace water valves and other department activities.

EXECUTIVE SESSION

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

At 6:30 p.m. Mayor Cleveland made a motion to go into Executive Session for thirty minutes until 7:00 p.m. to Discuss Staffing 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 remaining present.

At 7:00 p.m., Mayor Cleveland made a motion to extend the executive session fifteen minutes until 7:15 p.m. Commissioner Smith seconded the motion. Motion carried 5-0.

At 7:15 p.m., Mayor Cleveland made a motion to extend the executive session fifteen minutes until 7:30 p.m. Commissioner smith seconded the motion. Motion carried 5-0.

At 7:30 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 Commissioner Lanie, 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