

**BOOK 26**  
**September 4, 2024**

**BURLINGTON CITY COUNCIL REGULAR SESSION 9-4-2024**

City of Burlington Governing Body met in Regular Session at City Hall's address, 1013 N. 4<sup>th</sup> Street, Burlington, Kansas, at 6:00 p.m. Wednesday, September 4, 2024. Mayor Luke called the meeting to order.

**THE PLEDGE OF ALLEGIANCE**

**ROLL CALL:**  Stan Luke, Mayor

Council Members present:

Jerilyn Curtiss (President of Council)

Maxi Berryman

Cara Mays

Lila Van Horn

Nathan Strawder

Martin Ernst

Superintendents Present:

Kevin Boyce (Parks)

Alan Schneider (Electric)

Mark Davidson (Street)

Doug Jones (Chief of Police)

Danny Hawkins (Water/Wastewater)

Also Present:

Anne Brown (City Clerk)

Mary Mader (Executive Administrative Assistant)

Philip Wright (City Attorney)

Jimmy Hugunin (Zoning/Grants Clerk)

Kerri Weltha (Deputy City Clerk)

**Media Present:** Mark Petterson (Coffey County Republican)

**VISITORS:** Paul Abendroth, Jay Hale, Becky Petterson, Sean Gordan, Jacinda Rowson, Mike Abendroth, Seline Peters, Nancy Small, Bernie Bialek, Jeannette Bialek, Sergeant Randy Stuart

**AGENDA:**

*Council Member Ernst, "I move to approve the agenda as amended." Council Member Curtiss, "Second." Motion unanimously carried, 6:0.*

**MINUTES 8/21/2024:** Mayor Luke, "You have before you the draft minutes of our regular session of August 21, 2024. Are there any additions or corrections?"

*Council Member Curtiss, "I move to approve the draft minutes of August 21, 2024, as presented." Council Member Ernst, "Second." Motion unanimously carried, 6:0.*

**Meeting Schedule**

Mayor Luke, "We have several timing issues on the agenda this evening. Wherever we are at 6:20 we will break and go to our revenue neutral rate hearing and immediately following that we will do the 2025 city budget."

**APPOINTMENT - COF Proclamation**

Jacinda Rowson, "We just ask for the proclamation for direct support professional week to be recognized September 4<sup>th</sup> through the 18<sup>th</sup> for our direct support professionals."

Mayor Luke read the proclamation which is as follows:

**WHEREAS**, direct support professionals are integral to the physical, mental, and emotional well-being of all individuals with intellectual, developmental, and other disabilities, regardless of their age; and

**WHEREAS**, a direct support professional assists an individual with disabilities daily with the most intimate needs and provides a broad range of support, from preparing meals and medications to personal care to transporting clients to school, work, and other activities; and

**WHEREAS**, the assistance that direct support professionals provide allows individuals with disabilities to help maintain connections with their friends, family, and community while enabling them to lead fulfilling lives; and

**WHEREAS**, direct support professionals build close, respectful, and trusted relationships with the individuals they serve; and

**WHEREAS**, the participation of direct support professionals in medical care planning is critical to the successful management of medical events, post-acute care, and long-term support and services; and

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**WHEREAS**, direct support professionals have worked tirelessly to support individuals with disabilities, and their dedication will continue to make the Commonwealth an inclusive and safe place for all.

**THEREFORE**, we, the Governing Body of the City of Burlington, Kansas do hereby proclaim September 8-14, 2024, as **DIRECT SUPPORT PROFESSIONALS WEEK** to encourage all citizens to recognize and appreciate the dedication and contributions that these providers make to enhance the lives of their clients.

**APPOINTMENT – 2023 Audit – Sean Gordan**

Sean Gordan, “Good evening, everyone my name is Sean Gordan with Gordan CPA. We performed the 2023 audit of the city so I will go through that bound copy of the audit report that you have in front of you. We will start with pages one through two this is called the independent auditor's report. Here we discuss the opinion that we issue the city’s financial statements and responsibilities of management and the council for the city’s financial statements and a few more of our responsibilities as auditors as well. The most important paragraph here is the opinion paragraph and that’s the second paragraph on page one. This paragraph says that the opinion that we issued the city’s financial statements. We issued an unmodified opinion which is the highest and cleanest opinion we are allowed to issue under state and federal auditing guidelines. So, this reflects very well on the financial and internal control management of the city during that time period.

“Flipping forward to pages three and four, these are the main financial statements of the city. On page three you’ll see what is commonly referred to as the balance sheet, and then on page four, the income statement. Page three shows all the assets, liabilities, and equity of the city as of 12-31-2023. Then page four shows all of the revenues and expenses of the city during that calendar year of 2023. The next section forward starts on page five and runs through page 17. Here, we present all of the assets, liabilities, revenues, and expenses for all of the different major funds of the city. The next section forward is pages 18 through 43, and this is what's commonly referred to as the notes to the financial statements. Here we discuss a variety of items including the different accounting policies that the city follows information on long-term debt, involvement of the KPERS retirement programs, and information on capital assets; like I said, many items discussed in this section. This section is mostly the same as what some of you have seen over the past few years. There were no changes required by the state to this section for 2023.

“Then the final section starts on page 44 and runs through page 60. Again, these are more assets, liabilities, revenues, and expenditures for remaining funds of the city. These are called minor funds. Funds that have a little bit less activity running through them for the year. For the 2023 audit, we had a good audit with Anne and Kerri, and the rest of the staff. So, we do appreciate that. There are very responsive and helpful in answering our questions and getting us any items that we had requested. We do not have any auditors’ recommendations to communicate to the Mayor and Council. So again, that reflects very well on the financial and internal control management. In meeting all regulatory and statutory requirements that are covered by an audit. Questions for me on the audit report or the audit process?”

Council Member Ernst, “When do you normally start something like this?” Sean Gordon, “We start communication in probably November. Then a few more emails back and forth up until May and we usually come out probably the second or third week of May; actually, might be the first week of May, I think. Then it takes us a few months to get it finalized and wrapped up.” Council Member Ernst, “Thank you.” Mayor Luke, “Any other questions for Sean?” There were none. Mayor Luke, “Thank you.” Sean Gordon, “Thank you, I appreciate it.” City Clerk Brown, “Thank you.”

**ELECTRIC DEPARTMENT: DISTRIBUTION Update**

**General:** Electric personnel have been doing many line locates, customer service requests, tree trimming, shop maintenance, preventative line maintenance, street light maintenance, and vehicle and equipment maintenance.

**Line Maintenance:** Superintendent Schneider, “We are doing normal line maintenance including some pole changeouts, and we are straightening some poles that are leaning that still have a lot of service life in them.”

**Equipment Maintenance:** Superintendent Schneider, “We have been doing some equipment maintenance.”

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**Tree Trimming:** Superintendent Schneider, “We are still doing plenty of tree trimming.”

### **ELECTRIC DEPARTMENT: PRODUCTION Update**

**General:** Power plant personnel have been performing normal power plant and equipment maintenance, over current relay maintenance, plant reports, DC power supply, and substation maintenance.

**Generator Maintenance:** Superintendent Schneider, “We replaced the batteries on the CAT generator; which is our black start generator, which also has load share capabilities.”

**Fuel Reimbursement:** Superintendent Schneider, “We did submit an invoice to KPP Energy for fuel reimbursement on some generation that we did.”

**Painting:** Superintendent Schneider, “The men are still painting and cleaning.”

### **QUESTIONS / COMMENTS**

**Grid Stabilization:** Council Member Ernst, “How long did we end up running?” Superintendent Schneider, “Just two or three hours. It wasn’t very long. I really expected that we would run into 9:00 or 10:00 that night. Wolf Creek was coming back up and the wind started blowing and the wind generation started producing again, so they called us within just a few hours and said to shut them down. So, it was a pretty short run really. It was good exercise on the generators.”

### **WATER AND WASTEWATER: Distribution Update**

**General:** Personnel have been doing the normal duties: line locates, work orders, reading meters, meter rereads, cleaning sewer lift stations, maintenance on trucks and equipment, attending safety meetings, customer call-outs, and concerns.

**EPA – Lead and Copper Survey:** Superintendent Hawkins, “We are also going out and doing lead and copper sampling pamphlets door to door. It is an EPA required report. So, we are going door to door as a department and trying to get help from the public for knowing what they have for interior from our mains into the houses. I want to thank the public. I want to thank Mary and them for helping with that as well. We are just about done with it. We are just verifying the final few addresses, then getting that done and we will have that report filled out and ready to go at the end of this month.”

**AMI Meters:** Superintendent Hawkins, “We have been installing water meters in town, I’m very pleased. We have the whole north end of town done now. So right now, as is, we’re about 1,130, right around that area, of meters done. We have less than 360 to go. So, we’re getting really close to that. We do have a shipment of meters coming in here real shortly and in chapters. So, as they come in, we’re just going to keep installing them until the end of the year and then we’ll have that wrapped up next year.”

**Pre-treatment Clarifier:** Superintendent Hawkins, “Also, I’ve been visiting a lot with Jeff Shamberg with Schwab Eaton on the new water upgrades for the plant and everything. We’ve just been talking about things that need to be worked on and fixed; so we are moving towards that as well. He will be attending next council meeting as well. He’s on the agenda for that. He will come and talk to us.”

### **WATER AND WASTEWATER: Production Update**

**General:** Normal duties. The plant is running well.

**Generator Maintenance:** Superintendent Hawkins, “We had Foley Equipment come in and they’ve worked on our generator. We were having a problem. It’s set up to come on Monday mornings; it was not firing correctly. So, we had Foley come in and found out that one of the injectors was bad on the generator. So, they repaired it and got it taken care of and it’s up and running good now.”

**River Intake Pump Maintenance:** Superintendent Hawkins, “We also have Alexander’s, the company out of Topeka, they’re still working on our river intake pump right now. So, they’re doing some machining with that and he’s going to be getting back with me shortly, so we can get that installed.”

**Recarb Basin:** Superintendent Hawkins, “This evening the staff went out and they cleaned out the recarb basin, which is our yearly maintenance at the water plant.”

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**STREET DEPARTMENT: Update**

**General:** Personnel have been doing the normal duties: cleaning ditches, sweeping curb and gutter, fixing potholes and ruts, blading rock roads, repairing and re-rocking alleys, tree trimming, fixing and replacing street signs, and truck and equipment maintenance.

**Pavement Maintenance:** Superintendent Davidson, “We have been pavement patching.”

**Culverts:** Superintendent Davidson, “We have been changing out parts on the street sweeper. Worked on roller head brake issues.”

**Maintenance:** Superintendent Davidson, “Checking signs and culverts. Sweeping curb and gutter.”

**Rock Hauling:** Superintendent Davidson, “Bringing in rock from the quarry.”

**STREET DEPARTMENT: Sidewalk Application**

Superintendent Davidson, “I have a sidewalk application for Kevin Carter at 717 Niagara Street for 37 feet of sidewalk. Due to tree roots in the way, we had to go to a four-foot sidewalk instead of our standard five-foot. There was no reason to put concrete over the tree roots. So, I allowed him to do a four-foot sidewalk. The cost comes to \$555.”

***Council Member Curtiss, “I move to approve Sidewalk Replacement Cost-Share Application 2024-02, Kevin Carter for 717 Niagara Street.” Council Member Ernst, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

**POLICE DEPARTMENT: Update**

**General:** Sergeant Stuart, “Normal duties.”

**Personal:** Sergeant Stuart, “Chief should be back in the office next week.”

**Nuisance: Properties/Vehicles Update:** Sergeant Stuart, “We are still working on the nuisance properties.”

**OK Kids:** Sergeant Stuart, “The only thing of any importance is this weekend is OK Kids. And we will have at least three individuals from our department out there helping with that; Becky, Mike, and Donnie.”

Mayor Luke, “How many kids anticipating this year?” Sergeant Stuart, “I was going to ask Mike that this morning, but I forgot to ask him.” Mayor Luke, “Okay.” Zoning Clerk Hugunin, “All of them.”

**PARKS DEPARTMENT: Update**

**General:** Personnel have been doing the normal duties: cleaning public restrooms and buildings, and building and equipment maintenance.

**Mowing and Spraying:** Superintendent Boyce, “We are mowing and spraying weeds in gravel areas and sidewalks downtown.”

**Watering:** Superintendent Boyce, “We are watering flowers and trees.”

**Smoke on the River:** Superintendent Boyce, “We took picnic tables down, trash cans, and stuff for the Smoke on the River BBQ. They left the park in good shape. We’ll have them back next year.”

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2024-17	\$	<u>135,963.11</u>
b. Payroll Ordinance	2024-18	\$	<u>111,170.34</u>
	TOTAL	\$	<u>247,133.45</u>

***CLAIMS 2024-17: Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2024-17 for the amount of \$135,963.11 for payment of city bills. Council Member Ernst gave the second. City Clerk Brown, “The larger expenses we have tonight are C&B Equipment DBA Douglass Pump Service \$8,040.11, Core and Main \$15,700.84. Hoyts Trucking Center \$6,607.41, Midco Diving and Marine Services \$6,096.00, Midwest Electric Transformers \$8,855.48, and Red Equipment \$5,569.34.” Hearing no discussion, Mayor Luke***

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**instructed City Clerk Brown to poll Council for a vote. Mayor Luke declared, "Claims Ordinance 2024-17 passed, 6:0."**

**PAYROLL 2024-18: Council Member Curtiss moved to approve City of Burlington Payroll Ordinance 2024-18 in the amount of \$111,170.34, as presented. Council Member Ernst gave the second. Hearing no discussion, Mayor Luke instructed City Clerk Brown to poll Council for a vote. Mayor Luke declared, "Payroll Ordinance 2024-18 passed, 6:0."**

**APPOINTMENT: PUBLIC HEARING FOR Revenue Neutral Rate – 6:20 p.m.**

**Council Member Van Horn, "I move to authorize the Mayor to open the public hearing for the Revenue Neutral Rate." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

Hearing opened: 6:20 p.m. Open for comments.

Bernie Bialek, "My name is Bernie Bialek and I'm just wondering about this -- my appraisal went from \$114,000 to where they're saying \$131,000 and we're on a fixed income and I'm just not sure how we're going to be able to keep up with taxes. If they're going up that high. I'm just wondering, you know, what's the reasoning behind that?"

Mayor Luke, "I'm not trying to pass the buck on this, but the tax appraisals come through the county." Bernie Bialek, "Okay, so I'm in the wrong meeting?" Mayor Luke, "With respect to that. I will acknowledge that the appraisal of the properties, in the county, went up considerably through the state. And then everything is allocated out from the county to the cities. So, the county is the one, along with the state that puts together that appraisal and any increases that takes place." Bernie Bialek, "I'm just not wanting to get taxed out of my house. Got lucky enough to get one. So yeah." Mayor Luke, "I fully understand." Bernie Bialek, "All right. Well, I won't take up any more of your time." Mayor Luke, "All right, thank you."

Paul Abendroth, "Yes, evaluations on property tax for the city have gone up 2.5 million dollars this year. Why do we have to increase the mill levy? Evaluations like you said on the property has gone up 15% – 20 %. That ought to be enough to take care of any mill levies or shortages you think you might have. The county value has also gone up 15 million dollars and they are trying to lower their mill rate. Why can't the city lower theirs instead of having to raise it? If you can't lower the rate or at least keep it the same, maybe we ought to lower or reduce some of the expenses that we have in order to keep it where it is. Just like that gentleman said, a lot of seniors, got some up here on the board right now on fixed income and we don't get a raise whenever we want or what we want. We have to take what we get which normally isn't very much. Not hardly enough to cover the taxes of what you guys are wanting to raise it."

Mayor Luke, "The increase in appraisal and the raising of the value of property in the city was done through the state and the county. They raised our valuation and with the net revenue-neutral rate, when they raise the valuation, they say we are not entitled to have an increase in revenue over the previous year by establishing a revenue-neutral rate. And if we want to exceed that as prices increase then we have to have the hearing. The millage rate dropped from 38 point something to 34 point something because of the appraised value. When that happened, we're down to the same amount of dollars for 2025 as we had for 2024, which is the same as we had for 2023, because we did not do a hearing last year. We did not exceed the rate. The rate we're proposing now is almost identical to the rate that was in place in 2023. We have had a 10% - 12% increase in operative costs, insurance, to chemicals, to components, to parts, without a change in the millage rate, the neutral rate, we would not be able to like you say, do and provide services. Now, if you reduce costs, then my immediate question would be what services do you want reduced because you can't spend the same amount of dollars for chemicals and do the same job as the chemical price goes up 10% to 15% that we either pay or we then don't do something. We don't do the street. We don't do something, whatever. Mainly infrastructure, if you look at the change, the infrastructure is on parks, streets, and sewer. Those are the three major portions of the budget that have gone up an excessive amount and all to address the cost of doing business."

Paul Abendroth, "So you're saying you can't raise-- instead of raising the rates on the sewer, electric, or for street or for something like this you're going to raise the mill levy instead? It's just not right." Mayor Luke, "We are a non-profit organization." Paul Abendroth, "You got five million, almost five million dollars in reserves right

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now.” Mayor Luke, “That is required by state statute to have 90 to 120 days of funds available in case a disaster happens and the revenue decreases or goes to zero. We have to be able to cover our expenses for chemicals, water, and everything.” Paul Abendroth, “Okay, the other day it was brought up to annex some property into the city. What has happened to that? That would increase your income right there. Has anything been done on bringing that into the city property?” Mayor Luke, “That does not increase our revenue.” Paul Abendroth, “Why not?” Mayor Luke, “Because anytime you have an increase in appraised value then your millage rate goes down so that you stay at the same revenue as you have before you did the annexation.” Paul Abendroth, “You’re telling me that if you annex property into the city, you won’t get increased income.” Mayor Luke, “That’s correct. We will get no increase --.” Paul Abendroth, “Then who gets the taxes on that property.” Mayor Luke, “The taxes, once again, the appraised value of the property goes into the city’s base appraised value, when that happens and that goes up. The revenue-neutral rate requires that we lower the millage rate so that our revenue that year is the same as it was the previous year.” Paul Abendroth, “So, you’re saying don’t make any difference what I say or anybody says, you’re going to do whatever you want.” Mayor Luke, “We’ve already looked real closely at whether or not we can do much different than what we’ve done in the past and we’re basically covering the expenses we anticipate for the projects and things that need to be done. It’s not an easy process and the revenue-neutral rate has caused many, many issues for many, many communities and the county as well.” Paul Abendroth, “Okay, I might as well quit talking because you’re going...like I said you’re going to do what you want anyway.”

Mayor Luke, “Anyone else?” Seline Peters, “When will the government or when are they anticipating releasing funds for the new factory down the road?” Mayor Luke, “I wish I knew the answer to that.” Seline Peters, “Are there bonds that are due on that property?” Mayor Luke, “There’s nothing the city has invested in that project.” Seline Peters, “Okay.” Mayor Luke, “Okay, that would be a question for the county because I don’t know. All I know is we’ve been anticipating and looking at how we can serve needs when the time comes to that. The project says it’s going to happen. That’s a water issue, that’s a housing issue, that’s a multitude of issues.” Seline Peters, “But no updates on government funding?” Mayor Luke, “We had hoped that we would have heard, I’ll use the word years ago, because it’s been almost three years and nothing has come forward. We have one small structure that’s going in at the airport, SSM, of 30,000 square foot building, and I don’t know how many employees. But once again that’s in the county. It’s handled through the county and the consortium that’s taking care of that. Your update is as good as mine.”

***Council Member Van Horn, “I move to adopt Resolution 2024-05, To Levy a Property Tax Rate Exceeding the Revenue Neutral Rate.” Council Member Curtiss, “I second the motion.”***

Council Member Ernst, “This just means that we are exceeding the 34, correct?” Mayor Luke, “Yes, this means somewhere above 34.57 or whatever is where we would be going to. It does not set at this point any number.” Seline Peters, “When will we know when this is all going to be passed, is that what you’re doing here tonight?” Mayor Luke, “We will be having a second public hearing just after this one closes to look at the budget itself.”

**Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

***Council Member Curtiss, “I move to close the public hearing.” Council Member Ernst, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

***Closed: 6:33 p.m.***

**APPOINTMENT: PUBLIC HEARING FOR 2025 CITY BUDGET**

***Council Member Strawder, “I move to authorize the Mayor to open the public hearing for the City Budget for 2025.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

Hearing opened: 6:33 p.m. Open for comments.

Council Member Strawder, “I guess – I’m trying to figure out how to say this. I have concerns with what’s in the proposed budget, but I will say I don’t know all of the ins and outs of the statues and the ability to move, the process to move, and all of that. The 60-to-90-day reserves or whatever those amounts are and all of that. So I will just ask a general question, is this a bare minimum budget based off of if we do not increase it to what is the new

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proposed budget, do we cease to be able to operate as we are or as we are required to by state statute or is this a type of thing that over the years that we have built up safety nets and reserves and all of that and now we've got a point to where our operating costs are down here, but we are used to adding to the pile so we are just increasing the amount of surplus. And I don't know if that's the right term, that's the term I'm going to use surplus or reserves or whatever. Because I'll be honest, looking through a lot of this initially, I think the revenue-neutral rate has a lot-- has complexed any budget system on anything. That's very true. Just basing this off what we've been presented and stuff initial reaction is: wow we've got funds in here with two, three, four times the amount of our expenditures from the previous time. So, start looking at, or if you look at the revenue neutral rate, you know, 41 or whatever it is, 41 mills from 34 mills, that's a large amount. I'm more of a trends-type person. So I've spent the last day, day and a half, going through of the state website, pulling budgets since 2017 numbers going through, and looking at the trends. And you will see kind of what you indicated before that if you look at the mill levy. The mill levy increases year after year, after year, after year, it was pretty steady. And then last year, it dropped tremendously. It was very much an anomaly. I'm not good enough at creating graphs in Excel, but I can tell you, it would have gone like this (indicated a drop), you know, type of thing. The same with a couple other expenditures and I just... I have a hard time believing based off of what I see that we are, we are truly operating under a budget, or in a budget-conscious mind, and not just operating with an allotted amount of funds and tracking what our expenditures are, if that makes sense. Meaning, from what I've seen, it's we have so much in the account and as long as we just keep spending like we are, that's fine because we have money in the account. Or if we keep spending like we are, we need to increase it, and that's the reason for the increase.

“That's my honest and gut feeling whenever I look through this and look at the trends. And all that stuff over the last several years that while yes, auditing wise and statute wise, we might all be in line there but still whenever you see a fund with \$34,000 in there as a budgeted items, but the last seven or eight years, we've only spent less 500 in there. That makes you ask questions. So, if this is a matter of increasing into that 41 mill is to get it back in line to even back up on our trends. I would ask is there a way that we could like spread that back out over a couple years to get back in line or you know, whatever? Because it seems like an awfully big jump right now in one year, and I know a lot of that's based off our evaluations. Evaluations on average went up 15%. Previously it was around 2%, 3%, or 5%. So that's a huge jump. I wonder if there is a way to spread this out over multiple years to get it back on track than trying to fix everything in one year's time.”

Council Member Ernst, “Last year the revenue neutral rate was 38 point something. Is there a way, and I know that even if we leave, you know, and use that same 38 mills we would be exceeding the revenue neutral rate which we know that we're going to do. But is there a way that we could leave the mill levy at least the same as what we used as last year, and then try to continue to, you know, curb our spending and then bring down some of the accounts? You know, instead of if the state requires the 120 days, is there a way, you know, or do they actually require 90 days? Is it something that where we are able to you know cut back you know a little bit there from each of the funds that we have and keep the mill levy the same as what we had last year?”

Council Member Strawder, “I would echo that. That's a good way to put it. You know the thing with revenue revenue-neutral rate is that it asks the question if your mill levy stays the same does your taxes go up? Dollar-wise, yes, but your assets went up, you know type of thing. So, while yes, I am in favor of passing, you know, of increasing the revenue-neutral rate, I'm hesitant increasing the mill levy rate of what it was set at last year because and just numbers-wise that equals to about – to divide the difference in half, you know, thereabouts. To me, that's a lot easier of a sell than trying to get it all back in one go. Especially whenever you work at the county and all the other jurisdiction that, you know, those taxes in that same aspect.”

Council Member Curtiss, “So, what are you proposing?” Council Member Ernst “I'm proposing that we keep the mill levy the same as what we had as last year.” Council Member Curtiss, “And you are too?” Council Member Strawder, “I would be in favor of that, yes.” Mark Petterson, “I have a question specific to the budget. Under the salary portion of it, I noticed there's two departments, Street Department and Police Department that have significant increases in salaries. What's the reason for that, for the amount for salaries?” City Clerk Brown, “Part of the Police Department was they were not fully staffed and they are now. So, there has been that increase.” Mark Petterson, “\$168,000?” City Clerk Brown, “Well, you have to take into consideration also CPI increases on that, so that is part of it.” Mark Petterson, “What about Street Department? It's about \$166,000 increase.” City Clerk Brown, “We do have retirements that will be coming out of that next year so you have to take into consideration

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the payouts in that.” Mark Petterson, “I’m just looking at all of the other departments and they’re kind of in line, those two just kind of jumped out at me. I didn’t know, you had been talking also at one time about adding a nuisance officer --code enforcement officer, is that built into any of this at all?” Mayor Luke, “No.”

Council Member Mays, “So, on the 90 to 120 days, I have a question. So, if I’m thinking that, let’s say we had a claims ordinance and I know it varies like it was substantially higher last week or last meeting, is that like an every two week-- how much it takes to operate the city thing?” City Clerk Brown, “Yes.” Council Member Mays, “I mean, if I was taking that that would give us a pretty good estimate.” City Clerk Brown, “And always the second council of the month, we have the power cost on that which is a very substantial amount.” Council Member Mays, “So, that’s factoring in the 90 to 120 days?” Mayor Luke, “Yeah, as well as insurance, and other stuff.” Council Member Mays, “Right, I’m just saying if you take that 130, I just did 150 just really quick, you’re looking at 1.2 million. That’s not factoring in the big ones that’s just taking --.” Mayor Luke, “Right, that doesn’t include insurance, utilities, and those things.”

Council Member Mays, “I do have some specific questions. So, the special highway fund, can you tell me... it’s funded by the state? That’s just one that I’m looking at when you look at numbers it is substantially higher for this year, how does that fund work?” City Clerk Brown, “That depends on what we get in, what we have spent the previous year, what is carried over, and what the state estimates what will be coming in for that.” Council Member Mays, “So, what’s a project that we have used that for?” City Clerk Brown, “A lot of street projects. It goes for like every year we a street project. So in certain streets that we maintain to keep in good shape, to do more. Also, Mark can you help me out there?” Mayor Luke, “We have a seven-year program. And every year, one-seventh of the streets that need to be repaired we take care of and do. And that’s that varies every year.” Council Member Mays, “Right.” Mayor Luke, “Last year, we were less than this but we did, I’m going to use the word easy streets. When we did bridges and stuff, that added up really quick. I don’t think we put together the 2025 as to what streets we are going to be doing. But when we started this program on the seven-year basis, we had about 80 percent of our streets needed repairs, major repairs. Now we’re down to maybe 20% of the streets for major repairs. The other 80% are, I’ll use the word, surface work, mill off, put on, take off, put on versus rebuilding sub-based and etc.”

Council Member Mays, “I’m just looking at the last two years, I mean and I don’t know projects for 2025. I mean, the last two years we’re at 270 and 330 but we’re budgeting, which is basically what we have resources available at, 1.4 million. So, I mean to me, that’s just what we have available, that’s not really budgeting. If you’re wanting to say-- I’d like to look at this seven-year plan because if you’re looking at resurfacing, I have 20 roads in my ward that are not even maintained. So, I mean, if we’re sitting with that amount of money, I wanted to know how that was used, and how it was dispersed because I--.” Mayor Luke, “A lot of the, I’ll call it the hard surface the asphalt and etc. over the rock, is due to petitions by the landowners to have it done and so once that starts the money goes up big time. Now we’ve got more people signing petitions. I don’t know how many we have in the mix right now.” Council Member Mays, “Yeah, that is just something I wanted to ask how it was.” Superintendent Davidson, “Keep in mind also, should KDOT decide to do an overlay on HWY 75, we are responsible for the curb and gutter and underground drainage.” Council Member Mays, “Okay, yeah.” Superintendent Davidson, “1.4 million is not going to even come close to that. So, if we have to do that, then any projects in town will not be done that year.” Council Member Mays, “Okay. Those were the questions I was asking. I wasn’t sure how that worked.”

Council Member Strawder, “So, can I ask on that though since we are talking about the 2025 budget, one item that was indicated there is that the budgeting hasn’t been done yet for 2025 street projects?” Mayor Luke, “Correct.” Council Member Strawder, “So then that seems like knowing what money is going to be spent there would be a key part of the budget that we’re discussing now. I know that sometimes, maybe not always, the leeway leading up to a highway project like that, a lot of times, that’s several years in the works. The cities know that those are coming up and it’s not just sprung on. That’s probably what I was indicating is the difference, at least in my opinion of actually budgeting and working within a budget versus having a lot of money and just tracking our spending.”

Council Member Curtiss, “Well, we have some kind of an idea, don’t we, what next year will be as far as what streets will be resurfaced and whatever?” Superintendent Davidson, “Yes, we have.” Council Member Ernst, “And will the state give us some, I mean, they would give us quite a bit of lead time, wouldn’t they?” Superintendent



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Davidson, "I have no idea. You know how the state works as well as I do." Council Member Mays, "Okay, but that's my question. You have an idea of what your projects are going to be next year. But when you-- with what we're presented, we just take what's available and that's what we're budgeting for. So, where do we come in and say, okay, Mark wants to spend for 2025, \$500,000. Why is that not a line item in our budget? Where it's just a conglomerate of what we have available?" City Clerk Brown, "Well, we don't know at this point what exactly he's going to want to spend, because he has not sat down with Norm Bowers to go through the streets to say, these are what we're going to do this year and this is what it's going to cost. We'll be determined by and these are just the funds we have available because per with the state is bringing in or giving us I should say, that's just...." Mayor Luke, "What the state gives us is just for roads. It can't be spent on anything else." Council Member Mays, "Right, but that's how every fund is. You know you get what you have and the source is available and that's how we figure our total budgets on what we are going to need." Mayor Luke, "Until we bid a project, we don't know what it's going to cost either." Council Member Mays, "Right."

Council Member Strawder, "But again, there's cost estimates out there. I mean that's all--. There's a long way from having no idea to have an exact dollar amount. There's a huge difference there. And any engineering job or design job or anything like that is going to be accompanied with an engineer's estimated cost evaluation or cost associated with the project, or even on completely preliminary basis. But to kind of go along with what Cara was indicating, this is where I was indicating by trends. If you look at and in the packet, we have what is proposed for 2025, the estimate for 2024, the actual for 2023, and what I've done was, I've went back to see on the state's website where it's posted what the budget is every year. They go back to, I think there was a 2018 budget so it has the actual numbers for 2017 or I think it was the 2019, so actual budget for 2017. And whenever you look at that, you see that on the special highway, on average, from 2017 to 2022 the expenditures was \$251,515 from 2023 \$270,099, 2024 it's estimated \$331,300. But then for our expenditures estimate for 2025 \$1,419,106 but that's the thing that you notice all the way through here. And so if it's we need to have that amount of room because of a 60 or a 90 or 120, whatever the state statutes says, you know reserve, then I'm just surprised that we wouldn't be given that type of information throughout this process to say, okay this much of that 1.4 million and change is because of the reserve that is required by the state. This much of that 1.4 million is because of the anticipated seven-year update on the streets or you know the fact that, you know, in two years' time, the state's going to, it's planning to work on the highway, and we're estimating that our portions are going to be X. You know, there's -- it just seems like there's tons of money out there, that's not assigned to anything based off of just the packets that we've received. And maybe that's what we're trying to indicate earlier that we weren't really included on much of any workshops to go through that. We're just kind of here's the budget and then, yes, we did sit down and go through and stuff at a high level individually. And then so yes there was that it still seems like there's a lot of information and the budget that from the limited information at least I received I definitely have concerns on a lot of this."

City Clerk Brown, "Part of what the highway fund there, you have to take into consideration, and we do, the three years. What we actually spent in 2023 and then what we think will spend for this year. And all of that then carries over so whatever you have left over and what you think you're going to bring in, that totals but if you look at the financials that we give you, it has a breakdown by line for what is being spent in those line items. So that's where your breakdown comes. This just kind of lumps it together to give you an overall. So, it doesn't show you. There's too much information to put all of that in here so it's just carried over and we want to be able to have the-. Doesn't mean we're going to spend all of that. It's just what is available. So, we want to put all of that out there to have the authority to spend if we need to."

Council Member Mays, "Which I get that like, for me, I look at that and say, we have the authority to spend it, but as a taxpayer, you're wanting to raise my taxes on something that you want the authority to use, but you're not budgeting. You're not telling me what you're doing with it or what, you know." City Clerk Brown, "And you have to consider which funds are tax-levied and that one is not a tax-levied one." Council Member Mays, "Correct." City Clerk Brown, "So we're not raising your rate because of that one." Council Member Mays, "But you sit there and say, you have X amount of money in a fund, I'm not seeing it used for projects or, for me, I'm not seeing the used as projects, but you want to raise my taxes to fund other things. That number really sticks out to me really on that and all of them do on that, the non-levied ones I think is what bothers me. And then I think when you, when you put a number out there like that it looks to me like this is what it is to maintain our city. It's not reinvesting in our city, making projects into our city. We just want this number the authority to use it because

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that's what we have and -- but we're not going to tell you. That's just maintaining our city. It's not community or enhancing anything. That is just what we want to be able to use if that's what we want to do a project."

Mayor Luke, "I guess I kind of look at it as, if you had crappy roads, you're not enhancing your community. If you're fixing roads, you are." Council Member Mays, "I have 20 gravel roads. That one's a terrible—you're not going to get me on that one, not the crappy roads part. I get it. No, we have great roads and I want to but--." Mayor Luke, "Yeah, I understand there were gravel roads when I moved here too." Council Member Mays, "Yeah, I get it, and you paid the special assessment?" Mayor Luke, "Yes." City Clerk Brown, "And that's up to the property owner, we can't force the property owners." Council Member Mays, "No, but you have 1.4 million dollars sitting in a fund. And you have \$530,000 that you transferred over for our city county streets fund. You have 1.5 million. That's city streets. That is city streets." Council Member Berryman, "I have been sitting on an unpaved street for nine years." Council Member Mays, "Got it. But then you look at it and say there's 1.5 million in there." Council Member Mays, "But that's not the way it runs here, it has to be the property owners." Council Member Strawder, "Well, yes and no because there's there are petition projects but then there are also capital improvement projects and I think that's what often gets left by the wayside is if you live on the street, that's a gravel road and you want to improve that street on your timeline and all of that then yes. It's 51% of the ownership and a petition and all of that, just like specials on the subdivision and all of that. But at the same time, you have capital improvement projects, that means that we are actively making an effort to make improvements to what is existing or expanding what is existing. So, it might be the fact that there's 20 roads, and over five years, hopefully, we will get all 20 of those roads done. Road 19, which is planned to be done on year five as part of the capital improvement project for year five, the owners there want it done on year one, they need to do a petition for it because they're wanting it done on their timeline, not on a capital improvement timeline. I mean that's the difference that I'm seeing there between, you know, everything has to be done by petition. That's just --." Council Member Berryman, "But my street is different than Cara's because they're more property owners. My street is all rentals based on landlords." Council Member Cara, "Still pay taxes there." Council Member Strawder, "The same on all of it though with the landowner because it's based off of the property owner. So yeah, you have situations and this is the downside of relying on only petition projects. You have landlords that they're interested in collecting the check, they are not interested in paving a road out front, you know. That's where it takes a combination both those petition projects in capital projects to move forward."

City Clerk Brown, "So are you saying, then that you the city should say, we're going to do this gravel road in front of this property this time, so the city is paying for that? That opens a whole other can of worms because what are the people that have had to pay for those special assessments." Council Member Strawder, "So jurisdictions all across the country, all across the state, do it. We are not unique in this situation. If anything, we are unique by the fact that we aren't paving roads as part of capital improvement projects, we're relying solely on petition projects." Council Member Berryman, "If you can get my road paved, I will love you eternally." Council Member Strawder, "But I mean but that's the thing though is, yeah you do open a can of worms, and that's why we don't go out and say, oh, I'm going to do this one just randomly selecting this one, because that's how those can of worms gets opened. You go through, and you have engineer studies to see, which is the most benefits to be improved upon, maybe whenever overlaying another road or doing a road replacement project over here and there is a gravel road it makes more sense to do it at that time. It's more complex than just saying, this road, we are going to do this road." Superintendent Boyce, "It's not us as superintendents to make that judgment though." Council Member Strawder, "Correct." Superintendent Boyce, "It's the council that has to do that." Council Member Mays, "Right."

Council Member Strawder, "Well, yeah, it's consultants and other stuff that levy on that. I mean yeah, it's an action by the council, some of that stuff. With that being said, though, I'd like to think also that the staff can prepare and present some of those things to help us. So, it's not 100% burden on just the council. It takes a team effort of the council and the staff to move forward. I didn't mean for this to get sidetracked." Council Member Mays, "I didn't either." Council Member Strawder, "I'll look at a different item to use as an example because of the rate. So, on the industrial development fund that is a tax levied fund. The mill levy that is portioned to that account is zero, every year, it's zero. If you look at your expenditures, your receipts, in the budgets over the last going back to 2017, you'll find that in 2025 we have adjusted with the tax at the proposed rate we would have receipts of \$1,869.00, expenditures \$31,079, with a budget of \$31,079. The 2024 budget was \$31,079, our receipts and expenditures because it's an in-and-out type situation was \$369. The budget for 2023 was \$23,222. The in

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and out expenditures and receipts \$369. Go back to do your average between 2017 and 2022. The average budget was \$22,999, and the average receipts and expenditures, again because its averages these differ but \$443 receipts, \$447 in expenditures. That right there is a budget where we have, you know, \$20,000 to \$30,000 in there, but yet we only spend going back clear back and to 2017 less than \$500. I mean, that's one of those things on why do we have that much of a of a buffer built in?"

City Clerk Brown, "That is money that has just been there. The \$369 that we have come in is from haying property that we have, which has to be donated then to, which we do every year. There is nothing right now that we're spending money on in the industrial park. So that is money that is just sitting there. So if something does come into the industrial we have money to fund for that." Council Member Strawder, "And I understand that, but at the same time, you have, an account that you spend on average less than \$500 and you have --." City Clerk Brown, "So, you're wanting us to do away with this fund and put that money somewhere else? Is that what you're suggesting?" Council Member Strawder, "I guess I'm just trying to say who has a budget.... I have never been part of a city budget before I will lead with that. So, I might be clear outside not understanding what's going on. But I've been around budgets before, and this is the first time I believe I've ever seen a budget of estimated expenses for a year of \$31,000 whenever I go back the last seven plus years, you're spending less than \$500. Unless there's something that you are planning on spending that money for otherwise it's just money sitting there, it's collecting dust. It's you know it's sitting there so if we're looking at raising the overall mill levy or the overall rate, that we need to have, why wouldn't we look at cutting some? Why wouldn't this be something that maybe not cut completely, but is there a need to have \$31,079 in it? If traditionally, we haven't spent more than \$500."

Council Member Curtiss, "My question is can we take maybe, let's say half of that money, is it legit to put it in the general fund or someplace it needs to go? Or is it does it--? I know there are budgets where you can't transfer money from one to another. So can this \$31,000, if I wanted to take \$15,000 out of there and put it in the general fund, can I do that?" City Clerk Brown, "I would have to check into it. Check and see what the state statutes allow, if this is a fund that could do that. I can check into that and see if that's what you all would like to do." Council Member Curtiss, "I mean if we have those and money can be transferred from one to where it's needed.... Is it just a general fund where you can transfer it to? Or are there other funds that it could be transferred to?" Council Member Mays, "I have the same question." City Clerk Brown, "Usually the revenue ones that bring in revenue, like the electric, water, and sewer, we've transferred to general."

Council Member Mays, "And that's every year?" City Clerk Brown, "Yes. To help the general budget." Council Member Curtiss, "Right. I'm used to, I go back to the school because having negotiated through all that, you know, they would tell me this can't go from here to here and whatever and it can't go into the general and whatever. And have no idea what of these funds could go to something else." City Clerk Brown, "And I can check into that because we do transfer out of the general into the equipment fund which there is a state statute that supports that. We had to do a resolution to move the money out of the general into the VIN inspection to pay that one. There is a state statute behind each one of those. I can look into that to see if there is a state statute that says that we can transfer out of the industrial fund and into the general. I can look into that, that is not something I know off of the top of my head."

Mark Petterson, "So I guess I got another question on your general fund since that is one that is tax levied. We got 40.136 mills proposed now and that would raise about \$861,000, almost \$862,000 in tax which is a 26% increase over last years, near as I can tell if I figured that right. Whereas, last year compared to the year before was less than five percent increase. What is that large increase in the general fund going to?" City Clerk Brown, "A lot of its inflation on cost and supplies and stuff like that." Mark Petterson, "But 26%?" City Clerk Brown, "I'm not saying all of that is going there, but--." Mark Petterson, "I understand, I mean 5% to 10% I mean that wouldn't jump out at me but 26% does. If I figured that right." Mayor Luke, "Which page are you on, Mark?" Mark Petterson, "Well, I was looking at number one, the general, the electric fund, go to page six. Well, page six tells you the amount of tax that was levied the previous, well, this year and the previous year. Then if you go to your tax page on page 17, that tells you the amount of tax that's going to be levied for this year, \$861,000. Do you see what I'm saying there?"

Council Member Strawder, "Okay, so your budget – I'm not saying I did the math right either. I tried making it to get the percentages and stuff and what the changes were. From a budget of—the 2024 budget amount to the... this is the difference that I've seen in trends and stuff and I noticed this in a lot of places. The budgeted amount

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between 2024 and 2025, is about a 6.6% increase but whenever you look at your expenditures like what you're indicating, you jump up to an 18.15% or somewhere around there." Mark Petterson, "I was looking at just the amount of tax levied." Council Member Strawder, "Oh, sorry." Council Member Mays, "For general?" Mark Petterson, "For general. Yeah, the ad valorem tax levied for the general. And when I was looking at that, I mean, if you, I you're going to exceed the revenue neutral rate, I mean--. I have to find the right page. Last year's mill levy rate was 38.820. And if you were to even lower that 41.5 down to last year's, I mean you'd have to shave about \$58,000 off of the general fund. So, I didn't know what the general fund was going for. If there's a specific reason, it just seemed like a pretty large increase to me. It's still, that 38, would still exceed the revenue neutral rate, but it would be the same as last year."

Council Member Ernst, "I think it's more palatable." Mayor Luke, "So, what's the recommendation? If we are going to do that, in what format are we going to do it? Are we just going to move it from general? Are we going to lower all the taxable by a percent for everything? We can't touch debt service." Council Member Mays, "Right." Council Member Strawder, "So, let me ask on the transfers back out of the general fund because there is at least one transfer, I don't have it in front of me to the equipment fund. In the equipment fund, we have--." City Clerk Brown, "\$35,000 is what we normally transfer." Council Member Strawder, "But that equipment fund is still at what \$271,000? Well, I'm not advocating towards completely depleting or anything like that, that fund--. Are we planning on spending that money? Is there new equipment that's coming that we need to have that money? Or is it strictly on the idea of if a piece of equipment goes down, you have to replace it, and you will get zero out of the existing? I mean, what's kind of the theory behind that sum because that's a \$35,000 chunk? Again, out of a fund that we normally have been spending... I guess in 2023 we spent \$152,000 out of it. But nowhere near the \$271,000 that's been budgeted. So, if, to me – and I'd like to think I have a relatively low bar justifying the need for the money is pretty much my bar. I'm not trying not to argue that justification but... I don't know." Council Member Mays, "So, is that something we could...I mean, do we know ahead of time? Are we looking at equipment? Or is there anything?" City Clerk Brown, "There is nothing at this point." Council Member Mays, "At this point, right?" City Clerk Brown, "Yeah." Mayor Luke, "The \$150,000 was the electric bucket truck." Superintendent Schnider, "Which came out of the electric budget, not equipment fund."

Council Member Ernst, "So can we make a motion to amend the city budget then for 2025 to reflect the mill levy rate of 38.82, which was the same rate as 2023, and then go back into the budget and cut where we can to get down to that 38.82." City Clerk Brown, "Philip?" Attorney Wright, "We don't have an approved budget. So there's no motions are necessary. You guys are working the budget out right now." Mayor Luke, "It would be just a matter of when do we have to have everything submitted?" City Clerk Brown, "We have to have it submitted by October 1<sup>st</sup>. So we would have to approve it at the next council meeting, but we have to have notification in the paper 10 days for the hearing, right? We have to have it published in the paper that has to be 10 days prior to the hearing. I don't think there's enough time to do that." Mark Petterson, "What hearing are you talking about?" City Clerk Brown, "To do another budget hearing." Mayor Luke, "We have to do another budget hearing." Mark Petterson, "This is the budget hearing. I mean you're hearing comments from the public. And then once you close the hearing, you've heard all the comments, then you guys can do what you want to, to the budget, I guess. You can--. That's what the county did. They had their hearing on last Monday and then they approved the budget on Wednesday and they found some more ways to cut." Mayor Luke, "They didn't have to have another hearing?"

Mark Petterson, "They had the one hearing on the one budget. You can lower the mill levy, just can't raise it." City Clerk Brown, "So we can approve it tonight and then amend it." Mark Petterson, "You don't have to approve the budget, you can just close your budget hearing and then approve the budget at the next meeting." Mayor Luke, "Information comes out of it and then--." City Clerk Brown, "Next council." Council Member Curtiss, "Then at the next meeting we would know which of the different areas we can transfer from to wherever it would need to go and to where it could go. You could find that out." City Clerk Brown, "Well, and like he was talking, too, that \$35,000, we don't have to do that transfer at the end of the year. We could leave that in the general too. So, there's \$35,000 right there." Council Member Curtiss, "Right, but I'm still asking the other ones that are not tax levied, right?" Council Member Mays, "Yeah." City Clerk Brown, "I can check into that." Council Member Mays, "For all of them?" Council Member Curtiss, "And where the transfer could go." City Clerk Brown, "Yes." Mayor Luke, "Or whether it can be eliminated."

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Council Member Strawder, "I would also ask, and again this where I don't know state statutes by heart to know. There's state statute 12-825E is what is utilized for transferring into the general fund, correct?" City Clerk Brown, "Correct." Council Member Strawder, "I don't know if there's a ratio or anything that is included in that or if it just says you can transfer into the general fund. But if you have, you know, if you look on page three, your transfer page from the electric fund and just because that's the top one, this isn't a proposed or anything. You had an actual amount that was transferred of \$95,000 for 2023, 2024, 2025. At the water fund, you had an actual amount transferred for 2023, \$25,000, \$25,000 for 2024, and \$50,000 for 2025. Sewer fund \$65,000. I'm not proposing any numbers or anything, but it shows that there might be room in one of those accounts that if it's truly not going to be used this is where I was indicating at the beginning of this maybe we can extend this instead of trying to catch back up to the trends. At one year we can extend it to maybe cutting it in half, which is essentially, what keeping the mill levy would do, revenue-wise."

Mayor Luke, "We can look at it." Council Member Mays, "My other thing is could we-- are we able to get a figure of that 90 to 120 days reserve? Like ballpark?" Mayor Luke, "Yeah. It's a matter of what all they include. Do they include the revenue-generating pieces or not and just what do they include that we have to have the funds for?" Council Member Mays, "Yeah." Council Member Strawder, "And the reason why I said each (inaudible) because there are probably some accounts you can't pull out of here in that area and that thing. So, if you are looking at only one complete number, you don't see-." Council Member Mays, "Right." Mayor Luke, "We will see what we can have for that meeting."

***Council Member Curtiss, "I move to close the public hearing." Council Member Strawder, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

Hearing closed: 7:23 p.m.

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin, "Normal duties."

**Permits:** Zoning Clerk Hugunin, "I've been busy with permits."

**Nuisance: Grass/Weeds Update:** Zoning Clerk Hugunin, "I have got another couple letters, hopefully get them out tomorrow for a couple yards."

**City Hall Maintenance:** Zoning Clerk Hugunin, "Last week, I did do some maintenance on the HVAC systems here with filters. I have been trying to do that once a month. Sometimes it's every three months but it got done. They weren't bad."

**Tree City U.S.A.:** Zoning Clerk Hugunin, "And then just still working on the Tree City USA application."

**QUESTIONS / COMMENTS**

Mayor Luke, "The sign is partly fixed?" Zoning Clerk Hugunin, "The sign is fixed. The only issue was it is right now, I have to have a code to log in and they're trying to find that code. But it's displaying time and temperature, but it's not letting me do anything until we have an activation code. So hopefully, I will have that tomorrow. Thank you for bringing it up. I forgot about the sign; that was fixed last Friday."

**LEGAL DEPARTMENT: Update**

**General:** Attorney Wright, "Normal duties."

**Court:** Attorney Wright, "I've had quite a few municipal court inquiries."

**Agreement Research:** Attorney Wright, "I've also been looking at some documents with regard to, I can't remember the name of the company that was the successor to CenturyLink. (United Telephone Company / Brightspeed). That are wanting to also expand fiber optics in Burlington as well. So, I've had Mary kind of help me dig up agreements that we have in place."

**Litigation:** Attorney Wright, "I've also been involved a little bit in the Sharpe litigation, as well."

**CITY CLERK: Update**

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**General:** City Hall staff have been busy with customers paying utility bills, many calls and inquiries, preparing work orders, vouchers for bill paying, payroll, and council meeting minutes. For August, we will be sending \$1,685.29 in delinquent accounts to the Kansas set-off program for collections.

**Reports:** City Clerk Brown, "I handed out the utility and sales tax revenue reports."

**Special Assessments:** City Clerk Brown, "We are working on the special assessments to be sent to the county."

**OTHER COMMITTEE OR COUNCIL BUSINESS**

**REPORT BY CITY OFFICERS:**

**Newspaper Ads:** Council Member Curtiss, "Yes, sir. Today in the newspaper, the fall sports preview was in there. That has all the surrounding communities and the teams and pictures, and all of that. And I was noticing that the cities of New Strawn, Hartford, Lebo, Gridley, and LeRoy all had the little thing that says they sponsored City of whatever. Burlington and Waverly were the only two cities that had no sponsorship. And that totally upset me because not only do our sports bring people here, I mean, they spend money, they may get gas, they go to some place to eat whatever and I think it was really a shame. So, I started to work, didn't I? I found out that there are five or six different places that we do sponsor and those are just, I don't know how they got to be there, but they are there." City Clerk Brown, "It's just what's there."

Council Member Curtiss, "They are there. And I didn't know because I talked to Mary. So I wondered what I needed to do. I talked to Mark and asked him about how much does it cost for one of those City of Burlington sponsors. And you kind of gave me a rough estimate of \$120 for the three sports." Mark Petterson, "\$40 each." Council Member Curtiss, "And that's how they do it. But that's only \$120 a year. The other one I looked at in the newspaper was OK Kids and I was kind of upset about that too until I talked to Mary and the Police Department sponsors that. So, I'm okay with that. We were then talking about the graduate at the end of the year and that flyer that comes out with all the pictures of the graduates and the different companies, or the different cities, or the different, whatever that sponsor a graduate. And I thought that was something that the City of Burlington could also at least sponsor one graduate. And Mark couldn't give me some kind of an idea, I don't think. I don't remember. But I think maybe \$250 dollars total would take care of that." Mark Petterson, "Probably I was looking for graduation for you but I don't see anything."

Council Member Curtiss, "Okay." Council Member Ernst, "Wasn't there one other time throughout the year, wasn't there three times throughout the year about advertising for the City of Burlington and two--?" Council Member Curtiss, "The sports, yeah. There's a fall, and there's a winter, and there's a spring. And that is \$120 that he thought that would cover. But we would only have to pay like for two now because we weren't in the fall." Council Member Ernst, "And that's something that we would have a motion to allocate so much money per year?" City Clerk Brown, "I don't think you need a motion, I think you can just say this is what we would like to do." Council Member Curtiss, "That's what I would like to do. I want to do the three sports and I want to do the graduation, at least one, maybe two, I don't know; depending upon how much it cost." Council Member Mays, "I support you." Council Member Ernst, "I second." Council Member Curtiss, "I was really upset when I read through there and it did not say Burlington. I mean we're the largest city in the county." Council Member Mays, "I agree." Council Member Curtiss, "And we didn't have anything. So anyway, thank you. That's my two cents for today."

**PUBLIC COMMENTS**

**Smoke on the River:** Mark Petterson, "I was going to say that was on the Smoke on the River contest. We did have that this weekend. We had 28 teams come in from seven different states. I know there's a few teams that stayed a little bit longer and I think one from North Carolina even came in earlier. But, anyway, we had a really good turnout. I was going to say, the guys from the different departments were great to work with. I believe Alan fixed one of the pedestals, I think that had an issue early on. Street Department brought down some barricades. Of course, Kevin in the Parks Department. They did a lot down there to prepare stuff and just really appreciate all their help. We served about 125 to 150 people, I guess for the community feeds. We have plans to go ahead and expand all that next year. We are going to try to hold that again on Labor Day weekend. So I'll probably come make a formal request to you maybe next meeting or something that's going to try to get our dates locked in as quick as we can. That's about all I have, I guess."

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Council Member Curtiss, "I noticed there was somebody from California too here." Mark Petterson, "Yeah, we had California, North Carolina, Arkansas, Missouri, Illinois, Iowa, Nebraska, and Kansas." Mayor Luke, "I was waiting to see if you had any from Kansas." Mark Petterson, "Yeah, we did have some from Kansas. They all had a lot of good comments about the town. I know a lot of them went downtown. They don't like to eat barbecue. So, they heard there are three Mexican restaurants. They make some great barbecue. They just don't like to eat it all the time." Mayor Luke, "I couldn't understand that." Mark Petterson, "But they really enjoy the park and they'd said, it's one of the best venues they ever cook at. It's good to hear those comments."

**Newspaper Ads:** Council Member Van Horn, "I want to backtrack a little bit on what Jerilyn was saying, how does one go about deciding who's going to do it? I mean, does the newspaper solicit people to do that and we just weren't asked? Or do people just happen to volunteer or how does that work?" Executive Administrative Assistant Mader, "So she has a list that she sends out to everybody who she has emails for. It was just the approved list that I have and those weren't on it. And now they will be." City Clerk Brown, "And we will add them." Council Member Van Horn, "Okay. I mean, it's not like something we wouldn't be interested in. I just didn't know if we were aware before now." City Clerk Brown, "I think it was just in years past it was probably just a cost savings thing. I couldn't tell you." Council Member Curtiss, "And there was something last year I brought up too." City Clerk Brown, "And we did it." Council Member Curtiss, "And you did it, whatever it was." Executive Administrative Assistant Mader, "Memorial Day." Council Member Curtiss, "Okay, yeah, because I thought that was terrible too. Okay."

**Developers Agreement:** Council Member Strawder, "So I had something else for the governing body to be brought forward. A couple meetings ago we talked about the developer agreement stuff. No, I'm not going to bring it for today or whatever but that is something I would like to see on an agenda sooner than later. So, we can continue that discussion or whatever. And not just let it fall by the wayside." Council Member Van Horn, "I thought it was being worked on, wasn't it?" Mayor Luke, "Have we looked at it, Philip?" Attorney Wright, "Well there's been some discussion about it. I really honestly don't know how to proceed. I think that if the city council, if people are having concerns about the developers agreement, need to bring forward specific proposals with what they want to do and then bring that to the city council. My job is to approve stuff when it comes to that. My job isn't to draft. I'd be happy if the city council wants me to--. I have to act on behalf of the whole city council. I can't act on behalf of just one city council person, okay? So, if I get direction from the city council to do something, I can, but I don't think that there was any consensus. I don't recall there being consensus on what to do with the developer's agreement. So unless there is consensus and I get a specific direction from the city council, I can't do anything. I can review, I'm happy to answer questions, legal questions, from individual council people. I'm happy to do that. You can reach out to me. I may not have the answer, I probably won't, you know, right then but you know, I can research that and get that figured out. That goes with all of these proposals, quite honestly, even with the budget stuff that, you know, you guys need to get with Anne and talk about that with her. You need to communicate, you know, not just at meetings. You have access to the information, you can get that and, you know, communicate that information and then it can be acted on in a little bit more efficient manner. But I need specific stuff to act on. I can't read like six people's minds. I am good at reading my wife's mind by the way."

Council Member Strawder, "So I was under the impression of because I did miss a meeting and I don't know, it looked like something was indicated in the minutes for that meeting. My understanding from that special meeting whenever we did discuss it was that there was some further discussion that needed to happen. But if we're ready for an action item, there will be an action item here next meeting, if that's where we're at. So, I guess we can discuss it more at that time then." Council Member Curtiss, "Did we not just discuss that we were in favor of going individually with each developer and meeting with the developer and coming up with some kind of a comprehensive type of agreement?" Council Member Strawder, "Using it more as a template instead of a set ordinance type of thing. That's what page I was on." Council Member Curtiss, "Yeah, I was too."

Council Member Mays, "Can we get the budget done next meeting and then the following meeting look at that? Will that work?" Council Member Strawder, "Yeah, I just didn't want it to fall by the wayside." Council Member Curtiss, "No, definitely not and I think it needs to get done as quickly as possible. I know we all said that at the meeting."

**MAYOR'S COMMENTS:**

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Mayor Luke declared the meeting adjourned.

Signed by the Governing Body and signed by Anne C. Brown, City Clerk