

LINDSBORG CITY COUNCIL
Lindsborg City Hall
July 19, 2021– 6:30 p.m.
Meeting Minutes

MEMBERS PRESENT:

Becky Anderson, Blaine Heble, Emile Gallant, Ed Radatz, Jodi Duncan, Rick Martin, Mark Friesen

ABSENT: Rebecca Van Der Wege, Kirsten Bruce

OTHERS PRESENT:

Greg DuMars, Roxie Sjogren, Lucas Neece, David Hay, Jordan Jerkovich, Holly Lofton, Chief Davis, Chris Lindholm, Beth Ferguson

The meeting was called to order at 6:30 p.m. by Mayor Becky Anderson followed by the pledge of allegiance.

PUBLIC INPUT:

No public input.

AMENDMENTS TO THE AGENDA:

No changes.

MAYOR'S REPORT:

CONSENT AGENDA: Jodi Duncan moved to approve the minutes of the July 06, 2021, regular council meeting, Payroll Ordinance 5309, and Purchase Order Ordinance 5310. Motion seconded by Ed Radatz and passed unanimously by roll call vote.

NEW BUSINESS:

Resolution No. 2021-12 – Eminent Domain Authorization

The consolidation of Public Works facilities into a single operational location was first identified in the 2005 City of Lindsborg Comprehensive Plan. A consolidated Public Works facility was again identified as a priority in the updated 2021 City of Lindsborg Comprehensive Plan. The 2021 Comprehensive Plan Steering Committee identified this facility as a priority in the comprehensive plan and it was included in the 2021-2024 Strategic Plan adopted by City Council on April 19, 2021.

City staff has attempted to negotiate with the property owner of the identified location described in Resolution 2021-12. The last offer for the 7-acre parcel was 200% of appraised value.

Resolution 2021-12 would authorize eminent domain proceedings to acquire permanent public street right-of-way easement and title to real estate for the purpose of constructing a public works facility adjacent to the existing wastewater treatment plant.

The resolution reflects that City Council would like to proceed towards condemnation. The property would then need to be surveyed. After the survey, a title check would need to be conducted so that all parties with an interest are notified. After that, an ordinance would need to be passed directing the city attorney to initiate a filing in district court.

Rick Martin moved to approve Resolution No. 2021-12 to authorize eminent domain proceedings to acquire permanent public street right-of-way easement and title to real estate for the purpose of constructing a public works facility for the citizens of Lindsborg. Seconded by Mark Friesen. The motion failed to pass with Councilmembers Blaine Heble, Rick Martin and Mark Friesen voting aye and Ed Radatz, Emile Gallant and Jodi Duncan voting nay.

Notice to McPherson County Clerk to Exceed Revenue Neutral Rate

The 2021 Kansas Legislature adopted Senate Bill 13 and House Bill 2104 which removed the property tax lid and implemented a “revenue neutral rate.” A “revenue neutral rate” is a mill levy that will generate the same amount of revenue that was levied the prior year. For Lindsborg, the 2021 mill levy is 47.531 mills and that generated \$1,242,211 in property tax revenue. The “revenue neutral rate” mill levy from the McPherson County Clerk for the 2022 budget is 46.359 to generate the same \$1,242,211 in property tax revenue. The “revenue neutral rate” mill levy from the McPherson County Clerk is based upon estimated assessed property valuation and not final assessed property valuation. The estimated assessed property valuation does not include property valuation appeals and protests. The final assessed property valuation includes the outcome of those protests and appeals which results in a variation between the estimated and final property valuation amounts. The final assessed property valuation is completed in November. Under the adopted bills, if a municipality exceeds the “revenue neutral rate” without notice to the public, the additional revenue generated about that rate must be paid back to the property owners within that jurisdiction. The notice to exceed the rate must be provided to the County Clerk no later than end of business on July 20th.

Council was provided with a copy of the Notice of Intent to exceed the Revenue Neutral Rate for the 2022 City of Lindsborg budget. The final budget adopted cannot exceed the rate specified in the notice, but it can be less than the rate. Any property tax revenue generated over the rate in the notice must be returned to property owners.

Blaine Heble moved to approve the Notice of Revenue Neutral Rate. Seconded by Ed Radatz and passed unanimously by roll call vote.

ADJOURNMENT:

Moved by Rick Martin , seconded by Emile Gallant and passed unanimously. Adjourned at 6:54 p.m.

Respectfully Submitted,
Roxie Sjogren
City Clerk