

street maintenance across the budgeted funds (not including potential bonded projects).

- Mr. Daniel reviewed the General Fund expenditures other than pay/benefits, noting that there is currently a 9% increase budgeted in these areas (contracts, materials, equipment, capital outlay, and transfers), mostly coming out of contracts and materials/services. Mr. Daniel noted that the proposed increase (which amounts to approximately \$125,828, is roughly the same as the increases in costs due to inflation. Mr. Daniel noted that the \$1.45 million needed in these areas in the FY22 budget would cost \$1.57 million in 2022 using the Bureau of Labor Statistics inflation calculator (or an increase of about \$123,465).
- Mr. Daniel reviewed the Debt Service Fund, which at this time staff is recommending keeping level rather than increasing to 11 mills. Mr. Daniel noted that any potential increase to this mill levy (which would allow for long-term savings in potential new debt) should be considered as part of the FY24 budget review.
- Mr. Daniel reviewed the mill levy history from 2017 to 2022, showing that the City of Edwardsville is the only taxing entity in the city that has shown a consistent decrease over that period of time. The decrease amounts to about a 1 mill decrease per year, or an 11% reduction over that period of time.
- Mr. Daniel reviewed the other budgeted funds, noting that no changes are expected for sewer rates, but that the solid waste fund is budgeted assuming the maximum increases in rates from KC Disposal. All utility rate changes will ultimately be decided by the City Council later in the year.
- Mr. Daniel then reviewed Mayor Caiharr's requested budget scenarios, one calling for an overall decrease of 1 mill and one calling an overall decrease of 1.5 mills. Both scenarios would raise the debt service to 11 mills, and all decreases would affect the General Fund. Mr. Daniel noted the budgets cuts that would be necessary to provide for these scenarios and still keep the City at a 15% reserve level in the General Fund. Both scenarios would need to eliminate the COLA adjustment for city staff, as well as other possible cuts to Park programming. Mr. Daniel noted that there are no other "big ticket" items to cut in the General Fund other than employee compensation adjustments (no large capital purchases or projects that can be delayed or pushed off).
- Mr. Daniel presented a chart that showed the household impacts related to each budget scenario (including keeping the mill levy flat).
- **Motion:** Councilmember Bishop made the motion to open the public hearing.
- **Second:** City Councilmember Adams seconded the motion.
- **Vote:** Passes, 5-0
- Tim Adcox, 1520 S. 104th Terrace, noted his concerns in the steady increases in property taxes. He noted that they have increased substantially since moving in 2017. He noted he was speaking for his neighbors and the older generations on fixed incomes as well as low-income families. He asked that the Council keep these concerns in mind when reviewing the final budget.
- Joe Caiharr, 1550 Riverview Ave., stated his dissatisfaction with the proposed staff cuts of in the parks and police departments. He felt with the raise in valuations, there should be more room for other cuts to consider. He asked that the City provide assistance in the taxing area they have control over.
- **Motion:** Councilmember Adams made the motion to close the public hearing
- **Second:** Councilmember Scott seconded the motion
- **Vote:** Passes, 5-0
- Mayor Caiharr stated she felt that there were not enough options presented the City Council considering the 14% rise in valuation. She noted that planning should be in place to prepare for potential decreases in valuation. She noted she did not feel that a healthy budget would include both pay adjustments and that staff should pick

one for FY23. She noted that the City cannot compete with other communities in areas of pay.

- Councilmember Scott noted he was a big believer in taking care of staff if it is possible. He noted that the City does not currently have good facilities for staff and that not offering the proposed pay adjustments would drive away good staff.
- Councilmember Adams noted that the majority of city staff are in public safety departments and that Edwardsville citizens deserve just as high-quality personnel in these areas as other cities in the KC metro. He expressed his opposition to any reduction in the proposed pay adjustments for staff, especially for police and fire personnel.
- Mr. Daniel noted that the City has no role in determining values, which is the primary reason for tax increases year-to-year. He stated that there is a process to appeal property values that the City has helped connect resident to resources to do this.
- Mayor Caiharr noted that the City has provided 3% STEP adjustments over the last few years for staff and that a larger increase may not be sustainable. Councilmember Adams challenged that assumption, noting that staff has organized through the 2008 recession and the COVID-19 pandemic while being financially responsible and stable. Mayor Caiharr noted that Edwardsville does not have a KCK or Shawnee budget and that the increases in payroll over the last 5-years is not sustainable.
- **Motion:** councilmember Adams made the recommendation to adopt and certify the staff recommended budget, which included the proposed half-mill decrease and 2% COLA and 3% STEP adjustments for City staff.
- **Second:** Councilmember Bishop
- **Vote:** Passes 4-2, with Councilmember Mellott and Mayor Caiharr dissenting.
- Councilmember Mellott clarified his 'no' vote by saying he felt that the mill should remain at its current level and that consistent cuts to the mill levy puts the City in a bad position to plan for future investment.

5. Consider Ordinance No. 1059 adopting the 2022 Unified Public Offense Code for Kansas cities

- Mr. Daniel reviewed this item, noting that the Standard Traffic Ordinance was already reviewed and adopted, but that Mayor Caiharr requested additional time to review the UPOC before Council consideration.
- Mayor Caiharr noted she had copies of certain sections of the UPOC printed out for review, specifically in section 11. Her request is that these areas be stricken from the adopted UPOC. Mr. Daniel noted these changes are not reflected in the draft ordinance in the packet and would be need to be added to the amendments via a motion if the Council wanted to move forward.
- Mayor Caiharr's primary concern was what she believed to be a loophole in the language allowing teachers to distribute obscene materials to students if it was part of an approved school curriculum. She noted it is common for the Council to make amendments to the UPOC, which it does every year. She referenced a plot to infiltrate schools, libraries, and general culture to introduce perversion and pedophilic materials to children. She stressed her belief that it is the Council's duty to protect its residents by removing this loophole from the UPOC language. She specifically referenced the UPOC that it "shall" be a defense for individuals in these circumstances.
- City Attorney Lisa Dehon made comments noted that generally, UPOC amendments made locally do not speak to specific provisions in state statute. The section Mayor Caiharr references does reference state statutes and that removing this defense to prosecution typically happens at the charging stage. Taking this away the defense to prosecution as requested by the Mayor may prevent a hypothetical

case from being heard by the District Attorney, as they would defer to state law vs. the local UPOC amendment. This would essentially create a permanent misdemeanor charge, preventing an offense from being considered a felony.

- Mayor Caiharr's position is to remove this defense to prosecution.
- City Manager Michael Webb reviewed the court process as it relates to city and county handling of cases.
- Councilmember Adams noted his conversation with the League of Kansas Municipalities on this matter, noting their position that some of the changes may make the statute weaker locally, due to its conflict with state law. He also referenced the parental bill of rights being considered at the state level. He stated he did not want to incur unintended consequences due to this action. He recommended tabling the item in order to garner more input from the legal community.
- There was additional discussion on the potential legal consequences if the requested amendment were to be challenged. Mr. Webb also noted that the language being discussed is currently included in some fashion in the current adopted UPOC, which would still be in effect unless action by the City Council. He noted that he does not expect to hear new information that would deviate from the legal opinion heard this evening.
- Councilmember Bishop noted he would have liked to see the Mayor's recommendation prior to this evening's meeting.
- **Motion:** Councilmember Bishop made the motion to table this item until more information is gathered.
- **Second:** Councilmember Scott seconded the motion
- **Vote:** Passes, 5-0

6. Consider authorizing the acquisition of police vehicles, including all associated equipment, and adoption of Resolution 2022-12 authorizing the financing of the same

- Police Chief Mathies reviewed this item. He noted that this purchase was funded as part of the approved FY23 budget.
- Chief Mathies reviewed the cost estimates for the vehicles, noting the 4.12% interest rate submitted by Union Bank and Trust, resulting in an estimates payment of \$58,517.17
- **Motion:** Councilmember Mellott made the motion to authorize the purchase of these vehicles as presented and adopted Resolution 2022-12 authorizing the financing of the same.
- **Second:** Councilmember Scott seconded the motion
- **Vote:** Passes, 5-0

7. City Manager Report

- Mr. Webb praised Public Works Superintendent James Haynes on the roles he's filled in the absence of a permanent Public Works Director. He also referred to the recent scoring for the grant application related to sidewalk expansion. The score was 57 out of 100, which could prove favorable. There will be a presentation to the scoring body later this week. He also provided an update on the right-of-way acquisition process for the 98th St. project.
- Assistant City Manager Zack Daniel reminded the group about the upcoming AutumnFest event and thanked the sponsors for this year's event. Chief Mathies also noted that the Law Enforcement Trust Fund dollars will be providing free ice cream at the event for two-hours.

8. Council and Mayor Comments

Councilmember Scott asked that the mowing contractor do some additional weed-eating and edging in the areas in the north section of the City around 110th St. Mr. Daniel noted he would communicate this to the mowers and informed the group that we've moved to an every-other-week mow.

Councilmember Adams thought Mr. Watkins idea regarding a community recycling center was worth exploring. There was additional discussion on the best mechanism to accomplish this. Councilmember Adams also stressed that the State exempted itself from the RNR ruling, which he felt was unfair to the other municipalities who the rule applied to. He asked Mayor Caiharr an updates to the CiFi program. Mayor Caiharr responded that both this item and the removal of PILOT fees has picked up steam at the County level. He also noted recent activity he noticed from Evergy, noting he hoped it would lead to three-phase power provision to the north end.

Councilmember Mellott thanked the residents for participating in the night's public hearing. He referenced some upcoming cemetery projects that are in the pipeline. He also asked that work be done on the signs in the area. He restated his opinion that the mill levy should have been kept level to allow for more reserve funding. He was glad to be able to provide the pay adjustments to the City staff. He thanked staff for their work putting together and presenting the budget.

Councilmember Bishop echoed the previous two comments regarding the budget presentation.

Councilmember Shriver thanked the Council for their discussion regarding the budget and for the staff presenting the materials. She noted she was wanting more legal opinion on the UPOC discussion, wanting to provide the necessary protections without exposing the City to potential liability. There was additional discussion on the special sales tax expiration and electronic signage.

Mayor Caiharr referenced a recent letter to KDOT regarding K-32 median upkeep. She provided an update on the issues she was advocating for at the County level. There was additional discussion regarding the Williamson Farms sidewalk easement and staff noted they would look more into the matter. She made additional comments on her thoughts on the UPOC language referenced earlier, restating she wanted to see solutions on how to remove the special defenses for individuals in these cases. She reviewed the latest Harvesters mobile pantry and thanked the volunteers and staff who assisted in putting it together.

ADJOURNMENT

The meeting was adjourned at 8:16 p.m.

Zachary Daniel
City Clerk