



# City Commission Special Meeting

Thursday, July 20, 2023 at 1:30 PM  
Commission Chambers, 124 S Bluff, Anthony, KS 67003

## MINUTES

### CALL TO ORDER

At 1:30 p.m. Mayor Cleveland called the Special Meeting to order.

### ROLL CALL

#### PRESENT

Mayor Greg Cleveland  
Commissioner Kenny Hodson Jr.  
Commissioner Eric Smith

Deputy City Clerk Sherri Miller

#### ABSENT

Commissioner Sherrie Eaton  
Commissioner Jan Lanie

### ITEMS OF BUSINESS

1. Approve Resolution No 1129 –Intent to Levy a Property Tax Exceeding the Revenue Neutral Rate

#### RESOLUTION NO. 1129

#### **A RESOLUTION OF THE CITY OF ANTHONY, KANSAS REGARDING THE GOVERNING BODY'S INTENT TO LEVY A PROPERTY TAX EXCEEDING THE REVENUE NEUTRAL RATE.**

**WHEREAS**, the Harper County Clerk provided the City of Anthony with the County Clerk's Budget Information for the 2023 Budget on July 6, 2022, reflecting the City of Anthony's estimated assessed valuation as \$12,233,360 and Revenue Neutral Rate for the 2023 City of Anthony budget as 70.196403; and

**WHEREAS**, the Harper County Clerk provided the Anthony Recreation Commission with the County Clerk's Budget Information for the 2023 Budget on July 6, 2022, reflecting the City of Anthony's estimated assessed valuation as \$12,233,360 and Revenue Neutral Rate for the 2023 Anthony Recreation budget as 3.538637; and

**WHEREAS**, the Governing Body of the City of Anthony did adopt and submit Resolution No. 1100 dated July 18, 2022 to the Harper County Clerk providing notice of intent to levy a property tax exceeding the Revenue Neutral Rate by .001 with a proposed mill levy of 70.197 mills; and

**WHEREAS**, the Governing Body of the City of Anthony did publish the Notice of Hearing for the City of Anthony to Exceed the Revenue Neutral Rate and Budget Hearing on August 24, 2022 declaring the public hearing date for both the intent to exceed the Revenue Neutral Rate and the 2023 Budget as September 6, 2022 at 5:30 p.m.; and

**WHEREAS**, the Governing Body, upon completing the public hearings referenced above, did adopt Resolution No. 1101 authorizing the levy by the City of Anthony to exceed the Revenue Neutral Rate on September 6, 2022 by roll call; and

**WHEREAS**, the Governing Body did adopt and certify to the Harper County Clerk the 2023 Budget for the City of Anthony requesting the Amount of 2022 Ad Valorem Tax in the amount of \$858,743 for the City and \$43,306 on behalf of the Anthony Recreation Commission; and

**WHEREAS**, the estimated mill levies to achieve the requested amount of 2022 Ad Valorem was 70.197 for the City and 3.540 for the Anthony Recreation Commission; and

**WHEREAS**, the County Clerk's Budget Information for the 2024 Budget on June 14, 2023 reported the Final Assessed Valuation from the November 1, 2022 Abstract as \$12,218,433; and

**WHEREAS**, it does appear based upon the information provided in the County Clerk's Budget Information sheets in comparison to the 2023 City of Anthony and Anthony Recreation budgets that were certified to the Harper County Clerk, that there exists a discrepancy in the City of Anthony and Anthony Recreation's newly calculated Revenue Neutral Rate's which are reported as 63.821 and 3.218 respectively and are required for the City of Anthony and Anthony Recreation to properly prepare the 2024 Budgets.

**WHEREAS**, this discrepancy reduces the amount of dollars able to be certified in the 2024 budgets below the legally required certified dollars required to be levied as reported in the 2023 Budgets as follows: from \$858,743 to \$857,697 for the City and from \$43,306 to \$43,253 for the Anthony Recreation Commission; and

**WHEREAS**, though the overall reduction is small in number this has created an adverse effect on the City, as it presents an inaccurate representation to the citizens that the City and Anthony Recreation is raising taxes for the 2024 Budget at a greater dollar value than we are actually proposing if we utilize the RNR rates as provided on the County Clerk Budget Information Sheet. Additionally, this reduction is not compliant with Revenue Neutral Rate law as it currently exists; and

**WHEREAS**, the Governing Body disputes the Revenue Neutral Rate stated on the County Clerks Budget Information for the 2024 Budget. Based upon the information as it appears currently on the County Clerks Budget Information, the new Revenue Neutral Rate has been calculated using the **mill rate** as reported on the 2023 Budgets certified to the County Clerk of 70.197 for the City and 3.540 for the Anthony Recreation, instead of adjusting the mill to levy the **dollars** required to be certified of \$858,743 for the City and \$43,306 for the Anthony Recreation. In addition, the Anthony Recreation's Revenue Neutral Rate does appear to have been slightly adjusted from the budgeted 3.540 to the reported 3.538637 on the County Clerks Budget Information, however the adjustment still did not levy the required dollar value; and

**WHEREAS**, the Governing Body contends that the Revenue Neutral Rate for the 2024 budget for the City and Anthony Recreation Commission must equal a number necessary to levy the same dollar value certified on the 2023 budgets. Based upon the information provided on the County Clerks Budget Information, the RNR for the 2024 budgets would be calculated as 63.896 for the city and 3.222 for the Anthony Recreation; and

**WHEREAS**, the City of Anthony has prepared a budget that would not require additional tax dollars however, this procedure to exceed the Revenue Neutral Rate is necessary to ensure the dollars generated by 63.896 (dependent upon accuracy), is not reduced when final valuations are calculated in November. The City of Anthony has therefore adjusted the 2024 budget to increase the Revenue Neutral Rate by 0.001 mill to provide the legal mechanism to levy the same dollars at final valuations.

**WHEREAS**, the budget proposed by the Governing Body of the City of Anthony will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body intends to hold a hearing and hear testimony from all interested taxpayers desiring to be heard as required by state law.

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

Section 1. The Governing Body of the City of Anthony hereby sets a public hearing regarding its intention to exceed the Revenue Neutral Rate for September 5th, 2023, at 5:30 p.m. to be held at City Hall, 124 S Bluff., Anthony, Kansas, and directs that notice of the public hearing be given as required by state law.

Section 2. The Governing Body of the City of Anthony expresses its intention to exceed the Revenue Neutral Rate with a proposed mill levy of 63.897 mills. If the 2024 Revenue Neutral Rate as reported to the City on the County Clerks Budget Information is determined to be discrepant, the Governing Body requires the proposed mill levy to be adjusted by .001 mills over the properly adjusted 2024 RNR rate that was determined necessary to levy the same dollars as certified on the 2023 budget.

Section 3. The Anthony Recreation has reported to the Governing Body of the City of Anthony its intent to exceed the Revenue Neutral Rate with a proposed mill levy of 4.000 mills.

Section 4. The Governing Body of the City of Anthony directs the City Clerk to provide this resolution to the Harper County Clerk as notice of the City's proposed intent to exceed the Revenue Neutral Rate.

Section 5. The Governing Body of the City of Anthony requests that the 2024 Revenue Neutral Rate (RNR) Summary Report mailed to the City of Anthony taxpayers be adjusted to reflect the Revenue Neutral Rate necessary to accurately levy .001 mills more than the certified 2023 budget amount of \$858,743.

**Effective Date.** This resolution shall take effect and be in full force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**Adopted** by the governing body of the City and signed this 20<sup>th</sup> day of July, 2023.

A motion was made to approve Resolution 1129 Intent to levy a property tax exceeding the Revenue Neutral Rate.

Motion made by Commissioner Hodson Jr., Seconded by Commissioner Smith.

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

**ADJOURNMENT**

A motion was made to adjourn the meeting.

Motion made by Commissioner Hodson Jr., Seconded by Commissioner Smith.

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

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Gregory Cleveland, Mayor

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Cyndra Kastens, City Clerk/Administrator