

Approved February 11, 1986  
Date

MINUTES OF THE Senate COMMITTEE ON Local Government

The meeting was called to order by Senator Don Montgomery at  
Chairperson

9:00 a.m./~~XXX~~ on February 6, 1986 in room 531-N of the Capitol.

All members were present except: Senator Allen and Senator Steineger who were excused.

Committee staff present: Theresa Kiernan, Mike Heim, Emalene Correll, Lila McClaflin

Conferees appearing before the committee:

The minutes of the meeting of February 4, 1986 were presented. Senator Daniels moved to approve the minutes. Senator Bogina seconded the motion. The minutes were adopted.

The Chairman stated a letter from a Mrs. Charles Kiehorn, Arkansas City, which is addressed to Senator Warren was distributed per Senator Warren's request. In her letter Mrs. Kielhorn asked the Legislature to pass some laws that would protect the citizens in the State. (Attachment I)

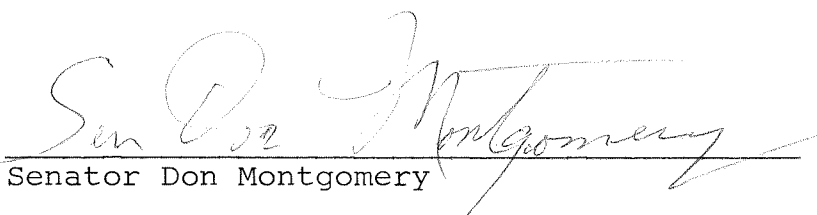
The Chairman opened the discussion on the amendments to H.B. 2117 and the incorporation of S.B. 427 into H.B. 2117. The Committee went over each statute that would be amended by these two proposals.

The Committee agreed by conceptual motion to include the deannexation motion in H.B. 2117.

Committee discussion whether to include a mandamus action in the deannexation procedure. Senator Bogina moved to have the time limit be 5 years for a hearing and if the services are not completed in 2½ more years, a deannexation procedure could start, and a mandamus action be included in the bill. Motion was seconded by Senator Mulich. Motion carried.

Staff was instructed to draft a balloon of the amendments and present it to the Committee next week.

The meeting adjourned until February 10, 1986, at 9:00 a.m.

  
\_\_\_\_\_  
Senator Don Montgomery

Date: February 6, 1986

GUEST REGISTER

SENATE

LOCAL GOVERNMENT

NAME	ORGANIZATION	ADDRESS
Dorothy Cmarway	CAUA	1300W W Daisy Dr, Topeka, Ks
Rita Fairbanks	CAUA	1306 NW Daisy Dr. Topeka, Ks.
Margaret Beiter	CAUA	2720 NE Forest Dr. Topeka, Ks.
Engene H. Klingbein	CAUA	1070 NE 27, Topeka, Ks.
Bernie H. Lewis	Citizens Against Unilateral Annex	3920 SW Gamwell, Topeka, Ks.
Al Westling	CAUA	3228 N.W. Alice Dr Topeka Ks.
Scott Rankin	OP	OP
Judy Anderson	City of Wichita	Wichita
John Hamme	Associated Press	Topeka
Judy Brumby	Sen. W + M	
John Spurgeon	St. Budget Division	Topeka
Gerry Poley	Jo O. Cannon	Olathe
Rep. Fred W. Roser	Lap Payers	K.C.K.
KAREN McCLAREN	KAR	TOPEKA
Hannes Zacharias	City of Lawrence	Lawrence
JANET STUBBS	HBAK	Topeka
Hank Ernst	Citizens Against Unilateral Annexation	1315 Daisy Drive Topeka Ks
John W. Goepfert	CAUA	3339 Nollingham

January 23, 1986

Senator Joe Warren  
State Senate Building  
Topeka, Kansas 66612

Dear Sir,

I am writing this letter in regard to an annexation occurring in Arkansas City, Kansas. There are several things regarding this annexation which I feel should be brought to your attention.

First, at the meetings that were held by the City Commission, there were questions which were not answered. Also, at each meeting there was a large crowd of people none of whom were for this annexation. I would think this should have had some bearing on the decision of these five commissioners. Everyone knew that they had already made up their minds, but we still felt that they might listen to us.

Second, on Thursday before the final meeting on Friday, I was called by one of the commissioners. He told me that our area would be annexed and there was nothing he could do about it because he was trying to get some other concessions from the other commissioners on other property. He also told me there was a secret meeting after the last commission meeting, two days earlier, and it was all decided then and nothing would be changed from that decision. He told me exactly which areas would be annexed and which ones would not be. He said this was being rushed through before we got a new City Manager. Shouldn't something like this take plenty of time and thought. He also told me the reason our area would be annexed was because there was not one thing the City would have to do for us and they would receive \$50,000.00 in revenue. Is this the reason for annexation? I would assume that it would be not only to get our money, but possibly we could expect something in return for the higher taxes.

Also, I am wondering how it is legal for our City Commission to hold a secret meeting. Supposedly they are representing the people, so it seems the people should have a right to know what is going on. To be told the day before the supposedly final meeting that it is all decided and there is nothing that will change it does not seem fair. The final decision was exactly as the commissioner had told me it would be.

One area that was not annexed was land owned by a man who owed money to the bank on it. He had bought it hoping to sell off lots for development. He told the commissioners that if his land was annexed he would have to let the bank have it back because he would not be able to sell the lots. One commissioner happens to be the Assistant

( Attachment I ) 2/6/86 S. LG

Vice President of the bank holding the loan on this land. This area was not annexed. Was this fair? Maybe if we had a loan on our property at this bank it would not have been annexed.

I think the legislature needs to pass some laws that would protect citizens in the State of Kansas. There was nothing fair about this annexation. The City picked out where they could get the most revenue for nothing in return and did not annex property for personal (business) reasons.

If there had been any people in our area who wanted to be in the city limits, this might have been justified. Since there was not, what made it fair for the City to just take us in for the additional money.

Sincerely

Mrs. Charlene Fielhorn

P. O. Box 1205  
Arkansas City, Kansas 67005