

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on March 12, 2002 in Room 245-N of the Capitol.

All members were present except: Senator Huelskamp

Committee staff present: Ken Wilke, Revisor of Statutes  
Mike Heim, Legislative Research  
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee: Representative Don Myers  
Tom Powell, Attorney, Oaklawn Improvement District  
Dwight Ritter, President, Oaklawn Improvement District  
Andree Sisco, Secretary, Oaklawn Improvement District  
Glen Wiltse, Director, Sedgwick County Code Enforcement  
Stuart Little, Community Mental Health Center Partnership

Others attending: See attached list.

**Minutes**

Committee minutes from January 22, 23; February 5, 6, 11, 12, 13, 19, 20, 26, and March 7 were distributed.

Hearing on **HB 2727 - Improvement districts; powers and duties of governing body** was opened by Chairperson Allen.

Representative Don Myers appeared in support of the **HB 2727**. He provided the Committee with copies of letters from 12 districts that support the proposed change to the statute (Attachment 1)

Tom Powell, Attorney for Oaklawn Improvement District, appeared in support of **HB 2727** (Attachment 2).

Dwight Ritter, President of Oaklawn Improvement District, testified before the Committee as a proponent of **HB 2727** (Attachment 3).

Andree Sisco, Secretary of Oaklawn Improvement District, appeared as a proponent of **HB 2727**. Ms. Sisco provided the Committee with written testimony from residents, business and others that live within Oaklawn Improvement District boundaries supporting **HB 2727** (Attachment 4).

Glen Wiltse, Director of Sedgwick County Code Enforcement, appeared as a proponent of **HB 2727**. He spoke about the bill's effect on motor vehicles kept on private property (Attachment 5).

Stuart Little, Community Mental Health Center Partnership, appeared before the committee to propose an amendment to **HB 2727**, which would change KSA 19-4004 to allow non-profit, single-county community health centers to possess the titles to their buildings (Attachment 6).

There were no opponents to **HB 2727**.

With no other testimony on **HB 2727**, the hearing was closed by the Chair.

**Action on HB 2670, HB 2781, HB 2607**

The Chair called the Committees attention to **HB 2670**.

A motion by Senator O'Connor to pass **HB 2670** favorably and place on the consent calendar was seconded by Senator Schmidt. The motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT on March 12, 2002 in Room 245-N of the Capitol.

A motion by Senator Schmidt to amend **HB 2781**, inserting **SB 550** as amended and passed by Senate Elections and Local Government Committee into **HB 2781**. Seconded by Senator Brownlee, the motion carried.

Chairperson Allen provided an amendment by Senator Vratil to allow Johnson County the power to raise law library fees (Attachment 7).

A motion by Senator Jackson and seconded by Senator Schmidt to approve the amendment, presented to the Committee by Senator Vratil, carried.

Senator Schmidt moved to report **HB 2781** favorably as amended. Seconded by Senator Jackson, the motion carried.

A motion by Senator Clark to pass **HB 2607** favorably, seconded by Senator Jackson, carried.

**Adjournment**

Meeting adjourned at 2:10.

Next meeting scheduled for Thursday, March 14, 2002.

**SENATE**  
**ELECTIONS AND LOCAL GOVERNMENT**  
**GUEST LIST**

Date Tues Mar 12

ELEN WILTSE	SEDGWICK COUNTY
Mike Pepon	Sedswick County
Sandy August	LKM
Wen Myers	Leg. Dist 82
Zon Powell	Oaklawn Improvement District
Stuart Little	Community Mental Health Partnership
Brad Bryant	Sec. of State
Erik Santorius	City of Overland Park
Liberty Larky	Intern, Sen. Huebskamp
John Trubnik	Being
Angee Sisco	Oaklawn Improvement District
Barbara Stapleton	Oakview Neighborhood Assoc.
Andrea Sauso Sisco	Oaklawn Improvement District



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

VICE CHAIR: INSURANCE

MEMBER: TOURISM  
TRANSPORTATION  
UTILITIES

**DON MYERS**

REPRESENTATIVE, 82ND DISTRICT  
SEDGWICK COUNTY  
613 BRIARWOOD  
DERBY, KANSAS 67037  
(316) 788-0014 HOME

STATE CAPITOL BUILDING, ROOM 182-W

TOPEKA, KANSAS 66612-1504

(785) 296-7696

Elections and Local Government  
Tuesday March 12, 2002 at 1:30 in room 245 N  
Testimony regarding HB 2727

March 6, 2002

I have sponsored this statute change to allow Improvement Districts organized under the subject statute and are within a five mile distance from an incorporated city to have the ability to adopt resolutions to prevent, abate and remove nuisances on private property within the Improvement District.

Presently Improvement Districts that are over the 5 mile distance from an incorporated city may adopt such a resolution but not those that are with in five miles.

The Oaklawn Improvement has sent many letters to other Improvement Districts in Kansas to solicit their approval. I have provided the committee with copies of those return letters from 12 districts that support the proposed change to the statute.

Members of the Board of Directors and the Attorney for the Oaklawn Improvement District are present to testify in favor of this change.

I thank you for agreeing to hear HB2727 and request that it be passed on favorably.

A handwritten signature in cursive script that reads "Don".

Don Myers  
District 82

Senate Elec & Loc Gov  
03-12-02  
Attachment 1





# ***TESTIMONY***

City of Wichita  
Mike Taylor, Government Relations Director  
455 N Main, Wichita, KS. 67202  
Phone: 316.268.4351 Fax: 316.268.4519  
Taylor\_m@ci.wichita.ks.us

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## **House Bill 2727**

### **Powers and Duties of Improvement Districts**

House Local Government Committee  
February 12, 2002

The City of Wichita supports House Bill 2727. The bill is designed to help the citizens of Oaklawn, an improvement district located on the southern edge of the City of Wichita. The residents of Oaklawn are taking a renewed interest in their community. They want to make it a better place for themselves and their families to live.

Giving the improvement district the power to abate nuisances and charge the cleanup work to the property owner will give the governing board of the improvement district a needed tool to deal with absentee property owners and others who don't keep their lawns mowed, their houses and businesses in shape or allow junk cars and other debris to litter the area.

The City of Wichita has launched a major initiative called "Don't Trash Wichita," a community wide effort to reduce litter, keep the streets cleaner and eliminate code violations. The desire of Oaklawn residents to also cleanup their community, is very compatible with the "Don't Trash Wichita" initiative.

I don't know how many other improvement districts across the state may benefit from this legislation, but it will certainly help the citizens of Oaklawn and as the area's closest neighbor, the City of Wichita supports the bill and the results it can help the residents of Oaklawn achieve.

**HINKLE**  
**ELKOURI**  
LAW FIRM L.L.C.

Reply to Main Office  
Thomas R. Powell  
[tpowell@hinklaw.com](mailto:tpowell@hinklaw.com)

January 28, 2002

Honorable Don Myers  
House of Representatives  
Topeka, Kansas 66612

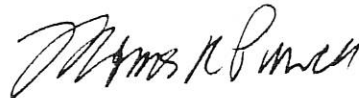
Re: Letters from Other Improvement Districts

Dear Representative Myers:

Enclosed are copies of the letters of support that Oaklawn received from other improvement districts that support the concept of removing the five-mile limitation from K.S.A. 19-2765(15)(b).

Very truly yours,

HINKLE ELKOURI LAW FIRM L.L.C.



Thomas R. Powell

TRP:sdg  
Enclosures

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216


RE: Support for Legislation

Dear Oaklawn Improvement District Board of Directors:

This is sent to let you know that our improvement district supports the legislation that we understand will be sponsored by the Oaklawn Improvement District to amend K.S.A. 19-2765(15)(b). Specifically, we support the amendment of this statute to delete the requirement that improvement districts must be located at least 5 miles or more from an incorporated city before the improvement district has authority to abate nuisances. The basis of our support of this statute is that the quality of life in our improvement district could be improved if we had the authority to abate public nuisances from our improvement district.

Please feel free to use this letter in sponsoring the amendment that will allow improvement districts located closer than 5 miles to an incorporated city to abate nuisances.

Sincerely,

  
\_\_\_\_\_  
Munjoy Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

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Sincerely,



Munjor Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

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Please feel free to use this letter in sponsoring the amendment that will allow improvement districts located closer than 5 miles to an incorporated city to abate nuisances.

Sincerely,

Duane F. Huber  
Big Creek Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

Dear Oaklawn Improvement District Board of Directors:

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Sincerely,

Kellie Dillon-Seiber  
Secretary - Big Creek Improvement District  
Hays, KS 67601



Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216


RE: Support for Legislation

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Please feel free to use this letter in sponsoring the amendment that will allow improvement districts located closer than 5 miles to an incorporated city to abate nuisances.

Sincerely,

  
\_\_\_\_\_  
*Lakewood Improvement District*

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

Dear Oaklawn Improvement District Board of Directors:

This is sent to let you know that our improvement district supports the legislation that we understand will be sponsored by the Oaklawn Improvement District to amend K.S.A. 19-2765(15)(b). Specifically, we support the amendment of this statute to delete the requirement that improvement districts must be located at least 5 miles or more from an incorporated city before the improvement district has authority to abate nuisances. The basis of our support of this statute is that the quality of life in our improvement district could be improved if we had the authority to abate public nuisances from our improvement district.

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Sincerely,

  
John W. Harland  
Lake Waltanna Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

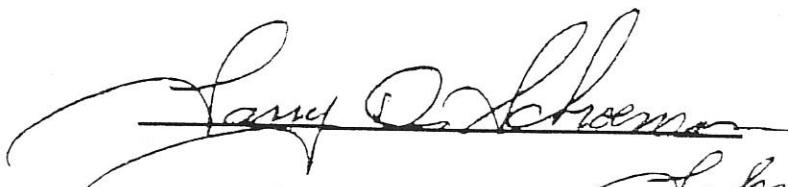
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Sincerely,



*Larry O. Scherman*  
Lafe Walters Improvement Dist.

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

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Sincerely,

*Dana Beth* 7/16/01  
FURLEY IMPROVEMENT DISTRICT  
PRESIDENT

Crestview Country Club Improvement District  
801 N. Springdale Drive  
Wichita, KS 67230-1510  
733-0946; 733-9854 facsimile

July 10, 2001

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, KS 67216

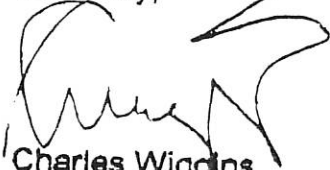
RE: Support for Legislation

Dear Sir:

At our regular quarterly meeting on July 9, 2001 the board of our improvement district voted unanimously to support your efforts to amend K. S. A. 19-2765(15)(b) to delete the requirement that improvement districts must be located at least 5 miles or more from an incorporated city before the improvement district has the authority to abate nuisances.

We appreciate you letting us know about this matter and if we can help in any other way don't hesitate!

Sincerely,



Charles Wiggins  
President

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

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Sincerely,

*P. W. Sutton*

*Anna L. Milligan*

6/23/01

Sunview Improvement District



Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

Dear Oaklawn Improvement District Board of Directors:

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Sincerely,

Lane Co Improvement Dist  
Reece W. Roemer Pres.

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

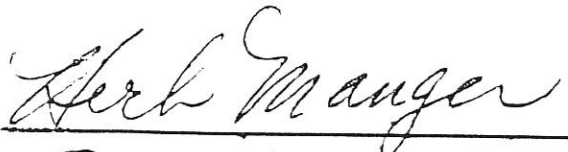
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Sincerely,

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Lakeshore Estates Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

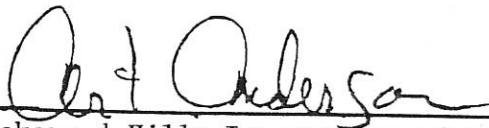
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Sincerely,



Lakewood Hills Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

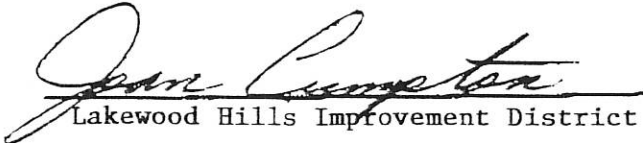
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Sincerely,

  
Lakewood Hills Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

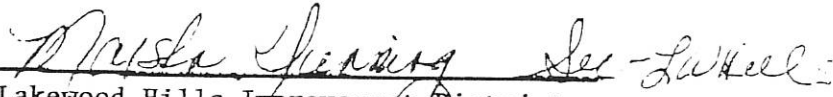
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Lakewood Hills Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

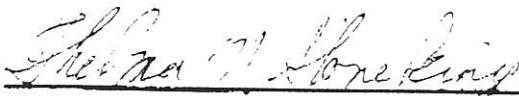
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Sincerely,

  
\_\_\_\_\_  
Lakeside Village Improvement District



Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

RE: Support for Legislation

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Sincerely,

*Robert E. Tavis*

Lakeside Village Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216

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Sincerely,



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Lakeside Village Improvement District

Board of Directors  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, Kansas 67216


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Sincerely,

  
East Shore Improvement District

Marion County  
Park & Lake  
Community

# Marion County Improvement District No. 2

P.O. Box 219 • Marlon, Kansas 66861  
County Clerk: 316/382-2185

August 22, 2001

To the Oaklawn Improvement District Board of Directors:

The Marion County Improvement District #2 supports the legislation sponsored by the Oaklawn Improvement District to amend K.S.A. 19-2765(15)(b). Specifically, we support the amendment of this statute to delete the requirement that improvement districts must be located at least 5 miles or more from an incorporated city before the improvement district has the authority to abate nuisances.

Dan Crumrine

Dan Crumrine, President

Frances Smalley

Frances Smalley, Treasurer

August 22, 2001

Date

Dwight Beckham, Sr.

Dwight Beckham, Sr., Secretary

SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT

March 12, 2002

Honorable Barbara Allen  
Chair, Elections and Local Government  
State Capitol Building  
Topeka, Kansas

Re: House Bill 2727

Dear Chairperson Allen and Members of the Senate Committee on Elections and Local Government:

My name is Tom Powell. I am an attorney with the Wichita law firm of Hinkle Elkouri Law Firm L.L.C. I am representing the Oaklawn Improvement District for purposes of testifying in favor of HB 2727.

Oaklawn has existed as an improvement district since the 1950s. Oaklawn was formed and operates under the Improvement District Act (K.S.A. 19-2753 *et seq.*). It is governed by a three member board that is elected by the electors of Oaklawn. Oaklawn is located a few blocks southeast of the city limits of the City of Wichita and is located west of Boeing. The Oaklawn population is approximately 3,000 persons. There are approximately 1300 single family homes and 200 mobile homes located within Oaklawn. The homes, for the most part, were built on concrete slabs in the 1950s and consist of approximately 900 square feet. Over half of the homes in Oaklawn are rentals.

HB 2727 is a bill that amends the Improvement District Act. At the present time improvement districts that are located 5 miles or more from an incorporated city have the authority to abate nuisances, remove grass, weeds and other vegetation and to charge the cost of such abatement and removal as an ad valorem tax against the property the nuisances is abated from and/or the grass, weeds and other vegetation is removed from. HB 2727 amends the Improvement District Act to remove the 5 mile requirement. If HB 2727 is passed, Oaklawn and other improvement districts that are located within 5 miles of an incorporated city have the authority to abate nuisances, remove grass, weeds and other vegetation (see page 3, lines 32 through 39 of HB 2727). Oaklawn is not asking for a new law. Oaklawn is asking that the ability to abate nuisances and cut grass, weeds and other vegetation that now exist for improvement districts located five miles from a city be amended to apply to Oaklawn and other improvement districts that are located within five miles of a city.

Senate Elec & Loc Gov  
03-12-02  
Attachment 2

In the last few years many things have happened in Oaklawn that have improved the quality of life in Oaklawn. A community center has been built, community policing has been established through the Sedgwick County Sheriff's Department, a wall was constructed on 47<sup>th</sup> Street, the main street through Oaklawn. The authority to abate nuisances, cut grass, weeds and other vegetation and charge the costs as an ad valorem tax against the property such is removed from will add another tool that will be used to improve the quality of life in Oaklawn. Andree Sisco, the Oaklawn Improvement District Secretary, will present testimony that better describes what the passage of HB 2727 will mean in Oaklawn. She will present pictures to you of property in Oaklawn that contains nuisances that need to be abated. You will be able to see for yourself that the conditions that exist on some of the properties in Oaklawn are conditions that affect surrounding property and affect the value of property within the Oaklawn Improvement District. I don't believe any of you would want to live next door to a property in such condition as some of the Oaklawn properties. All Oaklawn is asking for is the authority to abate conditions that no one should have to live next door to.

At this point I would be glad to answer any questions you have before Andree presents her testimony. Thank you for your time.

Tom Powell



4426 Hemlock ct.  
Wichita Ks. 67216

**Dear Chairperson and Fellow Committee Members,**

**I am here in support of HB 2727. The Improvement District has worked very hard for approximately ten {10} years to improve the quality of living in the area for our residents. Passage of HB 2727 would give us a very important tool to use in this ever-ongoing battle. Until the exterior appearance of our community is upgraded, it will be very difficult to convince people that they should make a financial investment in the Oaklawn area, by buying a home there. And until we can get the homeowner occupied percentages up above 50%, I don't believe we will be able to take that giant step needed to really turn things around. I, have personally pledged, to do all I can as both a private citizen and as an elected official to see that, that happens and. I urge you to support this legislation, and there by give The Improvement District another weapon to use in our efforts.**

**Thank you very much, for your valuable time in considering this issue.**



**Sincerely**

Dwight Ritter President, Oaklawn Improvement District

Senate Elec & Loc Gov  
03-12-02  
Attachment 3

**HOUSE COMMITTEE  
ELECTION &  
LOCAL GOVERNMENT**

**March 7, 2002**

**Honorable: Senator Allen  
Chair, Election & Local Government Committee  
State Capitol Building  
Topeka, Kansas**

My name is Andree Simonsen Sisco; I am here to testify in favor of **HB 2727**. As I drive down the streets of my great community, I see many people trying to make a difference. The mothers and fathers going to work everyday to put food on the tables. The grandparents are helping their children by watching the grandchildren. The children playing in the neighborhood. As for myself I am trying to make a difference in local government by serving as secretary of the Oaklawn Improvement District. As a resident of Oaklawn Improvement District for more than 18 years, I have raised my children here and helping to raise my grandchildren here in Oaklawn. I believe it is a wonderful place to live. We are moving forward with many projects to clean up our area so that we have a safer, cleaner and more productive community.

By you passing **HB 2727** we as an Improvement District will be able to make a large different for our community by being able to clean up properties that are not being taken care of. Oaklawn Improvement District started in the early 50's as a sewer improvement district. A 260 - acre tract southeast of Wichita, Kansas. Lot sizes generally 6,000 square feet. The census data for 2000 showed population of 3,135 with housing units being 1,179. More like a small city than an improvement district. Of the 1,179 houses 1,056 were occupied, of those, 549 were rental homes. When renters move out they leave their unwanted items behind. This change will allow Oaklawn Improvement District and other Improvement District to take needed actions on unsafe properties in our community, if they wish. You will not be telling an Improvement District they have to make the change, however it would allow Improvement District like Oaklawn Improvement District, that is with in five miles of a city, to do so. Improvement District according to state statue can do nuisances abatement however Oaklawn Improvement District because it is location with in five miles of a city can not, please change that. I talked early about driving down the streets of the neighborhood, something I do very often, and in January there was a sofa on the side of the street at the end of a driveway. In

Senate Elec & Loc Gov  
03-12-02  
Attachment 4

February the sofa is still there. In March the sofa still there. A car up on jacks with a red sofa sitting beside it in February not in side of a fenced area, out in the open. The car up jacks with the red sofa sitting beside it in March. A house catches on fire five years later neighbors still looking at the mess left behind from the fire.

Oaklawn Improvement District along with Sedgwick County and many community volunteers held a clean up in 1996 where we went in and cleaned up more than 116 properties. In 1997, 1998 and 1999 clean ups were held. In 2000 we held another large clean up with the Oakview Neighborhood Association, Sedgwick County, Sedgwick County Community Policing and a number of volunteers that started off to be a weekend project. It ended up taking up two weeks to complete. In 2001 during Neighbor Works Week, Oakview Neighborhood Association, Community Housing Services along with Sedgwick County Community Policing and Sedgwick County did another clean up. Cleaning up is an on going thing. If we could get people to understand that, it would be easier. I think by cleaning properties as we go and charging it back to the property owners, they will understand better. Here are photos of properties now that I would say are waiting for our onces a year clean up. Making unsafe properties. I believe that if we charge the property owners they will stop abusing the clean up system. Keeping the area clean all year round, making it a safer, cleaner, and more productive community.

I would like to offer these letters from resident, business and other important people that live with in Oaklawn Improvement District boundaries. I understand that we live in a busy world, it is impossible for everyone to come and offer an explanation of why we are in favor of this bill. However we would like you our representatives of local government to know that this is an important bill to help us improve the quality of life in our community, thank you for your support of **HB 2727**.

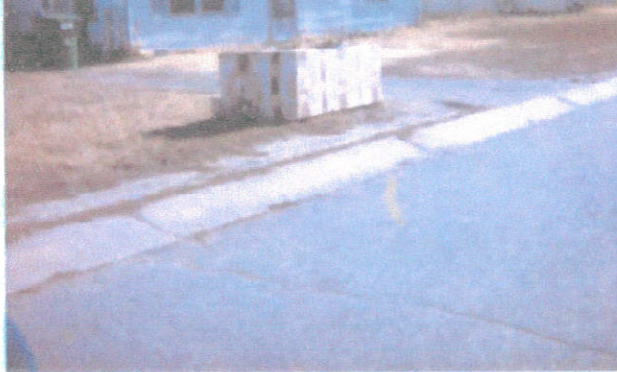


**Andree Simonsen Sisco**  
**Oaklawn Improvement District Secretary**  
**4426 Hemlock Court**  
**Wichita, Kansas 67216**



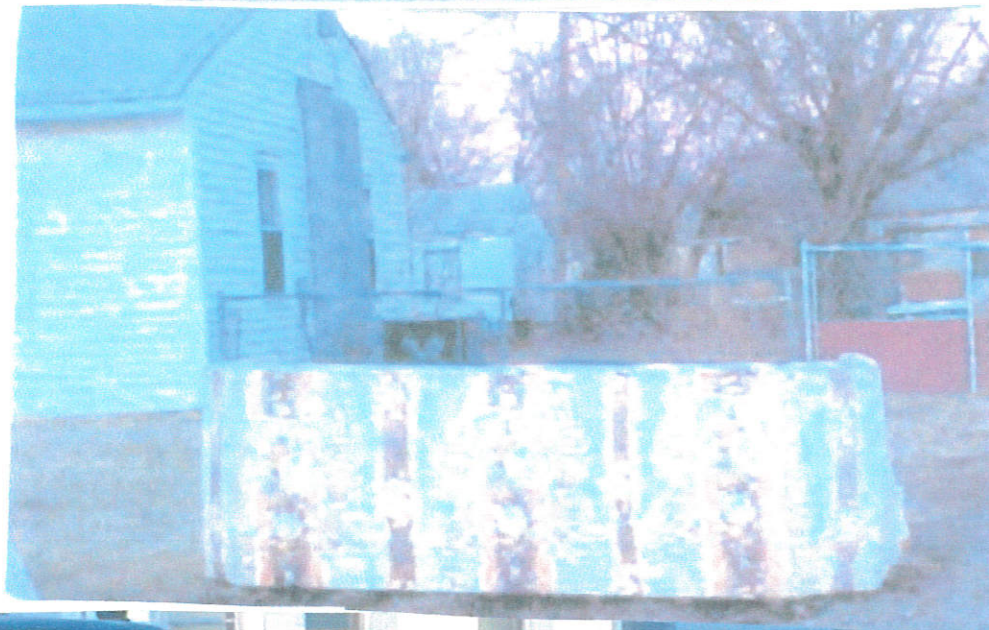
January 21, 2002

fa sitting on street.



February 10, 2002

Same sofa  
different angel  
still sitting on  
street.



This picture was  
taken on  
March 7, 2002  
different angel  
same sofa.







The car that is sitting up of jacks is not in a fenced yard. The red sofa sitting next to it. No you are not seeing double. Top picture taken in February bottom picture taken March 7, 2002.





Photo featured in Derby Reporter  
January 2001



Same property January 2002



This is the same property as the picture above only now we have added a car to the property picture taken March 7, 2002.



PLEASE PASS HB 2727

PLEASE PASS HB 2727

PLEASE PASS HB 2727

PLEASE PASS HB 2727



This was taken sitting at a T- in the road it is not fenced in it is close to the school. What kind of Pets do you think are living in these forgotten trailers?



This house I would say is waiting for Clean up then we will see it sitting on the streets.

March 08, 2002

**Honorable: Senator Allen  
Chair, Election & Local Government Committee  
State Capitol Building  
Topeka, Kansas**

I am writing on behalf of the Oaklawn/Sunview Golden Agers, which is a senior citizens organization in the Oaklawn area. We are requesting your support of **HB 2727**. We feel that passage of this bill would help our community become a better place to live.

Organizations in the area have held annual community clean-up days, which were very successful, but the work load was tremendous and the outcome was only short lived.

The seniors supported these clean-up days 100% if not by manual labor we were very busy preparing a noon meal for all of the workers. If this legislation is passed and Oaklawn Improvement District can curtail some of unsightly problems, we will continue to support the annual clean-up days by preparing meals or helping in any way we can.

Oaklawn has made great strides in becoming a better place to live, and we feel passage of **HB 2727** would help our endeavor to become a community with pride.

Your support of **HB 2727** and a little more effort from the residents, soon they will proudly say I live in Oaklawn.

Sincerely,



Donald G. Winton  
President Oaklawn/Sunview Golden Agers





March 8, 2002

Elections & Local Government Committee  
Kansas Senate  
Kansas State Capitol  
10<sup>th</sup> and Jackson  
Topeka, Kansas 66612

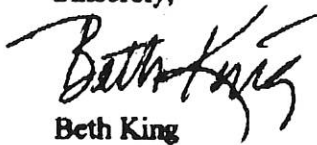
Dear Committee Members:

I am writing to express my support for HB 2727 which I understand will receive your consideration the week of March 11, 2002.

Having served as a co-consultant on the Oaklawn Sunview Revitalization Plan now on file with the Wichita Sedgwick County Metropolitan Area Planning Commission, I am familiar with the problems existent in the Oaklawn area, not the least of which is the deteriorated condition of housing and property. I believe that giving the Oaklawn Improvement District nuisance abatement power as per HB 2727 would be beneficial to clean-up efforts in the area and would therefore contribute to much needed property improvement and revitalization.

Thank you for consideration of my views as you weigh the merits of HB 2727.

Sincerely,

  
Beth King

Shirley Crosby  
4977 Tierra  
Wichita, Kansas  
67216  
[scrosby@derby.k12.ks.us](mailto:scrosby@derby.k12.ks.us)

Dear Committee Member,

As a resident of the Oaklawn Improvement District I am in favor of bill # 2727. As a homeowner it has been Frustrating to participate in neighborhood clean-ups only to watch the same properties repeatedly fall into neglectful filth and disrepair. Our property values continue to plummet, as authorities have no viable way to enforce codes in the area. I feel this bill will help the neighborhood to insure that one man's trash does not diminish the other man's treasure.

As an employee of USD260, working at Cooper Elementary (also in Oaklawn Improvement District) I am In support of this bill for different reasons. I watch the daily struggle for pride and self-worth in the students of this area. We have wonderful programs to help them with esteem issues at school. But each day as I look at the properties they walk past to get there and again on the way home I wonder what they are learning and how much pride is still left when they get home. Please help us to help them. With the passing of this bill we can assure our young community members that people do care, not only for themselves but also for the community they live in.

Respectfully Yours,



Shirley Crosby

Honorable: Mr. Allen

Chair, Elections and Local Government Committee

State Capital Building

Topeka, Kansas

March 7, 2002

My name is Cina Buehler and I live at 4983 Cederdale Ave. I have lived in Oaklawn for over 10 years. I am writing in favor of HB 2727. I live in this nice two bedroom with my two dogs.



I have seen our community move forward with many different things. I think that passing HB 2727 will help Oaklawn Improvement District take needed action to help remove what is on the next page from my view as well as others in our community.



I use to like sitting out in my yard and watching the cars go by talking with people that  
walk down the street, now well I let the dogs out quick and go back in the house.

In April of 2001 the people that lived in this house moved out. The next thing I  
knew there were boards on the windows and it just gets worst every month.



When house sit empty they lose their sole like a person with out hope.  
That is how I feel somedays a person without hope you could help  
return that hope by helping pass HB 2727 so that the Imporvement District  
could start working on cleaning up houseing like this in Oaklawn.

Thank you.

Cina Buehler

A handwritten signature in cursive script that reads "Cina Buehler".

*DEER LAKE ESTATES HOMEOWNER'S ASSOCIATION*

*14911 Black Oak Ct. Wichita, Ks 67230*

President Jim Costlow  
Vice-President Jim West  
Secretary/Treasurer Marilyn Costlow  
Asst Secretary/Treasurer Sherrie Pryor  
Board of Directors: Tim Brock  
Tom Pryor  
Wanda Squib  
Wanda West  
Bob Williams

March 11, 2002

Honorable Senator Allen  
Chair, Election & Local  
Government Committee  
State Capitol Building  
Topeka, Kansas

Dear Honorable Senator Allen:

My name is Jim Costlow; I am president of Deer Lake Estates Homeowner's Association. I am in favor of HB2727 because I believe this would allow Oaklawn Improvement District to correct many of the problems we have with tall grass and trash piled by homes in an otherwise nice residential area.

Most of the complaints that the Deer Lake Estates Board of Directors are asked to help resolve are about tall grass, inoperable vehicles and junk piled in trailers or by the homes. So, on behalf of the Homeowner's Association, I support this bill which would allow Oaklawn Improvement District (which is within five miles of Wichita) to act upon these violations. Present statute does not allow this because of the five-mile limitation to an incorporated city.

Your favorable consideration of HB2727 will be appreciated.

Sincerely,



Jim Costlow  
President, Deer Lake  
Estates Homeowner's Association

Cottage Grove

4801 CEDARDALE AVENUE  
WICHITA, KANSAS 67216  
(316) 524-4251

March 8, 2002

Mr. Allen  
Elections and Local  
Government Committee

Dear Mr. Allen:

We own and manage about 290 single family rental homes in Oaklawn. We are in complete support of House Bill 2727.

We applaud the efforts of our community activists such as Andree Sisco. People caring enough about their own neighborhood to do something to make it a better place for their family and friends. In Oaklawn, we are blessed with a large number of people who want to see our old neighborhood improve.

I believe Bill 2727 will be instrumental in reaching our goals.

Sincerely,



Rick Wayland, President

RW/lg

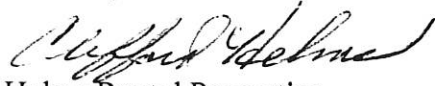
March 11, 2002

Attention: Election and Local Government Committee  
Senator Allen, Chairman

Dear Committee Members,

As an owner of several properties in the Oaklawn community, I would encourage each one of you to consider the passing of Bill 2727. I have, on many occasions, tried to have debris and weeds controlled, especially in vacant lots next to my properties. Current statues just will not allow prompt action by Sedgwick County Code Enforcement. Bill 2727, if passed, should enable us to expedite control of these nuisances.

Sincerely,



Helms Rental Properties



# Oakview Neighborhood Association

*Barbara Stapleton  
President*

*Jean Brown  
Vice President*

*Shirley Crosby  
Treasurer*

*Dorothy Farley  
Secretary*

## *HOUSE COMMITTEE ON LOCAL GOVERNMENT*

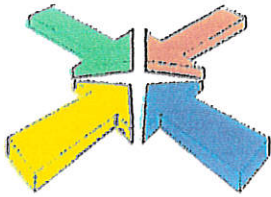
*February 12, 2002*

*Chairman Allen  
Election and Local Government Committee  
State Capitol Building  
Topeka, Kansas*

*My name is Barbara Stapleton and I am President of the Oakview Neighborhood Association and a homeowner in the Oaklawn- Sunview area. I also run a licensed Child Day Care in my home. I am in favor of HB2727 because I care about the community in which I live. I have always cared about my home and the impression that it's appearance had on my neighborhood, and as a leader in my community now it is even more important to me. Every year we have at least two clean-ups in which we get workers to help us. We hope to help our friends and neighbors to pick up in their yards, we furnish trucks, workers, free dump, food and drinks for one weekend and all we ask of them is when the workers get to their house is to come out and help with their stuff, 8 out of 10 won't even be seen.*

**Bringing Neighbors Together**





# Oakview Neighborhood Association

*We always have plenty of volunteers with trucks, appliance dollies, they furnish their own gas, but within a few weeks when you go pass the house you worked so hard on there is a sofa or a bed that they have hauled out to the curb and left, it will still be there at the clean up. I am enclosing some photos of last years clean up. It was planned for one weekend and wound up being almost two weeks long. This bill HB2727 will help us keep our community looking nice and clean. It is a nice community when clean as you can tell from the photos. We are working so hard to improve our image and this HB2727 will help so much. Most of our landlords are at fault also.*

*Sincerely,*

*Barbara Stapleton  
President, Oakview Neighborhood Association*

**Bringing Neighbors Together**



We hauled 13 loads This fall or more with this truck  
We had 1 more truck this size, 3 3/4 truck, 1-1 ton  
2 regular pick-ups with trailers and side rails.  
each made between 6-14 trips to landfill.

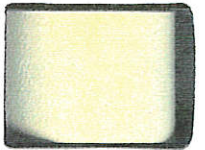


We made about 10 trips to the landfill in the  
above truck with: nothing but washers, dryer,  
Hot water heater, dishwasher, air conditioners units  
and ice boxes





This house had more than two loads on this big truck  
The trash went from the curb to the back of house







Our community after clean-up is a very nice  
Place to live we need your help keep it  
this way.

Community  
Housing  
Services



Wichita/  
Sedgwick  
County

March 11, 2002

Chairman Allen  
Elections & Local Government  
State Capitol Building  
Topeka, Kansas

Dear Sir,

My name is June Bailey, Executive Director of Community Housing Services Wichita/Sedgwick County. I am sending this letter of support for Oaklawn Improvement District (OID) in regards to Bill 2727. Community Housing Services has worked for several years with OID and the Oakview Neighborhood Association on revitalization and community building. This Bill would allow the OID to better improve the community in which they represent. Thank you for considering this Bill, it means a lot to a small Improvement District that is not able to move ahead in the area of health and safety issues because of other legislation.

Sincerely,

June Bailey, Executive Director  
Community Housing Services

4620 E. 13th Street  
Wichita, KS 67208  
316-685-2656  
Fax: 316-685-2811





DEPARTMENT OF CODE ENFORCEMENT  
Sedgwick County, Kansas

1144 South Seneca  
Wichita, Kansas 67213  
Phone: (316) 383-7951  
1-800-527-CODE  
FAX: (316) 383-7502

*Glen Wiltse, C.B.O., C.B.I.*  
*Director*

February 11, 2002

TO: Chair Ray and Committee Members

RE: House Bill 2727

**TESTIMONY**  
**Before Senate Elections and Local Government Committee**  
**By Glen Wiltse, March 12, 2002**

Senator Allen and members of the Committee. Thank you for the opportunity to testify in support of HB 2727. This bill is intended to allow improvement districts the authority to abate nuisances within a five mile radius of any incorporated city. Current law allows an improvement district to abate nuisances outside the five mile radius of an incorporated city. Our particular concern is to expand this authority for the Oaklawn Improvement District in Sedgwick County.

My name is Glen Wiltse and I am the Director of Sedgwick County Code Enforcement in Sedgwick County. Sedgwick County supports the efforts of Rep. Myers and the Oaklawn Improvement District to address a serious problem within the District—that being trash, inoperable vehicles and other nuisances. HB 2727 will allow the Improvement District the authority to deal with these common nuisances in an expedited manner for the good of the Improvement District, neighboring cities and Sedgwick County.

I am offering Sedgwick County's support to Representative Myers on House Bill 2727. My name is Glen Wiltse and I am the Director of Sedgwick County Code Enforcement. Currently Sedgwick County Code Enforcement is the enforcement agency in the Oaklawn Improvement District. During the last 4 months of 2001 we had approximately 55 complaints on trash, inoperable vehicles, etcetera. The typical case involves sending two violation notices. If an attempt is not made to comply then citations are written. Once the citation is written it begins the court process. We currently have cases that have been in court over 3 years and are not in compliance. A court case is very time consuming.

"...TO BE THE BEST WE CAN BE."

*Senate Elec & Loc Gov*  
*03-12-02*  
*Attachment 5*

Oaklawn Improvement District needs the authority to operate under its own abatement authority.

We are requesting that you support Representative Myers and approve House Bill 2727.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Wiltse". The signature is fluid and cursive, with a long horizontal stroke at the end.

Glen Wiltse  
Director of Sedgwick County Code Enforcement

GW;sb



**STUART J. LITTLE, Ph.D.**

**TESTIMONY ON HOUSE BILL 2727**

**Senate Elections and Local Government Committee**

March 12, 2002

Senator Allen and Members of the Senate Elections and Local Government Committee. I appear today on behalf of the Community Mental Health Center Partnership to request an amendment to House Bill 2727. The amendment is attached.

Two members of the Community Mental Health Center Partnership (Franklin County and Wyandotte County) would like an amendment to KSA 19-4004 to eliminate a discrepancy in the statutes which currently treats community mental health centers differently. Currently, only multi-county community mental health centers can possess title to their buildings. A non-profit single-county community mental health center cannot hold title to their buildings.

The amendment would allow a board of county commissioners, if they contract with a non-profit single-county mental health center, the option of allowing those centers to possess title to their buildings. The amendment would appear to apply as well to facilities for the mentally retarded.

Thank you for your time and consideration.



# 19-4004

## Chapter 19.--COUNTIES AND COUNTY OFFICERS

### Article 40.--MENTAL HEALTH CENTERS AND SERVICES

19-4004. Same; tax levies, use of proceeds; protest petition and election; issuance of bonds. In all counties wherein the board or boards of county commissioners in the event of a combination of counties has established a governing board, the respective board or boards of county commissioners may levy an annual tax upon all taxable tangible property in such county for mental health services and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. The respective board or boards of county commissioners may also levy an additional annual tax upon all taxable tangible property in such county for mental retardation services and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. The additional levy authorized by this section for mental retardation services shall not be made until a notice of intent to make such levy has been published in a newspaper of general circulation in the county or counties involved by the board or boards of county commissioners proposing to make such levy, and such notice shall state that if a petition signed by 5% of the electors of the county shall file a protest petition within 60 days of the date of such publication a proposition will be submitted at an election called for the purpose in the county for approval of the levy; if such proposition is approved or if no sufficient protest is made, then the board or boards of county commissioners shall levy such tax, but if a sufficient protest is made and such proposition is not approved, the levy will not be made. The proceeds thereof shall be placed in the hands of the appropriate governing board to be administered as provided by this act.

In addition thereto, to provide for the purchase of or the construction of facilities for the community mental health center, and/or facility for the mentally retarded, the board or boards of county commissioners may, upon petition of the governing board, levy an annual tax on all taxable tangible property in their county and to issue and sell general obligation bonds of such county, for the purpose of creating and providing a special fund to be used in acquiring a site for, and the building, equipping, repairing, remodeling and furnishing of a community mental health center, and/or facilities for the mentally retarded; or for any one or more of such purposes. The additional levy authorized by this section shall not be made until a notice of intent to make such levy has been published in a newspaper of general

K0102977 WPD:1

circulation in the county or counties involved by the board or boards of county commissioners proposing to make such levy, and such notice shall state that if a petition signed by 5% of the electors of the county shall file a protest petition within 60 days of the date of such publication a proposition will be submitted at an election called for the purpose in the county for approval of the levy; if such proposition is approved or if no sufficient protest is made, then the board of county commissioners will make the levy of such tax, but if a sufficient protest is made and such proposition is not approved, the levy will not be made. The board of county commissioners shall proceed in the manner prescribed to be followed in such notice. The tax levy may be made annually until sufficient funds have been created for the purpose or purposes, or if the county has issued and sold general obligation bonds, the proceeds raised by the annual tax levy shall be used to retire the general obligation bonds and the tax levy shall continue until the general obligation bonds have been retired. Such federal, state or private funds as may be available may be accepted by the board of county commissioners to be placed in the fund for operation of or construction of a community mental health center, and/or facility for the mentally retarded, as the case may be. Title to the building or buildings of the community mental health center, and/or facility for the mentally retarded, shall vest in the governing board which is responsible for the maintenance and operation of the facilities if a combination of counties has established the center, but, if only one county has established the mental health center or facilities for the mentally retarded, title shall vest in the board of county commissioners of such county. If the board of county commissioners has contracted with a nonprofit corporation to provide mental health services under K.S.A. 19-4007, and amendments thereto, the title to the building or buildings shall may, in the discretion of the board, vest in the board of county commissioners or the nonprofit corporation providing mental health services, and they the board of county commissioners may allow the nonprofit corporation to use the buildings without charge.

**History:** L. 1961, ch. 292, §§ 4; L. 1965, ch. 195, §§ 1; L. 1970, ch. 115, §§ 4; L. 1975, ch. 162, §§ 26; L. 1975, ch. 163, §§ 2; L. 1979, ch. 52, §§ 130; L. 1999, ch. 154, §§ 39; May 27.

# Johnson County Law Library

Courthouse - First Floor  
100 N. Kansas  
Olathe, Kansas 66061

Phone (913) 715-4154

Fax (913) 715-4152

February 11, 2002

Senator John Vratil  
Kansas Capitol  
Room 120-S  
300 S.W. 10th Street  
Topeka, Kansas 66612

re: Proposed Bill to Amend Johnson County Law Library Fee Authority

Dear Senator Vratil,

I am writing on behalf of the Board of Trustees of the Johnson County Law Library. We would respectfully request an amendment to K.S.A. 20-3126(c) to give Johnson County the same authority already provided to Sedgwick County to charge a law library fee up to \$125 per year.

At your suggestion, we forwarded our request to the Johnson County Bar Association for its consideration prior to submitting it to you. The Board of Directors of the Johnson County Bar Association gave its endorsement to this proposal at its January meeting.

Under the existing statute, we are limited to a \$75 law library fee, which is assessed on attorneys who reside in or have their primary office in Johnson County. We raised the fee to that level effective in 2001; we had raised the fee from \$25 to \$50 in 1989.

The Law Library Board of Trustees believes it is prudent to obtain authority to raise the fee to a higher level, even though we have no plan to do so in the immediate future. Because this takes a legislative change, however, we feel it is prudent to proceed now. Inflation continually reduces the library's purchasing power; what cost \$100 in 1988 cost about \$146 in 2000. Future increases in expenses, including ones that may not be fully anticipated, can be addressed with greater flexibility if this change in the statute could be made.

The change we propose is quite simple and straightforward. Sedgwick County's law library already has statutory authority to have a fee up to \$125. We simply propose to include Johnson County's law library under that same provision.

Senate Elec & Loc Gov  
03-12-02  
Attachment 7

State Senator John Vratil  
February 11, 2002  
Page 2

I have taken the liberty of enclosing a draft of the proposed legislation. John Pickett, our law library director, or I would be happy to provide additional information or to answer any questions you or other members of the Senate may have.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steve Leben". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steve Leben, Vice Chairperson  
Johnson County Law Library  
Board of Trustees

SENATE BILL No. \_\_\_\_

By Committee on Judiciary

AN ACT concerning law library fees; authorizing the same fee in Johnson County as previously authorized for Sedgwick County; amending K.S.A. 20-3126 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 20-3126 is hereby amended to read as follows: 20-3126. (a) Any county of this state may establish a county law library, under the provisions of and subject to the qualifications of this act. Any law library in existence on the effective date of this act which was established under previously existing statutes or previous versions of this statute shall be governed by this statute, and amendments thereto, on and after the effective date of this act.

(b) No county law library shall be established under the provisions of this act until a majority of the attorneys required to register in such county and admitted to practice before the bar in Kansas elect to do so, except that, where a county law library has already been established pursuant to other statutory provisions, such library shall come under the provisions of this act.

(c) All attorneys required to register in such county shall register annually with the clerk of the district court in a register kept for that purpose. The clerk shall enter the name, place of residence, employment, location of office and firm connection, if any, of each such attorney. All such attorneys shall register within 30 days after an election has been made to provide for a county law library, and on or before January 15 of each year thereafter. All attorneys required to register, except those employed solely as public defenders by the state board of indigents' defense services, shall pay to the clerk at the time of registering an annual registration fee of not less than \$10 nor more than \$75, as determined by the trustees of the law library, except that in Sedgwick and Johnson ~~county~~ counties, each attorney shall pay to such clerk at the time of registering an annual registration fee of not less than \$25 nor more than \$125, as determined by the trustees of the law library. Public defenders are exempt from the registration fee during their employment with the state board of indigents' defense services. A registration fee in excess of the amount prescribed in this subsection annually may be fixed by a majority of the attorneys registered under the provisions of this act. A schedule of current registration fees shall be filed with the clerk of the district court.

(d) Whenever a law library has been established in any county, the clerk of the district court, or the clerk of any inferior court within such county, shall not file in the clerk's office in any matter or action, any pleading or other papers signed by an attorney required to register under this act who has not so registered and paid to the clerk of the district court the required registration fee.

(e) For the purposes of this section, an attorney shall be required to be registered in the county: (1) Where the attorney's principal office is located, if such attorney is a resident of Kansas or a resident of another state; or (2) where the attorney resides, if such attorney's principal

office is located in another state. The principal office shall be the principal office of the attorney and not the principal office of such attorney's firm.

Section 2. K.S.A. 20-3126 is hereby repealed.

Section 3. This act shall take effect and be in force from and after its publication in the statute book.