



Date: February 10, 2020

To: Kansas House Local Government Committee
The Honorable Committee Chair Kent Thompson
The Honorable Committee Vice Chair Emil Bergquist

From: Richard U. Nienstedt, City Manager, City of Ottawa, Kansas
Wynndee S. Lee, AICP, Director of Community Development; City of Ottawa, Kansas

Re: Testimony In opposition to HB 2580

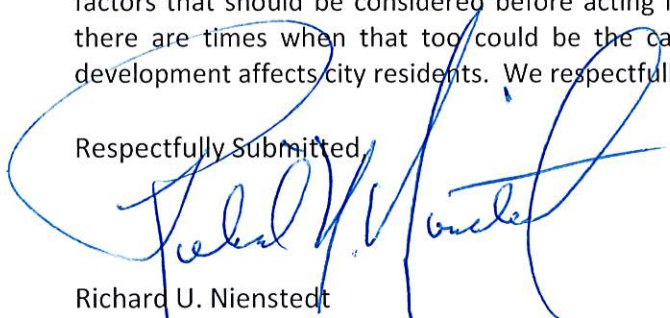
Thank you for allowing us this opportunity to provide testimony on behalf of the City of Ottawa, Kansas in opposition of House Bill 2580.

We who represent the City of Ottawa do not enter into unilateral annexation often or in any way maliciously. However, every several years, or five, we do find ourselves reviewing the city limits, the extent of city services extended to properties outside the limits, as well as, and most importantly, the ability of emergency response entities to properly and quickly respond to an emergency. There are times that emergency response officials even notify us where confusion has resulted from a request for emergency response.

In review of our last ten years or so of annexation, there were two situations that resulted in unilateral annexation. The first was where the three properties had been bisected by the city limits boundary many decades earlier. This could have been intentional, but it may have been errors in the legal description annexed at the time the improved part of the property was annexed, particularly on two of them. Until the property adjacent was annexed it was of little concern as it was essentially a small area in the rear yard. However, when the adjacent property asked for city services and signed their consent, these small tracts were then an "island" of non-annexed land. See image "A" below for illustration. The second situation was the only remaining parcel at the end of a city street, again surrounded by other parcels within the city. See image "B" below for illustration.

We believe the law as currently written provides a firm structure for local government consideration of the factors that should be considered before acting in a unilateral action. While these are not likely to develop, there are times when that too could be the case and the city should retain the ability to act when such development affects city residents. We respectfully oppose this bill as it is written.

Respectfully Submitted,


Richard U. Nienstedt
City Manager




Wynndee S. Lee, AICP
Director of Community Development

CC: Mayor Weigand, Commissioners Caylor, Crowley and Jorgensen
State Senator Tyson, State Representatives Finch and Samsel

Illustration A

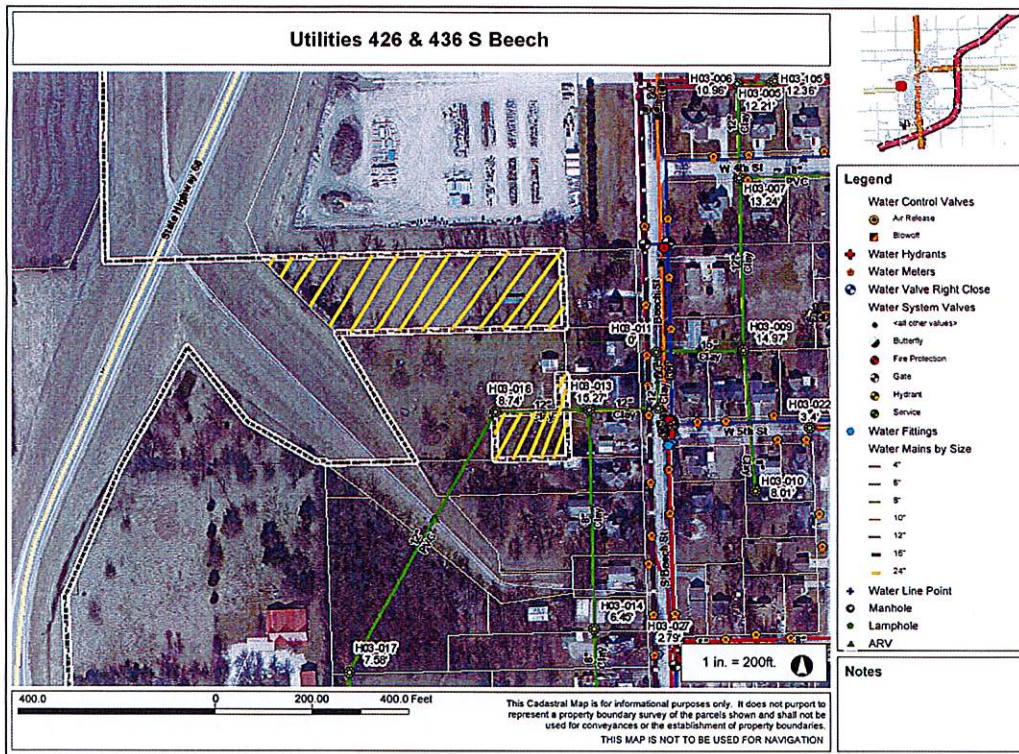


Illustration B

