



Kansas Chapter of the
American Planning Association

**House Committee on Local Government
Hearing on House Bill 2580
Hearing Date – February 12, 2020**

**Written Testimony in opposition to HB 2580 on behalf of the
Kansas Chapter of the American Planning Association By Chad Bunger, AICP, Chapter President**

Good afternoon Chair Thompson, Vice Chair Bergquist and Honorable Members of the House Committee on Local Government. My name is Chad Bunger, President of the Kansas Chapter of the American Planning Association (APA). The Kansas Chapter of APA is a professional organization made up of over 250 professional county and city planners living and practicing in the State of Kansas.

The Kansas Chapter of APA opposes the suggested changes to K.S.A. 12-520 by House Bill No. 2580, concerning the elimination of a City's unilateral annexation powers, unless property owners consent to the annexation. This proposed changes to the State Statute dramatically and negatively impacts cities and counties across the state from using annexation to address public health and safety issues affecting both city and county residents, environmental issues and the economic vitality of individual regions across the state.

It is the Kansas Chapter of the APA's opinion that the current statute on unilateral annexation adequately protects rural residents that are adjacent to cities from rampant urban sprawl. The proposed amendment would eliminate the possibility of cities to work with their county counterpart to appropriately address safety and environmental issues related to sanitary sewers, water service, and roadways.

A real-life example of this cooperation using annexation is in Manhattan, Kansas. Two separate residential subdivisions adjacent to the city limits were using private septic systems and water wells to provide services to the homes on substandard sized lots. These individual utility services eventually failed, could not be replaced due to the sanitary code and were beginning to contaminate each neighbor's water supply. This situation forced Riley County to work with the residents and the City of Manhattan administration to address the issue. The best approach was to unilaterally annex the areas into the City to provide appropriate water and sewer utilities. Had this not occurred, Riley County would have been forced to condemn the over 100 homes because of the contamination issues or find costly utilities service solutions that Riley County is not equipped to provide both financially and with existing infrastructure and staff.

Another example is 135th Street West in Wichita. This road was a failing rural road that provided a vital connection for a number of commercial and residential areas on the edge of the Wichita city limits. Since the rural road was unincorporated and did not touch the city limits, the road right-of-way could not be annexed to allow the city to improve the road, which was needed to address safety issues. Therefore, the property adjacent to the road and the road right-of-way were unilaterally annexed in order to construct the road and an associated drainage system, resulting in significant improvements to the area and the regional economy, including the properties annexed unilaterally

These cooperative and pragmatic approaches between cities and counties are examples that occur all across the State of Kansas to address real infrastructure issues that would otherwise be an expensive and/or impractical burden to county residents and business owners and further limits the prosperity of Kansas businesses and residents, both in rural areas and cities.

Please let me know if you have further questions. I can be reached at 785-587-2412 or by email, Bunger@cityofmhk.com.

Sincerely,



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Chapter President
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