

**NOTICE OF A SPECIAL CALLED MEETING OF THE
GOVERNING BODY OF THE CITY OF IOLA**

Iola, Kansas

You are hereby notified that there will be Meeting of Governing Body on January 14th, 2014 at 6:00 p.m. at the Dr. Silas Bass North Community Center, located at 505 N Buckeye. The purpose of said meeting is a public hearing to consider annexation of the Country Estates Subdivision and other adjoining lots and tracts.

Witness my hand and the seal of said city this 9th day of January 2014.



Roxanne Hutton

Roxanne Hutton, City Clerk

State of Kansas
County of Allen
City of Iola



CITY OF *IOLA*

SPECIAL COUNCIL MEETING AGENDA

January 14, 2014 – 6:00 P.M.

Dr. Silas Bass North Community Building – 505 N. Buckeye St.

1. CALL MEETING TO ORDER Mayor, Joel Wicoff
2. ROLL CALL City Clerk, Roxanne Hutton
3. REVIEW & APPROVAL OF AGENDA
4. NEW BUSINESS
 - A. Annexation Public Hearing
 - City shall present the city's proposal for annexation
 - Plan for extension of services (K.S.A. 12-520b)
 - Consider advisability of annexation
 - Recommendation of the planning commission (K.S.A. 12-530)
 - B. Annexation of Land
 - Adoption of ordinance – effective after publication
 - Effective date – consider if any exceptions apply due to scheduled elections (K.S.A. 12-523)
 - C. Appeals to district court
 - Appeals may be made within 30 days after publication of the ordinance (K.S.A. 12-520(h))
5. DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday January 27th, 2014
City Council Meeting 6:00 p.m. Monday February 10th, 2014
6. ADJOURNMENT

Agenda Item: Annexation of Country Estates – Public Hearing

The public hearing for the proposed annexation of Country Estates is scheduled for **Tuesday January 14, 2014 at 6:00 p.m. at the Dr. Silas Bass North Community Center.**

Review with the residents the required elements to determine advisability of annexation.

Public Hearing: The residents will be given an opportunity to state their opinions regarding the proposed annexation and any concerns they may have. **Please state name and address for the record.**

Following the public hearing, the city council will consider the advisability of the annexation and make a decision whether to annex the proposed area by adopting the annexation ordinance.

The annexation will be effective following publication of the ordinance in the city newspaper.

Procedures K.S.A. 12-520 – conditions which permit annexation

Land is platted and some part of the land adjoins the city (K.S.A. 12-520 (1))

Adopt a resolution (K.S.A. 12-520a)

At the public hearing or continuation:

City shall present the city's proposal for annexation

Plan for extension of services (K.S.A. 12-520b)

Consider advisability of the annexation

Recommendation of the planning commission (K.S.A. 12-530)

Annexation

Adopt ordinance – effective after publication

Effective date – consider if any exceptions apply due to scheduled elections (K.S.A. 12-523) – none apply; no state or local elections in April 2014.

Appeals to district court

Appeals may be made within 30 days after publication of the ordinance (K.S.A. 12-520(h))

Issues: Funds in sewer district #2 and water district #15

Allen County commissioners, acting as the board of directors of sewer district #2 approved Jan. 7, 2014 the use of the remaining balance of the funds for repairs or improvements of the sewer system within Country Estates.

Water District #15 –remaining funds will be used within the subdivision for repairs to water or sanitary sewer system.

The remaining funds from the water and sewer districts may be adequate to replace the lift station without extra assessments.

Recommendation: Listen to comments from residents.
Consider the advisability of annexation
Adopt Ordinance 3428

Prepared by: Carl E. Slaugh, City Administrator

Council Meeting Date: January 14, 2014

Guide in determining the advisability of annexation:

1. Extent to which any of the area is land devoted to agricultural use:
 - a. **None**
2. Area of platted land relative to unplatted land:
 - a. **The area proposed to be annexed is approximately 1168' x 1263' with approximately 75% of the area platted.**
3. Topography, natural boundaries, storm and sanitary sewers, drainage basins, transportation links or any other physical characteristics which may be an indication of the existence or absence of common interest of the city and the area proposed to be annexed:
 - a. **The proposed area to be annexed adjoins the city limits and currently is served by city sanitary sewer, electric and gas utilities. The platted subdivision is similar to other subdivisions within the city limits i.e. high density, asphalt or chip and seal streets, and sanitary sewer system. A portion of the area is in the floodplain**
4. Extent and age of residential development in the area to be annexed and adjacent land within the city's boundaries:
 - a. **Houses were constructed from 1970 to 1982**
5. Present population in the area to be annexed and the projected population growth during the next five years in the area proposed to be annexed:
 - a. **67 lots--56 with residences and 2 with businesses; No construction planned on vacant lots**
6. Extent of business, commercial and industrial development in the area:
 - a. **AAA Mini Storage and The Oil Patch**
7. Present cost, methods and adequacy of governmental services and regulatory controls in the area:
 - a. **No municipal regulations are in place other than for utilities provided as noted below.**
 - b. **EMS services are currently provided by the county and are proposed to be served by a joint service operated by the city.**
 - c. **Fire services are currently provided by the city using Trucks #312 & #313; 3 hydrants.**
 - d. **Electric services are currently provided by the city.**
 - e. **Gas service is provided by the city; the city bought out services provided by Kansas Gas in the early 1990's.**
 - f. **Police calls are handled primarily by the county, however, the city responds in the event no county officer is readily available.**
 - g. **Sewer services are provided by county operated Sewer District #2 that pumps to the city; the lift station on the north side of Country Estates has had a number of failures and is in the need of replacement.**
 - h. **Water is provided by the city and managed by Allen Rural Water District 15; there is a meter pit north of the Haldex parking lot. The water lines are a mix of 2", 4" and 6" PVC; condition and location of water mains and lines within the subdivision are unknown.**

- b. **It is unknown at this time the number of residents of Country Estates that are employed within the city of Iola.**
 - c. **It is reasonable to assume due to the close proximity of Country Estates that the residents would take advantage of social, cultural, recreational opportunities and resources provided by the City.**
 - d. **Residents are within the USD 257 school district currently and would remain so after annexation.**
- 11. **Effect of the proposed annexation on the city and other adjacent areas, including, but not limited to, other cities, sewer and water districts, improvement districts, townships or industrial districts and, subject to the provisions of K.S.A. 12-521a, and amendments thereto, fire districts:**
 - a. **This annexation will have no effect on other cities, improvement districts, or townships.**
 - b. **Effect to the City will include additional streets, water lines, and sewer lines to care for; additional population for the police force to protect and serve; additional solid waste to be picked up and disposed of; Increased tax revenue.**
- 12. **Existing petitions for incorporation of the area as a new city or for the creation of a special district:**
 - a. **None**
- 13. **Likelihood of significant growth in the area and in adjacent areas during the next five year:**
 - a. **Not likely due to lack of territory available for new growth**
- 14. **Effect of annexation upon the utilities providing services to the area and the ability of those utilities to provide those services shown in the detailed plan:**
 - a. **See item #8 The biggest immediate concern appears to be the need for repairs or replacement of the sewer lift station. Residents report problems with the system failing and causing backups in basements. Allen County officials have stated that they were about to levy an increased fee to each household to cover the cost of replacing the lift station. Should the City of Iola annex the property, the cost of the improvements could be levied on the affected property owners through a benefit district or shared by all residents within the city.**
- 15. **Economic impact on the area:**
 - a. **Residents would see an increase in property taxes.**
- 16. **Wasteful duplication of services:**
 - a. **The City of Iola currently provides most utilities to the residents, through agreements, such as the sewer benefit district administered by Allen County and water through Allen RWD #15.**