

Commissioner Richard Ranzau

525 N. Main #320

Wichita, KS 67203

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Commission Office

Commissioner Ranzau,

Thank you for allowing us the opportunity to share more information with you and the rest of the County Commissioners. Over 8 years of frustration and problems is very difficult to sum up in 3 to 5 minutes.

I would like to start this letter by restating an opinion expressed by Mr. Robert Kaplan (an attorney retained by the homeowners association of Ranchos Del Rio I & Ranchos Del Rio II) at the start of the 5 year commission meeting. Mr. Kaplan stated "I suggest to the Commission that perhaps we should look a little bit further into the services plan. Because, if you do, I believe you will come to the conclusion that there is no service plan. Oh, there's a document entitled 'general service plan,' all right. You do have a plan. You have words on paper. The problem is from the residents' perspective, Commissioner, it can't be implemented. Bring water and bring sewer across the river to service these two subdivisions is so far beyond the capacity and the ability of these folks to support that by petition and assessments that is tantamount to not offering the services at all. You can offer services and you can offer extension of water and sewer, but if the cost of doing that is so astronomical that it is totally unfeasible and totally beyond the capacity of a resident to pay for it, it's tantamount to not offering services. There's no realistic possibility of these folks ever obtaining water and sewer service. It's non-existent."

I do not believe the service plan developed by the City of Valley Center is legal, if you look at the Kansas Annexation Statutes that were provided (page 3) section 12-5206 plans for extension of services, especially part (2)

A statement setting forth a plan of sufficient detail to provide a reasonable person with a full and complete understanding of the intentions of the city for extending to the area to be annexed each major municipal service provided to persons and property located within the city and the area proposed to be annexed at the time of annexation and the estimated cost of providing such services. The plan shall state the estimated cost impact of providing such services to the residents of the city and the residents of the area proposed to be annexed. The plan shall state the method by which the city plans to finance the extension of such services to such area. Such plan shall include a timetable of the plans for extending each major municipal service to the area annexed. The plan shall state the means by which the services currently provided by the township or special district in the area to be annexed shall be maintained by the

city at a level which is equal to or better than the level of services provided prior to annexation. The plan shall state those services which shall be provided immediately upon annexation and those services which may be provided upon petition of the landowner to create a benefit district.

When looking over the service plan from Valley Center, I certainly do not find many of the details required by law included in the Service Plan. One of the major issues missing is the cost of such services. It was brought up several times at the five year hearing that the residents of the annexed area had never received estimates of having water and sewer services brought across the river to service our area. If the residents of the annexed area have not received these cost estimates, I seriously doubt that the residents of the city received them either.

There was a continuation of the hearing in order to allow representatives of the annexed area and the city to meet and attempt to resolve some of the issues. I was one of the representatives that met with Mr. Pile, City Administrator, Jake Jackson, city councilman, our attorney, Robert Kaplan and other homeowner association board members. I prepared a two page list of requests from the annexed area to the City, dated 09/28/10 and included as exhibit A to this letter. Question 5 asked for a cost breakdown on bringing water out to the annexed area, and Question 6 asked for a cost breakdown of bringing sewer lines across the river out to the annexed area. In the letter dated October 4, 2010 from Mr. Robert Kaplan to Mr. Parnacott after the meeting stated, "On water and sewer specials, the City agreed to provide cost approximately two weeks following the meeting of September 20, 2010." This information was never provided to our attorney or any of the representatives present at that meeting.

Again in the memo Mr. Pile, City Administrator prepared for the city Mayor and Valley Center Council dated May 16, 2013, he stated in section D. Water "The residents of the annexed area have been provided cost estimates for the extension of city water services," and in section E. Sewer "The residents of the annexed area have been provided cost estimates for the extension of city services." These same statements were made to the Sedgwick County Commissioner during the open hearing. There was a unanimous response from the audience that this was not the truth. One would think that with the number of times this issue has come up and the request that have been made for this information, that if the City in fact ever obtained the cost information, that they would pull it out of the file, copy it and release the information. Either they never had a study done and don't have the cost figures required by law, or the cost is so astronomically high that it proves Mr. Kaplan's statement true. The Service Plan should be found incomplete because it does not follow the state statute requirements. It should be voided and the City of Valley Center should be found in non-compliance.

The next issue that I would like to address is a statement made by Mr. Pile at the June 5, 2013 County Commission meeting. When asked why 93% of the homeowners had signed the petition for de-annexation, he stated, "They did not want to be annexed in the first place, and would say and do anything to be de-annexed," basically saying that we were lying in our statements to the County Commission. Because of his statement, I would like to draw your attention to the Valley Center Letter of Transmittal dated May 22, 2013 that was sent to Mr. Parnacott from Mr. Joel Pile, City Administrator. The Valley Center City Council approved Resolution 612-13 on May 21, 2013 declaring the official

position of the governing body. This resolution was passed by the city council based upon information presented to them by Mr. Pile in a memo dated May 16, 2013. A quick look at the information provided in this memo will make you question the validity and value of the resolution. The very first sentence reads "On May 2, 2005, the city council passed VC ordinance 1090-05 which annexed 36 tracts of land (Ranchos Del Rio Additions I & II). One only needs to look at the petition for de-annexation to see that Ranchos Del Rio I contains 22 properties and Ranchos Del Rio Addition II contains 31 properties. This makes a total of 53 properties, quite a few more properties than the 36 represented by Mr. Pile. Is he trying to make the city council think it is a smaller area and number of residents that are affected, or has he referred to the wrong annexed area to begin with. (Please remember this statement.)

In the fourth paragraph he states "During the initial public hearing on August 25, 2010, many annexed landowners testified the city had failed to install street lights in the annexed area (item specified in service plan). " One only needs to look back at testimony from the 5 year hearing to see that landowners testified the city had failed to develop a street light plan as promised in the service plan. It was brought up by the commissioners that the City had failed to develop a plan during the 5 year time limit. In fact, it was brought to Mr. Pile's attention several times that the residents did not want street lights, they just wanted the City to do what they said they would do. If you again look at the letter from Mr. Kaplan to Mr. Parnacott dated October 4, 2010 in response to the meeting held between representatives of the annexed area and Mr. Pile, you will see where Mr. Kaplan states, "The last item discussed were street lights, and although Mr. Pile says the residents do not want them, the Service Plan required a street lighting plan which the residents could review and the two homeowners associations could then make a determination."

Clearly, Mr. Pile's statement about streetlight installation was false and misleading. It went so far, that a city councilwoman made the comment, "What's wrong with those people, first they complain that we didn't install street lights, and now they are complaining about having them. Some people you can never satisfy." Obviously, the misstatement of facts and the truth is affecting how the city council members view the residents of this area.

In the last paragraph on page 1 of Mr. Pile's memo he states, "To date the city has invested considerable resources to "chip seal" the residential streets in Ranchos Del Rio I & II at no direct cost to the landowners. The City's own annexation & improvement statutes and General Service Plans under Street Improvements 12-602 states that "The cost of grading, re-grading, paving, repaving, curbing, guttering, re-guttering, macadamizing, re-macadamizing or otherwise improving intersections of streets and the cost of making any of the improvements in streets, avenues and alleys running along or through city property shall be paid for by the city at large. To tout "at no cost to the residents" is misleading. The city is only following its own policy. That statement is misleading to the city council. It also states or reads that all the streets were chip sealed, but later reports show that only a portion had been done, again misleading.

Second page – Extension of Major Municipal Services.

#### A. Public Streets.

- a. The memo states they have performed regular maintenance including culvert/ditch cleaning. After talking to almost every resident in Ranchos Del Rio I & II, no one has witnessed any culvert/ditch cleaning. However, there were two residents that complained about their ditches and the city's failure to address the problem. Again they bring up the statement of the cost of street improvements was paid 100% city-at-large, with no direct assessment to the property owners. Again misleading.

**B. Street lights**

- a. On July 20, 2010, the City adopted a Street light Policy to govern how, when, and where street lights would be installed. Shortly after adoption, street lights were installed in accordance with City Policy/standards. Lights were installed even though the city (Mr. Pile) knew they were not wanted. If you look at the Streetlight Policy effective July 21, 2010, the statement of Purpose: Most streetlights in the City of Valley Center are installed by the developer during the development process. This policy is intended to apply to requests by citizens to have the city participate in streetlight installation in areas where they were not installed as described below or requests for additional streetlights in areas with existing streetlights.
  - i. Policy A Street lights serving residential uses will be installed upon a citizen's request by means of a petition.

- C. No request or petition was made for the streetlights, and were installed against the wishes of the residents of the annexed area. If the city says that there needed to be streetlights out in our area for safety reasons, then they violated their own streetlight standards as set out in section IV. #5. A light shall be placed at all intersections and in all cul-de-sacs. There were four street lights installed

- a. West Street & Rio Grand
- b. West Street & Palos Verde Dr
- c. West Street & 77<sup>th</sup> Street N
- d. 77<sup>th</sup> Street N & Buena Vista Dr

These four lights were installed at intersections where there were overhead electrical power lines that allowed for easy and relatively cheap installation. The busiest intersection (4-way stop) at 81<sup>st</sup> Street N and West Street, which is the main access to Valley Center from the west and is the only intersection in the area involving paved roads in all four directions did not justify a streetlight. Also neither 81<sup>st</sup> & Buena Vista Dr, nor Buena Vista Dr & Rio Grand, nor Buena Vista Dr & Palos Verdes, nor any of the 3 cul-de-sacs received lighting. It is hard to say they were installed for safety reasons or according to City Standards. I feel they were installed due to misinformation by Mr. Pile to the city over claims that the city had failed to install street lights by the residents instead of city's failure to establish a street light plan. Again these statements were wrong and misleading to the city council in making their resolution decision and attempting to mislead County Commissioners.

**D. Water**

- a. "Many of the developed properties within the annexation area are currently served with water by RWD#2. Some of the properties within the annexed area maintain

individual private water systems.” There is no rural water district west of the Little Arkansas River in the Valley Center area. All homes are on private wells. I contacted the RWD#2 office and was informed that their district was to the east and north of Valley Center and they knew of no water district in the area west of Valley Center. I asked the lady at RWD#2 if they serviced the High Points Estates area, which she confirmed they did. The High Points Estates was annexed at the same time as the Ranchos Del Rio I & II additions, but did not protest their annexation. The High Points Estates is located north of 85<sup>th</sup> Street N and east of Seneca, about a mile east of greater Valley Center. Now remember my earlier comment about the 36 properties and was Mr. Pile talking about a different annexed area? I talked to the secretary of the runway association and she stated that there were 26 properties (member) on both sides of the runway. She also stated that there were either 10 or 11 properties in the High Point Estates that did not adjoin the runway. Interesting that this area was annexed with about 36 properties and is serviced by RWD#2. I believe that Mr. Pile was pulling facts about the wrong area when he furnished the information to the city council and to the County Commission.

#### E. Fire Protection

- a. On November 26, 2012, the City received an ISO rating of 4 which has helped to provide area property owners reduced rates on their homeowners’ insurance premiums and further demonstrates the City’s ability to provide adequate service. That is another false and misleading statement. I contacted my own homeowners’ insurance agent, who handles Traveler’s and Foremost insurance. The agent stated that several years ago, all the smaller towns in Sedgwick County were put under the umbrella of the Sedgwick County Fire Department. All homeowner rates are based off the Sedgwick County Fire Department rating and not the individual towns. Valley Center’s ISO Rating has no effect on homeowners rates. Even before this umbrella took effect, the ISO rating of Valley Center’s Fire Department would not have helped reduce rates due to the fact it was and still is a voluntarily staffed department. I also stopped and talked to insurance agents from Shelter Insurance, State Farm, Farm Bureau, and Farmers Insurance and they all said the same thing about the umbrella coverage of the Sedgwick County Fire Department and that Valley Center Fire Department ISO Rating would not make any difference, especially since they were a voluntary Fire department. Again, the statement is false.

#### F. Police Protection

- a. The City Public Safety building is less than 3 miles from the annexed area, allowing quick and efficient response. That’s if they are not stopped by a train or bridge construction. They state they have added one additional fulltime police officer to increase coverage. One only has to look at the comment made at the 5 year County Commission hearing by Commissioner Kelly Parks who was the former Police Chief of Valley Center. Commissioner Parks stated, “So when they asked me, can you serve this area: I said, we’ll do the best that we can with the resources we have. And the resources just weren’t there.” Another statement from Commissioner

Parks, "I can remember one of the responses from one of the council members said, 'well, we may have to add a police officer.' Come on. You're adding, you know, nearly a square mile here in this ordinance and you're dealing with a 24/7 operation. When you're talking about adding a police officer, you're talking about adding 40 hours a week, four officers: one to take the day off, one to take care of vacations, one to take, you know, other things."

Since the time we were annexed, there have been several other areas annexed, a couple new additions built and they are finally adding one new officer. A day late and a dollar short.

Mr. Pile also states "Animal Control is provided with one full-time Animal Control Officer. Again, that is a misstatement. The animal control officer is a full time employee of the City. However, her duties are split 50/50 between animal control officer and the office of economic development. Again, this is a false and misleading statement by Mr. Pile to the City Council and the County Commissioners.

Looking now at the next to the last page:

#### Ranchos Del Rio Addition I & II Public Works Activity, 2011-2013

The report shows 55 work orders. If you look closer down that list, 2 work orders for compliments. Why would you waste taxpayers' time and money to make up a work order for a compliment, plus only 2 compliments in a 2.5 year period doesn't speak highly of the work being done. Looking on down the list there are 31 work orders for locations: Request through Kansas One Call. I went to the office of Kansas One Call (in Wichita) and talked to a supervisor to find out about the request for the location that Valley Center reported as work orders. The supervisor for Kansas One Call, Mr. Marcus D. Corbin, System Administrator, advised me that when anyone calls in to U-Dig-it, whether it's a residence, city, utility company, Cox Communications, etc. that they look up the address of the dig site, determine who might have buried utilities at that location and notify these parties via a post card. For any location in the Ranchos Del Rio I & II additions, a post card would be sent to the City of Valley Center, Westar, Kansas Gas, & AT&T. This post card asks them to identify the location of their utilities at that address (front yard, back yard, side of house, or no utilities provided). They mark the location on the card and return it to Kansas Call One, so that when the company that actually comes out and flags the location of buried utilities, they have a better idea where to look and not have to cover the whole property. In the case of Valley Center, since they do not have any utilities west of the Little Arkansas River, all they have to do is check the box "No Utilities" and return the post card. To call this a work order, is really stretching the idea of services. 31 locates and 2 compliments is 33 out of the 55 work orders that supposedly were performed in the last 2.5 years for this annexed area. I guess stretching the work orders to 55 instead of 22 is supposed to make it look like they did a lot more work out in our area than they actually did. Again, we see false information intending to impress the City Council and the County Commission.

Under the title of Grading and Materials, they show 111 grades in the annexed area in 2012. That is more than 2 times a week average. I saw a road grader come out from the city to grade a cul-de-sac

that is less than a city block long and then went back to the city. I guess that you could record 111 gradings if you came out and only graded one road a day.

I would also like to draw attention to actual comments that Mr. Pile made to the County Commission at the June 5, 2013 hearing. He stated that we had the benefit of using Valley Center streets, schools, library, and pool. Every time I fill up my vehicle with gas, I pay a fuel tax that goes to the State of Kansas to be used for road maintenance. That fund is distributed to each county, then city and townships. Also my state and county sales taxes help pay for road improvements and maintenance. That is why the roads are called public roads. They are paid for by the public through taxes, not just the residents of Valley Center. To follow Mr. Pile's logic, since he lives in Rose Hill, KS in Butler County, he should have to pay to come to work and drive upon the streets of Valley Center.

The city of Valley Center does not have any City-owned schools. The schools are built and paid for by the Valley Center School District through taxes that are paid by all residences that are located in the school district. This district includes persons in Valley Center, those outside Valley Center in the County, and a portion of residents who live in Park City, KS. The school budget, taxes and operations are separate from that of the Valley Center City Council and management. Mr. Pile's statement is completely false and misleading. The same can be said with the library: all residents of the state pay taxes that go into the state library fund and distributed across the state. So far as the city pool goes, each person pays a fee to use the pool, either a daily pass or multi-use pass. If you are not a resident of Valley Center, the cost to use the pool is substantially higher. It's to the city's advantage to have non-residents use the pool, so that more revenue collected and lowers any cost to the City.

After reviewing the many false inaccurate and misleading statements that Mr. Pile included in his memo to the Mayor and City Council before voting on Resolution 613-13, I would strongly urge the County Commissioners to give very little or no consideration to his comments.

The question was raised to the County Commission hearing as to whether the services provided by the City were equal to or better than what we had prior to being annexed. I can easily and emphatically state that services and cooperation were much better under the control of Sedgwick County and Valley Center Township than they are under the City of Valley Center.

1. Street lights:

- a. Lights were installed against the wished of the residents and not in accordance with the City's own lighting policy. It is also worth noting that other additions that were annexed by Valley Center at the same time we were annexed and later annexations have not had any street lights installed in their areas. In my opinion, street lights were installed by the City of Valley Center out of retaliation over our call for de-annexation or based upon false information provided by Mr. Pile.

2. Animal Control

- a. I have no complaints about the service we get from the animal compliance officer while she is on duty. It's the City's response or lack thereof when she's not on duty. My

biggest complaint is the City's attitude towards the more rural areas that they annexed. I bought my house 32 years ago with the desire to be out in the county. I had been on the Sedgwick County Sheriff's Department and liked the rural style of living. I owned horses and wanted a home where I could have them close for the kids to ride and learn to take care of animals. My wife was raised participating in 4-H with animal projects. We both wanted to raise our children and grandchildren with this type of lifestyle. Under the county control, there were no licensing fees to have horses, rabbits, livestock, cattle or chickens. When we were annexed by Valley Center, we were told that we would be grandfathered in and that nothing would change. Not so. Recently the City decided to change its animal control regulations to help pay for the cost of the animal control officer. In the new regulations the cost of a dog license went from \$20.00 to \$25.00 annually. That is a 20% increase, however, that cost is reduced by \$5.00 per year if you have a fenced yard, \$5.00 if spayed or neutered, and \$5.00 if an identification microchip is placed in the animal. Dogs make up the majority of licensed animals within the core area of the City.

- b. However the regulations for horses, cattle, and livestock which are mainly located in the more rural areas of the City (the annexed areas) were increased 300% to \$75.00 annually. The city wanted to raise the fee to \$125.00, but settled on \$75.00. The licensing fee for poultry went from \$2.50 to \$15.00 annually, a 600% increase. When asked by a council member if the annexed areas were grandfathered in and exempt from these increases, another city council member stated that the annexed areas were part of Valley Center and that if we wanted to have and keep those kinds of animals, we would just have to get use to it and pay the new fees. No one was grandfathered in on anything. I personally feel that the dramatic increase in license fees for the type of animals located in the more rural annexed area was done out of retaliation for complaining about animal control issues. The number of residents in the core Valley Center area vs. annexed is much greater, and by not raising the license fee for dogs very much, they would not upset as many people. With the type of homes and corals built in the annexed area, the chance of a horse or livestock getting loose is considerably less than a dog in a fenced yard, but no discount is offered. They just want more money out of us.

### 3. Road Maintenance

- a. Road maintenance is more than just the paving and grading of the roadway. It encompasses not only the roadway, but the signs and ditches that surround the actual driving surface. During the meeting the representatives of the annexed area had with the City Manager at the 5 year hearing break, the #8 question I asked was, "After five years of being part of the City of Valley Center, we feel that we should be included as part of the city if we are truly considered a part of Valley Center. City Limit signs have never been put up to indicate such. There is a sign just west of the bridge across the river showing that you are entering the City of Valley Center. There have never been signs put up south of our additions on West Street or north of 81<sup>st</sup> on West Street. Most people still believe we are in the country and drive accordingly."



- b. Since that meeting the sign by the bridge was moved to just west of Buena Vista Drive on 81<sup>st</sup> Street N. There is about ½ mile of gravel road west of the sign before it dead ends at Hoover. A sign was put up north of 81<sup>st</sup> N on West Street. However, no sign has ever been put up south of 77<sup>th</sup> N on West Street to indicate the City Limit. West Street is used by a lot of people to skirt around Valley Center to avoid the railroad track, stoplights, and lower speed limits. They are traveling at highway speeds (55 mph plus), and usually fail to slow down due to the lack of city limit signs. Once again a request that was made to the city was ignored.
- c. The issue of mowing the ditches and right-of-ways was brought up at the same meeting. We were told that it was the adjacent property owners' responsibility to mow, the city did not have the money and could not afford to hire anyone to mow them. If they were too steep or dangerous, then the City might take care of them if special equipment was required. When this ordinance was put in place, you were talking about the grassy area between the sidewalk and the curb, the alleyways, not large country ditches. I don't mind mowing the ditch in front of my house, but the ditch to the north along 81<sup>st</sup> N is a different issue. It is over 40 feet wide and over 320 feet long. More mowing than an average lawn in the core Valley Center area. As I stated at the last hearing, each time I mow, I feel like I am putting my life in danger, often mowing right up to the edge of the road since there is no shoulder. This puts me within inches of cars that pass by, most traveling at 45 mph or more. There have been many times when I could have reached out and touched the passing car. When the City workers mow close to a roadway, they put up orange cones to keep traffic away for the safety of their employees. This task has been made even more difficult with the way the city cleared snow from the roadways this last winter. Now I have piles of gravel that were pushed off the road into the ditch. In front of my house, my grandson and I used a shop vacuum to pick up most of the gravel. The ditch to the north is just too big. Each time I mow, I pick up gravel and throw it across the road with my mower. This caused damage to the blades, mower deck and put me at risk for civil damages if a rock hits someone or their vehicle. Prior to being annexed, the township would mow the ditch. Now it's my responsibility. That is one service we lost by being annexed. Also our houses and drives are far enough apart, allowing the township grader to turn his blades a little when he got to a driveway. This kept him from piling up mounds of snow at the end of our driveways. The city used a dump truck with front blades and left huge snow banks at the end of the driveways. It took my daughter, grandson, and me almost two hours of shoveling to make a path large enough to get a vehicle out. All the time I was shoveling the snow bank, I was thinking how wonderful it was to be annexed and have City services instead of the Township's.
- d. Mr. Pile stated we had the use of the city's facilities. However, we are limited by 81<sup>st</sup> Street, which is the primary access to the core City from the west. The city is responsible for sidewalks on Meridian and Main Street. The City has built sidewalks on Meridian from the High School north of the city limits all the way south to the city limits. Very few homes on Meridian (south of the railroad tracks) to the city limits utilize the


sidewalks. Main Street or 81<sup>st</sup> Street N has sidewalks in the downtown area. West of that there are none. From 81<sup>st</sup> Street North & West Street east to the downtown area, the road is a 2 lane road with little or no paved shoulders. When or if our children or grandchildren want to ride their bikes into town to go to school, use the library, park or swimming pool, they are forced to share the main roadway with cars and large trucks. They have to ride on the road since there are no shoulders and in several locations surrounded by steep ditches. They also have to cross the Little Arkansas River bridge and two different sets of railroad tracks. The City applied for and received 3 federal grants in 2013 for new sidewalks in the core City area, but after being annexed for over 8 years, there are still no plans to bring out sidewalks to the annexed areas west of the river. I guess they really want us to feel like we are part of the City. It shows that all the city wants is our tax money and not us.

- e. The City states that they have provided maintenance to all streets equal to the County. 77<sup>th</sup> North from West Street to Hoover, West Street from 69<sup>th</sup> North and around the curve to 85<sup>th</sup> out to Ridge Road, and 69<sup>th</sup> North from Meridian to Hoover were all paved by the County prior to our annexation. The County has already come in and resurfaced 69<sup>th</sup> Street from Meridian to Hoover and West Street from 69<sup>th</sup> N to 77<sup>th</sup> N, and North of 81<sup>st</sup> on over to Ridge Road. Nothing has been done to improve the one-half mile of West Street the city annexed between 77<sup>th</sup> and 81<sup>st</sup>. Also nothing has been done to 77<sup>th</sup> Street between West and Hoover. I'm sure that if we had not been annexed by Valley Center, these roads would have also been resurfaced like the other surrounding roads. I'm sure that since Valley Center doesn't have the money to finish the oil & chip to our area, that expecting them to resurface the black top roads is clearly out of the question.
- f. A final point about the roads in the annexed area has to do with the Valley Center Service Plan on roads. It states, "Roadways connecting this area are currently maintained by the Valley Center Township Board and Sedgwick County. West Street was recently improved via cold roll mix of rejuvenated asphalt." Other roadways in the area are of gravel construction and would remain so until such time a petition for improvement, or a change in traffic patterns demonstrate a need for roadway upgrade. It is hard to believe that there has been a change in traffic patterns in this residential area. No new homes have been built, there are the same number of homes on the cul-de sacs. Traffic on main roads, such as West Street, 77<sup>th</sup> N, and 81<sup>st</sup> N might have increased slightly, but with this area sandwiched between the Little Arkansas River and the Wichita-Valley Center Flood Control Ditch, not much increase can ever be expected. The City's decision to oil & chip the residential side street was strictly a decision they made. We were told at our meeting with Mr. Pile at the 5 year hearing break that the City had decided to oil & chip the roads over the next 2 years. The cost of oil & chipping the roads would be offset by the savings from not having to continue to grade and replace gravel, to their benefit financially. No petition was ever presented to the City asking for the roads to be oiled and chipped. The Sedgwick County Engineer stated that it was an improvement for now but if the process was not repeated on a routine basis, that the roads would become worse to the point of having to be paved or asphalted. I

strongly feel that the Service Plan is like all other Service Plans. A written contract between the residents who were being annexed and the City. The city of Valley Center was and is obligated to follow the Service Plan completely until such time as the annexation process along with appeals is completed. The oil and chipping of the roads in this annexed area violated the Service Plan. No petition was submitted and their promise that the roads would remain gravel until a petition for improvements was submitted was broken.

- g. The City of Valley Center & Mr. Pile have clearly not kept their word or promises to the citizens of the areas that they annexed. The County Commission found at the end of 5 years that the City was in non-compliance with their own Service Plan. I strongly ask and urge the Sedgwick County Commission to review the facts and once again render a decision that Valley Center is still in non-compliance with the Service Plan. I look forward to being able to present further facts and detail at a hearing for de-annexation.

Again I would like to thank you for your time to hear our plea for de-annexation and for reviewing the facts that apply. I am sorry for the length of this letter, but felt that as many of the facts as possible needed to be brought to your attention.



Samuel E. Herr

8147 Buena Vista Drive

Valley Center, KS

Joel D. Pile  
City Administrator  
City of Valley Center

Sir:

The following is a list of requests that the officers of the Ranchos Del Rio I & II Homeowners Associations have for you and the City.

1. A plan on how the City plans to bring the gravel roads in our additions back up to the conditions they were before the city annexed our additions, and how the City plans to maintain the roads in the future.
2. A plan on how the City plans to maintain the ditches and other right of ways to facilitate proper drainage of water from the roadways, mowing, or other maintenance as needed.
3. A plan on how the City plans to improve and equalize police response to calls from homeowners in our additions. If we are part of the City of Valley Center, our calls should be handled with the same response as all others.
4. A plan on how the City plans to respond and handle the special needs and complaints from our additions relating to wild animals and other rural problems.
5. A cost breakdown for bringing water lines across the river to our additions (both Ranchos Del Rio I, Ranchos Del Rio II, and a combined cost if brought out for both additions at the same time).
6. A cost breakdown for bringing sewer lines across the river to our additions (both Ranchos Del Rio I, Rancho Del Rio II, and a combined cost if brought out for both additions at the same time).
7. A guarantee in writing from the City that the homeowners of Ranchos Del Rio I and Rancho Del Rio II will not be assessed the cost of bringing water and/or sewer across the river unless there is a written petition from the homeowners associations, signed by a majority of the homeowners.

8. After five years of being part of the City of Valley Center, we feel that we should be included as part of the city if we are truly considered a part of Valley Center. City Limit signs have never been put up to indicate such. There is a sign just west of the bridge across the river showing that you are entering the City of Valley Center. There have never been signs put up south of our additions on West Street or north of 81st on West Street. Most people still believe we are in the county and drive accordingly.

We look forward to hearing from you and the City of Valley Center concerning these issues that the members of our associations have in relationship to the City of Valley Center annexation of our additions.

Thank You:

  
Sam Herr

President

Ranchos Del Rio II