

PREHEARING QUESTIONNAIRE – CITY OF DERBY
(Derby Ordinance No. 1862)

- 1) The service plans prepared by the City at the time of annexation described the following planned extension of services:

Fire Protection Upon annexation;

Police Protection Upon annexation;

Code Enforcement Upon annexation;

Water Service Upon annexation;

Sewer Service Upon annexation;

In addition, some service plans included references to street improvements.

- 2) Please provide any comments regarding the above services, included but not limited to:

Information regarding fire protection, police protection and code enforcement services provided the annexation area; and

Fire Protection – Derby Fire & Rescue Department responded to several calls and has provided other fire prevention services to properties within the annexed parcels. Derby Fire has responded to five (5) fire alarm system notifications at Calvary Baptist Church (Parcel No. 3) and annual fire inspections since 2009. Within Parcel No. 5, Derby Fire has responded to the Charles Everist residence on five (5) occasions for medical calls. Also within Parcel No. 5, Derby Fire provided fire protection review and final inspections for the new Jehovah’s Witness Church at 1213 S. Rock Road. Derby Fire responded to one (1) medical call at the Sander residence on North McIntosh (within Parcel No. 7). Fire inspections have been conducted at Sewell Liquor (Parcel No. 8) on seven (7) occasions since October 2007. Fire inspections have also been conducted at K-15 Liquor (6 inspections) and Meineke Car Care Center (5 inspections), which are located within Parcel No. 9. Derby Fire has also responded to two (2) medical calls at K-15 Liquor and one (1) at Meineke.

Police Protection – All annexed parcels are now included in routine patrol beats as assigned by the Derby Police Department. Since annexation was approved, Derby Police responded to numerous calls, resulting in a total of 15 offense reports (crimes committed): 1 in Parcel No. 3, 3 in Parcel No. 5, 7 in Parcel No. 8, and 4 in Parcel No. 9. In addition, Derby Police responded to 62 other calls, but no reports or crimes committed: 1 in Parcel No. 1, 19 in Parcel No. 3, 15 in Parcel No. 5, 8 in Parcel No. 7, 12 in Parcel No. 8, and 7 in Parcel No. 9.

Code Enforcement – All parcels annexed are now included in routine patrol beats by the City's Code Enforcement Division. Since annexation, four (4) separate landowners within Parcel No. 5 have been cited for code violations including tall grass and weeds, bulky waste (tree limbs and trimmings) and inoperable vehicles. One landowner within Parcel No. 7 was also cited for tall grass and weeds. Parcel No. 8 includes a retail strip center with multiple tenants. Since annexation, three of the tenants have been cited for various code violations including abandoned vehicles, graffiti and bulky waste.

Water Service – Properties within Parcel No. 1 do not have access to City water mains. New water main construction in 2009 resulted in water lines now being located within approximately 300 feet. At this point, the owners have opted to remain on private well or Rural Water District No. 3. Parcel No. 2 also remains on Rural Water District No. 3 and has access to a City 24" main immediately adjacent to the property which now provides excellent fire protection. Calvary Baptist Church (Parcel No. 3) has constructed an 8" City main into the property for both fire protection and domestic service. This work has been accomplished since annexation. Within Parcel No. 5, six of the seven properties have direct access to City water mains but have opted to remain on private wells or Rural Water District No. 3. Excellent fire protection via the existing City water mains is available for all properties. Parcel No. 6 is a single-family residence that has also opted to remain on private well or Rural Water District No. 3. Fire protection to this property is provided by a City water main and hydrant across the street to the north. This main was constructed by the City in 2005 to provide better pressure and fire protection in this area. Parcel No. 7 consists of 2 residences and 1 business. The business (Easton Sod) and 1 of the residences have connected to City water since annexation. City Water mains are adjacent to all properties and provide excellent fire protection. Parcel No. 8 does not have direct access to a City water main and remains on private well or Rural Water. A 16" water main is scheduled to be constructed starting in the fall of this year that will provide water service to this parcel. This water line is included in the City's Capital Improvement Program (CIP). Parcel No. 9 consists of 2 businesses. The K-15 Liquor Store has access to the City water main along Red Powell Drive, but direct water access is not yet available to the other businesses to the north. The aforementioned CIP water line project will provide service to both. At this point, these businesses remain on private wells or Rural Water service. The City provides all routine water quality testing, pressure and hydrant flow testing and routine maintenance on all water lines.

Sewer Service – City of Derby sanitary sewer mains are available immediately adjacent to Parcels No. 2, No. 5, No. 7, No. 8 and No. 9. Two properties in Parcel No. 5 have been connected to City sewer since 2002 (prior to annexation). Parcels No. 8 and No. 9 have also been connected to City sewer for several years. New connections to City sewer since annexation have been made within Parcels No. 5 and No. 7. The City provides routine maintenance including TV inspection, flushing and cleaning.

Street Maintenance – Pretreatment and snow removal is performed on streets adjacent to each parcel annexed except parcel No. 1. Even though Oliver within Parcel No. 1 is a section-line road, this portion of Oliver Street is only about ¼ mile long and dead-ends

just north of K-15 and functions like a local street. Consequently, this section of roadway is not included in the City's snow emergency routes. In addition, street sweeping is performed on all streets at least 2 times per year. The City's Public Works Department maintains and inspects all drainage ditches, storm sewers and inlets at least annually. The City also has an aggressive street sign replacement plan to ensure that all signs are in compliance with the MUTCD for size, shape and reflectivity. The City routinely inspects and rates the pavement condition on all streets and has developed a Pavement Management Plan that includes typical street pavement maintenance work such as crack sealing, surface treatments, milling and overlays and total pavement replacement if needed. Specific maintenance activities in the annexed areas include crack sealing adjacent to Parcels No. 2, No. 3, and No. 6; surface treatment in parcels No. 2, No. 3, No. 6 No.7, No. 8 and No. 9; full-depth asphalt patching in Parcel No. 7; ditch cleaning and grading in Parcels No. 6, No. 7, No. 8 and No. 9; new pavement markings in Parcels No. 5, and No. 9; hike and bike path repairs in Parcels No. 3 and No. 5; and mowing of adjacent street rights-of-way in Parcels No. 5, No. 6, No. 7 and No. 8.

If any landowner has petitioned for water or sewer services, information regarding the status of the petitions submitted.

New Water Lines via Petition – No landowners within any of the annexed areas have petitioned the City for new water line extensions.

New Sewer Lines via Petition – Since annexation, three new sanitary sewer main projects have been constructed as a result of landowners submitting petitions to the City. City of Derby Resolution No. 36-2009 provided sewer service to one property located within parcel No. 5 (this project also included several other properties previously annexed). Resolution No. 39-2010 provided sewer service to two properties within Parcel No. 5 plus one additional property previously annexed. Resolution No. 11-2008 provided sewer service to Easton Sod Co. located within Parcel No. 7.

Annexation Area No. 1 (E. of K-15 / N. of 63rd S.)

In “A. Public Streets” the plan states the segment of Oliver is paved but will need to be subject to future improvement to urban standard.

Typically, section line roads within the City are programmed over time to be converted from county 2-lane roads to urban streets with storm sewer and curb and gutter. In this particular location, since Oliver no longer is a through street (due to K-15 and to Buckner realignment), it is unlikely that significant modification to this roadway will be done.

Annexation area No. 7 (W. of K-15 / N. of Madison)

In “A. Public Streets” the plan states that as manufacturing uses increase in the industrial park, “improvements to McIntosh should be expected.”

McIntosh Road is adjacent to the Derby Business Park which includes 5 existing businesses. At the time of zoning the property to M-1 Manufacturing, property owners along McIntosh expressed concern about the condition of the roadway and fears that excessive truck traffic would deteriorate the roadway. Sedgwick County Public Works placed cold-mix asphalt on this roadway prior to annexation. Significant truck traffic on McIntosh has not yet materialized, but the City recognizes that long-term improvements will be needed. As such, the City has programmed McIntosh for reconstruction in our Capital Improvement Program as a “future project”.

- 3) Please provide any other information the City deems appropriate regarding the services provided for the annexed area.

The City of Derby has a policy to install new street lights within newly annexed areas. Street lights already existed adjacent to all annexed parcels, so no new street lights were installed in this case.

Since Dec. 1, 2009, all residences within the annexed parcels became customers of Waste Connections for recycling and trash collection service at the discounted rate per contract between the City of Derby and Waste Connections.

A total of eight (8) persons living within the annexed parcels are card-holders at the Derby Public Library.