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Sedgwick County

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Legislation Details (With Text)

File #: 11-0993 **Version:** 1 **Name:**
Type: Other **Status:** New Business
File created: 9/19/2011 **In control:** Board of Sedgwick County Commissioners
On agenda: 9/28/2011 **Final action:**
Title: SETTING OF HEARING DATE FOR POSTANNEXATION HEARING CITY OF DERBY.
Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Approve notice of hearing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. MAP 2006 Unilateral Annexations.City of Derby.071211.pdf, 2. Notice of Post Annexation Hearing Derby Oct 26 Ord No 1862.pdf, 3. Ordinance No. 1862.0712.11.pdf, 4. Derby Annex Area 1.service ext plan.071211.pdf, 5. Derby Annex Area 2.service ext plan.071211.pdf, 6. Derby Annex Area 3.service ext plan.071211.pdf, 7. Derby Annex Area 5.service ext plan.071211.pdf, 8. Derby Annex Area 6.service ext plan.071211.pdf, 9. Derby Annex Area 7.service ext plan.071211.pdf, 10. Derby Annex Area 8.service ext plan.071211.pdf, 11. Derby Annex Area 9.service ext plan.071211.pdf, 12. Owner letters and remarks.082311.pdf, 13. City Response Prehearing Questionnaire for Annexation.pdf

Date	Ver.	Action By	Action	Result
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SETTING OF HEARING DATE FOR POSTANNEXATION HEARING CITY OF DERBY.

Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Approve notice of hearing.

K.S.A. 12-531 requires the Board to hold a hearing five years after the effective date of any annexation in which a city was required to prepare a service plan showing services to be extended to the area to be annexed. Notice of the hearing, once set, will be provided to the City and to all landowners residing in the area annexed, by first class mail prepaid.

Derby annexed 17 properties by Ordinance No. 1862. A prehearing questionnaire was sent to the current property owners in the annexed area. 3 of the landowners responded to the questionnaire; their responses are included as part of the agenda backup. The city has also provided a response to the questionnaire.

Analysis: At the hearing the Board hears evidence from the City and landowners concerning whether the services were extended as provided in the service plan. The Board then makes a finding whether the services were extended. If the Board finds the services were not extended, then the City and the landowners are notified the area may be de-annexed from the City if the services are not provided within the next 2 ½ years.

Alternatives: **A) Set the hearing date as proposed**

- B) Approve an alternative date**
- C) Take any other action deemed appropriate**

Financial Considerations: None

Legal Considerations: The Board is required to hold the hearing by K.S.A. 12-531.

Policy Considerations: None

Outside Attendees: None

Multimedia Presentation: Map