

CITY MANAGER'S OFFICE
Jason A. Gage
City Manager
300 West Ash · P.O. Box 736
Salina, Kansas 67402-0736



TELEPHONE · (785) 309-5700
FAX · (785) 309-5711
TDD · (785) 309-5747
E-MAIL · jason.gage@salina.org
WEBSITE · www.salina-ks.gov

To: Senate Ethics, Elections and Local Government Committee

From: Jason A. Gage, City Manager, City of Salina

Subject: SB 31 Testimony in Support

Request

Thank you for the opportunity to provide testimony regarding SB 31. We are very appreciative of your time to consider this written testimony. With that said, we respectfully request that you support the passage of SB 31.

Bill Summary

For properties deemed “abandoned”, this bill will give cities of all sizes an effective tool to relieve neighborhoods of blight resulting from these properties.

Reasons for Our Support

We believe this bill is good for Salina and other Kansas communities for the following reasons:

- Salina has many abandoned properties that have been allowed to decay over time. These properties create a dangerous condition for youth and a result in a blighted impact to otherwise strong neighborhoods.
- Abandoned properties are most often the result of an absent owner’s conscious desire to avoid maintenance responsibility. Our experience has shown that these owners often ignore numerous requests to repair their properties or choose not to receive these notices. This bill provides a more than adequate notice process.
- Cities like Salina have very few tools to address the dangers and blight caused by abandoned properties. Often times, nearby property owners become frustrated by the City’s inability to address the problem and become dismayed with their neighborhood.

- SB 31 provides a reasonable application of a city's authority to address abandoned properties without the use of demolition, giving Kansas cities a proper tool to preserve core neighborhoods.

Suggested Amendment

While this bill appears to be very solid, we do recommend a minor process amendment for your consideration, as follows:

- (Page 4, line 7). Section 2(d) generally provides that at a court hearing for the filed petition, the court will 1) consider a submitted plan for rehabilitation of the property; 2) permit entry to the property for development of the rehabilitation plan; 3) make a determination as to whether the property is "abandoned"; 4) approve the rehabilitation plan; and 5) grant temporary possession to carry out the rehabilitation plan. The problem is that the petitioner needs access to the property in advance of this court hearing in order to create the rehabilitation plan that is required to be submitted to the court. To resolve this logistical issue, we suggest amending the bill with one of the following two alternatives:

Alternative #1: Initially, authorize the organization to enter the property without a court petition if the organization has determined that the property meets the bill's requirements of "abandonment". Then, require the organization to petition the court for the remaining authorizations as contained therein.

Alternative #2: Create a two-step approach for court review, whereby the court is initially petitioned to ratify the property as "abandoned" and grants access to the abandoned property, followed by a second court petition whereby the court reviews and presumably approves the submitted rehabilitation plan and grants the organization temporary possession of the property to carry out the plan.

Both of these alternatives would address the logistical need to enter the abandoned property in order to properly inspect it and create a rehabilitation plan, as required for the court hearing.

Requested Action

This bill has the potential to truly preserve Salina's neighborhoods and those in other Kansas communities. As a result, we respectfully request that you support SB 31, with or without our suggested amendments.

Thank you for considering our legislative request!