



City Clips



A Publication of the City of Haviland

Vol. 5 Issue 2

April 2014

*** Mayor's Musings ***

It's time for an update on the water situation. We have been working on this for the past three years and over that time I have been asked if we are the only town that was being harassed by the Kansas Department of Health and Environment and the Environmental Protection Agency. Turns out that there are many other towns in Kansas that have been through the same process. Some tried the RO systems and only the ones with less than one hundred water meters were allowed to use that method to solve the problem. Both of the towns that are using RO systems are almost all residential with no schools or businesses.

In the March issue of **The Kansas Lifeline**, a publication of the Kansas Rural Water Association, some of the towns that are doing or have already done what we are going to be required to do include Anthony, St. John, Belpre and Lewis.

Anthony was well on the way to completing their system by having their project shovel-ready when the American Reinvestment and Recovery Act was passed in 2009. The USDA was able to fund the entire \$9 million project with a grant of \$4 million and a loan of \$5 million.

The city of St. John, with a population of about twelve hundred, is spending just under \$3 million. KDHE awarded a 30 percent loan forgiveness because of meeting a compliance issue. The balance (\$2.1 million) was financed over a twenty-year term at 2.42 percent through the Kansas Public Water Supply Loan Fund.

We do not know at this time what or how much of this funding we will qualify for and the water rates will be determined by the state average as to which method of funding we will use. Our project will cost about \$2.5 million.

The bottom line is that no matter how much of this **FREE** money we can get, the rates will have to increase to cover some of the costs. Our current rates are \$11.90 for the first 2,000 gallons, \$1.00 per thousand for the next 10,000 gallons and \$1.25 per thousand thereafter. As a comparison, St. John's rates before the installation were \$5.00 minimum with 3,000 gallons included and \$1.60 per 1,000 gallons thereafter. The new rate structure is \$17.45 minimum with 3,000 gallons included and the charge for water is \$5.58 per 1,000 gallons thereafter.

Most entities reduce the price per unit as the quantity increases. This is not the case with water since we are already over our allotted amount of water. We cannot get a permit to drill another well so the only answer is to encourage conservation. And the best way to do that is to charge more to the big users. I know this is not fun but that's the way it is. Barclay College has drilled their own well so that may bring us into compliance. We plan to make small increases in the water rates as we go along to try to get a head start on the cost of the system.

While we are on the subject of rate increases, the sewer plant is in need of some substantial repair so expect an increase in the sewer rate.

One more thing about drinking water, tap water from a public water supply is regulated by the EPA under the authority of the Safe Drinking Water Act. The EPA develops regulations and sets standards to ensure water is safe to drink. The EPA does not regulate bottled water. The FDA as packaged food under the Federal Food, Drug, and Cosmetic Act regulates it. The bottled water regulations, established by the FDA are generally the same as the maximum contaminant levels set for tap water. The difference is in the reporting. We as a city are required to notify you if there is a problem with the drinking water. You will remember the quarterly report sent out by the City. The bottled water people are only required to print the contaminant level and potential adverse health effects on the label. So there is no guarantee that the water you buy in a bottle is any better or even as good as what you get out of the tap. Also the average cost of a single bottle of water is \$1.45 for a 20 oz. bottle, that's \$9.28 per gallon.

Anyway, Spring is finally here.

Robert Ellis

Keep Streets Clean

When mowing grass, raking leaves, trimming bushes, please don't allow grass clippings, leaves, etc. to end up in the street. These items will find their way into the storm sewer and often cause clogs. Thank you for your help with this.

Siren Testing

Kiowa County will be testing the storm sirens every Saturday at 12:30 p.m. for 30 seconds, except as follows:

- A Severe thunderstorm or tornado watch or warning is in effect at the time of the test, or has been in effect within six hours preceding the time of the test.
- Severe weather is forecast for any period up to 6:00 p.m. the day of the test.

Automatic Water Payment

The City has an agreement with Haviland State Bank so that you can authorize payment of your water/sewer/trash utility bill through a checking or savings account. This is a free service to our customers. You can bank anywhere in the country and take advantage of this service. If interested, call or e-mail the office, and the form will be sent to you.

Email Addresses

Please send us your e-mail address so that notifications about the current newsletter and other City notices and information can be sent to you electronically. This really cuts down on the cost of postage and paper. Send your request by an email to cityhall@havantelco.com.

CITY COUNCIL MEETS THE FIRST MONDAY OF EACH MONTH AT 7:00 P.M. IN THE COMMUNITY ROOM UNLESS OTHERWISE POSTED. PUBLIC WELCOME!

Local Haviland Weather

Did you know that you could find out Haviland weather by just dialing a local number? That number is 862-6000. It will tell you the time, temperature, humidity, wind, wind chill, precipitation for the day, and barometric pressure. Try it out!

City of Haviland
620-862-5317

cityhall@havantelco.com

"City Clips"
is
published quarterly
for
the benefit of
our customers.

If you have questions, concerns, complaints, anything that warrants the council's attention, please call the City Office at 620-862-5317 or email cityhall@havantelco.com. For water or sewer emergencies, call Wes Jantz at 620-546-5601. If you plan to do any digging, call 1-800-DIG-SAFE (344-7233) before you dig.

CITY OF HAVILAND

Robert Ellis, Mayor

Council Members

Kay Unruh Dwight Smitherman

Steve Larsh Ed Davis

Matt Ballard

Wes Jantz, City Superintendent

Pake McCarley, City Maintenance

Shari McAfee, City Clerk

Millie Hannan, Treasurer

Joel Halverstadt, Code/Animal

Enforcement Officer



"Grandma, were you on Noah's Ark?" "No." "Well, how did you survive the flood?"



"J" Turns

"J" turns continue to be a problem on Main Street. There are double yellow lines and NO J TURN signs on the first and second blocks of north Main Street. These were added to keep people from making "J" turns in front of businesses, and also from making "J" turns when backing out of a parking space. Both turns are dangerous to traffic and pedestrians. With addition of the signs, you can be ticketed. Please use caution, obey the signs, and stop making "J" turns.

Nisly Trash Service

Trash carts need to be set out by 7:00 a.m. each Wednesday, carts positioned with arrows on the lid facing the street.

Recycling is the 4th Wednesday of each month and is free. These carts are collected later on that day, but should be out by 8:00 a.m. Again, position the cart so that the arrows on the lid are facing the street.

If you have both trash and recycling, the carts need to be placed at least five feet apart, and not put next to a vehicle or any other obstacle. Do not leave emptied carts on the street.

If your trash or recycling is not collected, please call or email the office as soon as possible. Leave a phone message if calling before 10:00 a.m.

Trash will be collected on all holidays that occur on Wednesday with the exception of Christmas Day and New Year's Day.

Recycle

The Kiowa County Solid Waste Department now has a recycle trailer for cardboard and carts for other recyclables located behind Haviland Care Center 24/7.

THIS IS FOR RECYCLE ITEMS ONLY, NO TRASH!

Tax Rebate Program

The Tax Rebate Program under the Kiowa County Revitalization Plan (the City of Haviland is a part of this plan) is intended to promote the revitalization and development of the County of Kiowa by stimulating new construction.

A structure that may be eligible for this rebate is any new building, wall, or other structure, including the building and improvements to existing structures and fixtures permanently assimilated to the real estate.

The current three (3) year application period began January 1, 2013 and will end December 31, 2015. Applications approved during the application period will receive a tax rebate for ten (10) years following completion of the project. Applications, which are available at the County Appraiser's Office, must be submitted and approved prior to beginning construction.

For more information about this program, contact the County Appraiser's Office, 620-723-3301.

City Web Site

The City now has its own web site, www.havilandks.com. Still in the building process, you will need to visit often to see what has been added or changed. It includes a home page, city and community information, a community calendar, history, contact page, and links to other local sites. Check it out!



A Jewish gentleman, fresh out of gift ideas, bought his mother-in-law a large plot in an expensive cemetery. On her next birthday, he bought her nothing. She was quick to comment loud and long on his thoughtlessness.

"Well, you haven't used the gift I gave you last year."



Mini Minutes

Complete minutes can be accessed at www.havilandks.com.

*January 6, 2014

Ballard motioned to approve the Special Event Permit for the 2014 "Run for Missions". Unruh seconded. Unanimous.

Larsh motioned to approve the 2014 renewal membership to the Kiowa County Chamber of Commerce. Smitherman seconded. Unanimous.

Smitherman motioned to approve the Haviland State Bank as the official bank; VonFeldt, Bauer and VonFeldt as the official accountant/auditor; Megaffin & Brown (Stephen Brown) as the official attorney; and The Kiowa County Signal as the official newspaper for 2014. Davis seconded. Unanimous.

Smitherman motioned to approve the audit engagement contract. Ballard seconded. Unanimous.

Smitherman motioned to give Pake McCarley a salary of \$32,000.00 for 2014, to continue reimbursement of \$550.00 per month for health insurance, and pay his water, sewer, and trash. Vacation, sick leave, and retirement will be negotiated at a later date. Unruh seconded. Unanimous.

*February 3, 2014

Ballard motioned to approve Ordinance No. 359 relating to mobile homes. Larsh seconded. Unanimous.

Alan Luttrell, EBH engineer reported that the application for funding for the nitrate water system has been submitted to Rural Development.

Smitherman motioned to deny the request for a pop machine on Main Street. Ballard seconded. Motion passed 4-1 with Larsh casting the no vote.

Unruh motioned not to accept the proposal from Citycode Financial for the codification of our ordinances. Smitherman seconded. Unanimous.

*March 3, 2014

Smitherman motioned to pass Ordinance No. 360 relating to excavating and digging on City right-of-way. Unruh seconded. Motion passed 4-1 with Davis casting the no vote.

Smitherman motioned to approve the new copier lease proposal with Dirks Copy Products, Inc. Ballard seconded. Unanimous.

Unruh motioned to approve a \$100.00 donation to "Safe Kids Kiowa County". Smitherman seconded. Unanimous.

Ballard motioned to approve a \$100.00 donation to 2014 Maverick After Prom. Larsh seconded. Unanimous.

Governing Body Contacts

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cityhall@havilandtelco.com

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ballardfarms@hotmail.com

* * * R/O WATER AT THE FIRE STATION * * *
WHEN GETTING WATER,
PLEASE PARK DIRECTLY IN FRONT OF THE R/O STATION.
DO NOT PARK IN FRONT OF OR BLOCK THE FIRE STATION DOORS!!!

Kansas 2014 Drought update – Kansas Water Office – April 21, 2014

- Eighteen Kansas Counties were declared 2014 Primary Natural Disaster Areas by USDA on April 9, 2014 under the “new” farm bill. These counties had been designated earlier in 2014.
- Executive Order 13-02 issued by the Governor August 26, 2013 remains in effect with 37 Kansas counties under an Emergency Drought Stage, 20 in Warning, and 25 in Watch. Kiowa County remains under Drought Warning.
- The US Drought Monitor indicates dry conditions in Kansas have affected the entire state again. Drought persists in the west, with dry conditions in the east and central parts of Kansas.
- The Monthly Drought Outlook for April indicates drought conditions to persist or intensify for western and portions of central Kansas. Removal of drought is likely for eastern Kansas.
- The Seasonal Drought Outlook through July 2014 indicates drought conditions to remain in the west central and southwest, with possible improvement or removal in the remainder of the state.

THE BURN PILE LOCATED AT THE DISPOSAL PLANT IS FOR BRUSH AND LIMBS ONLY! WHOLE TREES NEED TO BE CLEANED OF DIRT, ROCKS, ETC. BEFORE BRINGING TO THE PILE. ABSOLUTELY NO HOUSEHOLD TRASH, CONSTRUCTION TRASH, METAL, APPLIANCES, CONCRETE, CARPET, DIRT, ROCKS, ETC.! THIS SITE IS ROUTINELY INSPECTED BY THE STATE AND MISUSE COULD RESULT IN THE LOSS OF OUR PERMIT. THANK YOU.

City Utility Bill

Your city utility bill is due on the 20th of each month. Delinquent notices are sent on the 21st. Delinquent bills are charged a 10% penalty on the unpaid balance. Service will be terminated if payment or payment arrangements are not made within seven days. A reconnect fee of \$12.50 will be assessed if service is interrupted.

Code Enforcement Officer

Joel Halverstadt is the Code and Animal Enforcement Officer for the City of Haviland. If you have a complaint, a concern, or see dogs or cats running loose, please call Joel at 620-388-5634.

* * Clips From the Past * *

H. D. White has notified the local merchants that all stores must close at 6:00 p.m. hereafter in order to save coal.

Haviland Onlooker
January 17, 1918

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It is reported that Standard Oil co. has purchased three lots opposite the Ellis Motor Co. by the City Hall with a view of putting in a filling station. The lots belong to Mr. Ellis.

Haviland Review
April 5, 1923

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The Haviland Grade School held it's 3rd Annual Kite Tournament in March 1934 at Rush's pasture.

Haviland Review

Many new trees are being planted in what will some day be the City Park. There is quite a nice start in the block just back of the City Hall. The new trees are being extended to the street to the north.

Haviland Review
April 13, 1933

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W. B. Bryant apparently was the only man in Haviland to remember that Wednesday was Kansas' eightieth birthday. At least, he was the only one to display the flag.

Haviland Review
January 30, 1941

The City of Haviland is sponsoring a band that will give concerts on the streets Saturday evenings as soon as it can be whipped into shape by Harold Phillips, leader. All those interested in becoming a member meet at the high school next Thursday evening, June 16 at 7:45.

Haviland Review
June 9, 1938

* * * * *

Turn your clock back one hour Sunday night before retiring and go to sleep and forget about it. That's all there is to it. In a week's time you will have forgotten there ever was a war time.

Haviland Review
September 27, 1945

Haviland Business-School-Church Register

If you would like your name added or deleted from this list, or if there are any errors, call the office at 620-862-5317 or email cityhall@havilandtelco.com.

- A H CONTRACTING – 314 E. Walnut – 620-862-5424
- ANTIQUJE JUNCTION – 308 S. Lawrence – 620-862-7232
- BANCO INSURANCE AGENCY, INC. – 201 N. Main – 620-862-5206
- BARCLAY COLLEGE – 607 N. Kingman – 620-862-5252 – www.barclaycollege.edu
- BEAR'S DEN – 512 N. Kingman – 620-862-9880
- COLLEGE HILL APARTMENTS – 300 E. Elm – 620-862-5252
- D H REPAIR – 419 N. Orange (Wellsford) – 620-862-5360
- DAN WOODS – 14247 57 Ave. – 620-862-5458
- DEGARMO SEWER RODDING – 512 E. Poplar – 620-862-5482
- FARMERS CO-OP – 102 W. Mulberry – 620-862-5225 – www.havilandcoop.com
- FARMERS CO-OP STATION – 108 W. Hwy. 54 – 620-862-5273 – www.havilandcoop.com
- GAIL BALLARD MUNICIPAL AIRPORT – W. Hwy. 54 – 620-862-5678
- HALL'S FLEA MARKET – 321 N. Orange (Wellsford) – 620-862-7131
- HAVILAND BARBER SHOP – 116 N. Main – 620-770-1229
- HAVILAND CLINIC – 106 N. Main – 620-862-5431
- HAVILAND FRIENDS CHURCH – 205 N. Kingman – 620-862-5258 – www.havilandfriends.org
- HAVILAND GRADE SCHOOL – 400 N. Topeka – 620-862-5277 – District Office 620-862-5256 – www.usd474.org
- HAVILAND HARDWARE AND GROCERY – 114 N. Main – 620-862-5202
- HAVILAND HEALTH CARE, LLC – 200 N. Main – 620-862-5291
- HAVILAND LIBRARY – 112 N. Main – 620-862-5350 – <https://kiowacounty.biblionix.com>
- HAVILAND POST OFFICE – 108 N. Main – 620-862-5477
- HAVILAND STATE BANK – 209 N. Main – 620-862-5222 – www.havilandstatebank.com
- HAVILAND TELEPHONE CO., INC. – 104 N. Main – 620-862-5211 – www.havilandtelco.com
- HAVILAND UNITED METHODIST CHURCH – 322 N. Main – 620-862-5267 – www.greatplainsumc.org/churches
- HEART OF AMERICA SCIENCE RESOURCE CENTER – E. Hwy. 54 – 620-862-5654
- HERITAGE PLACE OF HAVILAND, LLC – 301-311 N. Main – 620-862-5627
- HOME AGAIN SENIOR LIVING, LLC – 321 N. Main – 620-862-5867
- JANE BUCHER ORIGINALS – 204 E. Chestnut – 620-862-7166
- JON FOLKERTS REPAIR – 25201 G St. – 620-862-7168
- KANSAS METEORITE MUSEUM AND NATURE CENTER – 21255 K St. – 620-723-2318 – www.kansasmeteorite.com
- KIM STEWART, MARY KAY DEALER – 23112 J St. – 620-862-5345
- MARTIE WILLIAMS LICENSED DAYCARE/AVON REPRESENTATIVE – 301 N. Emporia – 620-862-5361
- M J JONES CONSTRUCTION – 414 E. Poplar – 620-862-5675
- OSCAR'S HANDI-SERVICE – 608 N. Lawrence – 620-862-7178
- R K CONTRACTING – 506 N. Lawrence – 620-862-5677
- SABRINA'S SWEET TREATS – 412 N. Wichita – 620-862-5476
- SANDFILL OUTFITTERS – 21169 45 Ave. – 620-862-5351
- STEVE'S WELDING SERVICE – 13183 57th Ave. – 620-862-5313
- THE HAIRBENDER – 107 W. Walnut – 620-862-7182
- THOMPSON GREENHOUSE – 302 W. Cherry – 620-862-5381 – www.thompsongreenhouse.com
- WORDEN SALES & SERVICE – 120 N. Main – 620-862-5327



Larry was a photographer for the New York Times, and was scheduled to meet a plane on the runway to take him on a job. "Hit it," said Larry climbing into the first plane he saw on the runway. The pilot took off, and was soon in the air. "OK," said Larry, "fly low over the trees over there, I want to take a few pictures." "What do you mean?" asked the pilot. Larry looked at the pilot and answered a little annoyed, "I need to take some pictures for the New York Times, so please...." There was a long pause before the pilot asked in a shaky voice, "You mean you're not my pilot instructor?"



Nitrate Quarterly Report

DRINKING WATER WARNING CITY OF HAVILAND WATER HAS HIGH LEVELS OF NITRATE DO NOT GIVE THE WATER TO INFANTS UNDER SIX MONTHS OLD OR USE IT TO MAKE INFANT FORMULA

Water sample results collected March 24, 2014 from Well #1 showed nitrate levels of 12 mg/L (which is the same as last quarter), Well #2 showed nitrate levels of 11 mg/L (which is down from 13 last quarter), and Well #3 showed nitrate levels of 14 mg/L (which is the same as last quarter). This is above the federal nitrate standard or maximum contaminant level (MCL) of 10 mg/L. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- ❖ **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.* Blue baby syndrome is indicated by blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- ❖ Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- ❖ **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- ❖ Adults and children older than six months can drink the tap water (nitrate is a concern for infants because they can't process nitrates in the same way adults can). However, if you are pregnant or have specific health concerns, you may wish to consult your doctor.

What happened? Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year. We'll let you know when the amount of nitrate is again below the limit.

What is being done? We continue to work with Alan Luttrell, Engineer with EBH & Associates to help us in the process of staying in compliance with the State. Remember, that we do have an R/O unit attached to the fire station where you can get drinking water.

For more information, please contact: Wesley Jantz or Shari McAfee at phone 620-862-5317, mailing address PO Box 264, Haviland, KS 67059-0264, or e-mail cityhall@haviglandtelco.com.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the City of Haviland.

State Water System ID#: K5000 Federal Water System ID#: KS2009703

Date distributed: Mailed/E-mailed to All Citizens May 5, 2014

Public Agenda Items

If you have a request or concern and would like to be included on the council agenda, please submit a written request ten (10) days prior to the meeting you want to attend. Meetings are the first Monday of each month.

MAIN STREET SPEED LIMIT 20 MPH

**Please comply with the posted speed limit on Main Street. Driving over the limit is a danger to pedestrians and other drivers.
**** PLEASE SLOW DOWN! ******

Publishing of Ordinances and Resolutions

We are required to publish all new ordinances and resolutions in the City's designated newspaper, which is the Kiowa County Signal. Many of you do not take the paper, so with the quarterly newsletter, we now have another way to publish these items.

ORDINANCE NO. 359

AN ORDINANCE DEFINING AND REGULATING THE PLACEMENT OF MANUFACTURED HOMES, MOBILE HOMES, RESIDENTIAL DESIGN MANUFACTURED HOMES AND MODULAR HOMES WITHIN THE CITY OF HAVILAND, KANSAS; AND REPEALING ORDINANCE NO. 322.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVILAND, KANSAS:

SECTION 1. DEFINITION. Manufactured home/mobile home is a structure built on a permanent chassis and transportable in one (1) or more sections, which contain all necessary plumbing, heating, air conditioning and electrical systems, and is designed to be used as a dwelling with or without a permanent foundation when connected to all required utilities. Such structures should be constructed in conformance with the Federal Manufactured Home Construction and Safety Standards Act generally known as HUD Code established pursuant to 42 U.S.C. Sec. 5403. For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

SECTION 2. INSTALLATION OF MANUFACTURED HOMES OR MOBILE HOMES WITHIN THE CITY. Manufactured or mobile homes shall henceforth be subject to the following regulations concerning their placement within the City of Haviland, Kansas.

- a) Obtain from the City an area map that outlines all property within 200' of each corner upon which placement of the manufactured or mobile home is proposed.
- b) An application for placement of a manufactured or mobile home must be submitted to the City office along with a thirty-five dollar (\$35.00) application fee, plus a one hundred dollar (\$100.00) placement fee.
- c) A five hundred dollar (\$500.00) deposit fee must be paid to the City of Haviland. This deposit will be refunded after thirty (30) days, if all requirements are met.
- d) The manufactured or mobile home must be fifteen (15) years of age or less.
- e) The home shall be installed in accordance with the recommended installation procedures of the manufacturer. The running gear, tongue, axles and wheels shall be removed from the unit at the time of installation.
- f) The home shall be equipped with skirting on all sides. Skirting is to be of material harmonious to the home's structure. Skirting shall comply with requirements within thirty (30) days after placement of the home.
- g) Porches, handrails, stairs, entrance platforms, ramps and other means of entrances and exits to and from the manufactured or mobile home shall be installed and constructed firmly to the primary structure and anchored securely in the ground.
- h) The manufactured or mobile home shall be placed on a well-drained area and the lot shall be properly graded so as to prevent the accumulation of storm water under the home or on the lot.
- i) Each manufactured or mobile home shall be an independent dwelling unit. The connection of the manufactured or mobile home utilities shall be in accordance with all current regulations of the City's code and all connection fees shall be paid in full prior to obtaining requested services. No additions shall be made to a manufactured or mobile home, unless the manufactured or mobile home is on a permanent foundation. Adjoining of two singlewide homes is not permitted.
- j) The home must be located so all parts thereof are at least five (5) feet from adjoining real property boundary lines and at least ten (10) feet from all other residential structures and homes.
- k) The home must be tied down in conformance with the manufacturer's specifications, provided no part of the components or equipment used to tie the home down shall be visible from outside the masonry curtain wall or skirting after installation.
- l) City utilities will not be turned on until all requirements are met.
- m) The manufactured or mobile home shall not be occupied until all regulations of this Ordinance are compliant with that dwelling as specified by the code Enforcement Officer.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES. Ordinance No. 322 and all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its adoption and publication in the official City newspaper.

Passed by the council and approved by the mayor this 3rd day of February 2014.

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ORDINANCE NO. 360

AN ORDINANCE REGULATING DRILLING AND EXCAVATION ON CITY PROPERTY OR CITY RIGHT OF WAY; ESTABLISHING PROCEDURE FOR PERMIT AND PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVILAND, KANSAS:

SECTION 1. DEFINITIONS. For the purpose of this ordinance, the following words, terms, phrases and their derivations shall have the meaning ascribed for them in this section:

Ordinance No. 360 continued on page 8

Ordinance No. 360 continued from page 7

- a) Contractor – a person or entity who excavates or drills. An owner may be a contractor;
- b) Drill – to bore or drive to make a hole;
- c) Excavate – forming a cavity by cutting, digging or scooping;

SECTION 2. BUILDING PERMIT. It shall be unlawful for any contractor to excavate or drill on city property or city right of way without a permit being first obtained from the City Clerk. Before the issuance of a permit a written application must be completed, approved by signature of a contractor and submitted to the City Clerk. The permit shall include:

- a) a general explanation of the excavation or drilling, to be done;
- b) the location of the excavation or drilling;
- c) the anticipated beginning date and anticipated finish date of excavation or drilling;
- d) address and phone number of the contractor;
- e) plans for flagging, barricade or safety fencing specifically described;
- f) an agreement that the contractor shall restore city roadways or alleys to their pre-permit condition, that back fill shall be done with at least 50% fill sand, and that concrete or asphalt utilized to restore streets to their original pre-permit condition shall be of the same grade or better grade as existed prior to application and shall be of same thickness or greater thickness as existed prior to application;
- g) require as a condition prior to beginning work: a certificate of liability insurance or bond, providing for compensation in excess of \$500,000.00 per occurrence, which will indemnify the owner, contractor and City, as to all enforceable claims from any individual or other entity (including the City), for direct or indirect damage as a result of negligence or wrongful act, of the contractor, owner or city, related in any manner to the excavation or drilling.

SECTION 3. PERMIT APPLICATION. The City Clerk will deliver a copy of the permit application to the City Maintenance Manager, who will:

- a) determine that the application is complete and that all information is correct;
- b) determine whether the anticipated excavation or drilling may be performed with minimal danger or minimal inconvenience, to the public; and
- c) determine whether or not the city property and/or city right of way will be restored to its pre-permit condition as indicated in the application.

Assuming the City Maintenance Manager makes all three determinations above, the City Clerk will issue a permit: for a period beginning on the date the work is to begin as indicated in the permit application and ending on the date determined by the City Maintenance Manager, but no longer than 6 months from the date of the beginning date.

SECTION 4. CONTENTS OF PERMIT. The permit issued by the City Clerk shall:

- a) describe the excavation or drilling, allowed;
- b) require Kansas One-Call be notified by the contractor before excavation or drilling begins; and
- c) require the excavation or drilling, be conducted as indicated in the application, unless modified in the permit.

SECTION 5. APPROVAL OF WORK BY CITY. The contractor must notify the City Maintenance Manager upon completion of the excavation or drilling. In the event the City Maintenance Manager has probable cause to believe the city property and/or city right of way has not been restored to its pre-permit condition, the city may cause the city property and/or city right of way to be restored to its pre-permit condition; at which time the contractor may be billed for such costs. Claim for reimbursement of the restoration costs may be made by the City Maintenance Manager on behalf of the city, against the contractor and/or the contractor's insurance company. In addition to restoration or reimbursement, the contractor may be charged in the Municipal Court for failure to comply with this ordinance.

SECTION 6. NONCOMPLIANCE. In the event the City Maintenance Manager has probable cause to believe any contractor, has failed to comply with this ordinance in any manner, the City Maintenance Manager may file a complaint in the Municipal Court against such contractor, person or entity; and upon conviction of any violation of this ordinance, such contractor, person or entity shall be deemed guilty of a misdemeanor and shall be punished as follows:

- a) imposition of fine not more than \$500.00;
- b) an order requiring restoration or payment of restoration costs;
- c) revocation of a right to apply for a permit; and
- d) revocation or modification of the subject permit.

SECTION 7. CONTRACTOR DISSATISFACTION. In the event any contractor is dissatisfied with the action of the City Maintenance Manager including but not limited to:

- a) the contents of a permit;
- b) failure to issue a permit; or
- c) requiring restoration or reimbursement of restoration costs;

the contractor may have said City Maintenance Manager's action or inaction reviewed by the City Council by requesting such review in writing filed with the City Clerk. The City Council may exercise any and all authority of the City Maintenance Manager, as set out herein.

SECTION 8. NONLIABILITY. City Council by action or inaction, City Clerk by action or inaction, City Maintenance Manager by action or inaction and/or any other city employee by action or inaction, are not assuming any liability by reason of the passage of this ordinance, issuance or denial of a permit, and/or inspection or lack thereof. This ordinance shall not be construed to relieve or lessen the liability of any

Ordinance No. 360 continued on page 9

person or other entity performing or failing to perform construction, remodel, repair, erection and demolition of any building or structure, or any excavation or drilling.

SECTION 9. UNENFORCEABILITY OF PORTIONS OF THIS ORDINANCE. If any section of this ordinance shall be held unconstitutional or otherwise invalid by any Court of competent jurisdiction, then such sections shall be considered separate and apart from the remaining sections and the remaining sections shall continue in full force and effect.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after an Ordinance Summary publication in the official city newspaper.

Passed by the council and approved by the mayor the 3rd day of March 2014.



Systems Science 1 Comprehensive Final Exam

INSTRUCTIONS – Read each question carefully. Answer all questions. Time limit: 4 hours. Begin immediately.

- ❖ **HISTORY** – Describe the history of the papacy from its origins to the present day, concentrating especially but not exclusively, on its social, political, economic, religious, and philosophical impact on Europe, Asia, America, and Africa. Be brief, concise, and specific.
- ❖ **MEDICINE** – You have been provided with a razor blade, a piece of gauze, and a bottle of scotch. Remove your appendix. Do not suture until your work had been inspected. You have fifteen minutes.
- ❖ **PUBLIC SPEAKING** – 2,500 riot-crazed aborigines are storming the classroom. Calm them. You may use any ancient language except Latin and Greek.
- ❖ **BIOLOGY** – Create life. Estimate the differences in subsequent human culture if this form of life had developed 500 million years earlier, with special attention to its probable effect on the English parliamentary system. Prove your thesis.
- ❖ **MUSIC** – Write a piano concerto. Orchestrate and perform it with flute and drum. You will find a piano under your seat.
- ❖ **PSYCHOLOGY** – Based on your knowledge of their works, evaluate the emotional stability, degree of adjustment, and repressed frustrations of each of the following: Alexander of Aphrodisias, Ramses II, Gregory of Nicea, Hammurabi. Support your evaluation with quotations from each man's work, making appropriate references. It is not necessary to translate.
- ❖ **SOCIOLOGY** – Estimate the sociological problems which might accompany the end of the world. Construct an experiment to test your theory.
- ❖ **ENGINEERING** – The disassembled parts of a high-powered rifle have been placed in a box on your desk. You will also find an instruction manual, printed in Swahili. In ten minutes a hungry Bengal tiger will be admitted to the room. Take whatever action you feel appropriate. Be prepared to justify your decision.
- ❖ **ECONOMICS** – Develop a realistic plan for refinancing the national debt. Trace the possible effects of your plan in the following areas: cubism, the Donatist controversy, the wave theory of light. Outline a method for preventing these effects. Criticize this method from all possible points of view. Point out the deficiencies in your point of view, as demonstrated in your answer to the last question.
- ❖ **POLITICAL SCIENCE** – There is a red telephone on the desk beside you. Start World War III. Report at length on its socio-political effects, if any.
- ❖ **EPISTEMOLOGY** – Take a position for or against truth. Prove the validity of your position.
- ❖ **PHYSICS** – Explain the nature of matter. Include in your answer an evaluation of the impact of the development of mathematics on science.
- ❖ **PHILOSOPHY** – Sketch the development of human thought; estimate its significance. Compare with the development of any other kind of thought.
- ❖ **GENERAL KNOWLEDGE** – Describe in detail. Be objective and specific.

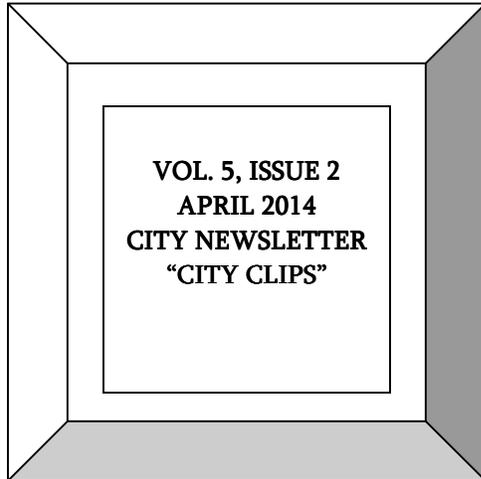


NEVER TRY TO TEACH A PIG TO SING. IT WASTES YOUR TIME AND IT ANNOYS THE PIG!



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* * * * NOTICE * * * *

There has been some interest shown in the paving of approximately eleven blocks of city streets. We are currently in the process of working up the engineering drawings and securing funding in the form of General Obligation Bonds to be paid back by the property owner over a fifteen-year period. If you are interested and have not been contacted, please call the City Hall at 862-5317 or Robert Ellis at 862-5678.

Annual Clean-Up Day
Sponsored By
the City of Haviland and
Nisly Brothers, Inc.
Saturday, May 17, 2014

Annual Citywide
Yard Sale
Saturday, August 23, 2014