

Wichita still violating act

The city of Wichita again has demonstrated a shaky grasp of the Kansas Open Meetings Act, trying to keep secret the two rounds of balloting in the City Council vote choosing Jim Skelton as vice mayor.

Even if Mayor Carl Brewer and council members meant no harm and somehow were unaware that secret ballots aren't allowed under state law, longtime City Attorney Gary Rebenstorf and his staff should know better. The law is clear that secret ballots cannot be used for binding action. The public must be able to ascertain how the members of their public governing bodies vote.

It was not reassuring to learn that, according to Brewer, council members had several discussions with the law department about the issue before the vote. Or that, as a city news release put it, attorneys required "additional research" to discover the "legal mistake."

What makes this matter worse is

Guest Editorial

that the City Council was tripped up by the secret-ballot provision just two years ago, as it spent two weeks and 21 rounds of balloting to choose Lavonta Williams to succeed Brewer as the District 1 council member. Then and last week, the city released the information of how each council member voted after The Eagle questioned whether the secrecy violated state law.

The newspaper filed a complaint last week with Attorney General Steve Six and Sedgwick County District Attorney Nola Foulston. But according to the city's Friday news release, "after conversations with the district attorney we have concluded that the self-reporting and the immediate corrective action clear up the concern regarding any violation of the Kansas Open

Meetings Act."

Do they really clear up concerns? State law allows each council member to be fined up to \$500 when the council is found to have knowingly violated the law. In 2008, the attorney general required that the Lawrence City Commission atone for an unlawful executive session by having two hours of open-meetings training.

The facts may not support fines or other punishment this time. But before last week, the council had acknowledged violating the Kansas Open Meetings Act twice since 2003, not counting the 2007 secret balloting. At some point, violations call for more than apologies.

At City Hall and all governing bodies, openness should not be treated as some legal inconvenience to be tolerated, but as an essential element of good government.

— Wichita Eagle editorial by Rhonda Holman

Wanted: Your voice on the editorial page

Kyle Railroad

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KYLE would operate the line and pay monthly rental fees enabling Mid-States to pay off its debt to the Federal Railroad Administration. KYLE was granted the option to purchase the railroad line for a nominal sum on June 1, 2009, the end of the 25-year agreement.

"The MSPA understood the importance of freight-rail transportation to the region's economy," said Todd Bjornstad, KYLE's general manager. "They also understood the power of public-private partnerships to foster private enterprise for the benefit of the broader community. The MSPA's visionary work will benefit local farmers, businesses and communities for generations to come."

"The transition should be completely seamless," continued Bjornstad. "We are heavily invested in this railroad and have every intention of continuing

our maintenance and enhancement projects and sustaining the high level of customer service we've established throughout the years."

KYLE and RailAmerica representatives will honor the Mid-States Port Authority at a dinner on June 17, celebrating the official hand-off of the rail line and recognizing the authority's role in ensuring the long-term health of freight-rail transportation in the region. Representatives will pay a special tribute to Mid-States founding members Dwain Compton, John Golden, Doyle Rahjes and Denis Sweat.

KYLE is a short-line railroad that runs from north-central Kansas into eastern Colorado over 510 miles of track. The railroad offers interchanges with two Class I carriers — BNSF and Union Pacific. Agricultural products make up approximately 90 percent of

KYLE's annual shipments. In 2008, KYLE moved more than 20,000 cars over its tracks.

KYLE currently invests more than \$2 million per year to maintain and improve the line's infrastructure. The railroad employs 60 Kansas residents and serves 35 customers, including Scoular Grain, Tamko Building Products, Frontier Ag, Agmark, Northern Sun, Midway Coop and Prairie Horizon Agri-Energy. In addition to the railroad, RailAmerica operates one of the company's five Transportation Logistics Centers (TLCs) at KYLE's headquarters in Phillipsburg. The TLC administers customer service, operations support and revenue processes for nine RailAmerica railroads.

RailAmerica is a leading owner and operator of North American regional and short-line railroads. Headquartered in Jacksonville, Fla., the company operates railroads in 26 states and three Canadian provinces, with more than 8,000 miles of track. For more information, visit www.railamerica.com.

City council

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The council debated but decided it was risky to have a full hot tub around children who could be injured while playing. The sitting water could also turn into a mosquito breeding ground, they said.

Mr. Wiltfong was found to

have nine violations at the end of the meeting. A resolution will be drafted and presented at the next city council meeting on June 3.

The resolution will state that he has 10 days to clean his property up. If he fails to do so, the city will clean it up and charge him for the labor.

Karl Kohfeld owns the property; the Wiltfongs are in the process of buying it. The council informed Mr. Kohfeld that he would be liable for the expense if Mr. Wiltfong did not pay for the cleanup.

Mr. Kohfeld informed him that he would be asked to vacate the property if it came down to it.

"I'm not going to pay for this and have to pay for it again in another six months," Mr. Kohfeld said.

If Mr. Wiltfong cleans up his property before June 3, the resolution will not be passed.

"I'd be more than happy to meet with Mr. Wiltfong and decide what he needs to do," Mr. Wolfe told the council.

Swim pool

(Continued from Page 1)

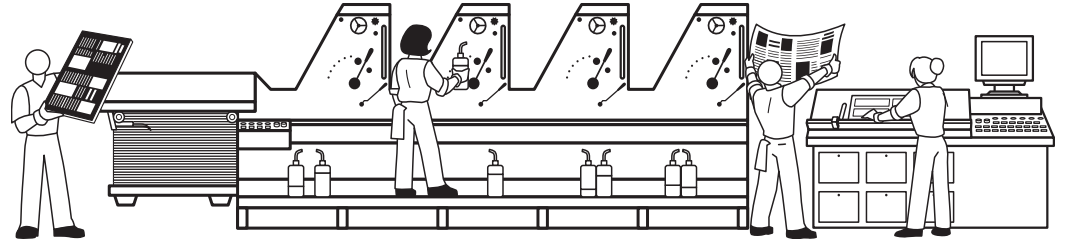
The pool hours will be Monday-Thursday 1-5 p.m. and 6-8:30 p.m., and Friday through Sunday 1-8 p.m. Adults can swim laps Monday and Wednesday from noon-1 p.m.

Mrs. Ellis said swimming lessons will start in June. Registration will be held June 4 and 6.

Daily admission for this year's season is \$1.50 per person. Season tickets are \$30 for individuals and \$75 for a family.

Remember, make safety your top priority this weekend

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Join us for the

2009 Ag Valley Coop Annual Meeting

Monday, June 1st - 6:30 p.m.
@ Maywood Community Hall

Tuesday, June 2nd—12:00 noon
@ American Legion Building, Norton

Tuesday, June 2nd—6:30 p.m.
@ Ella Missing Center, Arapahoe

The entertainment this year will be:
Gretchen Bergquist, Miss Nebraska 2008.
(performing at Maywood and Arapahoe)

Please RSVP to Joy by May 27th at 1-800-228-1352.

Thank you for supporting Ag Valley Coop.

We hope to see you at the Annual Meeting!