

## Club Clips

### Cheylin Recreation Commission

The Cheylin Recreation Commission held their monthly meeting on Oct. 28. October had a busy month for recreation activities. Flag football was held Sunday afternoons during the month with one Sunday being canceled due to wet and cold weather.

There were 20 kids who participated and everyone seemed to enjoy themselves. The kids liked the T-shirts which they received. The commission discussed getting the registration forms out in August and scheduling the games for the end of August and into September due to the issues had with weather this year.

A Hunters Safety Course was also held on Oct. 24. Ten local kids and one adult participated and all passed testing and completed field day requirements. All participants were served hamburgers and hot dogs.

The internet training and pre-testing was a success. The plans are to offer the next class in the fall of 2011. The commission agreed to make a donation to the Cheyenne

County Wildlife for the donation of their time from three instructors.

The aerobics class continues to be held Monday through Thursday from 5:15 p.m. to 5:55 p.m. at the Cheylin Elementary School. Everyone who wishes to participate is encouraged to come.

Junior Hoops is gearing up to start in November. Kids from Cheylin and neighboring communities should be receiving registration forms through their school. To get a registration form or if you have any questions, contact Laurie Leonard at 785-538-2370. Leave a message and she will get back to you.

The commission is still looking to fill the athletic director position. This is a paid position. Anyone interested is encouraged to send a letter of application to P.O. Box 187, Bird City, KS 67731. Contact Laurie at 785-734-2505 or Belinda Serrano at 785-734-2754 for more information.

The commission's next meeting is scheduled for Nov. 18 at 7 p.m. at the Cheylin High School Library

### Kanred

On Oct. 3, the Kanred Family and Community Education Club held an invitational tea for the ladies in the Bird City community. Over 50 invitations were mailed out, especially to the new ones, in order to invite them to join the group.

Kanred has been an organized group in Bird City for over 80 years. It has seen lots of changes.

On this day, members met at the LeBow manor and had a great time. Everyone visited with one another and had a time of sharing some of the lessons that they had

had over the years. The journal that members have been working on all year, gave some information about what the organization does.

Dorothy Mast then gave a lesson on the historical art of quilting and each of them had fun using quilting paper and tools to make some of the quilted shapes that are used in decorating items. Everyone really had fun with this.

Then members enjoyed refreshments - cookies that all the members had prepared and coffee.

### McDonald Senior Citizens

Joan Tongish welcomed 35 senior citizens and nurse, Rose Whitehurst, to the Nov. 2 meeting of the McDonald Senior Citizens.

November birthdays and anniversaries were acknowledged. Pastor Mark Adams read a Thanksgiving reading and led all in the meal blessing. The tables, decorated by Phyllis Wingfield, were beautiful with Thanksgiving decorations with the message, "Bountiful Blessings."

The traditional Thanksgiving dinner of turkey, dressing, gravy, ham, potatoes, salads, and desserts was enjoyed by all. Following the meal, bingo was played with Arlie Archer winning the blackout prize.

At the business meeting, all reports were accepted as read. A bill was allowed for \$100 to Ray Johnson for mowing and spraying. Marlene Johnson also reported on memorials received in memory of Don Threlkel and Jim Tracy.

The Dec. 7 Christmas dinner was planned. It was decided to have the same menu as for Thanksgiving. Committees include: Prizes: Lavina Waters and Phyllis Wingfield; Poem and Prayer: Pstor Mark Adams; Bingo: Phyllis Wingfield; kitchen help: everyone. Get-well cars were signed and sent to Ray Johnson and Lois Schaff.

### Halloween Soup Supper

The weather cooperated on Saturday evening, so that ghosts and goblins could get out for trick and treating. The McDonald Area Development Committee reported a good-sized crowd turned out for the Hallow'en soup supper. There were not as many kids as in the past, but those who came had a good time breaking the pinata. It was a very tough pinata. Big kids and little kids tried to break it with no luck. Finally Levi Pochop, who was in charge of the pinata got disgusted, and took the stick and broke the thing. He then scattered candy all over for the kids to enjoy.

Amelia Banister and Karlyne Atchison were Sunday dinner guests of Kent and Joan Banister.

Travis Knapp of Hutchinson was a weekend guest of his parents,

Jerry and Betty Knapp and Brenda Knapp was a Sunday guest. Both were Sunday dinner guests.

Eleanor Swihart accompanied Bruce and Shirley Swihart to the concert at the First Baptist Church in St. Francis on Saturday.

Phyllis Wilkinson accompanied Lisa Johnson to Hastings, Neb. for a doctor's appointment on Monday.

Weekend guests of R.J. and Susie Sabatka were Joe Meek of Kansas City; Jon Mallett and Taylor Wilson of Manhattan. They had come to try to do some deer hunting. They were Sunday visitors of Laddie and Vera Kacirek.

Jennifer Sabatka and children attended a birthday party for her mother, Pauline Micek and Pauline's twin sister. The party was held in McCook.

Sunday visitors of Gail and Kay Miller were Randy Miller and Bri-

an, Dawn and Kelsey Miller.

Members of the Federated Church enjoyed the concert given by the Tooi family from Inwood, Iowa, on Sunday evening. The Tooi family and Dawn Petty were Saturday evening dinner guests of Eleanor Swihart.

Joan Tongish was among the church members who attended the concert.

Dr. Larry Wilkinson of Wichita, was a visitor of his parents from Friday night to Sunday.

Lakin Denny, daughter of Lori and J.J. Denny of Colby, celebrated

her sixth birthday on Sunday with a party. Among those who attended were grandparents, Greg and Cheryl Wilkinson and great-grandparents, Kenny and Phyllis Wilkinson.

Kenny and Phyllis Wilkinson were Sunday afternoon visitors of Laddie and Vera Kacirek in Atwood.

Angela Brogan was a Tuesday afternoon visitor of Ray and Marlene Johnson.

Sunday visitors of Ray and Marlene Johnson were Dixie Bethel of McCook, Neb., Connie Sabatka, Dana Magnani, and Tish Loker.

## Mobile unit to serve the state of Kansas

A new Kansas Lions Mobile Screening Unit (MSU) will be on Kansas roads this fall, because of a partnership between the Kansas Lions Clubs and a \$100,000 donation per year for five years from the Blue Cross and Blue Shield of Kansas Foundation.

With this donation, the Kansas Lions Mobile Screening Unit will continue to travel throughout the state of Kansas and the Blue Cross Blue Shield Foundation service area offering free health screenings to Kansans for years into the future. The mobile screening unit is equipped to provide screenings for visual acuity, field of vision, hearing, blood pressure and blood sugar.

"We are pleased to partner with the foundation for the new mobile screening unit," said Joyce DeVore, president of the Kansas Lions

Sight Foundation.

Obtaining regular screenings is an important part of identifying potential health problems. For instance, the blood sugar screening helps detect diabetes, the number one cause of new blindness.

Until the Kansas Lions Mobile Screening Unit began operating, many Kansans had to pay out-of-pocket for such medical screening. This gift from the foundation, allows these needs for Kansans to be fulfilled at no cost.

The mobile screening unit is a total Kansas product. Brown Specialty Vehicles of Lawrence built the unit and applied the illustrated exterior, designed by Doug Archer of Garnett. B and B Signs of Topeka coordinated the printing of the artwork with Gregory, Inc. of Buhler.

## School starts program

The Cheylin School Achieving the Best for Children (ABC) Parent Group is sponsoring a program designed to help parents improve their children's education called The PASSport to Success.

It will begin with the first session at 7 p.m. on Monday in the Cheylin High School Library and will run about one and half hours. Parents will be introduced to a program based on Parents Assuring Student Success (PASS) developed by parents and used in an urban school in northwest Indiana.

The curriculum was designed by John R. Ban and contains eight modules to assist parents help their children to educational success.

The modules are, home environment, parent attitude, study skills, and homework and learning expedients. Other modules include note taking skills, memory and thinking skills, reading skills and preparing for tests.

Parents attending will help decide the times and dates for other meetings to present all the modules. A Spanish translator will be attending and all materials will be in Spanish. Refreshments will be provided.

Parents are encouraged to attend and join with the Achieving the Best for Children Parent Group on the journey to help children improve their educational success.

# Public Notice Ordinance relating to nuisances published

Published in the Bird City Times, Bird City, Kansas, November 5, 2009. (45)

### ORDINANCE NO. 319

AN ORDINANCE RELATING TO NUISANCES WITHIN THE CITY LIMITS, PROHIBITING THE SAME AND PROVIDING FOR ABATEMENT THEREOF; PROVIDING FOR NOTICE AND HEARING; PROVIDING FOR CHARGES THEREFORE; AND REPEALING SECTIONS 6-301, 6-302, AND 6-303 of Chapter 6, Article 3 OF THE CITY CODE OF THE CITY OF BIRD CITY, KANSAS.

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

### ARTICLE 3. NUISANCES GENERALLY

6-301. NUISANCES UNLAWFUL; DEFINED. It shall be unlawful for any person to maintain or permit any nuisance within the city as defined, without limitation, as follows:

a) All ashes, cinders, slops, filth, excrement, wood, lumber, sawdust, stones, rocks, dirt, straw, soot, sticks, shavings, oyster shells, cans, dust, paper, rubbish, decayed fruit, vegetables, broken wares, rags, tacks, nails, points, broken glass, oil iron or other metal, old wearing apparel, all animal or vegetable matter, all dead animals, green or unsalted hides, trash, or any other offensive or disagreeable thing or substance thrown or left or deposited by anyone upon any street, avenue, alley, sidewalk, park, public or private enclosure or lot whether vacant or occupied;

b) All dead animals not removed or burned within 24 hours after death;

c) Any place or structure or substance which emits or causes any offensive, disagreeable or nauseous odors;

d) All stagnant ponds or pools of water; e) The throwing or causing to be thrown any water or slop upon the floor of any building kept by any persons that the same shall run or slide through such floor or down along the inside of the wall of said building to the injury, annoyance, inconvenience or damage of any persons occupying or doing business in any room or any floor or floors beneath.

f) All boxes, barrels, kegs, crates, boards, ice-cream containers, or broken ware thrown, left or deposited, or caused to be thrown, left or deposited by anyone, in or upon any street, alley or sidewalk.

g) Abandoned iceboxes or refrigerators kept on the premises under the control of any person, or deposited on the sanitary landfill, or any icebox or refrigerator not in actual, use unless the door, or opening or lid thereof is unhinged, or unfastened and removed therefrom.

h) The burning within the city limits of any substance, the burning of which generates or creates any disagreeable, noxious or unwholesome smell or odor.

i) All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, annoyance or inconvenience of the public or of any neighborhood;

j) All rank grass and weeds growing on any lot or parcel or ground from the center of the alley to the curb line.

k) All gambling devices, slot machines or punch boards.

l) All houses kept for the purpose of prostitution or promiscuous sexual intercourse.

m) All other trades, professions, acts, omissions of act or conditions existing in the city which are deemed to be dangerous to the public health by the city health

officer.

n) Any fence, structure, thing or substance placed upon or being upon any street, sidewalk, alley or public ground so as to obstruct the same, except as permitted by the laws of the city. (K.S.A. 21-4106:4107)

6-302. PUBLIC OFFICER. The governing body shall designate a public officer to be charged with the administration and enforcement of this ordinance.

6-303. COMPLAINTS; INQUIRY AND INSPECTION. The public officer shall make inquiry and inspection of premises upon receiving a complaint or complaints in writing signed by two or more persons stating that a nuisance exists and describing the same and where located or is informed that a nuisance may exist by chief of police or the fire chief. The public officer may make such inquiry and inspection when he or she observes conditions which appear to constitute a nuisance. Upon making any inquiry and inspection the public officer shall make a written report of findings.

6-304. RIGHT OF ENTRY. The public officer has the right of access and entry upon private property at any reasonable time for the purpose of making inquiry and inspection to determine if a nuisance exists.

6-305. ORDER OF VIOLATION. a) The governing body through the city clerk shall serve upon the owner, any agent of the owner of the property or any other person, corporation, partnership or association found by the public officer to be in violation of 6-301 an order stating the violation. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

b) If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four month period, the governing body of the city may provide notice of the issuance of a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail. (K.S.A. 12-1617e)

6-306. SAME; CONTENTS. The order shall state the condition(s) which is (are) in violation of 6-301. The order shall also inform the person, corporation, partnership or association that

a) He, she or they shall have 10 days from the receipt of the order to abate the condition(s) in violation of 6-301; provided, however, that the governing body or the public officer shall grant one or more extensions of the 10 day period if the owner or agent of the property demonstrates that due diligence is being exercised in the abatement of the conditions in violation of 6-301; or,

b) He, she or they have 10 days from the receipt of the order, plus any additional time granted under subsection a), to request a hearing before the governing body or its designated representative of the matter as provided by 6-309;

c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by 6-307 and/or abatement of the condition(s) by the city as provided by 6-308.

6-307. FAILURE TO COMPLY; PENALTY. Should the person, corporation, partnership or association fail to comply with the order to abate the nuisance or request a hearing the public officer may file a complaint in the municipal court of the city against such person, corporation, partnership or association and upon conviction of any violation of provisions of 6-301, be fined in an amount not to exceed \$100 or be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

6-308. ABATEMENT. In addition to, or as an alternative to prosecution as provided in 6-307, the public officer may seek to remedy violations of this ordinance in the following manner. If a person to whom an order has been served pursuant to 6-305 has neither alleviated the conditions causing the alleged violation nor requested a hearing before the governing body within the time periods specified in 6-306, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution. The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located as provided in 6-310. A copy of the resolution shall be served upon the person in violation in one of the following ways:

a) Personal service upon the person in violation;

b) Certified mail, return receipt requested; or

c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.

d) If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail

6-309. HEARING. If a hearing is requested within the 10 day period as provided in 6-306, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer. The hearing shall be held by the governing body or its designated representative as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body or its designated representative. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the findings of the governing body or its designated representative shall be prepared in resolution form, adopted by the governing body, and the resolution shall be served upon the person in the manner provided in 6-308.

6-310 COSTS ASSESSED. If the city abates or removes the nuisance pursuant to 6-308, the city shall give notice to the owner or his or her agent by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice. The city also may recover the cost of providing notice, including any postage, required by this section. The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full.

6-311 EXISTING CITY CODE SECTIONS REPEALED. Sections 6-301, 6-302, and 6-303 of Chapter 6, Article 3 of the City Code of the City of Bird City, Kansas, are hereby repealed.

6-312 EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect after its passage and publication once in the official city newspaper.

ADOPTED AND PASSED BY THE GOVERNING BODY OF THE CITY OF BIRD CITY, KANSAS, this 5th day of October, 2009.

Troy Burr, Mayor

ATTEST:

DeAnza Ambrosier  
City Clerk  
(SEAL)

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