

Kansas

GOVERNMENT JOURNAL

VOLUME 96-NUMBER 6

JUNE 2010



Inside:
Wichita's "Big Society"
Youth Service on Boards
2010 Legislative Wrap-up



2010 CONFERENCE HOTEL ACCOMMODATIONS & RESERVATION PROCEDURES

October 9-12 • Overland Park Convention Center & Sheraton Hotel • Overland Park



Sheraton Overland Park Hotel**

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Cut-off Date: 9/18/10
Connected to the convention center



RESERVATION PROCEDURES:

- LKM has made special arrangements with the hotels listed to provide accommodations during our Annual Conference. Room reservations should be made by contacting the hotels directly.
- Attendees are responsible for making their own reservations.
- Reservations may not be made until after 2/1/10.
- Remember to ask for the special LKM conference rate when making reservations.

SPECIAL NOTE:

If you are making hotel reservations for someone else, please confirm with each person that they actually need hotel accommodations and intend to use the accommodations before making the reservation.

**Sheraton Hotel requires a non-refundable deposit equal to one night's stay in order to secure reservations.

Additional Accommodations:

Holiday Inn & Suites - Convention Center

10920 Nall Avenue
Overland Park, KS 66211
(913) 312-0900
Queen/King: \$92 + tax per night
Executive/Suite \$99 + tax per night
Cut-off Date: 9/19/10

Chase Suite Hotel

6300 W 110th Street
Overland Park, KS 66211
(913) 491-3333
Studio/Queen: \$95 + tax per night
2BR/King: \$115 + tax per night
Cut-off Date: 9/01/10

Courtyard by Marriott

11001 Woodson Street
Overland Park, KS 66211
(913) 317-8500
Single/Double \$104 + tax per night
Cut-off Date: 9/17/10

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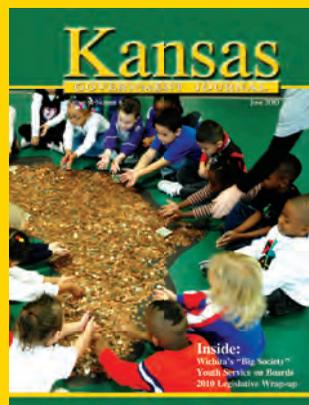
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About the Cover:
Children at The Opportunity Project (TOP) in Wichita, participating in various activities and programs that the North and South centers provide. See related article beginning on page 172.
Photo provided by TOP.

Kansas

GOVERNMENT JOURNAL

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The mission of the League shall be to unify, strengthen, and advocate for the interests of Kansas municipalities to advance the general welfare and promote the quality of life of the people who live within our cities.



Calendar of Events

July

9, 10, 19 - MLA: Neighborhood Building

LKM will be offering three MLA elective classes on *Neighborhood Building*. This course will offer participants an increased understanding of building and renovating attractions within your city. The course will be held in, Phillipsburg on July 9, Chanute on July 10, and Great Bend on July 19.

August

6,7,13 - MLA: KOMA/KORA

LKM will be offering three MLA core classes, *KOMA/KORA*. The course will be held in Iola on August 6, Concordia on August 7, and Greensburg on August 13.

27 - KMIT Board Meeting, De Soto

10 - Governing Body Meeting, Manhattan

September

10, 11, 17 - MLA: Sexual Harassment

LKM will be offering three MLA elective classes on *Sexual Harassment*. The course will be held in Scott City on September 10, Minneapolis on September 11, and Westwood on September 17.

October

9-12 - LKM Annual Conference, Overland Park

Preparations are already under way for LKM's 2010 Conference, when the League's 100th Anniversary will be celebrated. This conference will be held at the Overland Park Convention Center and Sheraton Hotel,

October 9-12. LKM will hold a Governing Body Meeting on October 10 and KMIT will hold an Annual Meeting on October 11 at the conference.

27, 28 - LKM Regional Suppers

Goodland is the first stop for LKM's annual Regional Suppers on October 27. Dodge City will follow as the second stop on October 28.

November

3, 4 - LKM Regional Suppers

LKM will make its third stop in Wichita on November 3 for the annual Regional Suppers. Concordia will follow on November 4.

5, 6 - MLA: Community & Media Relations

LKM will be offering two MLA elective classes on *Community and Media Relations*. This course will be held in Manhattan on November 5, and Fort Scott on November 6.

17, 18 - LKM Regional Suppers

Leavenworth is the fifth stop for LKM's annual Regional Suppers on November 17. Parsons will follow as the sixth stop on November 18.

December

10 - LKM Governing Body Meeting, Topeka

17 - KMIT Board Meeting, El Dorado

Obituaries

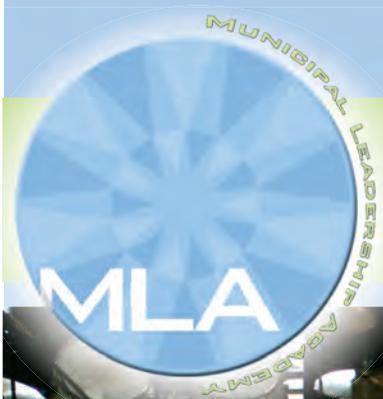
Vernon Phillip Deines, 80, died March 30, 2010. He worked with the League of Kansas Municipalities, the Kansas Association of Counties, and the Kansas Chapter of the American Planning Association to conduct surveys of planning and zoning in Kansas counties.

Jeanette Graham, 87, died on May 7, 2010. In 1958, she became the Clerk of the District Court in Sedgwick County. In 1964, she was the first female elected to the Kansas State Legislature from Sedgwick County and also served as the Chairperson of the Kansas Commission on the Status of Women.

Thomas G. Judge, 89, passed away on Sunday, May 16, 2010. He served on the Merriam City Council.

Kenneth Norbert Deutscher, 66, died May 21, 2010. He served on the WaKeeney City Council from 1985 to 1987. In addition, from 1987 until 2006, he served as the City's Mayor. Among the many boards and committees he served, Deutscher's public service included participating on the League of Kansas Municipalities nominating committee, President of the Kansas Mayor's Association, and President of the Trego-Wakeeney City Foundation Board.

Thomas G. Armour, 70, passed away on May 23, 2010. Prior to returning to Kansas, Armour served in city government and urban planning in Yakutat, AK. After retiring, he worked as a Range Rider for the Kansas Association of City Managers, which included serving in Sterling, Hiawatha, Goodland, Herington, and Concordia.



2010 MUNICIPAL LEADERSHIP ACADEMY GRADUATION



Left to Right: Connie Footlick, City of Mission; Michael Smith, City of Lansing; Darrell Sammons, City of Stockton; John Quinday, City of Russell; Lynne Ladner, City of Hiawatha; James Donovan, City of Westwood; Susan Brown, City of Fort Scott. Photo by Jay Bachman

Officials from across Kansas gathered in Lawrence on May 7-8 as part of the League of Kansas Municipalities' (LKM) 2010 Leadership Summit and Mayors Conference. During a special portion of the event, LKM recognized the 2010 graduates from the Municipal Leadership Academy (MLA).

MLA provides the fundamentals of city government to elected and appointed officials through a series of specialized courses designed to increase understanding and improve performance in local government. The MLA program started in 1999 and continues to provide training opportunities and recognition for city officials interested in improving the condition of local government in Kansas.

Eight MLA graduates obtained their Level 1 designation by completing 40 credits of LKM sponsored training. Additionally, two city officials graduated from Level 2 by completing 15 credits of elective course work and 15 credits based on participation in LKM sponsored continuing-education programs such as the Annual Conference and City Hall Day at the Capitol.

Congratulations to the 2010 graduates!

For more information regarding MLA or additional LKM training please visit <http://www.lkm.org/training/>, or contact Nathan Eberline at neberline@lkm.org or (785) 354-9565.

Level 1

Name	Title	City
Susan Brown	Finance Director	Fort Scott
James Donovan	Councilmember	Westwood
Jim Germann	Information Systems Director	Junction City
Gary Hobbie	Community & Development Services Director	Salina
Lynne Ladner	City Administrator	Hiawatha
Jon Quinday	Chief of Police	Russell
Darrell Sammons	City Commissioner	Stockton
Michael Smith	City Administrator	Lansing

Level 2

Name	Title	City
Connie Footlick	Councilmember	Mission
Andi Pawlowski	Councilmember	Lansing



Energy Grants Available

The State Energy Office (SEO), a division of the Kansas Corporation Commission (KCC), announced the establishment of the Public Projects Grant Program. The program utilizes \$3 million of the Energy Efficiency and Conservation Block Grant (EECBG) funding, authorized by the American Recovery and Reinvestment Act (ARRA), and will help cities and counties make energy efficiency improvements to public buildings.

“The effects of the economic recession are being felt deeply by local governments who are struggling to balance their budgets,” said KCC Chairman Thomas Wright. “With this grant, cities and counties will be able to make upgrades to their public facilities that will pay for themselves through reductions in utility bills.”

The program was designed to supplement the existing Facility Conservation Improvement Program (FCIP), which facilitates the

financing and implementation of energy conservation improvements by connecting local units of government with pre-approved, private energy service companies that evaluate facilities and identify energy-saving opportunities. Recommended upgrades are financed through projected energy savings.

The Public Projects Grant provides 60% of eligible costs, up to \$150,000, for two categories of projects: those that are too small for FCIP or those that include specific improvements that exceed the 30-year statutory payback requirement. Projects are limited to improvements that provide measurable energy savings and may include lighting upgrades, HVAC replacement, storm windows, building envelope enhancements, and building controls.

For more information you may visit <http://www.kcc.state.ks.us.htm> or contact the State Energy Office at (785) 271-3170.

Entrepreneurship E-Community Partnership

After a series of town hall meetings and subsequent board meetings, the E-Community Partnership emerged. The Partnership enables a town, cluster of towns, or county-wide collaboration to partner with NetWork Kansas to generate funds for each selected community. The funds are then distributed by each E-Community in the form of matching loans and grants to new and expanding businesses.

One key NetWork Kansas asset is the Entrepreneurship Tax Credit that was provided through the Kansas Economic Growth Act, which allows NetWork Kansas to raise funds to provide matching loans to

businesses. For a true partnership to work, we made the decision to allocate roughly half a million dollars of this critical asset to create the E-Community Partnership.

Communities selected to become E-Communities create their own leadership team and determine the following: establish a local financial review board and administrator, create their own application process, and review applications.

For more information about NetWork Kansas, visit www.network-kansas.com, or call (877) 521-8600.

Governor Commemorates Brown v. Board

To uphold the historic implications of the *Brown v. Board of Education* decision made 56 years ago, Governor Parkinson signed SB 54. The Governor was joined by state legislators and members of the Kansas NAACP at the bill signing in the Governor’s Ceremonial Office.

“*Brown v. Board* remains at the cornerstone of the Kansas story, reminding us of where we first began and how far we have come,” said Parkinson. “In joining the likes of John Stuart Curry and his *Tragic Prelude*, the mural will allow future generations to look back and become inspired by our state’s remarkable history.”

SB 54 creates the Capitol Preservation Committee, which is required to develop plans for the placement of a mural in the State

Capitol commemorating the U.S. Supreme Court Decision in the case of *Brown v. Board of Education*. The bill also prohibits public funds from being used to pay the costs of creating and installing the mural.

The committee will consist of 12 members: the statehouse architect, the executive director of the State Historical Society, the executive director of the Kansas Arts Commission, three members appointed by the Governor, two members appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, two members appointed by the Speaker of the House, and one member appointed by the Minority Leader of the House.

Kansas Receives Workforce Investment Funding

Kansas has received more than \$23.7 million in funding from the Workforce Investment Act (WIA) and Wagner-Peyser Act. Secretary of Labor, Hilda L. Solis, said the “funds, and the employment and training services that they support are a cornerstone of our nationwide effort to prepare America’s workers for good jobs—the kind that spur the economy and pay family-supporting wages.”

Allotments to states and outlying areas total nearly \$4 billion and will be used to help Americans get back to work through high quality employment and training services, which are delivered largely through the department’s national network of One-Stop Career Centers.

In Kansas, the WIA monies total \$17,693,209 for services targeting youth, adults, and displaced workers. The Wagner-Peyser monies total \$6,048,497 for employment service. There are 25 One-Stop Career Centers in the state. “As they seek out careers in promising local industries, workers need access to high quality training and employment services,” Solis said. “I am pleased that this funding will help support those efforts.”

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- **Annual Contribution Discounts** — Members earn discounts based on safety records and participation in KMIT safety programs.

KMIT is a workers' compensation program endorsed by the League of Kansas Municipalities and the Kansas Municipal Utilities Association.

Contact the League of Kansas Municipalities for more information.
(785) 354-9565 • dosenbaugh@cox.net

COLLYER: BUILDING A FUTURE ON THE PAST

BY CHRISTY DAVIS

THE 133 RESIDENTS OF COLLYER HAVE NEVER APOLOGIZED FOR THE SIZE OF THEIR HOMETOWN. COLLYER IS MORE OF A COMMUNITY WITH A LEGENDARY TRADITION AS A “HECKUVAGOOD” PLACE TO DANCE ON A SATURDAY NIGHT.

Current view of the Zeman Dance Hall. The building is now owned by the Collyer Community Alliance, which is working to stabilize it.. Photo provided by the Collyer Community Alliance.



The old Sod House at the end of Main Street in Collyer is a work in progress to being restored. Photo Provided by the Collyer Community Alliance Association.



Now Collyer can boast about an accomplishment reserved for only a very few small Kansas towns: the establishment of a downtown historic district. The effort was sponsored by the Collyer Community Alliance, a local non-profit dedicated to building the community's future while preserving Collyer's unique sense of place.

Collyer has rich history to build on. Like many western Kansas communities, Trego County was touted by the Union Pacific Railroad (Kansas Pacific) in its aim to sell trust land to finance railroad development. The Union Pacific followed the path of the Smoky Hill Trail, established in 1859 as a route to Denver during the Colorado gold rush. Coyote Point, the precursor to Collyer, was a stop along the way. Union Pacific crews reached Trego County in 1867. When they arrived at Coyote Point, their progress was halted by winter and up to 500 workers and soldiers were forced to camp there in dugouts.

Given the area's strong ties to the railroad, it is fitting that the region's first permanent settler, Ben O. Richards, came to Coyote Point in 1870 to run Union Pacific pump house and boarding house for railroad workers. Although the region was arid, a handful of farmers had settled the area by 1877. There was no established town, however, until 1878, when a colony of Civil War veterans from Chicago arrived. The colonists, which included 80 families, paid a membership fee of \$5 to help pay for the construction of a settlement house, where they would live until they could establish homes and farms of their own. The Chicagoans arrived at Coyote

in March 1878 and named their new town “Collyer” after Reverend Robert Collyer, a Unitarian Minister. They filed the town plat in 1879. After the crops failed in 1879 and 1880, many disillusioned settlers fled the arid region. From the time of peak migration between 1878 and 1883, the county's population plummeted from about 3,000 to only 1,500. More left during the depression in the late 1880s.

The population did not begin to recover until a group of Bohemian settlers arrived in 1889, followed by a group of German-Russian Catholics in 1901. Another group of German-Russians arrived in 1902. In 1900 the town's population (including the surrounding rural township) was 531. Many of Collyer's early settlers were Irish Catholics, who had begun construction of St. Michael's Church in 1883. These new Catholic immigrants boosted the size of the parish—and population of Collyer. By 1910 the township population had ballooned to 1,316. This number included 113 Russian-born immigrants, 20 German-born immigrants, and, likely, hundreds of first-generation Americans. By 1907 the town of Collyer had a hardware store, real estate office, G.A.R. Hall, drug store, post office, barber shop, grocery, garage, hotel, meat market, shoe store, school, church, furniture store, dry goods store, and livery.

The district's period of significance stretches from 1926, when five of the district's masonry buildings were constructed on the west side of Ainslie Avenue, to 1935, the date of construction of the blacksmith shop, the district's most recent building. A number

of dynamics combined to precipitate the district as it appears today. Like many Kansas communities, Collyer thrived during the first decades of the 20th Century. Developments in agricultural technology, including the adoption of gasoline-powered tractors and record-high crop prices during and immediately after World War I, left Kansas farmers with unprecedented sums of disposable income. Small-town businesses scrambled to accommodate the new consumer class. Whereas Collyer's residents at this time included laborers and agents working for the Union Pacific Railroad, most were carpenters, horse traders, merchants, butchers, and barbers who provided goods and services to the surrounding farm and ranch community. In 1917 Collyer was incorporated for the first time—as a third class city. The town's residents built rows of neat bungalows. The township population grew to 1,366 by 1920.

An ever-improving system of roads and highways provided rural consumers with easier access to local business districts. In 1920 Kansas voters adopted the "good roads" amendment to the state's constitution that offered hope for motorists tired of driving in the mud. Access to Collyer was greatly improved by the completion of the Victory Highway, now U.S. 40, in 1923. Electric service soon followed, arriving in Collyer in 1925.

It was during the inter-war years that Collyer took on much of its present character. In 1926 H.A. Lacerte, H.M. Thomas, and V.J. Razak, commissioned the row of tile and brick buildings that would replace the impermanent wood false-fronts on the west side of Ainsle Avenue. Although the majority of these buildings housed retail outlets, the best known of them was built for the Razak/Zeman Dance Hall. Collyer had long been known for its dances—but the news hall provided a venue that became legendary in the region. The permanent masonry buildings were products of their time. Kansas had whole-heartedly subscribed to tenets that sprang from the Progressive Era, including the value of fireproof construction.

In 1931, just as the City's wood false-fronts were making way for fireproof masonry buildings, Collyer adopted a new waterworks and fire protection system. The population continued to grow, reaching 1,419 in the town and surrounding township by 1930.

Western Kansas was especially hard hit during and after the Great Depression. In September 1935 northwest Kansas had 10 straight days of temperatures in excess of 100°. Dust storms carried and estimated five million tons of dirt across the state, leaving unfarmable fields in their wake. Many abandoned their farms. A few years later others left to serve in World War II, take war production jobs in cities, or simply to settle elsewhere. After the war, as improving highways created a more mobile citizenry, the declining population of Trego County could not support two principal cities. Much of the county's trade shifted to WaKeeney, the county seat that was closer to I-70. In 1963 Collyer's first National Bank moved to WaKeeney. The Mack-Welling Lumber Company, one of the longest-running businesses, closed in 1966.

Although many of Collyer's downtown buildings have been vacant for decades, the Collyer Community Alliance is working to preserve the community's character and promote its heritage. Other preservation projects include the nomination of Collyer's St. Michael School and Convent. The organization has purchased buildings and hosted events, which bring the community together and raise funds for the organization's preservation projects.

☀️ *Christy Davis is a Historic Preservation Consultant for the Kansas State Historical Society. She can be reached at (785) 272-8681. This article was reprinted with permission from the Winter 2010 issue of the Kansas Preservation.*



Citizens from Collyer enjoy the 2009 Fall Street Festival and Quad-Rod Custom Car & Tractor Show. Photo provided by the Collyer Community Alliance.



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Three Kansas Cities Recognized for Trees

Shawnee, Lawrence, and Kansas City have been named as Tree Cities USA by the National Arbor Day Foundation to honor their commitment to community forestry. It is the 13th year Shawnee has received this national recognition. It is the 2nd consecutive year Kansas City has received the designation and the 32nd consecutive year for Lawrence.

Shawnee is also the recipient of a Tree City USA Growth Award for completing activities that strengthened their local tree care program. The Growth Award recognizes environmental improvement and higher levels of tree care in Tree City USA communities. This is the fifth year Shawnee has received the Growth Award.

The Tree City USA designation is given to cities meeting four standards. These include a tree board or department, a tree care ordinance, a comprehensive forestry program, and an Arbor Day observance.

John Rosenow, chief executive and founder of the Arbor Day Foundation said, "Trees provide numerous environmental, economical, and health benefits to millions of people each day, and we applaud communities that make planting and caring for trees a top priority."

City of Ottawa and Youth Awarded Watershed Grant

Ottawa's Youth in Government (YIG) program announced that the Marais De Cygnes Basin Targeted Watershed Grant application has been fully funded. Approximately \$3,000 in grant funds will be distributed to YIG, and will be used to improve water quality in Ottawa. City Manager Richard U. Nienstedt said, "This provides a great opportunity to address stormwater management as a community effort. YIG has always been a key component in spearheading efforts in Ottawa."

YIG hosted a rain barrel workshop this past April at the Ottawa High School. Rain barrels were available at no cost to citizens. Following the workshop, rain barrels were connected to residential

and business downspouts, preventing stormwater runoff, and providing a quality water source for plants.

By the end of May, a rain garden was created in Kanza Park alongside 15th Street. Native plants such as the Bottle Brush Sedge and the Cardinal's Flower, which have deep roots to soak up available water, were placed in an area of Kanza Park that has pooling water after heavy rains. Mayor Blake Jorgensen said, "The distribution of rain barrels throughout the community and a rain garden in Kanza Park are public examples of steps that citizens can take to make a difference in their community."

City Official Recognized

The City of Salina's Parks and Recreation Director, Steve Snyder, was honored as the 2010 Distinguished Fellow from the Kansas Recreation and Parks Association. Snyder said, "I felt real honored to be nominated and selected for the award...it means a lot." Winners of the award must be a member of the Kansas Recreation and Parks Association, worked in the field for at least 10 years, and demonstrated outstanding service.

The superintendent for recreation, Chris Curtis, nominated Snyder for the award. He commented that, "he [Steve] has served the profession for so long and he has done a great job representing parks and recreation." He continued by saying that "Steve has done an outstanding job since he started and has been an influence on so many people he has worked with."

Newly Renovated City Hall Opens

The historic two-story Clock Tower building in Hiawatha has undergone a \$1 million renovation. It now houses the City's administrative offices.

According to Jim Bush, senior trust officer at Citizens State Bank and Trust Co., the renovation was made possible by the late Frances Sewell Plamann who helped to establish a historical society in Brown County.

In December 2007, officials agreed to relocate city offices to the first floor, paying a \$1-a-year lease, and the building's utility and insurance fees. The Hiawatha Chamber of Commerce will occupy the second floor. Finally, the Brown County Historical Society will be responsible for maintaining exhibits in its display areas.

Riley County Receives ARRA Grant

The Riley County Area Transportation Agency (aTa Bus) will receive approximately \$2 million in American Recovery and Reinvestment Act (ARRA) grant funds to design and construct a bus maintenance and administration facility.

The Kansas Department of Transportation announced it had selected the Riley County aTa Bus to receive the federal recovery funds. The non-profit agency, which works in partnership with Riley County and the City of Manhattan, has been in operation since 1976.

KDOT has identified aTa Bus as the lead agency in a Flint Hills regional transit approach. "Development of regionally-based rural transit models that provide greater access to consumers of transit services and at the same time maximize scarce resources statewide is vital to the future of public transit in Kansas," said Lisa Koch, KDOT Public Transit Manager.

from the road to the playground

The City
of Lyons
Recycles
Used Tires
by Jeff Porter



According to the Kansas Department of Health and Environment, Bureau of Waste Management (BWM), each year Kansans produce one waste tire for every citizen in the state. To lower the number of tires going into landfills, BWM developed the Waste Tire Derived Grant Program. The intent of the Program is to recycle used tires, giving value to something most people see as trash.

The City of Lyons has successfully collaborated with BWM twice to purchase equipment made from reclaimed materials. Purchases made through the program allowed the City to make significant convenience and safety upgrades to its parks system, with minimal cost to local taxpayers. The program is a 50% matching grant. Funding for BWM's portion to the project comes from the 25¢ excise tax on new tires.

Since 2008, BWM has awarded 174 competitive grants worth \$2.4 million to cities, townships, and schools for the purchase of products made of reclaimed tires. According to KDHE, the most commonly requested items are playground safety surfacing, recycled picnic tables, and benches. Other items like athletic surfacing, recycled corrugated drain tile, dock bumpers, and rubber bricks or tiles qualify under the program.

In 2008, the City of Lyons worked with Champlin Tire Recycling of Concordia, one of the BWM's approved vendors, to develop a plan to increase the safety for patrons in Augmon Park. An identified deficiency of Augmon Park was a lack of an approved safety surfacing beneath the play structure. In its application for funding, the City identified the superior fall protection and accessibility characteristics as reasons for using recycled tire products. The product which was installed by the City, meets ASTM requirements for both impact protection and playground accessibility.

The overall cost of the Augmon Park upgrade was \$13,969, with BWM paying 50% and the City of Lyons providing a mix of matching



Augmon Park used recycled tires to increase safety beneath the park's play structures. All Photos provided by Dennis Bowersock, Lyons Parks & Grounds Superintendent.

dollars and in-kind services. As a term of the grant, the City agreed to track reported injuries occurring at the park site for three years.

In 2010, the City of Lyons received a grant of \$5,934.50 from the BWM's Tire Derived Product Program to replace 11 picnic tables and 12 benches throughout the park system. Lyons Park & Grounds again collaborated with an approved vendor to find a product that suited the City's need. The new tables and benches made of reclaimed tires and recycled plastics will be installed throughout the park system this summer.

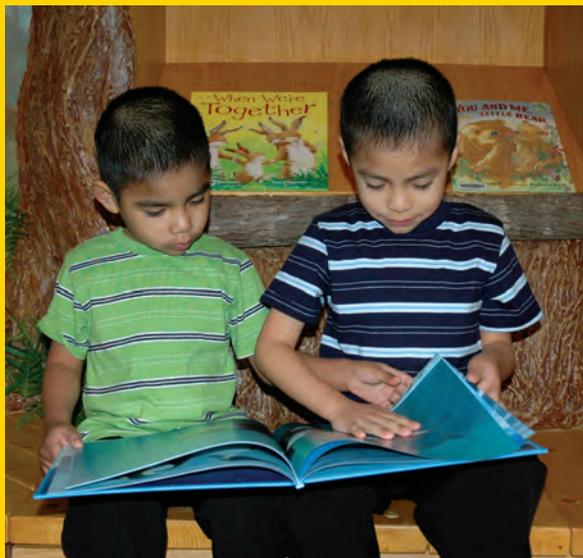
The growing movement to find new uses for items once considered trash has been a windfall for municipalities. A number of products have come to market that are made from reclaimed products, and with assistance from BWM they are finding their way into our cities' core services.

For more information on the Waste Tire Derive Product Grant visit the BWM grants website at www.kdheks.gov/waste/about_grants.html.

 Jeff Porter is the Community Development Coordinator for the City of Lyons. He can be reached at jporter@lyonsks.org or (620) 257-2320.

Wichita's "BIG SOCIETY"

London Daily Telegraph correspondent, Tom Leonard, looks into programs the City of Wichita has implemented to better its community.



Anyone who scoffs at the Big Society, the Conservative Party's plan to sweep away Britain's social problems with a tidal wave of social responsibility, civic pride and community action, might care to take a stroll down Opportunity Drive in Wichita, Kansas.

The nondescript road, formerly known by the more prosaic title of 21st Street, runs through one of Wichita's most deprived districts, a neighborhood of run-down bungalows and shacks that, until recently, boasted the highest crime rate in the city and a growing gang problem, and where 60% of children live below the poverty line.

Today, thanks to an alliance between the City and local charities and businesses, the area now has the lowest crime rate as well as a new school, an early-learning center, and a 45,000 sq. ft. recreation center. Half of the \$30 million bill was picked up by local businesses and half by the public. Drive to the other end of town and you will find another Opportunity Drive, in another run-down area.

Some will argue that decades of state provision have killed off any hope of the British answering David Cameron's call to communal arms, a challenge he reiterated on the campaign trail. However, in America, where government is small and they often like it that way, people are used to picking up the slack. Wichita is almost awash in community action, as are many United States towns and cities.

Carl Brewer, Wichita Mayor, claims that more than half of Wichita's 366,000 strong population perform some form of voluntary work. Only children are spared, he says, "because they have to concentrate on their studies." There is no area of civic life where he cannot pick up a phone and ring a company or individual who will help him sort out a problem. Last week, an electrical cable manufacturer watched him appeal on television on behalf of abused children and promptly rang up to pledge \$150,000 over three years.

Photos Left to Right: Children at The Opportunity Project (TOP) participating in various activities and programs that the North and South centers provide. In November, children collected pennies to send to underprivileged children at the Mukuru Nursery School in Nairobi, Africa. Photos provided by TOP.

"It happens all the time," Mayor Brewer says. And for every person who complains that he already gives enough to the community through taxes, two more are prepared to volunteer, he adds. The City has 150 neighborhood associations—Mayor Brewer says he would like one on every block.

That Americans can be so fiercely wedded to self-sufficiency yet still have a huge capacity for philanthropy is, depending on how you look at it, either a puzzling contradiction or unsurprising. Part of the reason is clearly that government simply does less here, so others must step into the breach.

Sitting close to America's geographical center, the largest city in Kansas is not the most exciting destination in the Midwest, although two years ago it was named the country's "most unique American" City. The judges noted its "liveability," even if younger locals complain there is nothing to do (apart from volunteer, of course). Last year, its community spirit was recognized by the National Civic League, which named it as one of 10 winners of its annual All-American City award.

It is usually cities with something to prove that push for such awards. Economically reliant on the troubled aviation industry (Learjet, Cessna, and Hawker Beechcraft are all based there), Wichita has been coping with job losses and shrinking government coffers for several years. Next year, Kansas faces a \$520 million budget deficit, which it is legally required to eliminate.

As part of the Big Society, David Cameron's Conservatives say they will establish a new bank (using money from unclaimed bank accounts) to pay neighborhood groups, charities, and social enterprises to deliver more public services. They will fund an "army" of independent community organizers to help people run local bodies, encourage civil servants to volunteer, "empower communities to come together to address local issues," and even use behavioral



economics to encourage people to donate more time and money to charity.

The whole thing has had British critics sniggering, but Mayor Brewer looks over the Big Society proposals and nods approvingly. "It's all feasible, it's solid policy," he says. "I keep telling citizens, 'Nobody will care for us as well as we will.' We don't know how much money the state or federal government will have to spend on us in the future, so we have to take care of each other."

Down at the Chamber of Commerce, Suzie Ahlstrand, the vice-president who steered Wichita's All-American City bid, is a little more sceptical. "Oh my gosh! It sounds like a huge new government department will have to run this," she says. "We didn't need any of that for it to happen in Wichita."

Volunteering and community involvement have to "bubble up from the grass roots" rather than be imposed from above, she says. And it cannot just be the "usual suspects," such as philanthropic businessmen. The chamber's project, Visioning Wichita, started in 2004 when jobs were being lost and "we knew that we couldn't afford for the government to do all this." The Midwest still has a reputation for being the most neighborly part of America, but even here what she calls that "stickiness" has lost its glue in recent years.

People said that they wanted better schools, a proper downtown, and less crime. Gradually more and more offered to help. Now 500

local businesses, representing 75,000 people are involved. Seven thousand volunteers have mentored in schools, often during their lunch breaks. Another innovation, Young Professionals of Wichita (members don't need to be professionals, just aged 21 to 39), astutely plays on the aspirational nature of some volunteering in the United States. Even if, as they have done, you are spending your weekend cleaning up a down-at-heel neighborhood, you get the chance to network with other young Wichita strivers. The group describes its 2,100 members as "ambitious, educated, and wired; those ready to work hard, play hard, and make a difference in their community."

There seems to be a volunteer group for every occasion. The Older Adults Alliance teaches poorer people the benefits of growing vegetables, while volunteers at No More Hungry Kids fill needy schoolchildren's backpacks with food to take home every night. Even the Mayor has his own volunteer shadow, a "youth mayor" who oversees his own youth committees—all part of breeding civic pride early, says Mayor Brewer.

What is rather clever and rather American about Wichita's volunteering is that much of it is not really voluntary at all. Charity comes "with expectations ... we're not as heavily into entitlement as others are," says Janice Smith, executive director of The Opportunity Project (TOP) learning centers on Opportunity Drive. Parents who want TOP scholarships, entitling them to free childcare, have to do volunteer work at places such as the Lord's Diner, an organization that cooks food for even needier Wichitans. "You value something more when you think you have invested in it. Our parents may not have cash, but they have time," she says.

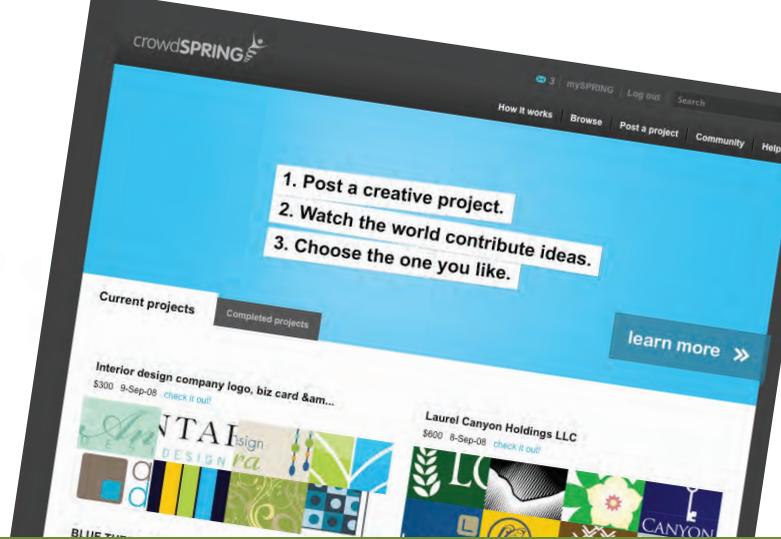
Habitat for Humanity, an international housing charity that is big locally, demands a similar trade-off, which it calls "sweat equity." Homeowners-to-be must put in several hundred hours of work on their own house and those of other families in need. The same goes for another scheme in which volunteer doctors and dentists offer free treatment in return for the patients doing some volunteer work—the more expensive the treatment, the more work they have to do.

Why are Americans so civic-minded? Everyone insists that it is not simply to make up for government not doing it. "It goes back a long way in history—that pioneering, pull-yourself-up-by-your-bootstraps ideal," says Suzie Ahlstrand. She is always shocked by the amount the state does for people when she visits relatives in Sweden, and believes it discourages volunteering.

"An awful lot who came out to the Midwest originally had to rely on their community to survive. Maybe that is a value that has been passed from generation to generation," says Janice Smith. She also stresses Americans' deeply ingrained perception of government as being too bureaucratic and long-winded. According to Mike McGrath of the National Civic League, philanthropically inclined Americans are often impatient with official channels. "They want to go out and get their hands dirty. Government takes time and action depends on things like budget rounds," he says.

Do Wichitans have any tips on making the Big Society work? Good leadership and successful local businesses, they say. The Mayor adds that politicians have to "humble themselves," to make clear they need the public's help and to earn their trust. Given the current penitent mood at Westminster, this seems well within any new government's grasp.

 Tom Leonard is The Daily Telegraph's New York correspondent. This article was reprinted with permission from the Telegraph Media Group Limited, 2010. It originally appeared in the The London Daily Telegraph, April 28, 2010.



Innovations: Atchison Uses the Web For a New Logo

by Mandy Cawby

When Trey Cocking accepted the Atchison City Manager job in Fall 2009, the governing body made their goals for the organization clear: transparency, good communication, and excellence in service.

At the top of their priority list was improving communications, which lead them to identifying a new logo or brand for the City.

Branding through logo and website design is an expected practice of businesses and non-profits. In the past 15 years or so, governments have also realized the need to focus communications in order to present a professional image, compete for consumers' attention, and retention of messages.

At the time, the City of Atchison logo was its city seal, a badge-like star inside a circle that—while official-looking—did not convey a sense of place or the openness the City was aiming for.

“The Commission wanted to reflect a professional image and improve communication,” says Cocking. “Their end goal was a new, better, nicer city website, but they knew it would have to be based on the visual graphic of a new city logo.”

In the midst of an epic recession with the weight of other projects and public expectations pressing in, Cocking knew that he would need an innovation to make the project cheap, impressive, and fast. The City turned to crowdSPRING.com.

“I’d seen crowdSPRING.com used before with much success,” said Cocking. “By using innovations like crowdSPRING.com, we proved that we can still do key projects but in a smart, economical way.”

According to its website, crowdSPRING.com is a marketplace for creative services. It features design services for a fraction of traditional graphic design rates. There are over 47,000 artists participating in crowdSPRING.com, but anyone—even Atchison locals could submit designs by signing up as a “Creative” at www.crowdSPRING.com.

The City posted its project on January 11, 2010 and set its price at \$850.00 for the winning design. Interested artists submitted their proposals before the deadline of January 25, 2010.

“Using the crowdSPRING.com website was so simple and user-friendly,” said Finance Director Mandy Cawby, who served as lead staff for the project. “We got to see results immediately, as soon as submittals posted to the site. And we gave feedback constantly in real time with the artists. Start to finish, the crowdSPRING.com experience was fun, rewarding, and a really good value.”

The City received over 260 design submissions. The City Commission picked a finalist at its meeting on February 1st and

gave direction to staff to work with the artist on color choices and minor design changes.

The final design was adopted on March 2, 2010. It features a mash-up of Atchison’s historic buildings etched with a modern flair. In addition, it includes a bust of the City’s most famous citizen, Amelia Earhart, as the “O” in “Atchison.”

The design also pays homage to Atchison’s location at the western-most bend in the Missouri River. The City thrived because it had one of the best steamboat landings on the Missouri River, wagon roads to the West, and it was several miles nearer Denver than other river towns.

“CrowdSPRING.com was the perfect solution for Atchison,” said Mayor Andrew Werring. “Picking a new brand was tough because we had so many good designs to choose from. ‘How do you convey Atchison’s scenic history, yet demonstrate our commitment to a strong, professional future as an organization?’ In the end, we got an image that says all of that.”

The top logo design was selected based on: use of good design principles and practices, whether it captures a sense of place, expresses a sense of the organization’s purpose, and its adaptability to multiple mediums such as website, stationary, road signs, lapel pins, etc.

“The value here is tremendous,” said City Manager Trey Cocking. “With crowdSPRING.com we had the opportunity to consider hundreds of designs from designers around the globe, across the country, and right here in town, all at a relatively modest cost to the City.”

Branding projects similar to the City’s could potentially range from thousands to tens of thousands of dollars. The winning crowdSPRING.com designer for the Atchison project was awarded \$850. CrowdSPRING.com charges a 15% commission for its services, bringing the total cost of a new logo campaign to \$977.50.

The new logo is the first step toward developing a new website for the City. The last update to the City website was over 10 years ago. The City plans to reveal its new website this summer at www.cityofatchison.com.

“The Governing Body made branding a new logo and developing a new website top priorities for the City,” said Mayor Andrew Werring. “Branding is good communications, and good communications is good government.”

☀️ *Mandy Cawby is the Director of Finance for the City of Atchison. She can be reached at mandyc@cityofatchison.com or (913) 367-5500.*



One-Call Loses Legal Challenge to New Law

In July 2009, the Legal Forum in the *Kansas Government Journal* was devoted to the legislative changes to the Underground Utility Damage Protection Act, or One-Call as it is commonly called. As cities should be aware by now, participation in One-Call is required for all municipal utilities unless the city has done a charter ordinance to exempt from the requirements. Again, One-Call is the agency which excavators must call before they dig in order to have the location of utility facilities in the ground located and marked to avoid the contractor hitting a line or pipe in the ground. In the past, city sewer and water utilities were not required to be a member of One-Call, but that changed with the amendments to the act in the 2008 legislative session. There are tiered levels of participation for cities that have not done charter ordinances to exempt themselves from the requirements of One-Call.

Besides the requirement of adding municipal sewer and water systems to the One-Call system, the Legislature also made the notification center subject to the Kansas Open Records Act (KORA) and the Kansas Open Meetings Act (KOMA). Thus, all of the reports and audits done pursuant to statute are open records. In addition, all of the notification centers meetings would be open public meetings.

As a result of the legislation in 2008, Kansas One-Call System, Inc., the non-profit corporation that exists to operate the notification center, sued in Shawnee County District Court, alleging that the changes to the One-Call law were unconstitutional and violated various legal principles. The Court found that the statutory changes regarding One-Call were constitutional. The first constitutional claim was whether the bill containing the One-Call changes violated the single subject rule. The Kansas Constitution contains limitations on how many subjects may be addressed in the same bill. In the One-Call bill, there were sections regarding the telecommunications industry, the Citizen's Utility Ratepayer Board, and One-Call. The court determined that all of the sections were a part of the bigger topic of utilities, and held that the bill did not violate the one subject rule.

The second constitutional issue alleged by the plaintiff was that the law is unconstitutional because the Legislature did not include references to KORA & KOMA and the Corporation Code in the title of the bill. In essence, the argument regarding open meetings and records was that the Legislature needed to amend the KOMA and KORA to add the notification center as a public agency subject to the acts. The Court found that other agencies were not included specifically in the acts, so the lack of mention in the bill title was not a problem.

Another basic argument by One-Call in this case was that the notification center could not be deemed a public agency, subjecting it to the requirements of KOMA and KORA. The Court in analyzing whether KORA applied to the notification center looked at the definition of public agency for the purpose of KORA, which includes in part, "the state or any political or taxing subdivision of the state or any office, officer, agency or

instrumentality thereof, or any other entity receiving or expending... public funds." K.S.A. 45-217(f) The court determined that the notification center, established by the Legislature and regulated by the Kansas Corporation Commission (KCC) is an instrumentality of the State. The Court stated that the "notification center carries out a traditional governmental function by administering a governmental program established by the Legislature" and is, therefore, an instrumentality subject to KORA.

The court similarly analyzed whether the notification center was subject to KOMA, concluding that it is a "body or agency" that would fall under KOMA. While it does not receive public funds directly, the KCC receives public funds, therefore all subordinate groups would also be covered by the KOMA. In coming to that conclusion, the Court looked at previous case law holding that if the parent body satisfies the public funding test, all subordinate groups are covered by KOMA. The notification center was considered a subordinate group, because the KCC and the Legislature have significant regulatory control over the operation of the center and it does not operate independent of such oversight.

There were several other issues, including a separation of powers claim and an equal protection claim, both of which were found to be baseless. The final issue for the Court to decide was the allegation that the legislation resulted in a taking under the Fifth Amendment to the U. S. Constitution. There were two justifications for the claim. First, because the Legislature set up a tiered system and Tier 3 allowed cities to have their own notification centers, it deprived the plaintiff of revenue. The second part of the claim was that by enacting a nonuniform law, which allows cities use charter ordinances to exempt from the One-Call requirements, the plaintiff also loses revenue. The Court quickly disposed of this claim by finding that there may have been a partial taking, but the plaintiff was provided just compensation. The plaintiff may simply raise the Tier 1 and 2 rates, providing just compensation. As for Tier 3, presumably if some municipalities set up their own notification center, One-Call's expenses would be commensurately lower, balancing the revenue side. Thus, the ability to use cities' home rule power did not deprive the plaintiff of just compensation. It was a unique argument to say the least.

While this case will not change how cities operate with respect to the Underground Utility Damage Protection Act, it is interesting to have the law affirmed with respect to the KOMA/KORA issues and the ability of cities to enact charter ordinances to exempt from the provisions of One-Call. The case has been appealed, however, so the outcome is not yet final. One final note, cities that are not complying with One-Call or have not done charter ordinances to exempt the city from the provisions should take steps to become compliant as soon as possible.

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...In Three Counties in Central Kansas

I left on a mid-April day trip and headed north up I-135 from my home in Sedgwick County. My first stop was right off the interstate at North Newton, in Harvey County, where City Clerk Sher Neufeld greeted me as I walked into City Hall, which is across the street from Bethel College. I have probably been invited to stop by about a dozen times—by Sher or City Administrator John Torline, (whom I have know for 25 years or so) or City Superintendent Danny Bisoni—but, it does seem like the places closest to home are sometimes the hardest places to schedule for visits. Sher showed me around the very “green” City Hall (featured in the *KGJ* several years ago, just after it was completed), the highlight of which, for me, was the spectacular Lyptus wood (<http://en.wikipedia.org/wiki/Lyptus>) used for many of the walls and built-ins. I said hello to City Treasurer Cindy Hiebert and Police Chief Ray Classen while on my tour. Out back, the City Shop is attached to part of the rear portion of City Hall (part of the old City Hall is still within that part of the building, and there is an additional large equipment barn)...Sher and I stopped to chat with my old friend Danny, and the newest member of the staff, Loren Henner. Danny had already worked for the City of Halstead for five years when I arrived on the scene there in 1985, and now has 30 years of city service. Danny served as my city super, too, in the several years before I left in 1997, and I consider him to be one of the really good (and SMART) guys of our business, and definitely a guy who knows how to get things done in the right way. North Newton is a small city with a small staff (you have met them all here), but they get a lot done. On this day, Danny and Loren were doing the city-wide, door-to-door “cleanup week” pick-ups, and sorting everything for recycling as they went. North Newton is serious about doing things the RIGHT way.

From North Newton, I traveled north up the interstate, and then west on Dutch Avenue (along which I once drove way too fast in the DENSE fog to fetch a pair of basketball tennies), across most of northern Harvey County and into northeastern-most Reno County to Buhler. At City Hall, I chatted with City Clerk, Merrill Peterson (and a bit with Deputy Clerk, Don Ratzlaff). I have known Merrill for a while now (our families once ran into each other at a Pumpkin Patch near Turon...I think I mentioned that a few years ago), but really had never had the chance to learn much about him. Several interesting things about Merrill (not counting his winding path through higher education) include the facts that he was once a teacher, is a former Buhler council member, and is a huge Jayhawk fan. Plus, he is a VERY organized person. As I have mentioned before, Buhler has a really cool and thriving “themed” downtown, with many very creative, active, and flourishing businesses. One of the more recent additions is Joey’s Café, which looks like a fabulous little diner (I did not stop), and there was already The Mustard Seed, a wonderful deli/coffee shop (I did stop for a latte on my way out of town...the sandwiches looked incredible), and a neat BBQ place, LaVon’s Bakery and BBQ. The shops in town feature a lot of unique items and there is a dinner theatre, The Old Mill. If you get a chance,

take in Buhler some Saturday. Check out everything and more at www.buhlerks.org.

From Buhler I traveled straight north into McPherson County, to Inman, where the finishing touches are being applied to the new four-lane K-61, running from McPherson to Hutchinson, which angles along the west and north edges of the City. At City Hall, I had a nice chat with Deputy Clerk Barbara Tuxhorn (City Clerk, Eva Freisen had track-meet-watching duty that afternoon). Inman is home to the famous Future Pro basketball goals (and other sports stuff—check out www.futureproinc.com), and is in the heart of real basketball country. Inman has produced four girls and boys champs over the years, and an astounding total of 25 (by my count anyway) such teams have come from McPherson County alone (including Moundridge and McPherson), and then there are the 10 added by nearby Hillsboro (Marion County) and Little River (Rice County). And, in all of those cities, one sees noticeably large numbers of basketball goals in driveways, many of them from Future Pro. So, it isn’t all just by chance....

My coffee shop suggestion this month is the marvelous Lincoln Perk (www.lincolnperk.com), located right where Dutch Avenue (Lincoln Street) meets up with I-135 in Hesston. Exactly on the path of the F-5 Tornado that hit 25 years ago this spring, Lincoln Perk is not your father’s small-town beanery. It is upscale and CLASSY; the coffee is special, and the music is straight off the XM/Sirius satellite (on this day, Channel 51, *The Coffee Shop*, where they feature singer/songwriters and acoustic music). You can’t get better than this and it’s right off the interstate.

My book recommendation this month is about health care and health care systems. With all that’s been going on in our country about health care reform, I decided to educate myself just a bit as to what the rest of the world is doing for health care. I have wanted to know more facts for a long time, but REALLY, does the “news” these days help educate us much? And, then there is the problem that most literature on this subject is just plain dense and unreadable. But, THIS book is different. *The Healing of Amercia: A Global Quest For Better, Cheaper, And Fairer Health Care*, by T.R. Reid, is highly informative as to how all (most, anyway) other industrialized, market-driven democracies in the world deal with health care, what the basic models are (Beveridge, Bismark, Universal Coverage, “pay as you go,” etc.), the differences, pros and cons of each system, and how each model affects actual people. And, along the way, Reid explodes what he has labeled the “Five Myths” of the various systems of the world. Having actually traveled and lived in a number of places around the globe (and searching for the answer to his bad shoulder in the process), Reid tells the story of health care as a story...very easy to read and understand. I encourage you to read this book. I have a loaner copy....

☀ *Don Osenbaugh is the Director of Finance and Field Services for the League of Kansas Municipalities. He can be reached at dosenbaugh@lkm.org*



Youth Service On Boards

by Gina McDonald

The City of Salina explores new opportunities for youth in the community.

The City of Salina will be exploring new opportunities to collaborate with young people in the community. After reviewing literature from the program, “Youth on Board,” the City of Salina has decided to include slots on their advisory boards and commissions for youth ages 14-22. This concept came from the City Manager, Jason Gage, who requested that staff review the current youth program. He suggested that staff submit recommendations for improvements to the current model.

Youth mentorships that have provided opportunities for teenagers to work with adults have been evolving over the past several years. A recent literature search provided information suggesting an exciting new concept that can serve the City of Salina with an opportunity to utilize youth to provide input and involvement on its boards and commissions.

The benefit of working with youth empowerment trainings has been documented. The National Council of Disability (NCD), and more recently, the Kansas Youth Empowerment Academy (KYEA) work with youth and adults to develop youth training and youth boards. Both NCD and KYEA programs evolved with the notion of giving young people empowerment tools and knowledge about participating on and overseeing not-for-profit boards of directors. Both programs identified, through educational and other institutions input, youth with disabilities who had leadership potential to participate in the programs.

It was determined that many cities had “youth councils,” who dealt with issues particular to youth issues. A number of cities have a one-day “shadowing” program where the youth will spend a day with a city official observing and discussing the job duties and actions of that position.

Other cities, like Salina, have one designated seat for youth on certain boards. Salina has one youth on the Recreation Board and one youth on the Arts and Humanities Board. Selection of youth to serve on these boards comes from graduates of the Junior Salina Leadership program.

Junior Leadership Salina, a program through the Salina Chamber of Commerce is an excellent training opportunity for young people in the community. However, in reviewing the demographics students selected for board appointments, the trend revealed an over representation of the higher socioeconomic class in the city.



In order to increase the base from which participants are chosen, Salina is increasing the referral sources used to identify potential youth who may have the potential for leadership. Salina asked for recommendations for participants from church leaders; X-Cel, an after school program; NAACP Teen Summit participants; middle and high school teachers; Disability Programs of North Central Kansas (DPOK); Catholic Charities of Salina; and the Salina Chamber.

The program “Youth on Boards,” which is a project of YouthBuild USA, confirmed what had been learned from other sources and experiences in other programs. It is vital to give young people meaningful work to perform. It is critical to prepare the advisory boards for knowing why they can benefit from youth participation.

Decisions and recommendations made on commissions and advisory boards tend to be more consequential than those made on a Youth Council. Recommendations have an impact on a variety of issues within the City. Active participation on a commission or advisory board can prepare youth for participation in activities of city government as well as participation on not-for-profit boards of directors.

“Youth on Boards” also suggested the importance of having at least two youth sit on an advisory board or commission together to enhance peer support. The City of Salina agrees that this model would allow the youth to discuss and draw from each other perspectives for support. The goals will be to identify at least two youth per board or commission within the City of Salina.

The youth will give their perspective on issues. But it will be clear that they are not expected to speak for all youth, any more



than any other member would be expected to represent an entire group.

Identification of mentors within the various advisory boards and commissions will assist the youth to insure successful integration into the board and/or commission. The mentor will assist in reducing anxiety with issues surrounding unfamiliarity with agenda topics, protocol, and other concerns at the meeting. This can prove to be a valuable tool to use with any new board or commission member, but in particular, it's important for young people who may not have had exposure to the workings of a board or commission.

There are a few cities that have programs similar to the type of programs the City of Salina is launching. City governments that are as diverse as Fall River, Massachusetts and Boise, Idaho have incorporated youth on boards. They have at least two youth participating on boards and offer formalized training for both youth and advisory board members prior to the youth participating on those boards.

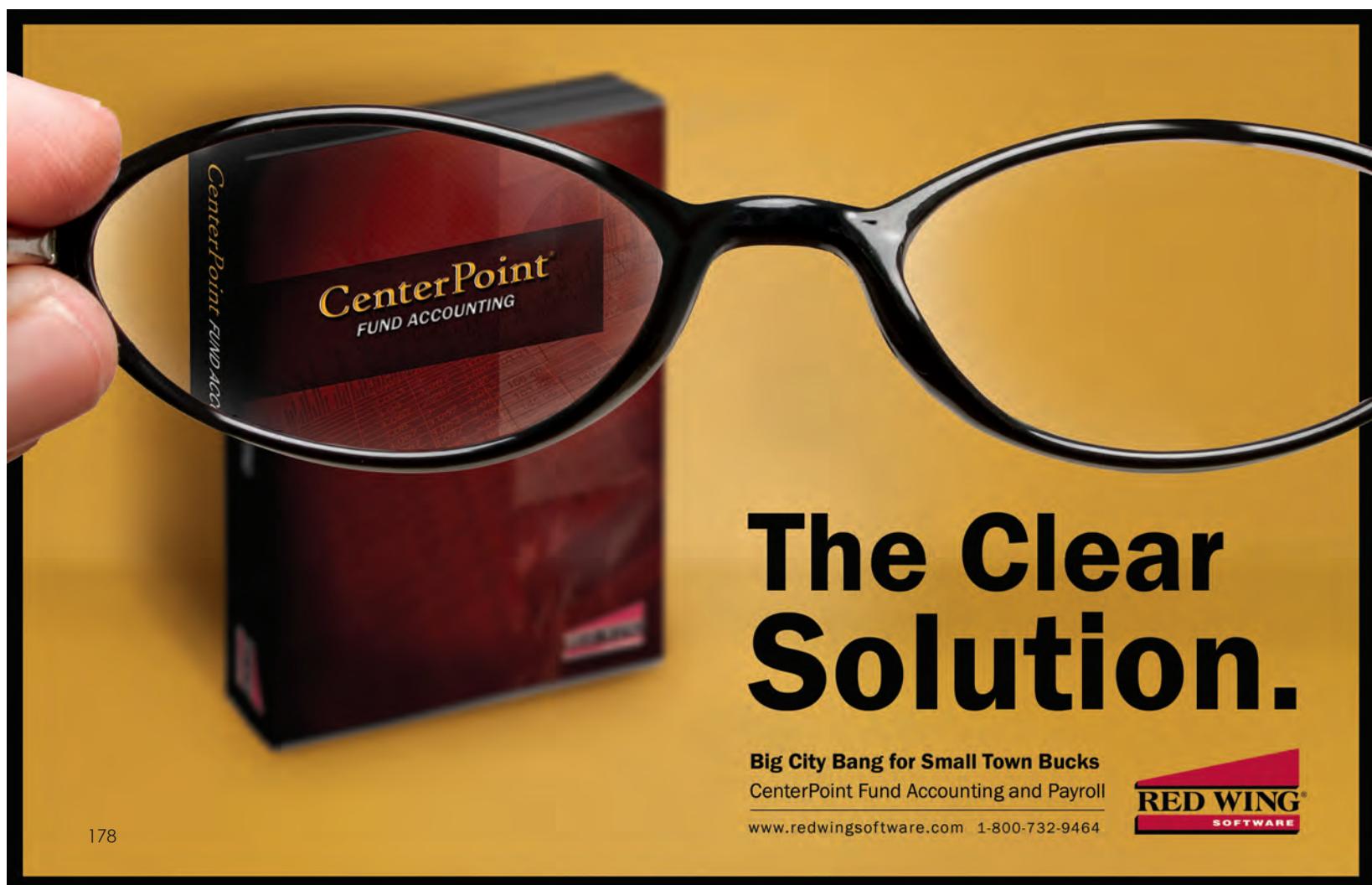
Youth members will participate in every aspect of the advisory board or commission and they will have the opportunity to vote on issues along with the rest of the board members. However, for

youth who are under the age of 18, their vote will not be formally included in the count for purposes of minutes. If there are any other "legal" aspects of board participation, those youth who are under the age of 18 may participate, but cannot legally have their vote counted on those matters.

The City of Salina is excited to begin this program and we have identified our first interested youth. The Human Relations Commission is the first to agree to participate in training. Commission members have identified mentors willing to support young people appointed to the Commission.

The goal is to learn lessons from the experience of the Human Relations Commission in this endeavor and promote the Youth on Board concept to the rest of the commissions and advisory boards for the City of Salina. This will be a great opportunity to promote our interest in getting input from all community members and learn from each other, which can only make the City of Salina a better place to live.

 *Gina McDonald is the Director of Salina's Human Relations Department. She can be reached at gina.mcdonald@salina.org or (785) 309-5745.*



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Best Practices

by Nathan Eberline

Close to Home

One of my favorite aspects of my job is the opportunity to learn about the diverse, innovative programs that cities across the state initiate. Since I began with the League, I have learned and shared stories on topics ranging from advancements in water treatment to new approaches in community wellness. The goal of each story is to provide readers an opportunity to better understand the communities around them and hopefully share ideas that other cities may be able to incorporate.

When I began to write for this month's *Kansas Government Journal*, I had an unexpected source of inspiration—the League's weekly staff meeting. Our director, Don Moler, discussed with pride a tradition that has been with LKM for quite some time.

Each year, the League hosts a picnic and clean-up day for the residents of our building. At noon on the designated day, the Kansas Association of Counties (KAC) and the Kansas Health Care Stabilization Fund (HCSF) join us in the League parking lot for a potluck lunch. Our Assistant General Counsel Larry Baer, grills a bevy of delectable meats, and each representative from LKM, KAC, and HCSF brings a dish to share.

After everyone has indulged, the group disperses around the building and parking lot to partake in a little spring-cleaning. The event serves two valuable purposes. First, it ensures that LKM maintains a tidy and professional appearance for the city officials that frequently visit the building. But just as importantly, the LKM Picnic serves a secondary purpose that each city in Kansas can perhaps bring to their own organization—fellowship.

Each day, the representatives from our building ride the elevator and share the stairs with individuals who work on behalf of the Kansas citizenry. We pass each other with polite pleasantries before going about our jobs. This certainly qualifies as the norm in the working world, but there are definite benefits when we take the time to come together and turn casual interactions into something more meaningful.

In Robert Putnam's 1995 essay, *Bowling Alone: America's Declining Social Capital*, the author discusses America's tendency toward isolation, and more specifically, the declining rates of participation in group activities. He further flushes out principles of social capital, a concept that receives notable attention from social scientists. Putnam observes that the "core idea of social capital theory is that social networks have value. Just as a screwdriver (physical capital) or a college education (human capital) can increase productivity (both individual and collective), social contacts, too, can affect the productivity of individuals and groups."

Putnam also referenced L. J. Hanifan, an early state supervisor of rural schools in West Virginia who defined social capital as the "tangible substances [that] count for most in the daily lives of people: namely good will, fellowship, sympathy, and social intercourse among the individuals and families who make up a social unit." Hanifan added that "[t]he community as a whole will benefit by the cooperation of all its parts, while the individual will find in his associations the advantages of the help, the sympathy, and the fellowship of his neighbors." This is exactly the benefit that I received from the picnic and it is likely the reason that the LKM Director speaks so glowingly about the tradition.

Putnam concludes an early segment of his writing by commenting that "our schools and neighborhoods don't work so well when community bonds slacken...that our economy, our democracy, and even our health and happiness depend on adequate stocks of social capital." Putnam analyzes the issue of in-person social interactions with the broad argument that "Americans need to reconnect with one another."

There are many great examples of organizations intentionally building connections between its people. At the micro level, one organization set up an ice cream booth outside its office to encourage participation and interaction during fire drills. A city in Kansas had a weight-loss challenge, which had the benefit of some social competition and the improved health of its employees. At the macro level, cities across Kansas have festivals ranging from Pancake Day in Liberal to the Watermelon Festival in Clyde. Each of these activities has the benefit of encouraging relationships between community members.

My point is not to suggest that your organization should immediately place a picnic on the calendar with a scheduled clean-up session to conclude the event. Instead, I want to prompt the challenge to evaluate whether your organization provides opportunities to build relationships both in the office and beyond. By no means is it necessary to turn your co-workers or office-mates into lifelong friends, but as Putnam notes, communities benefit from cooperation. Whether you define "community" as your office, your city, your state, or beyond, that entity will function more effectively when meaningful connections exist between its citizens.

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John Stuart Curry's *Tragic Prelude*, a mural in the Kansas Statehouse illustrating John Brown and the clash of forces in Bleeding Kansas. Photo provided by the League of Kansas Municipalities.

2010 Legislative Wrap-Up

by Kimberly Winn

The 2010 Legislative Session was certainly a challenging one. Faced with a budget crisis of unprecedented proportions, legislators struggled to find consensus on the solutions. In the end, a state budget for FY 2011 was adopted along with a 1% sales tax increase to fund the shortfall and to begin funding for a new transportation plan. In a major victory for cities, key municipal funding sources (motor fuels taxes and alcoholic liquor taxes) were left intact.

The authority of cities to annex came under attack again this year. And, a number of proposals that would have limited the constitutional home rule authority of cities were considered. Fortunately, those efforts were unsuccessful and cities fared well in a difficult year.

The following is a summary of the key legislation of municipal interest considered during the 2010 Legislative Session. To get copies of any of the bills, go to <http://www.kslegislature.org/legsrv-legisportal/index.do> and type the bill number in the box entitled "Full Text of Bills."

General Local Government

• **Fire Sprinklers. HB 2472** establishes a one-year moratorium on the imposition of local ordinances, codes, and rules that require sprinkler systems in residential homes. The issue arose because the most recent version of the International Residential Code included such a requirement. Interested parties are meeting during the interim before the next legislative session to see if a compromise can be reached on this issue.

• **Voter Disqualification. SCR 1622** proposes a state constitutional amendment that would remove "mental illness" as a disqualification to vote in Kansas. Look for that on the ballot in the fall.

• **Medical Gas Installers. H Sub for SB 449** expands the plumbers licensing statutes to include medical gas installers requiring that cities and counties who license plumbers also license medical gas installers. These provisions do not apply in cities or counties where building codes require a certified individual to inspect prior to an occupancy permit being issued.

• **Kansas Open Records Act (KORA). SB 369** made two significant changes to KORA. First, it allows public agencies to deny the request of an individual to electronically make copies of public records by allowing a person to attach an electronic device to the computer or other device of the public agency. Second, this legislation allows a public agency to withhold an individual's email address, cell phone number, or other contact information which has been given for the purpose of agency notifications or communications which are widely distributed to the public. In other words, if the city maintains an email newsletter or distribution system, you do not have to provide the list of the names and emails of the individuals who receive this communication from the city.

• **Annexation.** The annexation authority of cities was challenged in a number of different pieces of legislation this year. Only one of those, **H Sub for SB 214** was adopted. This legislation limits a

city from annexing a "narrow corridor" of land to gain access to noncontiguous land. If a city annexes a corridor of land, it must have a tangible value and purpose other than for enhancing future annexations. This legislation was aimed at a particular annexation and is very limited in scope and application.

• **Cemetery Corporations. H Sub for SB 75** specifically authorizes the Attorney General, at the request of the Secretary of State, to initiate an accounting of certain cemetery funds.

• **Military Installations.** Pursuant to **HB 2445**, those municipalities with military installations nearby are required to work with military officials and provide certain notices regarding regulations and development in a mutually agreed upon "critical area" around the installation. The bill requires annual meetings between the municipality and the military installation and establishes factors to be considered when regulating or developing a "critical area."

• **Consolidation. SB 75** originally contained the provisions of the authorizing language to enable cities and counties to initiate consolidations. This bill has passed the Senate numerous times over the past several years, but has failed to get any traction in the House.

• **Elections.** A couple of election proposals were considered and rejected this year. First, there were bills introduced and heard that would have changed city and school district elections from the spring to fall. City and school groups opposed this legislation as it would insert local elections into a partisan election process and would have the potential of lessening the attention paid to local elections when other statewide positions are on the ballot as well. There was also an attempt to require filings for city office to be with the county election officer. Cities opposed this change with the argument that individuals seeking city office ought to be able to file for office at city hall.

• **Smoking Legislation.** The Kansas Clean Air Act was passed in **HB 2221**. This legislation makes it unlawful to smoke in any enclosed area or any place of employment. Exceptions include outdoor areas, private homes (except when used as a day care), up to 20% of hotel or motel rooms, casino gaming floors, certain designated areas in adult care homes and medical facilities, tobacco shops, certain fraternal and private clubs in existence as of January 1, 2009, and certain outdoor recreation clubs in areas where minors are prohibited.

The law establishes a 10 ft. smoke-free area around all “access points” to a building, but specifically exempts outdoor patio areas. All employers, including local governments, must adopt written smoking policies which must be communicated to all current

employees within one week of adoption and all new employees upon hiring. **HB 2221** also regulates and restricts cigarette and tobacco vending machines in areas that are accessible to the public.

Cities may adopt local ordinances that mirror state law or are more restrictive. Cities may not adopt ordinances that are less restrictive. The 2010 Uniform Public Offense Code (UPOC), which will be published in July, will include the new anti-smoking provisions so there is no need to adopt a separate local ordinance if your city plans to adopt the UPOC.

For more information, see the guidance documents prepared by the Kansas Department of Health & Environment at www.kssmokefree.org.

Transportation & Traffic

• **Primary Seat Belts.** Pursuant to **HB 2130**, it is now unlawful to operate or ride anywhere in a vehicle without a proper safety restraint. In addition, not wearing a seat belt is now a “primary” offense for which a vehicle may be stopped and a ticket issued. Until June 30, 2010, officers shall issue a warning. After July 1, 2010, the state fine for such violations shall be \$5 (plus court costs). From July 1, 2011 and thereafter, the state fine shall be \$10 (plus court costs). Individuals between 14 and 18 years of age who are ticketed with not wearing a seat belt are to be fined \$60 (plus court costs). Cities may adopt regulations and fines that are greater than the state law, but may not be less restrictive or reduce the fines that are specified under state law.

• **Texting.** Effective July 1, 2010, the 2010 Legislature has also restricted text messaging while operating a motor vehicle. **H Sub for SB 300** prohibits using a wireless communications device to “write, send or read a written communication.” There are exemptions for law enforcement personnel, persons who are stopped on the side of the road, emergency, traffic, or weather alert messages, and messages related to navigation of the vehicle. The restrictions also do not apply to persons who are reporting current or ongoing illegal activity to law enforcement; preventing imminent injury to a person or property; or relaying information between transit or for-hire operators and the dispatcher where the device is permanently affixed to the vehicle. Prior to January 1, 2011, officers shall issue a warning citation. There is no preemption in this bill so cities may be more restrictive than state law with regard to these regulations.

• **Motorcycles.** Pursuant to **H Sub for SB 300**, individuals under 18 are now required to wear helmets and appropriate eye protection when operating or riding as a passenger on a motorcycle. In addition, it is unlawful for anyone to allow someone under 18 to operate or ride a motorcycle without both a helmet and appropriate eye protection.

• **DUI.** **SB 368** provides for the opportunity for individuals that have had their license suspended for one year for an alcohol or drug-related conviction to apply to the division of motor vehicles for a restricted license after 45 days of the suspension. If the individual violates the terms of the restrictions, their driving privileges shall be suspended for an additional year beyond the original suspension.

• **Comprehensive Transportation Plan.** Since the expiration of the Comprehensive Transportation Plan in 2009, the creation of a new plan has been a legislative priority for the League of Kansas Municipalities and a variety of other interested parties. **S Sub for S Sub for HB 2650** establishes the Transportation Works for Kansas (T-Works) program.

KDOT has estimated that over the next 10 years, the program will have approximately \$8.2 billion, with about \$2.7 billion

being new monies. The program is funded by existing revenue sources such as the motor fuels money, an increase in a variety of registration fees, and a portion of the new 1% state sales tax that is dedicated to this purpose. The bill also expands KDOT’s bonding authority, continues the transportation revolving fund for municipalities, and authorizes the Secretary of Transportation to consider a feasibility study for a new toll or turnpike project.

• **Drivers’ Licenses.** **HB 2482** made a number of changes with regard to drivers’ licenses. First, it authorizes renewal by mail for service people who are out of the country at the time the renewal comes due. The bill requires the division of motor vehicles to include a written explanation of substantial changes to traffic regulations enacted by the Legislature, but does away with the requirement of a written exam upon renewal. The bill also amends K.S.A. 8-296 to allow 16 year-olds with restricted permits to drive to or from any religious worship service. Finally, this bill also prohibits diversion agreements for holders of commercial drivers licenses (CDLs) even if the individual subsequently relinquishes the CDL.

• **Traffic Fines.** In **S Sub for HB 2226**, the traffic fine schedule has been increased by \$15 across the board with portions of the money being used for the criminal justice information system (CJIS) line fund. This fund is designed to connect all Kansas counties into the CJIS system.

• **Recreational Off-Highway Vehicles.** In addition to authorizing three new custom license plates (the Boy Scouts of America, veterans of the Vietnam war, and “I’m pet friendly”), **HB 2660** defines Recreational Off-Highway Vehicles and authorizes cities to allow them on city streets, at the city’s option.

• **Transit Busses.** **HB 2561** grants the Secretary of Transportation the authority to develop rules and regs to allow transit busses to operate on the right shoulder of city connecting links and other highways in the state highway system in Johnson County when the traffic has slowed to 35 miles per hour.

• **Interstate Rail Compact.** **HB 2552** establishes Kansas as a member of the Midwest Interstate Passenger Rail Compact. This compact creates a commission whose purpose is to promote joint and cooperative efforts to work to ensure coordination with various entities who have an interest in passenger rail service.

• **Rail Service Revolving Fund.** The passenger rail service revolving fund was established by the passage of **SB 409**. No particular funding mechanism was included in the legislation, but the Secretary of Transportation is authorized to establish a program to provide for railroad main lines and other facilities, rail economic development projects and other costs associated with the initiation, operation, and maintenance of passenger rail service.



Finance & Taxation

• **Bonds and Investments.** **SB 415** includes obligations of the federal home loan mortgage corporation and the government national mortgage association as authorized investments. This bill also extends the time limitation for the maximum stated rate of interest to June 30, 2012 and increases interest percentages from 5-6% if the interest is excluded from gross income for federal tax purposes or from 6-7% if interest is included. Finally, this bill also authorizes municipalities to invest in municipal bonds from other Kansas municipalities.

SB 415 makes an additional change to municipal bond law to allow municipalities the option of accepting the good faith deposit in cash, including cash deposited via electronic fund transfer. Under current law, the deposit can only be made in the form of a certified or cashier's check or surety bond.

• **Debit Cards.** In **SB 410**, the Legislature clarified the law with regard to surcharges placed on purchases made using credit cards. The term "debit" is now specifically included to make it clear that credit cards and debit cards are to be treated the same. Private businesses are generally prohibited from passing on a surcharge when an individual uses a credit or debit card. The state and most political subdivisions are authorized to pass on such surcharges.

• **Retainage.** The Kansas Fairness in Public Construction Act was amended by **H Sub for SB 377**. This bill requires that the public entity shall not withhold more than a 5% retainage unless the entity determines that up to 10% is required to ensure performance of the contract. All retainage on any undisputed payment due to the contractor must be paid within 30 days after substantial completion of the project. A project is deemed to be substantially completed when the public entity can use the completed portion for its intended use. Also, public entities may not withhold more than 150% of the value of incomplete work, provided that the incomplete work is due to the fault of the contractor. Any amounts retained for incomplete work shall be paid within 45 days after completion of the work. A general contractor or subcontractor may request an alternate security in lieu of retainage. The decision to accept such alternate security and the form of such security is left to the public

entity. The Kansas Fairness in Private Construction Act was also amended by this bill to establish similar provisions in the private sector.

• **Property Taxes.** **SB 464** amends Kansas property tax law to clarify that the 2nd half of property tax payments are now due the 10th day of May.

Also, **H Sub for SB 312** allows for loans to be issued from the Pooled Money Investment Board (PMIB) in certain cases where a taxpayer is due a property tax refund and the property involved exceeds 5% of the total county assessed valuation.

• **Sales Taxes.** **SB 255** makes several changes in the state sales tax law. First, it authorizes Kingman County and Pottawatomie to impose sales taxes for specified purposes and not to share those taxes with the cities in those counties. The bill further allows that when a city or county has passed an ordinance pledging the future use of sales tax revenue, such pledge is not subject to the state cash basis law.

S Sub for HB 2360 provides that the state sales tax will go from 5.3% to 6.3% on July 1, 2010. On July 1, 2013, that rate is scheduled to drop to 5.7% with the increase of .4% going to the state highway fund.

• **Recovery Zone Bonds.** The Department of Commerce is authorized pursuant to **HB 2551** to set up recovery zone bonds and energy conservation bonds for counties and large municipalities (over 100,000) under the American Recovery and Reinvestment Act that Congress passed in 2009.

• **Historic Preservation Income Tax Credits.** **SB 430** corrected an error from last year's budget that inadvertently placed a \$3.7 million cap on historic preservation income tax credits.

• **Intangibles Taxes.** Also pursuant to **SB 430**, the Kansas Department of Revenue will no longer be collecting the intangibles taxes. They will be collected by county clerks.

• **Enterprise Zones.** **HB 2553** updates the enterprise zone statutes to change the references from the "standard industrial classification codes" to the North American Industry Classification System.

Utilities & Environment

• **Annexation and Rural Water Districts.** **HB 2283** establishes new processes for the annexation of territory that is served by a rural water district. A city must provide a 60-day notice of intent to annex to a rural water district. Then, the city and the rural water district must enter into negotiations regarding the service provider for the annexed area and compensation, if any, that may be due. If an agreement cannot be reached, the parties must engage in mediation and no change in water service supplier can occur until at least 120 days after delivery of the notice of intent to change water suppliers. The bill also provides a number of factors that must be considered with regard to the compensation that is due to a rural water district when the city opts to change service suppliers in an annexed area.

Following the procedural hurdles and determination of compensation, the city retains the authority to annex the property

and to determine what entity will provide water service. The Regional Economic Area Partnership (REAP) has developed a guidance document to help cities and rural water districts work through the issues surrounding annexation. This document can be found at http://www.reap-ks.org/images/content/files/final_rwd_guidelines_wlogos.pdf.

• **Water Rights.** K.S.A. 82a-718 was amended by **H Sub for SB 316** to allow the nonuse of water rights without the loss of the right in areas that have been closed to new appropriations.

• **Solid Waste.** Again this year, there was an attempt to limit the authority of cities with regard to the regulation of solid waste collection in their communities. While no legislation has passed to date, the interested parties have been asked to meet during the interim and this issue will likely be considered again next year.



Public Safety

- **Electronic Citations.** **SB 533** amends current law regarding traffic, municipal courts, and county code enforcement to allow for the use of an electronic citation system to issue citations, complaints, and notices to appear. The bill also authorizes electronic signatures as the intent to sign the record.

- **Criminal Code.** The entire Kansas Criminal Code was recodified in **HB 2668 effective July 1, 2011**. It provides for language clarifications, statute reorganization and reordering, and repeal of statutes that are no longer used.

- **Concealed Carry.** **H Sub for SB 306** amends the concealed carry law to use the term “handgun” rather than “weapon.” In addition, it clarifies that it is not a criminal use of weapons to violate the requirement that one carry their concealed license on their person and to present such identification to law enforcement. The bill also amends a variety of provisions in order to make it easier to obtain a concealed carry permit or renewal and reduces the fees for doing so.

The specific locations where concealed carry is not allowed pursuant to state law have been limited. Cities and counties may restrict concealed carry in their buildings so long as the proper posting is in place. The Attorney General has been charged with developing new sign regulations that must be posted at eye level of adults at all exterior entrances.

Further, SB 306 provides that it is no longer a crime to carry a concealed weapon under the influence of alcohol or drugs unless it is “to such a degree as to render such licensee incapable of safely operating a handgun.” Further, an officer will only have probable cause to believe that the licensee used or attempted to use the concealed handgun under the influence if there was death or serious injury to a person. Without first obtaining a search warrant, any testing to determine impairment must be done under the voluntary consent of the licensee (no implied consent).

- **Criminal Use and Possession.** K.S.A. 21-4201 was amended by **SB 306** to clarify that possession of a pocketknife that has a spring device which creates a bias towards closure of the blade is not included within the criminal use of a weapon statutes. Also, criminal possession of a firearm in K.S.A. 21-4204 was amended by **SB 67** to include prior convictions for attempt (K.S.A. 21-3301); conspiracy (K.S.A. 21-3302); and criminal solicitation (K.S.A. 21-3303).

- **911.** In **S Sub for HB 2582**, the current funding stream with regard to enhanced wireless 911, which was set to change July 1, 2010, was extended through July 1, 2011. In addition, the use of wireless enhanced 911 fees cannot be used to purchase or pay for subscriber radio equipment. Finally, PSAPs will be required to provide certain revenue and expense reports to the Local Collection Point Administrator at the end of the year.

- **Use of Force.** In response to a ruling last year in *State v. Hendrix*, 289 Kan. 859 (2009), that a self-defense instruction to the jury

was inappropriate when use of force was merely threatened and no actual force was used, the Legislature adopted **H Sub for SB 381** and applied it retroactively in order to overturn the case. Under the new law, a self defense instruction will be allowed when there is a threat of use of force. In addition, the possible locations where a use of force self-defense is allowable were expanded to include places of work.

- **Municipal Courts.** A variety of bills made changes to laws affecting municipal courts. First, **HB 2661** amended K.S.A. 12-4104 to clarify that there is municipal court jurisdiction with regard to the possession of marijuana. **SB 434** raises the fee that municipal courts must send to the State from \$19 to \$20. And, **SB 373** clarifies that the violation of all municipal ordinances requires the state assessment to be paid.

- **Domestic Violence.** **HB 2517** made numerous changes to the domestic violence laws in the state. This bill allows for a “DV” designation on the criminal case numbers identifying such cases and makes a number of definitional changes with regard to the Act. This bill also requires a number of specific changes to local written policies. Your city attorney should review your existing policies to make sure that they comply with the new law.

- **Work Release.** **HB 2604** authorizes courts to use daytime work release programs in certain circumstances.

- **Kelsey Smith Act.** **HB 2652** amends K.S.A. 22-4615 to require that all wireless carriers provide their emergency contact information to the Kansas Bureau of Investigation (KBI). The KBI is required to maintain a database of this information and share it as necessary with public safety answering points.

- **Minors in Possession.** **SB 452** provides that any person under 18 who is cited with possessing alcohol or cereal malt beverage cannot be jailed or detained.

- **Video Testimony.** In response to a previous case that disallowed video testimony for forensic experts, **SB 386** was adopted to specifically allow for two-way interactive video technology to be used in district and municipal courts.

- **Emergency Medical Services.** **H Sub for SB 262** makes a number of changes with regard to emergency medical services. Titles for various attendants are defined and changed. The bill establishes a scope of practice for the professions by rules and regulations established by the Kansas Board of Emergency Medical Services. The professions will have to complete a course of instruction as approved by the Board and be specifically authorized to perform certain activities.

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The renovation of Frazier Park Lake has provided the City of Ulysses with a new expanded golf course, playground, wetland habitat, a 1.5 mile trail, and a waste water treatment system. All photos provided by the City of Ulysses.

Turning Waste Water Into Lake Water

by Daron Hall and Dennis Haag



The City of Ulysses (pop. 5,557), located in Grant County (pop. 7,552) is a unique part of Kansas. Located in the southwest corner of the state, and the only incorporated city in the county, Ulysses residents have always persevered and prospered. The community is located on top of the Ogallala Aquifer and the Hugoton Gas Field. A mighty combination for an area where the average rainfall is a scant 14 in. per year. Today, Ulysses is a healthy, proud, and prosperous community.

Similar to other rural communities, the residents were always in search of new and improved amenities that would add to their quality of life. During the 1960s, in an attempt to offset the particularly dry climate, Frazier Park Lake was constructed as a 25 to 35 acre recreation lake for Ulysses' main city park, Frazier Park. The lake was created by an earthen dam constructed across the North Fork Cimarron River channel which went through the park. As a result of the climate and quality of the dirt, the lake filled with sediment shortly after construction. By the early 1970s, the lake was considered to be a failure and had only a few feet of depth remaining. It remained that way for over 30 years, filling in completely with sediment. During this time period, the Cimarron River also dried up as a result of droughts, which were exacerbated by numerous irrigation wells, which lowered the groundwater aquifer upstream from the lake.

Although residents never gave up on their desire to restore the lake or to construct a new one, with the arid climate, it never seemed like the appropriate time to try again. Finally in 2002, they were given another chance. The Leadership Grant County Class, in cooperation with the Santa Fe Trail Resource Conservation and Development Area, Inc. pursued various community-based activities to involve the citizens of Ulysses in determining wants and needs for water-based recreation within Grant County. Their review concluded that if appropriate protections were not soon in place, the overall quality of the river area environment would continue to deteriorate. If action was not taken, the opportunity for outdoor recreational activities would be permanently lost. They proposed restoring all or a portion of Frazier Park Lake. The time had come.

The City hired a lake and natural resource restoration specialist to prepare a conceptual study of how to best restore the lake. His review and findings suggested that the only way to restore the lake was to remove the sediment and supplement it with either groundwater or treated waste water effluent.

As is common with waste water systems, from time to time it is necessary to increase or decrease the capacity of aging waste water lagoons. In Ulysses, most of the waste water was surplus and used to either irrigate the golf course and cemetery, or was given away to

irrigate adjacent fields during the summer. During the winter, the City lagoons did not have adequate storage capacity. In an attempt to correct this problem, the lake concept resurfaced. By constructing a series of treatment wetlands and stream channels, additional treatment and storage of the waste water could be realized. The treated waste water could be used to recharge the lake and enough water could be stored during the winter to irrigate the golf course during the summer months. In addition, some of the new treatment system might be used as an amenity to complement the golf course.

Although there are only a few constructed wetland treatment systems in Kansas, there are a number of successfully implemented ones in other states and countries. However, the Ulysses treatment system would also use constructed stream channels, a new approach, that could ultimately provide habitat for the Arkansas Darter, a threatened species of fish. The lowering of ground water and drying of springs have reduced the habitat for this fish in Kansas. These concepts appealed to the local community and the plan gained momentum.

After a comprehensive study, the Ulysses City Council approved the progressive concept, and worked to build a wetland and stream treatment system that would provide treated waste water from the existing sewer lagoons to restore Frazier Park Lake. The Kansas Department of Health and Environment (KDHE) approved the project and in December 2006, the effort to clean the water and fill Frazier Lake began. The construction contract was awarded in 2007 and included: restoring 18 acres of lake water; installing a new irrigation intake pump station; constructing 8 acres of wetland ponds and 3 acres of stream channels; building a waterfall at the new expanded golf course; and a small equalization wetland to direct the treated water to either the lake or Cimarron River. In addition, a new flood control dike was built to eliminate river flood waters and sediment from entering the lake. In an effort to further build on the wetland concept, other types of habitat including fish brush piles, bird and bat houses, and habitat plantings along the lake shore and stream channels were created.

The work of the community in this effort should be emphasized. One thing that stands out is the work ethic of the people who live here. The first step of the lake restoration was to clean out the existing, silt filled, lake bed. The old lake was full of dead trees and 30 years of silt. Much of this initial work was done by hand. It is also important to mention that the project was not without its detractors. A group of individuals were concerned with the effort to disturb the area and disrupt the native wildlife. Although the plan was to increase the size of the ecosystem, the cleanup of the existing area was difficult for some to accept.

The City contractor completed construction in 2008. Since then, the City is continuing to make adjustments to the system and working to establish wetland plants. High winds have made this a challenge, but with patience and many good ideas, the project is succeeding. There has been a lot of help along the way. The project has been supported by the U.S. Fish and Wildlife Service (USFWS), U.S. Environmental Protection Agency (EPA), Playa Lakes Joint Venture (PLJV), Kansas Department of Wildlife and Parks (KDWP), Kansas State Conservation Commission (SCC), Kansas Department of Health and Environment (KDHE), and the Kansas Alliance for Wetlands and Streams (KAWS). These organizations were instrumental in obtaining two grants, one \$50,000 grant from PLJV through the North American Wetlands Conservation Act administered by USFWS, and a \$25,000 grant from KAWS funded in part by an EPA Region 7 Wetland Program and Development Grant administered by SCC. The rest of the costs for this project were paid for by the taxpayers in Ulysses and Grant County.

When fully operational, the system is expected to treat various pollutants ranging from E. coli to ammonias. Currently, the system is experiencing good success and the reaction by the community has been very supportive. It is great to see a major portion of the lake restored with water, especially in Ulysses and Grant County where the water-based recreation options are limited. By 2012, with oversight and assistance from KDWP, there is a plan to allow for fishing and boating. When the City can consistently meet the performance standards set by KDHE, it plans to open the lake to the public.

Currently, the lake serves as the centerpiece for numerous water based recreational activities. It provides the water for Bentwood, our 18-hole golf course, and a 1.5 mile trail system sponsored by the Sunflower Foundation. As part of this project, The City and County requested and received a \$25,000 Sunflower Foundation trails grant. The grant funds were matched with City funds and paid for a 1.5 mile

concrete trail system, dozens of shade trees, park lighting, and educational information about the native wildlife. We also have off-road biking and hiking trails, sand volleyball, play grounds, and an RV camping area. In 2009, the BP Corporation provided grant funds for an additional pavilion in Frazier Park, next to the water's edge. This location has become a destination for community events and public and private celebrations.

As is common with new assets, the City and County realized that with all the positives came a few negatives. It had been a long time since the community had a body of water this large and deep. There was a need to not only educate residents of the potential dangers, but also to be prepared to meet those dangers head on. In conjunction with the County, the City purchased cold water rescue suits, and the equipment needed to not only rescue someone from the lake or ice, but to properly rescue them from the trails if they are injured and cannot be easily moved. This included purchasing a boat, trailer, six-wheeled off-road emergency rescue vehicle, and all the related rescue equipment. City emergency responders were trained in the freezing water this past winter. All of this equipment is housed in a building at the lake's edge which also provides easy access to the trails.

The "waste water to lake water" project is proving to be a true benefit to the community. Grant County and Ulysses have always been fortunate economically. This prosperity has provided assets usually found in much larger communities. The lake project is another addition to the list of great assets. It is on course to being environmentally sound, and it creates water recreation opportunities which were not possible under normal circumstances.

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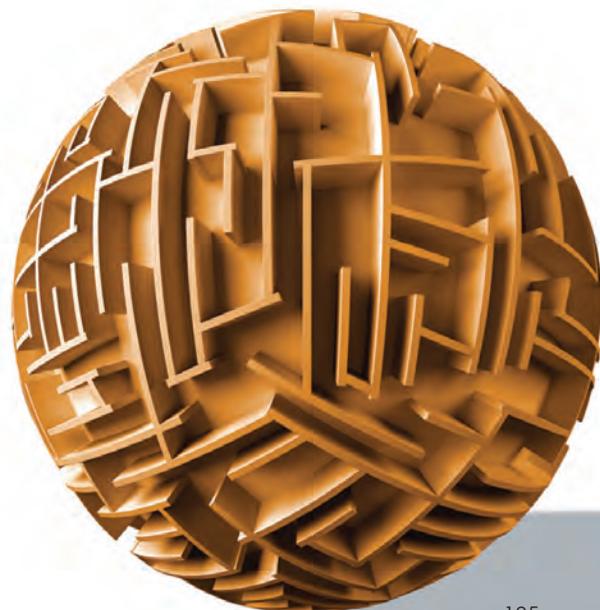
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City Administrator

The City of Kiowa (Pop. 1,000), a small, vibrant community in south central Kansas, seeks equally energetic applicant for the position of City Administrator. Kiowa is a full-service city, with a \$2.3 million budget and electric, water, sewer, solid waste, and recycling utilities. Community-supported amenities include hospital, library, care home, cinema, community theater, and recreation commission. Bachelor's degree in public administration, business, or the equivalent combination of education and experience required. Good interpersonal, communication skills, grant writing, and budget management needed. Experience in economic development and public works a plus. Competitive salary, DOQ and experience. Six administrators since position established in 1977. Send resume and four professional references to City of Kiowa, P.O. Box 228, Kiowa, KS 67070. Open until filled. EOE.

City Attorney

The City of Pomona is seeking a city attorney to prosecute municipal court as well as act as representative in civil cases, provide legal advice on city matters, draft official documents, and assist the governing body in numerous legal aspects. If interested, please send a letter of interest, or contact Pomona City Hall, 219 West A Street; PO Box 67, Pomona, Kansas 66076; (785) 566-3522. Applications will be accepted and reviewed until position is filled. Applicant's office must be located in counties adjacent to Franklin County. EOE.

City Clerk

City of Cimarron (pop. 2,000) is seeking a dedicated, innovative, and responsible individual for the position of City Clerk. This full-time position reports directly to the Mayor & City Council and is responsible for municipal record keeping and fiscal services including budgeting, accounting, payroll, human resources, accounts payable and receivable, utility billing, and collections. Applicants should have strong oral and written communication skills and good computer skills. Administrative and managerial experience preferred. Full job description available on the at www.cimarronks.org. Salary commensurate with education, qualifications, and experience. Excellent benefits. Application forms available from

City Hall: 620-855-2215. Please provide application and resume to City Clerk, City of Cimarron, PO Box 467, Cimarron KS 67835. EOE. Position open until filled.

Chief of Police

City of Florence, KS seeks a motivated, innovative person to serve as a full time Chief of Police. Requires someone to work in a small community skilled in communications and decision-making. Ability to obtain certification in KLETC, have a valid Kansas drivers license and be willing to relocate to Florence, KS. Benefits include single health insurance, life insurance, vacation, sick leave and KPERs. Salary depends on qualifications. Send resumes including references and salary history to 511 N. Main, Florence, KS 66851 or request an application by calling (620) 878-4296.

Lobbying Services

The Kansas State Firefighters Association, Inc. is seeking proposals for lobbying services to be provided in the Kansas legislature and for matters which interface with state agencies. The proposal should, at a minimum, provide for representation during the legislative session and interim, should contain a list of services that can be provided, a list of current and past client references, and a general cost proposal for services. Proposals should be submitted to Steve Hirsch, KSFFA Secretary, Box 296, Oberlin, Kansas 67749 not later than August 2, 2010.

Public Works Director

City of Hiawatha (pop. 3,400) is seeking an experienced professional to serve as Public Works Director. Hiawatha is a rural community located in northeastern Kansas. The Public Works Director reports to the City Administrator and is responsible for the day-to-day management of the Water, Sewer, Streets, and Parks departments. The position also performs an assortment of maintenance work, operates a variety of equipment in the construction, operation, repair, maintenance and replacement of the City's water, street, sewer, sidewalks, parks, City buildings, and storm drainage facilities.

Qualifications for the Public Works Administrator position include a thorough knowledge of city utilities, construction, equipment, and infrastructure required. Ability to operate equipment including dump

trucks, utility trucks, loader, trencher, street sweeper, bobcat, backhoe, mower, and other types of machinery. Able to communicate effectively both orally and in writing and possess excellent public relation skills. Starting salary and benefits are negotiable based upon experience and qualifications.

Resumes are to be submitted to: City Administrator Lynne Ladner, 701 Oregon St. Hiawatha, KS 66434 or cityadministrator@cityofhiawatha.org. Resumes will be accepted through the close of business July 30, 2010.

Water/Wastewater Supervisor

The City of Rose Hill is hiring for the position of Water/ Wastewater Supervisor. This position will be under the supervision of the Public Works Superintendent. This employee operates the Water and Wastewater divisions of the Public Works department. This employee supervises subordinate personnel in operation of new 1mg WW plant, collections system, and distribution system. Candidate should possess a strong mechanical aptitude and excellent communication, supervisory, organizational, and public relations skills.

Knowledge of equipment, water and wastewater treatment, safety procedures is required. This employee will operate loaders, tractors, trucks, backhoes, mowers, and other department equipment. The ability to understand and anticipate problems, to enforce departmental policies and procedures and to interpret written instructions, maps, blueprints, reports, and manuals is required.

A high school diploma is required. A Class III Wastewater Certification, with a minimum of three years plant operation is required. A valid Kansas CDL, class B, and Kansas Water certification is required within twelve months of employment.

Successful candidate must agree to reside within 20 minutes drive time of the City of Rose Hill. Compensation will be commensurate with experience and ability. The City of Rose Hill offers generous salary and benefits packages. All offers of employment are conditional upon the successful completion of a post-offer physical exam, drug/alcohol testing, and thorough background check which includes a driving record. EOE

Please view job posting at www.Kansasworkforce.com. or contact City of Rose Hill, Director of Public Works at Kirk@cityofrosehill.com.



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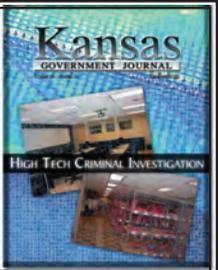
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The Kindness of Strangers



My tale today is one that could have ended disastrously, but instead became a tale of good fortune and the kindness of strangers. A couple of weeks ago, my wife Judy was driving her bright yellow Mustang convertible on I-470 on the west side of Topeka when her right front tire blew out with the tread completely separating from the sidewalls of the tire—leaving her driving on the rim with merely the rubber sidewalls

still attached. Somehow, she managed to get it off to the side of the road without mishap, and that is where our story begins.

Almost immediately upon pulling off the Interstate, a young mother with her son appeared and offered their assistance. Judy thanked them but said she was calling her husband, and the AAA. She greatly appreciated that they had stopped, and were concerned for her welfare. Almost immediately thereafter, a minister from a local church stopped and asked if she needed assistance, and offered to change her tire. She thanked him profusely, told him that she appreciated his concern and willingness to help, but that she was calling her husband, and that AAA would undoubtedly come and take care of the problem. But before I could get there, a third vehicle stopped and this time it was a Captain of the Shawnee County Sheriff's department. He told Judy that he would be happy to help, and insisted that he stay with her until the issue had been resolved, and she was safely off of the side of the road. Shortly thereafter, a squad car carrying a Highway Patrol Officer, who I believe was assigned to the motor carrier inspection division, stopped by to provide assistance and to offer to change the tire rather than summoning AAA.

By this time, Judy's husband had arrived on the scene and mostly was standing around thanking the officers for taking such good care of Judy. In almost no time, the officer from the motor carrier inspection division had jacked up the car and was engaged in attempting to remove the right front wheel. This is where it got interesting. It turns out that Judy's wheels have a special locking lugnut which could only be removed with the correct lugnut key. We looked high, and we looked low, but could not find the key in Judy's car. According to the owner's manual, the key should have been located in either the glove box or in the trunk with the spare tire and the jack, but it was nowhere to be found. After an extensive search, we still couldn't find it. So one of the officers contacted the Ford garage in Topeka, and they indicated that they could probably remove the wheel, but that the vehicle would have to be brought in for this to occur.

In the meantime, one of the officers had thought to call a Motor Vehicle Assist officer who works around the greater Topeka area, and within a few minutes a third officer was on the scene. It was hoped he would have a lugnut master key that would allow access for unlocking the recalcitrant lugnut. But it was not to be.

He could not find a key that worked for this particular lugnut lock, and so the five of us were left standing along side the road. As I commented to Judy later, people probably thought a drug bust was in process given that there were three police vehicles and her yellow Mustang.

Finally, I stopped acting, and started thinking. I recalled that the glove box on Judy's Mustang has one design flaw. That design flaw, in a nutshell, is simply when the box is full, items will fall out of the back of the box, and end up trapped in a maze of wires and vents under the dashboard on the right hand side of the vehicle. So, I got in the car and pushed both sides of the open glove box, which magically releases it and dumps everything onto the floor boards. I reached behind the glove box and low and behold, there was the elusive lugnut key which had caused such a commotion for the past 20 or 30 minutes. With the lugnut key in hand, the officers quickly changed the spare tire on to the right front of Judy's vehicle and we were ready to go.

What this episode reminded me of was what good public servants we have in the State of Kansas. Not only good public servants, but good people generally. Not only had two private citizens stopped to offer their assistance to my wife who was stranded on the side of the road, but three law enforcement officers had also stopped and offered assistance. All three of the officers were happy, positive, and wanting to do the very best job they could for Judy and to help her with her vehicle. Even when I got there, they did not want to leave until such time as the situation was rectified and we were safely off the side of the road.

I think this is something that is often taken for granted by many of the public. The vast majority of public employees are diligent, hard working people, often doing a thankless job, who are willing to go the extra mile to make sure that the public is taken care of, and is as safe as they possible can be. It was very heartwarming for me and Judy to feel we were in such good hands, and that our problem had been taken over by these three law enforcement officers. It seems that when we hear stories about those working in the public sector, inevitably the media story will focus on something that has been done wrong, or one bad apple in a huge barrel of good apples.

The reality is, of course, that we live in a state, and a country, where public officers risk their lives every day so that we can have safe streets to walk, we can feel safe and secure in our homes and business, and we can go out on the highways and byways of this great state and country without fear for our safety. Can bad things happen? Of course they can. Public officers are there to do whatever they can do to keep us safe and to allow our society to continue to operate in a such grand and good fashion. I would like to publicly thank the two members of the public and the three officers who stopped to assist Judy in her time of need. I am happy to say that she could count on the kindness of strangers.



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Oct. 28, Dodge City

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Nov. 3, Wichita

Wichita Art Museum
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Nov. 4, Concordia

City Hall
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Nov. 17, Leavenworth

Riverfront Community Center
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Nov. 18, Parsons

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