The background of the cover is a photograph of a statue on a stone pedestal, both heavily covered in snow. The statue is dark and appears to be a person holding a torch. The stone pedestal is made of large, irregular blocks. In the background, there are snow-covered trees and a building with red brick walls. A street lamp is visible in the upper right corner.

Kansas

GOVERNMENT JOURNAL

VOLUME 97-NUMBER 12

DECEMBER 2011

Inside:

**Lenexa Councilmember Appointed to Committee
Economic Development in Kansas
Revenue for Road Repairs**

CITY HALL DAY

FEBRUARY 1, 2012



The League of Kansas Municipalities is proud to present our annual City Hall Day on February 1, 2012.

City officials from all across the state will gather for an exciting and informative day. In the morning, visit with your legislators about issues that are important to your community. In the afternoon, you will hear presentations, including briefings by legislative leaders and League staff.

City officials are then invited to join us for an evening reception with legislators at the Capitol Plaza Hotel. All legislators are being invited to this event.

Tentative Schedule of Events

A.M.	Visit Legislators at the Capitol
2:00	Governor (invited) and "If I Were Mayor" Presentations
2:30 – 4:00	Policy Committee Meetings
4:00 – 5:00	Legislative Presentations
5:00 – 6:00	Reception with Legislators and City Officials



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About the Cover:
A fresh snow-covered
Statue of Liberty sits
on the grounds of
the Anderson County
Courthouse in Garnett.
*Photo provided by the
City of Garnett.*



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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.

January

1 - New Year's Day

9 - Legislature Reconvenes

16 - Martin Luther King, Jr. Birthday

20 - MLA: Municipal Finance, Hoisington

28 - MLA: Municipal Finance, Independence

February

1 - City Hall Day, Topeka

2 - LKM Governing Body Meeting, Topeka

8 - KMIT Supervisor Seminar, Roeland Park

9 - KMIT Supervisor Seminar, Coffeyville

10 - MLA: Ethics, Lakin

11 - MLA: Ethics, Herington

15 - KMIT Supervisor Seminar, Atchison

16 - KMIT Supervisor Seminar, Abilene

17 - KMIT Board of Trustees Meeting, Hillsboro

20 - Presidents Day

22 - KMIT Supervisor Seminar, Kinsley

23 - KMIT Supervisor Seminar, Maize

24 - MLA: Ethics, Gardner

Obituaries

Marvin R. Appling, 80, died July 20, 2011. Appling served as a County Attorney and then worked with various law firms in Wichita, KS. After retiring from his own private practice, he joined Slape & Howard Law Firm in 1998 and ended with the firm in 2005. He continued to do pro-tem judgments until ending his career in 2010. He also served as a Special Administrative Law Judge in the Kansas Division of Worker's Compensation.

John Gregory Colston, 61, died July 17, 2011 at Kansas City Hospice House. Colston was a Prairie Village City Councilman with a focus to make Prairie Village "green" and improve the environment. He was also an avid volunteer for many events and organizations. He was president of his homes association, drove for the Johnson County Interfaith Hospitality Network, helped his wife with Christmas International, and worked with young boys as part of Front Porch Alliance.

Voncille Hoffman, 100, died July 16, 2011 in Overland Park, KS. In 1959, Hoffman became the Assistant City Clerk for Prairie Village and worked there until retiring to travel with her husband. She was a soprano soloist both professionally and as a member of her church choirs. She enjoyed over 50 years as a member of PEO Chapter GP and the Lambda Tau Delta Sorority.

Elvin E. Kimzey, 92, died July 14, 2011 at Brewster Place Health Center in Topeka, KS. Kimzey served in the Army Air Corps during World War II and became County Clerk of Linn County following his return from service. He ultimately went to work for the State of Kansas and then the Santa Fe Railroad, moving to Topeka with his family in 1956.

Neal W. Thorne, 84, died July 23, 2011 at McCrite Plaza in Topeka, KS. Neal served as Osage County Commissioner and worked for Santa Fe Railroad for 37 years. He retired as Signal Engineer of the Eastern Division out of Topeka, KS in 1983.



Cities Receive Federal Grants

The regional office of the Environmental Protection Agency (EPA) has awarded two cities in Kansas federal grants for project upgrades.

The City of Russell in central Kansas is getting a federal grant to be used for a project that includes replacing outdated iron pipes in the city's drinking water system.

Russell will receive \$388,000 for the drinking water project, which is estimated to cost more than \$840,000. The project is expected to be finished next fall.

The EPA said the project will include replacing the old cast iron pipe with new plastic pipe to minimize leaks.

Wichita is getting a federal grant to improve a section of its storm sewer water system.

The agency has awarded the City of Wichita \$123,000 for the sewer project, which is scheduled to be finished next fall. The full project is expected to cost about \$391,000.

The improvements are intended to help prevent flooding during heavy storms. They are in an area of Wichita that was developed in the 1950s without storm sewers. The project will include installing about 2,400 ft. of storm sewer pipe.

Company Expands in Atchison

Executives with MGP Ingredients Inc. (MGPI) and Atchison city officials announced the expansion of plant operations to add 25 new jobs at its Atchison location over the next 5 years. The median wage of the new jobs will be \$60,000.

The company plans an investment of \$30 million to upgrade facilities and equipment in order to increase production capacity. MGPI produces naturally-derived specialty ingredients and alcohol products.

"This is an exciting announcement for our community," said, Atchison Community Development Director Stefanie Leif. "MGPI took advantage of some great incentives offered by the State of Kansas, so it really was a team effort with our partners at the Kansas Department of Commerce that made this dream a reality."

Manufacturing Facility Makes Home in Chanute

Spirit AeroSystems Inc. announced it will establish a manufacturing facility in Chanute to support sub-assembly work on underwing aircraft components as part of a multi-phased project. Establishment of the Chanute site will help address capacity needs driven by previously-announced record rate increases for many Spirit core programs.

An existing facility in Chanute was chosen in collaboration with the Kansas Department of Commerce, the City of Chanute, and other community partners based on a number of priorities including infrastructure requirements, an available workforce, and major highway access.

Spirit's Chanute facility is the latest expansion in its network of global operations spanning from North America to Europe and Asia. New employees will concentrate on light sub-assembly work for the 737 currently being performed in Wichita. The

move will allow the Wichita workforce to concentrate on other complex projects to meet increasing production rates on multiple programs.

"We are excited to welcome Spirit AeroSystems to Chanute," said Chanute Mayor Jim Chappell. "Spirit's decision to partner with our community will lead to the creation of more high-quality jobs for workers in Southeast Kansas. That's something we can all celebrate. Our community is proud to have this world-class aerospace manufacturer establish operations in Chanute, and we look forward to our future together."

After completion of site preparations, Spirit will begin hiring with a goal of 35 employees working by the end of 2012. Measured hiring is projected to continue for several more years with total employment estimated to reach 125-150.

Incentives Awarded for Improvement Projects

The Kansas Department of Commerce will award more than \$70,000 in Incentives Without Walls (IWW) funding for community improvement projects in Belleville, Coffeyville, Hoisington, Hutchinson, Peabody, Phillipsburg, Seneca, and Winfield.

The projects include three new businesses/startups, one business expansion project, four building renovation/repair, and will create 12 new jobs. The funds are distributed as 0% loans.

IWW funds provide direct financial support to downtown businesses in designated Kansas Main Street program cities to stimulate private investment. Kansas Main Street is a self-help technical assistance program that targets preservation and

revitalization of downtown districts. There are 25 designated Kansas Main Street cities.

"We are pleased to award these very deserving communities with the IWW funding they need to undertake some exciting projects," said Mary M. Helmer, Kansas Main Street state coordinator for Commerce. "The IWW funding, along with the private matching funds it leverages, allows us to assist the rural communities that are so important to the livelihood of our state."

Funding for the IWW program is provided by the Economic Development Initiatives Fund, which is derived from Kansas Lottery proceeds.

Hoisington Named NetWork Kansas Community



by Anne Dewvall

NetWork Kansas announced that Hoisington was selected as a 2011 Entrepreneurship (E-) Community and has been awarded \$75,000 in tax credits, enabling the Hoisington area E-Community to raise \$100,000 to be loaned to local businesses. Hoisington joins a group of 29 other E-Communities.

The Entrepreneurship (E-) Community partnership, now in its fifth year, emphasizes development of community resources to create a flourishing entrepreneurial environment. During the first 4 years of the E-Community partnership, more than \$4.7 million have been raised. These funds are estimated to generate more than \$33 million of investment in rural businesses across Kansas. The E-Community Partnership is based on two fundamental principles: 1) In order for rural and distressed communities to survive, they must grow from within by fostering local leadership; 2) Organizations involved in community development need to empower businesses with the assets they need to succeed, including education, expertise, and economic resources.

The greater Hoisington area assembled a collaborative local leadership team to apply for consideration during the 2011 E-Community Competitive Round. City of Hoisington Manager Jonathan Mitchell serves as the point person for the group, which includes: Stacey Bressler, Bill Lowry, Brad Tajchman, Irv Mitchell, Jeff Zoller, Kathy Bahe, Gene Mooney, Gene Manweiler, Brian Wilborn, Karmi Green, Clelia McCrory, and Curt Colson. The leadership team will determine the strategy and vision for the E-Community. A separate financial review board will evaluate prospective loan applications from local businesses.

The leadership team submitted a detailed written application to NetWork Kansas in August before being chosen as a finalist. An in-person interview was held between NetWork Kansas and the leadership team this fall that led Director of E-Communities Erik Pedersen, and Product Manager Anne Dewvall to recommend the NetWork Kansas Board of Directors that the Hoisington area be approved as a 2011 E-Community.

Mayor Clayton Williamson said, “A community is only as good as you make it. I am excited to see people in our community working so hard to make Hoisington a great place to call home.”

Stacey Bressler, who serves on the Hoisington E-Community leadership team expressed satisfaction with the news. She said, “The designation as an E-Community validates the hard work of a dedicated group of people. Our community’s efforts should continue to create a business-friendly environment that will help position our region for growth.”

Hoisington has until mid-December to raise donations in exchange for the tax credits it has been awarded. These funds will then be available beginning in January 2012 to be awarded to businesses in the Hoisington area as matching loans. The establishment of the E-Community loan fund represents a significant accomplishment for the Hoisington area and is the result of ongoing collaboration between the City of Hoisington, the Hoisington Chamber of Commerce, area banks, entrepreneurs, and residents. In addition to the establishment of the E-Community loan fund, Hoisington will also complete a series of strategic activities during 2012 designed to enhance the effectiveness of the entrepreneurial ecosystem in order to drive long-term economic growth.

“We’ve learned that increasing availability of resources is crucial to generating entrepreneurial activity in a community,” said NetWork Kansas Director of E-Communities Erik Pedersen, “Although all business resources are important, access to capital is often the most difficult piece of the puzzle and that’s why these funds are so important to Kansas communities.”

Jonathan Mitchell, Hoisington City Manager, agreed. “The network we are building through the E-Community effort will help to enhance our community and region. By bringing a number of individuals and their connections to the table for a common goal, our community will begin moving toward a better Barton County.”

Five other communities were also named as 2011 E-Communities. The following communities were granted a collective total of \$600,000 in tax credits, enabling them to raise

\$800,000 to be loaned to local businesses in their community. The 2011 E-Communities are: Chautauqua County; Douglas County; Hoisington; Leavenworth; Norton County; and Stafford County.

Six existing E-Communities also applied for and were awarded additional tax credits during the 2011 E-Community Competitive Round. Ford County; Finney County; McPherson County; Phillips County; Pottawatomie County; and Sterling/Alden were awarded a total of more than \$410,000 in tax credits. These communities used their previously awarded funds to loan to local businesses. Combined, the new and existing E-Communities will raise close to \$1.9 million in seed funding for Kansas entrepreneurs this year through the Kansas Entrepreneurship Tax Credit.

Since 2007, NetWork Kansas E-Communities have loaned or granted \$1.54 million to businesses in their communities through this funding source and leveraged an additional \$9.5 million, for a total investment of more than \$11 million into businesses in E-Communities. This funding has spurred the creation or retention of nearly 350 jobs in these same communities and has immeasurable positive effects on the entrepreneurial ecosystems of these participating areas.

To learn more about the City of Hoisington E-Community, Contact:

Jonathan Mitchell, City Manager
(620) 653-4125
jmitchell@hoisingtonks.org

To learn more about the E-Community Partnership, Contact:
Erik Pedersen, Director of E-Communities
(316) 978-7310
epedersen@networkkansas.com

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*Hoisington activity center and water tower.
Photo provided by the City of Hoisington.*



About NetWork Kansas

NetWork Kansas was established as a component of the Kansas Economic Growth Act of 2004 to further entrepreneurship and small business growth as a priority for economic and community development in the State of Kansas. Backed by more than 480 partners statewide, the NetWork Kansas service promotes an entrepreneurial environment by connecting entrepreneurs and small business owners with the expertise, education, and economic resources they need in order to succeed.

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



...In Garden City

The western swing leg of the League's annual Regional Supper circuit, as usual in the last week of October, gave me the opportunity to join several friends for lunch in Garden City on the second day of the tour.

Garden City Manager Matt Allen arranged the lunch—Thai food at a somewhat-obscure spot (Matt is a specialist in this sense) in the city's northwest corner—where Lakin City Administrator Fred Jones and Holcomb City Administrator Robin Peña met up with us for some really good eats at the Thai Lao restaurant, located on west Mary Street. The fascinating lunchtime discussion was mostly about housing.

Housing is a HUGE issue in this region of the state...there is not nearly enough of it. How to sustain affordable housing in this era of rapidly-growing populations in certain areas, and a lack of affordable housing everywhere, is a very real challenge for cities, and the southwest Kansas models being developed will be very interesting to watch...and to learn from. Garden City is at the cutting edge of a number of approaches toward the rapidly-growing need for housing, in a variety of forms and styles. Affordable housing MUST take a number of forms in the immediate future...simply building more single-family dwellings on cul-de-sacs is no longer the answer to our country's housing needs, and, as a country, we just can no longer continue to afford not to make serious changes in the way we understand the term "housing."

After lunch, Matt treated Fred and me to an absolutely marvelous tour of some great things going on in downtown Garden City, with special emphasis on seeing some of Second Story Residential, a rapidly-growing option for young professionals in Garden City.

Our walking tour began just a block east of city hall, at Patrick Dugan's Coffee House (<http://patrickdugans.com>), on the corner of Chestnut and Main. (I stopped back by before leaving town, and bought wife Sue a cool, blue, hand-thrown P-D ceramic mug). Next door to the west, and internally-connected, is the wonderful Sinfully Sweet bakery (www.gctelegram.com/news/Sinfully-Sweet-1-16-10). I resisted this time, thank you. Down on the lower level, you can eat super Mexican food at Las Margaritas. But, our tour this day was headed up the elevator. The whole place, and all the things I am talking about here, is within the Warren Building (formerly hotel). The top three floors (3-5) have been/are being converted to 21 very affordable 1 and 2 bedroom apartments. Nearly all have a great view of downtown. This is a very cool project.

Just across Main, and east a bit on Chestnut, above a small retail clothing shop, Matt had lined up a visit with Mike Thummel, as he worked on an upstairs apartment redux. Mike invested in the building, and is maximizing his revenue stream by remodeling the second story into a single-unit living space. When finished, the apartment will be a creative blend of old and new, including use of glass bricks and exposed old rough red brick. Another neat housing deal.

Back on Main Street, Matt introduced us to Dr. Beverly Schmitz Glass of Downtown Vision, Inc. (<http://downtownvc.com/>), a Kansas

Main Street organization, partially funded by the City and partially by businesses and personal memberships. Beverly showed us all the posters that had been on display on Main Street for the past two months, leading up to the 4th Annual Banner Art Auction. The auction for the posters was held a week or so later, and netted over \$5,000 for the organization. The quality of the art was absolutely astounding. This wonderful project is a winner...in so many ways.

Directly on the other side of Main from the Downtown Vision office, Matt showed us around and introduced us to the folks in the Arts Center, which is the storefront for the local Southwest Arts and Humanities Council. A pretty impressive place.

It was so refreshing to see the combined emphasis on business, unique ("niche") business, quality of life, housing, and art in the downtown area. And downtown is HUMMING, make no mistake about that. Downtown Garden City is a model to see, and to learn from.

Last, but certainly anything but least, on our downtown excursion was a journey inside the marvelous old "Waldorf of the Prairies"—the Windsor Hotel. (www.kansassampler.org/8wonders/8wondersofkansas-view.php?id=530) The visual anchor of downtown Garden City, the Windsor was constructed in 1887. It is currently owned by a non-profit group called the Preservation Alliance, whose mission is to secure and partially renovate the structure, while recruiting a suitable redevelopment opportunity. The ancient edifice is not open to the public, and there is a ton of work to do. But what a place this is, and was! I kept wondering from which room on which floor (all the rooms face toward a massive three-story atrium, whose lowest floor is the second floor, and all have windows facing the outside, too) on the west side did Truman Capote gaze toward the Finney County Courthouse, while doing his research for *In Cold Blood*? And, how many other stories could this old masterpiece tell?

My book pick this month is an extension of a recommendation I made nearly a year ago. *A History of US: All The People: Since 1945* (4th edition) is the last book in a series of 10 by Joy Hakim. Updated in 2009, this concluding volume is a fairly current look at the last 70 years. As many (perhaps, sadly, even the majority of) Americans alive today apparently don't even know what years WWII covered (or who we fought for that matter), let alone anything as obscure as the Korean "Conflict," this book is especially good for giving as a gift to your younger (maybe anybody under about 50, that is) family members and friends. This book is a super conclusion to a super series of extremely readable books. History IS important. Our U.S. history is even more important. Lessons learned by reading and studying history are important...perhaps even NECESSARY for the survival of our species. And, believe it or not, history started sometime before two weeks ago last Wednesday.

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

Lenexa Councilmember Appointed to National Committee



City of Lenexa Councilmember, Andy Huckaba has been appointed to serve on the Federal Communications Commission's Intergovernmental Advisory Committee (IAC).

The IAC, which comprises 15 elected and appointed officials from city, county, state, and tribal governments, provides guidance, expertise, and recommendations to the FCC on a wide range of telecommunication issues. Huckaba is one of four elected city officials selected to serve. Other city officials appointed to the IAC include Michael R. Bloomberg, Mayor, New York, New York; Gary Resnick, Mayor, Wilton Manors, Florida; and, Arlanda Williams, Councilwoman, Terrebonne Parish, Houma, Louisiana.

During its upcoming two-year term, the IAC will focus efforts on implementing expanded broadband adoption and deployment, especially in unserved and underserved rural areas and tribal lands, according to a public notice released by the FCC. The IAC may also focus on other issues including improved public safety communications, facilities siting, universal service reform, and public rights of way.

Huckaba, a three-term Lenexa councilmember, has devoted a great deal of time and energy to communications and technology. He serves as chair of the Information, Technology and Communications committee for the National League of Cities where he played an instrumental role in calling for the creation of a national broadband plan and continues to advocate for a world-class broadband infrastructure to improve the global competitiveness of the United States.

Huckaba also serves on the Mid-America Regional Council's Public Safety Communications Board, and a number of non-profit boards in the Kansas City metropolitan area. Huckaba is president of Huckaba & Associates, a management consulting firm focused on strategy, marketing, and technology. He serves on the faculty of the Kansas Leadership Center and as an instructor with the Kansas University Public Management Center.

NLC NATIONAL LEAGUE OF CITIES
PHOENIX 2011 CONGRESS OF CITIES
AND EXPOSITION



The League delegation during the annual business meeting at NLC's 2011 Congress of Cities in Phoenix, Arizona on Saturday, November 12. *Photo provided by Scott Morris, Manager of State League Programs for the National League of Cities.*



Understanding Economic Development in Kansas

by Nathan Eberline and Nicole Proulx Aiken

Individuals familiar with Kansas—even those who merely watched *The Wizard of Oz*—recognize the strong and steady winds of our great state. So one may expect to find a large Siemens wind-turbine facility pumping out large energy-generating devices to Kansas and other areas that offer potential wind energy. But the plant that now sits on the east side of Hutchinson, Kansas did not come into existence until recently (www.usa.siemens.com/en/somewhere_in_america/hutchinson_ks.htm). And it came to exist only after the city, county, and business leaders joined together in partnership between the public and private sector.

The City and County understood that the private sector is not able to go it alone, particularly when so many other communities across the country and world are in competition to secure new businesses

and jobs. From large plants like Siemens to small businesses and factories, jobs are in demand. The demand led Hutchinson and Reno County to implement economic tools like property tax abatements, free land, cash incentives, state grants, and payroll rebates through special legislation. Hutchinson also developed additional cash incentives for Siemens if new suppliers directly related to the wind-turbine facility located to the community. Westar Energy also added a million dollar transmission line as a private-public partnership to further incentivize Siemens to select Hutchinson for their plant site. The combination of economic tools proved to be an incredible example of the public sector working with the private sector to build economic strength within the community.

Because these tools are so important to cities and counties in Kansas, the League of Kansas Municipalities (LKM) has updated its

manual, *Economic Development Tools for Kansas Municipalities*. The manual addresses everything from tax abatements and industrial-revenue bonds to community improvement districts and tax-increment financing. It is available through our online publications list at: www.lkm.org/publications/.

This article serves as an overview of several economic development tools available to municipalities. It also introduces the concepts that are available in more detail in the LKM's economic development manual. As Hutchinson and Reno County discovered, these tools are essential to ensure that your community is on solid economic ground.

Constitutional Tax Abatements

Constitutional Tax Abatements—as the name suggests—are a tool authorized by the Kansas Constitution. Article 11, §13, a 1986 constitutional amendment, grants cities and counties the authority to offer property tax exemptions for certain economic development purposes. The Kansas Legislature provided the key procedures for tax abatements in K.S.A. 79-251, 79-210, and 79-213. The main thrust of this economic development tool is that Kansas counties and cities may exempt from all ad valorem taxation all or any portion of the appraised valuation of buildings, land, and tangible personal property used exclusively by a new business for (A) manufacturing, (B) research and development, or (C) the storing of goods traded in interstate commerce. Further, such an exemption may be granted for existing buildings or new expansions to existing buildings, and for the land and associated new personal property, for these same purposes, to facilitate the expansion of the business, if new employment is created. The exemption may extend for up to 10 years.

When using tax abatements, K.S.A. 79-251 requires that the board of county commissioners or the governing body of a city develop and adopt official and uniform policies for granting exemptions. The official policy must include a procedure for performing a cost benefit analysis and procedures to monitor business compliance with the terms set by the governing body.

Constitutional tax exemptions also require conducting a public hearing (K.S.A. 79-251(b)). In addition to providing seven-day notice of the purpose, time, and place of the hearing in the official newspaper, the municipality must also “notify in writing the governing body of the city or county and unified school district within which the property proposed for exemption is located.”

Once the municipality addresses these steps, it must adopt a resolution confirming that the property tax exemption will be used for the purposes listed in Article 11, §13 of the Kansas Constitution (Exemptions for new businesses and their buildings, land, and tangible property when used for manufacturing, research, development, and storage for trade. And exemptions for existing businesses looking to expand). Additional steps and considerations required under the Kansas statutes can be found in LKM's economic development manual.

Constitutional tax abatements do not come without controversy. The efficacy of tax abatements in encouraging

industrial and commercial development continues to spur national debate by academics and economic development practitioners alike. Regardless of the outcome of this debate, it is certain that local government policymakers are under extreme pressure to provide tax abatements to newly locating or expanding firms. In 1997, the City of Independence, Kansas agreed to spend tens of millions of dollars over 10 to 15 years, including a 100% property tax abatement for 10 years, to bring a Cessna plant to its job market. The result is a facility that produces the interiors for single engine planes and—more importantly—over 475 jobs for the community. Before the economic downturn, the plant brought over 1,300 jobs to Independence. And though the numbers have fluctuated since the plant's arrival, the result has been an economic player that has buoyed the local economy in the midst of a challenging recession. The stakes in the modern economic development bidding war are extremely high, but local policymakers must weigh the benefits of new business against the cost to the taxpayers.

Industrial Revenue Bonds

Industrial revenue bonds (IRBs) are another economic development tool available to Kansas cities and counties. Kansas law authorizes cities and counties to issue IRBs to provide financing for private business facilities. A city or county may use IRBs to pay all or a portion of the cost of purchasing, reconstructing, improving, repairing, enlarging, or remodeling certain facilities. These include agricultural, commercial, multifamily, hospital, industrial, and manufacturing facilities, among others. The city or county holds legal title to the facility or personal property while the IRBs are outstanding, and the facility is exempt from property taxation for that period, up to 10 years. The city or county often require in-lieu-of tax payments during this time period. Municipalities may also use IRBs to grant an exemption from sales tax for property purchased entirely with the proceeds of the IRBs.

The Neighborhood Revitalization Act

Another economic tool, the Neighborhood Revitalization Act, K.S.A. 12-17,114 *et seq.*, permits any taxing or political subdivision of the state including cities, counties,



townships, and school districts to provide tax rebates to property owners for improvements made upon eligible structures. Property owners are eligible for a 10-year rebate on the increased taxes paid as a result of the improvements made. The governing body determines the tax rebate amount and has the discretion to rebate up to 100% for each year. A taxing or political subdivision may designate a commercial or residential district as a neighborhood revitalization area if one of the following conditions exists:

- ▶ A predominance of buildings that by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation or open spaces, high density of population and overcrowding are detrimental to the public health, safety, or welfare. This includes such factors as danger of fire, ill health, transmission of disease, infant mortality, juvenile delinquency, or crime.
- ▶ An area that substantially impairs or arrests the sound growth, impedes the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, or welfare. This includes a substantial number of deteriorating structures, defective or inadequate streets, incompatible land uses, faulty lot layout, unsanitary or unsafe conditions, diversity of ownership, tax delinquency exceeding the actual value

Providing the maximum benefit to property owners requires significant intergovernmental cooperation. Each taxing unit in which the property is located must agree to participate in the program in order for the taxpayer to receive a 100% rebate. For example, a city may return only that portion of the tax increment that is collected for the city levy. The county, the school district, and any other taxing unit must also agree to have its portion of the tax increment rebated to the property owner. But the work it takes to achieve intergovernmental cooperation often pales in comparison to the benefit the program provides.

Downtown Redevelopment Act

Similar to the Neighborhood Revitalization Act, the Downtown Redevelopment Act provides tax rebates to property owners for improvements made upon



of the land, defective conditions of title, other conditions that endanger life or property by fire or other causes, or a combination of such factors.

- ▶ A predominance of buildings or improvements that by reason of age, history, architecture, or significance should be preserved or restored to productive use. K.S.A. 12-17,115(c)

An individual building may also qualify under the Act if the building meets one of the following conditions:

- ▶ Deterioration by reason of obsolescence, inadequate provision of ventilation, light, air, or structure integrity.
- ▶ A condition that is detrimental to the health, safety, or welfare of its inhabitants.
- ▶ Deteriorating condition of a structure that by reason of age, architecture, history, or significance is worthy of preservation. K.S.A. 12-17,115(a)

eligible properties, with certain differences. The Downtown Redevelopment Act, for example, applies only to well-defined core commercial districts. Moreover, to qualify for the rebate, improvements must equal or exceed 25% of the property's appraised value. In addition, the governing body does not have the discretion to determine the tax rebate amount. Rather, the rebate is tiered. Qualified property owners receive a rebate of 100% for years 1-5, 80% in year 6, 60% in year 7, 40% in year 8, and 20% in year 9.

To participate in this program, the governing body must first submit an application to the Secretary of the Kansas Department of Commerce. The secretary may approve the application if one or more of the following criteria are met:

- ▶ The city or unincorporated area of a county in which the redevelopment area is proposed has a population of less than 50,000 or the proposed redevelopment area qualifies as a distressed community. "Distressed community" means an area in which 20% or more of the population located within the area has an income below the poverty level.

- ▶ The proposed redevelopment area is located in a well-defined, core commercial district of the city or the unincorporated area of the county.
- ▶ The structures located within the proposed redevelopment area have a vacancy rate that exceeds 15%.
- ▶ The average appraised valuation of the properties located within the proposed redevelopment area has not increased by more than 15% in the past 10 years.

Community Improvement District Act

Enacted in 2009, the Community Improvement District (CID) Act is the newest economic development tool available to cities and counties. Similar to the Neighborhood Revitalization Act and the Downtown Redevelopment Act, the Legislature passed this Act to help cities incentivize revitalization in designated areas or districts. Significant to this legislation, however, is the flexibility it affords. The statutory language is so broad that the range of projects is limited only by creativity, financial, and political capital.

Governing bodies have two financing options under this act; they can create a special assessment district or a sales tax district. A CID funded through special assessments occurs when a city or county creates the district upon the receipt of a petition signed by all of the landowners within the proposed district. The Special Assessment CID requires that special assessments will be the only financing tool and that the governing body will issue no general bonds.

The process for creating a sales tax district begins upon receipt of a petition signed by the owners of more than 55% of the land area proposed in the district along with signatures by owners who own more than 55% of the assessed land value in the proposed district. Once the statutory procedures—outlined in more detail in the economic development manual—are met, a city may impose a CID sales tax on the sale of tangible personal property at retail or the furnishing of taxable services. The tax must be in increments of .10% or .25% and cannot exceed 2%. The tax is then used to pay the bonds issued to finance the project or to reimburse the cost of the project under the pay-as-you-go financing.

One city that quickly forged into the new terrain of CIDs is Hays. The City took advantage of the law to create a district specifically for a new hotel and restaurant on the north side of the City. People who stay in the hotel pay 2% more in sales tax—a charge that will last for 22 years.

The City has been satisfied with the result because it brought a valuable new hotel to the community. According to the CID application, the hotel and yet-to-come restaurant should generate over 20 jobs in the community. Further, it provides a top-notch housing option for individuals visiting Hays.

Tax Increment Financing (TIF)

The Legislature enacted tax increment financing in 1976 to assist in the development and redevelopment of statutorily-defined eligible areas. The result is a powerful, yet complex economic tool for municipalities. To qualify, a project must be located within a city-defined “redevelopment district.” Eligible areas include blighted areas, conservation areas, enterprise zones, major tourism areas, major commercial entertainment and tourism areas, and bioscience-development areas.

Both private money—from developers and investors—and public money finance these projects. Cities usually issue bonds to finance their portion. The public investment is later recovered from the stream of future increased property tax and/or sales tax from the property and new retail sales in the development district. More detail on the funding methods and repayment options can be found in LKM’s manual. It should be noted, however, that because of its complexity, LKM strongly recommends working with bond counsel and other advisors when pursuing this economic development tool.

Creativity is Key

The tools listed above have a common theme—flexibility. In addition to home rule authority, municipalities have a wide variety of options to keep their economic engines humming. It is important to consider the competitive nature of job creation in context with the economic and political capacity of the community. Both factors must be in place to put the economic tools into place, along with the vision to create something great within the community.

Please consider using the *Economic Development Tools for Kansas Municipalities* manual when your municipality begins using an economic tool. The manual provides step-by-step guidance on how to properly use the tools according to the statutory requirements.

☀️ *Nathan Eberline is the Intergovernmental Relations Associate for the League of Kansas Municipalities. He can be reached at neberline@lkm.org or (785) 354-9565. Nicole Proulx Aiken is a Staff Attorney for the League of Kansas Municipalities. She can be reached at naiken@lkm.org or (785) 354-9565.*



City of Hays’ new hotel that was designated for their community improvement district.

MLA 2012 SCHEDULE

In an effort to increase training opportunities and reduce cost for participants, LKM is incorporating a series of webinars into the 2012 MLA program. Most core courses will continue to be offered in the traditional face-to-face format.

The webinars are two 90-minute presentations that allow participants to view a PowerPoint presentation from their own computer while they listen to the instructor lecturing live via

telephone. It is simple for participants to connect to the webinars. All that is needed to participate is a computer with Internet access and an open phone line.

The webinar series covers specific topics with two different topics presented per class. The morning session will run from 10 a.m. to 11:30 a.m. and the afternoon session will run from 1 p.m. to 2:30 p.m.

JANUARY

Municipal Finance (Core)
Friday, Jan. 20 – Hoisington
Saturday, Jan. 28 – Independence

FEBRUARY

Ethics (Core)
Friday, Feb. 10 – Lakin
Saturday, Feb. 11 – Herington
Friday, Feb. 24 – Gardner

MARCH

Finance Planning & Policy Concepts (Elective)
Friday, Mar. 16 - Webinar
Saturday, Mar. 31 - Webinar

APRIL

Civility and Public Service (Core)
Friday, April 20 - Webinar
Saturday, April 28 - Webinar

MAY

Leadership Summit (Core)
Friday, May 11 - Wichita
Saturday, May 12 – Wichita

JUNE

Personnel Management (Core)
Friday, Jun. 8 – Scott City
Saturday, Jun. 9 – Lindsborg
Friday, Jun. 22 – Mission

JULY

Neighborhood Building (Elective)
Friday, Jul. 20 - Webinar
Saturday, Jul. 21 - Webinar

AUGUST

KOMA/KORA (Core)
Friday, Aug. 10 – Garden City
Saturday, Aug. 11 – Abilene

SEPTEMBER

Preparing for Retirement (Elective)
Friday, Sept. 7 - Webinar
Saturday, Sept. 8 - Webinar

OCTOBER

LKM CONFERENCE (October 6)
KOMA/KORA (Core)
Municipal Finance (Core)
The Power of Leadership (Elective)

NOVEMBER

Sexual Harassment (Elective)
Friday, Nov. 9 - Webinar
Saturday, Nov. 10 - Webinar

Registration is available online at
<http://www.lkm.org/training/mla/>.

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Past, Present, and Future

Earlier this fall, the Kansas Historical Society (KSHS) (www.kshs.org/) submitted six nominations to the office of the Keeper of the National Register of Historic Places in Washington, D.C. After submission, the federal office evaluated the properties for the National Register. The National Register of Historic Places (www.nps.gov/nr/) is part of the National Park Service, and the program coordinates and supports public and private efforts to preserve America's history.

In addition to the requirement of significance in American history, architecture, archeology, engineering, and culture, the National Register considers four criteria to determine eligibility. The criteria include: 1) Association with "events that have made a significant contribution to the broad patterns of our history;" 2) Association with significant people; 3) Distinctive embodiment of a significant type, period, or method of construction; or 4) capacity to yield information important in history or prehistory. The federal list is separate from the Register of Historic Kansas Places, which is our state's official list of historically significant properties. The State does, however, automatically list all properties included in the National Register on the Kansas list.

This year, the National Register accepted all six submissions for inclusion on the list. The properties include the following:

Beaumont St. Louis & San Francisco Railroad Retention Pond Butler County

Beaumont was an important division point on the Frisco Line, a Midwest train system that included stock yards, a depot, a section house, a roundhouse, and the retention pond—the point where the passing trains took on water and fuel. The Beaumont stop had local significance in the area of transportation.

Crosby House (William & Delora) in Topeka

Topeka-based architect Frank C. Squires designed the Italian Renaissance-style residence upon the commission by William and Delora Crosby. Not only is the property distinctive with its columns and terra-cotta ornamentation, but it was the home of William Crosby who co-founded Crosby Brothers Department Store, a local institution from 1880 to 1975.

Heptig Barn in Pottawatomie County

The Heptig Barn is a limestone structure that has been in the Heptig family for the 136 years of its existence. It has arched openings on each side and an interior arranged around a center aisle with stalls, granaries, and corncribs, in addition to the haymow. The barn has significance both for architecture and agriculture.

Lamborn Farmstead in Leavenworth

The Lamborn family took over farming operations of the 108-acre farm in 1877 when Horace Greeley Lamborn purchased the property. The farmstead as it stands today is a combination of 19th and 20th Century farming structures that includes a 1955 residence, two barns, a granary/feed shed, a cow shed, two chicken houses, a garage, and an outhouse. The property has local agricultural significance.

North Broadway School in Leavenworth

The 1923 construction of North Broadway School was part of a four-school development in Leavenworth. The school operated for educational purposes from 1923 through 2010 when the district sold the school. The two-story U-shaped building occupies the entire block and features a concrete structure and brick tapestry with stone ornamentation. Its point of recognition includes important contributions to local education and architecture.

1927 Hillsboro Water Tower in Hillsboro

The City of Hillsboro constructed the 1927 Hillsboro Water Tower as part of the City's first municipal water and sewer system. Hillsboro's citizens voted in favor of a bond issue in 1926, and the City completed its comprehensive water project in 1927. The KSHS nominated the 75,000-gallon steel-plated water tower for its local significance in the area of community planning and development.

In addition to providing the central city service of accessible water, the Hillsboro Water Tower also has an interesting, intertwined history with Hillsboro's fire protection.

The City's first efforts toward municipal fire protection came in 1888, when the City purchased a man-powered water pump. The \$700 implement consisted of a tank, pump, and hose mounted on a 2-wheeled wagon, and it required 8 to 10 volunteers for operation. When a fire threatened the local lumber company, the man-powered pump proved no better than a bucket brigade. But the City continued to use the pump until 1900 when the mayor's loss of a coal shed to a fire prompted the purchase of additional fire equipment. By the time the City created its first fire department in 1912, the City's water system consisted of wells and cisterns but insufficient water pressure to effectively fight fires.

The City subsequently passed a bond and built the still-standing water tower to store water and provide the needed water pressure for the community. The process is a textbook example of a City evaluating the needs of the community and coming together to provide an essential service. Yet the story does not end there.

Though Hillsboro has regularly updated its water system since the 1920s—including an additional water tower in 1981—the City has not let the past slip away as it continues toward a successful future. The City still uses the tower to supply the west side of the City with water and to serve as backup when the City performs maintenance on the main tower. City Administrator Larry Paine notes that the historic designation will help Hillsboro secure funding to continue maintaining the structure.

The City's use of the historical designation is a best practice that other cities can emulate, but it the goal of balancing the value of the past with the goal of reinvention and improvement that is truly the desirable characteristic that Hillsboro presents. An eye on the past and future is needed to keep the present at its best.

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Revenue For Road Repairs

by Penelope Lemov

Raise it or reform it: Is it time for states to rethink the gas tax?

What's the first thing to go when state or local budgets feel the pinch of lower revenues? If your commute to work is a bit on the bumpy side, then you know the answer is road repairs. The follow up question is: Given how long this downturn has afflicted state and local budgets, who's going to pay to repair potholes and the like?

Well, it's not going to be the feds. The Highway Trust Fund, which finances an average 45% of a state's highway and transit capital costs, is shrinking. One reason for that shrinkage is that the federal gas tax has been stuck at its current rate (18.4¢ per gallon) since 1993, which means it is not keeping up with inflation, to say nothing of state needs. Congress is not likely to raise the

federal gas tax rate this year or next, so that leaves the states. In theory, they have a little room to raise or tinker with their gas tax formula—something most states have not done in years.

Given the importance of a healthy road system to economic development, what approaches could states take to raise revenue for road repair and building? I put that question to Mark Robyn, an economist with the Tax Foundation. Here's an edited version of our conversation:

Is this a good time for states to raise their motor fuel taxes?

It's difficult to raise most taxes. The gas tax—an excise tax—is interesting because it's one of the few that states levy that really



Road crews fix a street in Independence.
Photo provided by the City of Independence.

and repair, the next logical step would be to increase the gas tax. But people have to believe the money is being spent wisely. Not all states do that, and people say, “Well, I see this waste of money. If you increase my taxes, you’ll waste a portion of it.” When I say states are wasting money, I mean they are using it for road projects that people don’t see as valuable—the “bridge to nowhere.” If there are no “bridges to nowhere” and people are driving over potholes, they’ll be more willing to accept gas taxes to avoid potholes.

The way most state gas taxes are structured, the tax is a fee per gallon—not a percentage of the price. That means, the gas tax does not keep up with inflation. Should states incorporate a percentage of price into their gas tax formula?

The price of gasoline is not a good reflection of the cost to the government of providing the roads that people use. The number of gallons you consume is not a perfect predictor of the amount of road you use or the road damage you cause. It’s not clear to me why highway maintenance costs would be expected to fluctuate with the price of gasoline. When there was a huge oil crisis and the price of gas went way up, people drove a lot less. So you would expect highway maintenance costs would go down. It’s not clear to me why highway excise taxes should be directly related to the cost of gasoline. That said, at some point maintenance is going to be more expensive in dollar amounts, even if a state never again added a highway and just maintained its current roads. If the cents-per-gallon charge remains the same for years, you could argue that it’s like a tax cut.

What else can states do about funding road repairs?

Some have recommended getting away from the current system of gallons of gas used and move to a mileage tax where you tax automobiles, tractor trailers, and the like based on how many miles they drive. There are several different proposals on how you would do that. All roads or most roads in a given state could have tolls. That would get away from the gallon-consumed type of tax and more toward number of miles driven. But even that is not perfect. You wouldn’t want to charge a Smart car the same rate as a Hummer H3, which weighs five times more and causes more road damage. Also, you might want to charge people based on the specific road they drive on, with charges set at a rate to pay for all the expenses incurred on that road. A fancy interstate might require a lot of maintenance, so you might charge people at a specific rate to maintain that road. People who drive back roads... their maintenance charge would be lower. Setting up a system where there’s tolling on every road may not be practical.

At the simpler end, you could do total vehicle miles traveled. You could have an annual inspection and mark off what your miles were on your car and be charged based on that. Some of those approaches get closer to how much damage a car is actually causing to the road. These approaches might have an advantage over the gas tax. It doesn’t matter if the car doesn’t use any gas: If you drive a mile, you get charged for a mile.

 *Penelope Lemov is a Governing correspondent. She can be reached at plemov@governing.com. This article was reprinted with permission from <http://www.governing.com/columns/public-finance/revenue-road-repairs.html>.*

looks like a user fee. You pay it when you use a specific service, and the rate is set at a level to pay for the service you consume. It’s like an entrance charge to a state park. You wouldn’t call that a tax as long as that revenue is used to pay for upkeep of the park and the charge reflects what the costs are.

The gas tax, though not perfect, is an approximation of that relationship. Revenue received from gas taxes usually is used for road and highway maintenance; the fee you pay approximates how much road you consume. But different cars get different gas mileages; electric cars don’t even use gas but they also don’t cause less damage to the road. So the gas tax is not perfect but it is similar to a user fee. If states want to structure the gas tax like a user fee and if the state is not getting the money it needs for roads

Richard U. Nienstedt Honored With Buford Watson Jr. Award



During their Annual Conference, the Kansas Association of City/County Management (KACM) honored Ottawa City Manager Nienstedt as the 2011 recipient of the Buford Watson, Jr. Award. This year's recipient embodies the values that city management professionals across Kansas hold dear. Throughout Richard's career he has developed ways to better serve the citizens in the communities he has worked for by enhancing customer service and organizational responsiveness. He has also served as role model for younger people in the profession.

Richard has never stopped serving the public. His commitment to public service began in the US Air Force, where his desire to make a difference led him to Emporia State University and on to Wichita State University, where he served as a graduate assistant at the Hugo Wall School. Upon graduation from WSU, he served as Management Intern in the Department of Housing and Economic Development for the City of Wichita. From 1980 to 1983 Richard had the unique pleasure of being one of the last professional managers in Kansas to serve as a "shared" City Administrator for two communities at the same time when he served as the Administrator for both Maize and North Newton.

From North Newton and Maize, Richard moved on to Stockton. From Stockton, Richard made the transition to City Manager of Concordia, where he was instrumental in establishing a number of City policies which are still being utilized today.

In 1993, Richard was named City Manager for the City of Fort Scott. On March 11, 2005 a massive fire raged through Fort Scott's historic downtown, in which nine buildings were destroyed. Luckily no one was injured, but from the destruction Richard emerged as a leader. He and his staff, along with the Chamber of Commerce, created the Fort Scott Community Visioning Program. The Committee went to the public, and conducted a survey in which extensive interviews and public



meetings were held to identify priorities. Downtown Fort Scott is now enjoying the final stages of a remarkable makeover that began under Richard's leadership.

Richard continues to serve as City Manager, now in Ottawa, Kansas, where he began in 2007. He continues to provide the leadership for which he has been known for over 30 years.

The Buford Watson Jr. Award for Excellence in Public Management was established in 1980. This award is given each year by KACM to a local government manager who has displayed the attributes of the late Buford M. Watson, Jr. (former city manager of Lawrence). Those attributes include serving as a role model in dealing with constituents, valuing customer satisfaction, and encouraging new members of the profession.

Buford Watson Jr. Award Past Recipients

1989 • Buford M. Watson, Jr. • Lawrence
1990 • James R. Pearson • Manhattan
1991 • Richard E. Cotton • Winfield
1992 • David Watkins • Lenexa
1993 • W. Mark Pentz • Leavenworth
1994 • Robert Walker • Chanute
1995 • Eugene H. Denton • Johnson County
1996 • Bob Halloran • Garden City
1997 • Richard Chesney • Johnson County
1998 • Curtis Freeland • Arkansas City
1999 • Chris Cherches • Wichita

2000 • Joe Palacios • Hutchinson
2001 • Stan Stewart • El Dorado
2002 • William P. Buchanan • Sedgwick County
2003 • Howard Partington • Great Bend
2004 • Dennis Kissinger • Salina
2005 • Mike Wildgen • Lawrence
2006 • Randall K. Riggs • Chanute
2007 • Hannes A. Zacharias • Johnson County
2008 • John Deardoff • Hutchinson
2009 • Peter H. Olson • Finney County
2010 • Larry Paine • Hillsboro



State Scene

Kansas Selected to Participate in National Academy

The National Governors Association (NGA) announced that Kansas is one of seven states selected to participate in the organization's Policy Academy on developing strategies to expand advanced manufacturing industries.

The initiative is called "Making our Future: Encouraging Growth Opportunities in Manufacturing through Innovation, Entrepreneurship, and Investment." Kansas, through the Department of Commerce and the Mid America Manufacturing Technology Center, applied to be considered for the initiative earlier this fall. The Department cited the state's immense opportunities for growth in advanced manufacturing and the efforts of the Brownback Administration to develop new tools and strategies for economic development.

The Policy Academy will give participating states a deeper understanding of their states' manufacturing-related industries and fast-growing industry clusters by helping to evaluate and address the major policy and implementation challenges, as well as the opportunities in each state for world-class manufacturing and future success in the global economy.

"We understand that the state needs to work in a coordinated way with our aviation, renewable energy and other manufacturing sectors to develop policies that result in business expansion," said Kansas Commerce Secretary Pat George. "The NGA's Policy Academy will be a valuable resource to help us do that."

The Policy Academy also will help each state develop a plan and overcome barriers to putting a plan into action that would improve the general environment for innovation and align state research and development investments, workforce development, and education systems with the current and future needs of the state's advanced manufacturing industries. Funding for the Policy Academy is provided by the U.S. Department of Commerce NIST Manufacturing Extension Partnership Program and the U.S. Department of Commerce Economic Development Administration. For more information, go to www.nga.org/cms/center/ehsw.

The other states selected were Colorado, Connecticut, Illinois, Massachusetts, New York, and Pennsylvania.

Counties Join ROZ Partnership

Forty of the 50 eligible Kansas counties have joined the Rural Opportunity Zones (ROZs) partnership, and 127 applicants from across the country have applied to the student loan forgiveness program, according to the Kansas Department of Commerce.

"We are pleased to have an 80% participation rate in the ROZs partnership, but we hope to have a 100% participation rate," said Kansas Commerce Secretary Pat George. "The response to the program has been great and should only get better as the remaining counties opt in. ROZs are proving to be a key incentive in recruiting individuals and families into rural Kansas."

The ROZs program offers student loan forgiveness of up to \$3,000 per year for 5 years for individuals that graduate from an accredited post-secondary university or technical college. In addition, people moving from out-of-state could be eligible for 100% state income tax reimbursement, if they have lived outside of Kansas for at least the

past 5 years and have had Kansas source income of less than \$10,000 per year over the past 5 years.

The counties participating in student loan forgiveness program, so far, are Barber, Cheyenne, Clark, Cloud, Decatur, Edwards, Graham, Greeley, Greenwood, Hamilton, Harper, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, Marion, Mitchell, Morton, Ness, Norton, Phillips, Pratt, Rawlins, Rooks, Rush, Russell, Scott, Sherman, Smith, Stafford, Stanton, Thomas, Trego, Wallace, Wichita, and Woodson.

Applicants have applied to 35 of the 40 participating counties. Many of the applicants are recent college graduates. Of the 127 applicants: 35 are working in education; 24 are working in healthcare (nurses, physicians, and chiropractors); 3 are engineers; 3 are veterinarians; and 82 have family connections to rural Kansas. Four of the applicants plan to start businesses in a ROZs county.

State to Participate in New Program

Kansas will be one of the states participating in the U.S. Department of Education's Green Ribbon Schools program, launched earlier this year to recognize schools taking a comprehensive approach to "greening" their school.

The Kansas State Department of Education (KSDE) is partnering with the Kansas Association for Conservation and Environmental Education (KACEE) to select schools for nomination. Schools that will be considered are those that demonstrate in their application an integration of environmental learning with maximization of positive environmental and health impacts. Up to four schools will be nominated from submitted applications based on their achievement of, or progress toward, the three pillars of the Green Schools program: energy efficient buildings, healthy students and school environment, and environmental literacy of all graduates.

The Green Ribbon Schools program is part of a larger U.S. Department of Education effort to identify and disseminate knowledge about practices proven to result in improved student engagement, academic achievement, graduation rates, and workforce preparedness, as well as a government-wide aim to increase energy independence, and economic security. Schools receiving a Green Ribbon Schools award will be invited to participate in a national recognition ceremony.

The awards are open to public and private schools. Kansas schools can find the application for the Green Ribbon Schools award and more details for the criteria for selection at the following website, www.kansasgreenschools.org/kansas-green-ribbon-schools. All applications must be submitted online by January 27, 2012 and awards will be announced on Earth Day in April 2012.

Kansas City Mayor Testifies on Behalf of NLC on Integrated Planning, Water Infrastructure Financing

by Carolyn Berndt

Joe Reardon, Mayor and CEO of the Unified Government of Kansas City, Kan., and Wyandotte County, testified last week on behalf of the National League of Cities (NLC) before the House Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment about the need for a modern policy framework and resources to invest in the nation's water infrastructure systems.

Mayor Reardon called for the U.S. Environmental Protection Agency (EPA) and Congress to work more effectively with local governments in making cost-effective and affordable investments in water quality.

"Let's choose a new approach of cooperation and partnership over adversarial mandates. Let's design a solution which is cost-effective and affordable over a massive unfunded mandate which the citizens I, and you, represent can't afford," said Reardon.

The hearing focused on a recent EPA memorandum, "Achieving Water Quality Through Integrated Municipal Stormwater and Wastewater Plans," which recognizes that many local governments face difficult financial conditions and commits EPA to developing a planning framework that will allow communities to evaluate all of their Clean Water Act stormwater and wastewater obligations and prioritize their investments in a manner that maximizes water quality gains.

"I am hopeful that today's hearing will start moving us away from a 'one-size-fits-all' mandate and enforcement approach to an integrated regulatory planning and permitting approach to help EPA regional officials and state and local governments better prioritize Clean Water Act regulatory requirements while protecting the environment in a cost efficient manner," said subcommittee Chairman Bob Gibbs (R-Ohio).

Kansas City is currently negotiating a consent decree with EPA and the U.S. Department of Justice to address combined sewer overflows. Reardon told committee members that the cost of meeting the sewer overflow mandate would be four times the annual municipal budget.

Given that many cities across the country are still reeling from the effect of the economic recession on city finances, there was near unanimity among the local and state government representatives, which included Omaha, Nebraska, Mayor Jim Suttle, that the EPA memorandum is a step in the right direction. They cautioned, however, that EPA should rely on permitting mechanisms, rather than enforcement actions, as the primary implementation method or process for integrated plans.

In his testimony, Mayor Reardon also brought attention to the nation's aging water infrastructure systems and the need for a reliable, long-term source of substantial capital to help close the gap between current expenditures and anticipated needs.

NLC supports the purposes of the Water Quality Protection and Job Creation Act (H.R. 3145), sponsored by subcommittee Ranking Member Timothy H. Bishop (D-N.Y.), which include authorizing appropriations for the Clean Water State Revolving Loan Fund program and establishing a new sewer overflow control grant for municipalities.

NLC also supports additional options for long-term, alternative financing mechanisms for water infrastructure, such as mechanisms that lower the cost of borrowing that will help leverage local funding, offer direct loans and loan guarantees from the federal government to cities or remove the federal volume cap on tax-exempt bonds for water and wastewater infrastructure projects.



Mayor and CEO Joe Reardon of the Unified Government of Wyandotte County/Kansas City, KS is seated second from left during the testimony. Photo provided by NLC.

Additionally, last week, Gaithersburg, Maryland, Council Member Mike Sesma participated in a dialogue with Nancy Stoner, acting Assistant Administrator for the Office of Water, Cynthia Giles, Assistant Administrator for the Office of Enforcement and Compliance Assurance and other key officials from the EPA policy and enforcement offices on the integrated planning framework. Convened by the National Association of Clean Water Agencies, the meeting offered key stakeholders, including NLC, clean water utility leaders, state water program administrators and environmental organizations, an opportunity to hear from EPA on the draft framework and provide the Agency with feedback and additional perspectives.

"EPA's commitment to integrated planning for infrastructure required to achieve and improve water quality and Clean Water Act compliance is a good move for local governments," said Sesma, who chairs NLC's Energy, Environment, and Natural Resources Committee. "It complements efforts by cities seeking to shape a sustainable economic and environmental future and recognizes how local governments need to manage their operations.

"I was pleased to hear Ms. Stoner, Ms. Giles and others emphasize that integrated planning can accommodate the flexibility needed by cities to maximize benefit and optimize cost for developing, building, and expanding infrastructure to manage stormwater and wastewater," Sesma added. "The goal is to achieve a high level of water quality. How a local government accomplishes it will vary, but it should be both cost-effective and sustainable."

EPA will hold workshops and listening sessions early next year to gather additional input and feedback from stakeholders on the integrated planning framework. NLC encourages cities to participate in these meetings. The workshops will take place in Atlanta (Jan. 31), New York City (Feb. 6), Seattle (Feb. 13), Kansas City, Missouri, (Feb. 15) and Chicago (Feb. 17). Details will be published on the EPA website and in the Federal Register soon.

☀️ Carolyn Berndt is the Principal Associate for Infrastructure and Sustainability Center for Federal Relations for the National League of Cities. She can be reached at berndt@nlc.org. This article was reprinted with permission from Nation's Cities Weekly, December 19, 2011 electronic newspaper.

Racial or Other Biased-Based Policing

After several years of discussing the issue called racial profiling, sometimes referred to as biased-based policing, the Kansas Legislature adopted a racial profiling bill during the 2005 Legislative Session, now codified in K.S.A. 22-4606 *et seq.* At that time, this column summarized the requirements of the legislation that impacted all cities that have law enforcement agencies, from the smallest to the largest. During the 2011 Legislative Session, the Legislature amended the law to add new requirements in SB 93, found in Chapter 94 of the *2011 Kansas Session Laws*. Cities should examine their current policies regarding racial profiling and amend them consistent with the new statutory requirements.

First, the label has changed from “racial profiling” to “racial or other biased-based policing.” The definition has also been changed and means “the unreasonable use of race, ethnicity, national origin, gender, or religion by a law enforcement officer in deciding to initiate an enforcement action.” It contains the exclusion that it is not biased-based policing to use such factors in combination with other identifying factors as part of an individual description to begin an enforcement action. A close look at the change shows that originally the standard was that none of the factors could be the sole reason to stop an individual and the standard is now that the factors may not be unreasonably used in determining whether to initiate an enforcement action.

As a reminder, the original racial profiling law required that all law enforcement agencies adopt a detailed written policy prohibiting racial or other biased-based policing. In the amended law, this requirement has been enhanced to require more detail to the policies, which must be implemented within a year of the effective date of the law. SB 93 became effective upon publication in the *Kansas Register*, which was May 26, 2011, so the new policies should be in place by next May. Now, more detailed information must be included on the training component relevant to racial or other biased-based policing. Distance training is allowed, so if the department is going to utilize this training method, it should be included in the policy. The Legislature also added a provision stating that law enforcement agencies may appoint an advisory committee of at least five persons with backgrounds in education or law enforcement, and community leaders to recommend and review the training component. It is not a mandatory requirement, however.

The appointment and use of community advisory boards is optional under the new law. Under the previous requirements, only cities of the first class were required to have community advisory boards to work with the law enforcement agencies. If the city has appointed such a board, the details of how the board will advise and assist in policy development, education, community outreach, and communication about racial and other biased-based policing should be included in the written policy.

The next component of the written policy is a provision that if a law enforcement officer is found in violation of the prohibition on racial or other biased-based policing, the officer shall be disciplined consistent with city ordinances or policies including demerits, suspension, or removal of the officer from the agency. There should be provisions in the policy for community outreach and communication with the

public, to educate citizens regarding their rights to file a complaint of racial or other biased-based policing. The procedures for filing a complaint should also be in the policy.

One of the most significant changes in the new law is found in Section 5 of the bill. It states that a city or county may develop a comprehensive plan in conjunction with a community advisory board, if the one exists, or with the assistance of other community leaders, to prevent racial or other biased-based policing in the community. There are seven factors that must be included in such a plan, including things such as a plan to promote and recruit a diverse workforce, ongoing training of supervisors to help deal with policing complaints, a policy to implement a style of policing that promotes positive interaction between citizens and the police, and several other factors.

If a city or county decides not to draft and adopt a comprehensive plan, the city or county may require the law enforcement agency to collect traffic or pedestrian stop data on all such encounters and make that information available to the public. There is a list of 15 different types of information that must be collected if that is the option in which the city or county chooses to participate. Much of the information on the list is currently already collected by law enforcement agencies, but there are some additions. The key for cities is that the comprehensive plan and the data collection are local options for cities, but are not required. The caveat is, that cities with a comprehensive plan or a doing data collection can demonstrate a good faith effort to prevent racial or other biased-based policing from occurring, which could be important when complaints are lodged or lawsuits initiated.

Finally, the new law requires certain reporting to be done in an annual report that is due to the Attorney General by July 31 each year for the period July 1 to June 30. These reports are open records and should contain the following information:

1. The number of complaints received;
2. The date the complaint was filed;
3. The action taken on the complaint;
4. The disposition of the complaint;
5. The date the complaint is closed;
6. Whether the all of the officers in the agency had the required training;
7. Whether the law enforcement agency has a policy against racial or other biased-based policing;
8. Whether discipline is required for violations of the agency’s policies;
9. Whether the agency has a community advisory board; and
10. Whether the agency has a racial or other biased-based policing comprehensive plan or collects data on traffic and pedestrian stops.

Cities need to make sure their law enforcement agencies are complying with all of the requirements of the racial and other biased-based policing laws, including the written policies and the report to the attorney general. For more information, discuss this issue with the city attorney.

 Sandy Jacquot is the Director of Law/General Counsel for the League of Kansas Municipalities. She can be reached at sjacquot@lkm.org or (785) 354-9565.

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Questions? Please contact Amanda Schuster at aschuster@lkm.org or (785) 354-9565.

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2012 LKM OPERATING BUDGET

As approved by the League Governing Body in Hutchinson on September 9, 2011

REVENUES	2011 Budget	2012 Budget
General Operations		
Dues and Research	800,000	800,000
Rent Receipts	154,000	154,000
E-911 Administration Fee	56,000	-
Kansas Government Journal	117,000	137,000
Publications and Advertising	145,000	145,000
Conference and Service Awards	330,000	330,000
Transfer In--from Reserves	150,000	98,000
Interest Earned and Other	30,000	6,000
Sub Total - General Operations	1,782,000	1,670,000
Special Programs		
Ordinance Codification	30,000	27,000
Personnel Programs	27,000	17,000
KMIT	230,000	230,000
Workshops and Seminars	77,000	60,000
Affiliate Services and Other Programs	40,000	45,000
Sub Total - Special Programs	404,000	379,000
TOTAL REVENUES	2,186,00	2,049,00
EXPENSES		
Personnel Services		
Staff Salaries	890,000	890,000
Staff Benefits	275,000	275,000
Professional Memberships	20,000	20,000
Training and Travel	55,000	40,000
Sub Total - Personnel Services	1,240,000	1,225,000
Contractual Services		
Building Maintenance	54,000	54,000
Equipment Related	61,000	61,000
Publications and Printing	77,000	70,000
Kansas Government Journal	80,000	80,000
General Overhead	30,000	30,000
Conference and Service Awards	330,000	280,000
Meeting Expense	40,000	40,000
Sub Total - Contractual Services	672,000	615,000
Commodities		
Office Supplies and Paper	40,000	35,000
Books, Software, and Subscriptions	26,000	20,000
Utilities, Telephone, and Postage	46,000	46,000
Sub Total - Commodities	112,000	101,000
Capital Outlay		
Equipment Purchases	31,000	25,000
Building Improvements	-	-
Sub Total - Capital Outlay	31,000	25,000
Special Programs/Projects		
Personnel Programs	6,000	4,000
KMIT	20,000	24,000
Workshops and Seminars	35,000	25,000
Affiliate Services and Other Programs	30,000	30,000
E-911 Staff Salaries	40,000	-
Sub Total - Special Programs	131,000	83,000
Transfer Out-to General Operating Reserve Fund		
TOTAL EXPENSES	2,186,00	2,049,00



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Assistant City Engineer

The City of Junction City, KS (pop. 23,353) is recruiting to fill a full time position in our engineering department. This is an excellent opportunity to begin building a career within the municipal government end of engineering. Junction City is located in the Flint Hills Region of Kansas, and offers a small town environment, excellent recreational opportunities and access to big City living within 2 hours drive. Starting Salary is up to \$54,000 DOQ, plus an excellent benefit package. Preference will be given to individuals with prior experience in municipal government, MS4 Storm Water, Pavement Management, Windows XP, MS Access and Office Suite programs, GIS, ESRI ArcInfo, Arc Objects, and AutoCAD Map3D Applications and Programs. Duties include design and preparation of specifications, cost estimates, and standards for public works improvements; data record keeping, plan reviews, and coordination with state and federal agencies; and assists in the preparation of grant applications. Must have BSCE, Engineer In Training (EIT) test/certificate, valid State driver's license or have the ability to obtain one prior to employment. MUST be willing to reside in Geary County within 90 days of employment. Applications will be accepted until filled. Apply online only at www.hrepartners.com/ks_hrepartners/partnerdetails.aspx contact Human Resources at 785-238-3103 with additional questions or visit our website www.junctioncity-ks.gov. The City of Junction City is an equal opportunity employer.

Assistant to the County Manager

Sedgwick County Government is seeking a dynamic professional to serve as an Assistant to the County Manager. This position will be responsible for supporting the County Manager's Office to ensure quality services for the residents of Sedgwick County.

Key Responsibilities include:

- Supervise administrative staff for the County Manager's Office
- Serve as Project Manager for community initiatives (including the Board of County Commission agenda process)
- Serve as the County Manager's liaison for internal and external customers including

interacting with the Board of County Commissioners

- Serves as an aide to the County Manager which includes but is not limited to coordinating calendars; composing correspondence; arranging conferences; interpreting policy; relaying instructions of policy and procedure revision; entering payroll

- Analyzes and assists in the preparation of the County budget

Minimum Requirements: Master's Degree from an accredited college or university in public or business administration, political science, or a related field. Three to five years experience in public or business administration preferred. Candidates must possess ability to communicate effectively orally and in writing; establish positive working relationships with employees at all levels including elected officials and senior management; ability to organize and analyze confidential information. Requires proficiency in MS Office.

To apply and view the detailed position summary please visit www.hrepartners.com. Contact Human Resources at (316) 660-7048 with additional questions. Sedgwick County is proud to be an Equal Opportunity Employer. It is the policy of Sedgwick County not to discriminate in its programs or services.

City Manager

Belleville, Kansas (pop. 1,991; \$7.4 million budget; 28 employees; gas and electric utilities), is a city with roots in agriculture and a diverse local industry centered on transportation, business, and warehouses. Belleville—the county seat of Republic County—is at the crossroads of America on U.S. 36 and U.S. 81 Highways and is primed for economic development (www.republiccountyks.com). For information about the city's Highbanks Racetrack, the historic Blair Theater, the Boyer Gallery, and the city itself, visit: www.cityofbellevillekansas.com.

The ideal applicant will have a Master's Degree in Public Administration or a related field and at least three years of municipal-government experience, though work experience may serve as an education substitute. The successful candidate will

model principles of servant leadership with a background in local government, electric utilities, and finance. The city is seeking an energetic and personable manager who offers effective communication and accessibility, along with sound project-management and budgeting practices. Candidates should communicate openly with the council and the community to form a strategy for success in Belleville.

Belleville is an Equal Opportunity Employer. Competitive benefits, Salary \$60,000-\$70,000 depending on qualifications. Interested candidates should submit a cover letter, resume, and three work-related references to LEAPS-Belleville, 300 SW 8th, Topeka, KS 66603. If confidentiality is requested, please note in application materials. Position will remain open until filled. Application review will begin January 3, 2012.

Director of Rural Operations

The Hamilton County Board of County Commissioners is seeking applications for a Director of Rural Operations; duties include but are not limited to supervision of the Road and Bridge Department, Solid Waste Department, and Noxious Weed Department. Job description available upon request.

Minimum Qualifications:

Direct relevant education and experience in related field. Thorough knowledge of road construction and maintenance, solid waste operations, and noxious weed/prairie dog control.

Salary \$50,000 to \$60,000 annually DOQ, full family health insurance, and KPERS retirement. Hamilton County is a participant of the Kansas Rural Opportunities Zone program which offers a 5-year state income tax rebate and student loan forgiveness. Send cover letter and resume to Hamilton County attn: John Kennedy, PO Box 1167, Syracuse, KS 67878 or email hmcoecon@gmail.com. Call (620) 384-7317 for more information. Hamilton County is an EOE.

District Manager

The Holiday Island Suburban Improvement District (pop. 3,300; \$4 million budget; 45 employees) is seeking applicants for District Manager. Holiday Island is a planned



Classified Advertising

community in the scenic Ozark Mountains on Table Rock Lake. The District Manager is the chief executive and operational officer and is responsible to an elected Board of Commissioners for the overall affairs of the District's service offerings, finances, programs, policies, and priorities. The Manager will work closely with the Board of Commissioners, Department Heads, District personnel, and the general public to accomplish short and long term objectives. A Bachelor's Degree in public administration, business administration, or related field is required. Applicants should have substantial management and administrative experience in municipal government or a public agency. A competitive compensation package, commensurate with qualifications and experience, includes base salary, health and life insurance, vacation and sick leave, and employee retirement savings plan. General information about Holiday Island can be found on-line at www.holidayislandark.org and the job description is at <http://hisid.info/DM.pdf>. Applicants should send resume, cover letter, and detailed salary history to:

Holiday Island Suburban Improvement District

ATTN: District Manager Search
110 Woodsdale Drive
Holiday Island, AR 72631

Electric Superintendent

The City of Chapman is currently accepting applications and resumes for the position of Electric Superintendent. Applicants must be able to work in inclement weather and have knowledge of the equipment & procedures used in the construction and maintenance of electrical distribution systems. Must pass a drug screen upon conditional offer of employment. Valid Kansas driver's license required. Salary DOQ. Excellent benefits including health insurance, KPERS retirement plan, paid vacation, and sick leave.

Job description and applications may be obtained at City Hall, 402 N Marshall, Chapman, KS 67431.

Position is open until filled.

Finance Director

The City of Spencer, IA (<http://www.spenceriowacity.com/>), population 11,233, is accepting applications for Finance Director.

Requirements include knowledge of the principles and methods of public finance, accounting, and auditing. College degree with emphasis in accounting or public administration and four years of responsible administrative experience. Salary range \$56,340 - \$67,884 with excellent benefits. Send resume and references by January 16, 2012 to:

City of Spencer
c/o Jack A. Lipovac
HR-OneSource
5619 NW 86th Street, Suite 600
Johnston, IA 50131-2955
Phone (515) 221-1718
Fax (515) 327-5050
lipovacj@hr-onesource.com

Fire Chief

Blackwell, Oklahoma (pop. 7,500), Council/Manager, is recruiting applicants for the position of Fire Chief. Reports to City Manager. Blackwell FD provides fire, EMS, and Haz-Mat services to Blackwell and community.

Experience: 10 or more years of firefighting with 5 or more years of supervisory firefighting experience. EMS/Haz-Mat experience preferred.

Education: High School diploma or GED and a technical degree or college degree required. Bachelor's degree in Fire Science or related field and completion of the Executive Fire Officer program is preferred. A valid Driver's License is required.

Technical Skills: Thorough knowledge of fire suppression techniques, safety procedures, Fire & Life Safety Code Enforcement and personnel management is required. Able to operate computers, telephone systems, two-way radios, and firefighting equipment. The ability to prepare reports and memos, to understand and anticipate problems, to understand and develop department policies and procedures, and to interpret written instructions, manuals, reports, local, state and federal fire codes, and department files is required. This employee should possess excellent public relation, supervisory, organizational, managerial, oral and written communication skills. Employee should have knowledge of preparing and executing a budget.

Beginning salary is dependent on experience and qualifications. Benefits Include: OP&F

State Retirement, 10 paid holidays, 2 weeks vacation, 12 days of sick leave, single health insurance plans with subsidized dependent plan, and life insurance.

This position is being offered due to the retirement of the current Fire Chief. The position will be available 2/1/12. Interested applicants shall submit a current resume, 3 work related references and 3 non-work, non-family related references to City of Blackwell, 221 W. Blackwell Ave., Blackwell, Oklahoma 74631 Attn: Juanita Purdy.

Street Superintendent

Bella Vista, AR (pop. 26,641) seeks experienced Streets Superintendent to create a new Street Department. Activities include managing daily street maintenance/repair, resurfacing contracts, street cleaning, snow/ice control and removal, right-of-way, and drainage maintenance. Requires 5 years experience including supervisory and managerial experience and/or education. Job description/application available at: www.bellavistacityar.com or at Bella Vista City Hall, 406 Town Center NE, Bella Vista, AR 72714 tel. (479) 876-1255. Deadline December 30, 2011.

Utility Superintendent

Dedicated professional needed to serve as the City of Salina's Utility Superintendent. Duties will include performing technical supervisory & administrative work in directing the operation/maintenance of the water distribution & wastewater collection systems. Education: Bachelor's degree in Sanitary or Civil engineering, or related field. Experience: Two (2) years supervisory capacity; eight (8) years of progressive experience in water distribution and/or wastewater collection systems operations & maintenance, or related work. Requirements: Possession of Kansas Class III Wastewater Treatment Facility Operator Certificate or Kansas Class III Water Supply System Operator Certificate, or obtain within one (1) year after KDHE examination eligibility; valid Kansas CDL. Pay: \$44,179-68,474/yr. DOQ. We value a commitment to excellence, ethics, and customer service. For more info. or to apply, go to www.salina-ks.gov.



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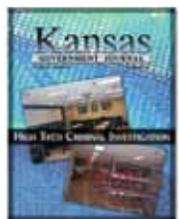
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Long Term Planning



I have avoided dealing with this subject directly for some time but it just screams out for comment. So, I decided that this would be the month that I discuss the U.S. Post Office. There is quite a lot going on with this quasi-federal agency, and I thought perhaps its recent travails could be used as an object lesson or teaching moment.

What's really amazing to me about the whole sorry state of affairs concerning the Post Office is the fact that at one time, and for quite a long time, the U.S. Post Office was the envy of the world. It has a long and storied history with the first Postmaster General being Benjamin Franklin, who was appointed by the Continental Congress back in 1775. Most recently it has been going through a time of great upheaval and has demonstrated a continuing inability to successfully compete in the modern era, which I am going to define as the time since the advent of the Internet.

Recently, the Post Office has proposed drastic, if not draconian changes, in the way it does business. The Post Office has floated a number of plans in an effort to cut the billions and billions of dollars in yearly losses which it is currently experiencing. A few months ago, they suggested the complete elimination of Saturday postal deliveries, as well as various cut backs in services, all coupled with ever increasing prices for mail and mail services. The most recent proposal, which came in early this month, was a proposal by the U.S. Postal Service to make changes which would save \$2.1 billion per year by the elimination of next-day delivery service of first class mail, and the loss of perhaps 28,000 postal worker jobs. The change in speed was to increase from one to three days for delivery of a first class letter, to two to five days for that same letter. Interestingly, all of the changes which have been suggested seem to move in a direction which makes the Postal Service not only more expensive, but less and less competitive with each step down this road.

This is such a big deal, and so very controversial nationwide, that it was just announced that the changes envisioned by the Post Office have been temporarily put on the back burner to allow the U.S. Congress to look into them. Just this week, the U.S. Postal Service announced it was going to delay the closing of 252 mail processing centers, and roughly 3,700 local post offices, until mid-May of 2012. According to the statement, this was done so that Congress would have time to pass legislation which would give the Postal Service more authority and liquidity to stave off bankruptcy. Also delayed would be the implementation of the slower first class mail along with other cost saving measures. The point being that the Postal Service is now looking to Congress for a bailout.

So what can we learn from this mess? First of all, the world has changed. The Postal Service no longer stands alone as the sole

method of delivering messages, packages, and parcels across the United States. We now have a world in which people communicate electronically via email, texts, posts, blogs, tweets, and various other forms of electronic communication. The beauty of these new communication technologies is simply that they are virtually instantaneous in their speed, and largely cost free. The world has been changing, and one would have hoped that the Postal Service had been changing with it—not only to make the Post Office more efficient, but also to allow the Post Office to compete more effectively in the modern age. Quite frankly, the Post Office model which worked with great success in 1955 is no longer relevant in the year 2012.

Why the Postal service hasn't changed more rapidly can be debated, but in the end it really doesn't matter why it didn't change. It was either lack of foresight and planning, or a second possibility being that the Postal Service attempted to evolve for many years, but that those changes were thwarted by the powers that be. In either case, it is abundantly clear that there are many political considerations that swirl around the Postal Service and which make turning the ship very, very difficult indeed. Which brings me to the point of all of this discussion. I am not here to beat up on the Post Office as I believe they have an overwhelming job which they are doing the best they can at the present time. Unfortunately, the inability of the Postal Office to significantly change its approach in the modern era has led it to this point.

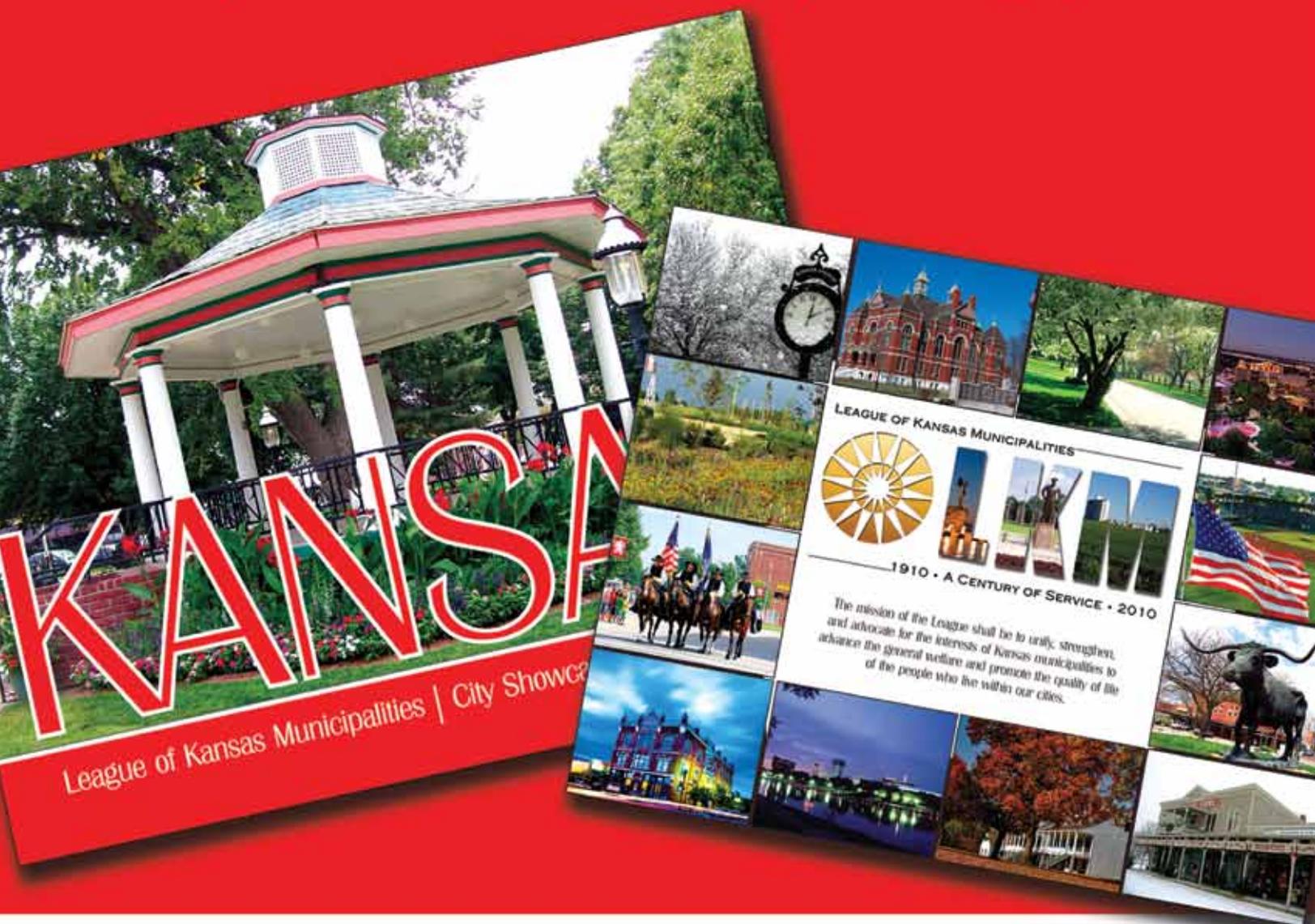
Once you distill down all of the proposals that have come out of the Post Office in recent months, they all basically boil down to this: fewer people, fewer Post Offices, fewer services, no Saturday service, and intentional slower delivery of first class mail. So all of the suggestions we are hearing to "save" the U.S. Postal Service tend in the direction of reducing the speed and effectiveness of the entity, while increasing the cost to the consumer. So the Post Office, by its own suggestion, is suggesting not increasing the speed of its delivery, but rather decreasing the speed of its delivery when in fact that is exactly the problem it is facing in trying to compete with electronic communication. Simply unbelievable!

The changes that are taking place in communications worldwide will require not only changes from the Postal Service, but constant change and evaluation by those of us in government to make sure we are keeping pace with the changes in communication and other technologies which seem to be emerging almost daily. We have to look to the future to plan how we will improve and change our services to meet the changing world. We then must be willing to implement those changes, even when that may be controversial and changes something we have been doing the same way for the past 100 years. Change in the modern era is inevitable, and we must be willing to adapt to it. Nobody said it was going to be easy.

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