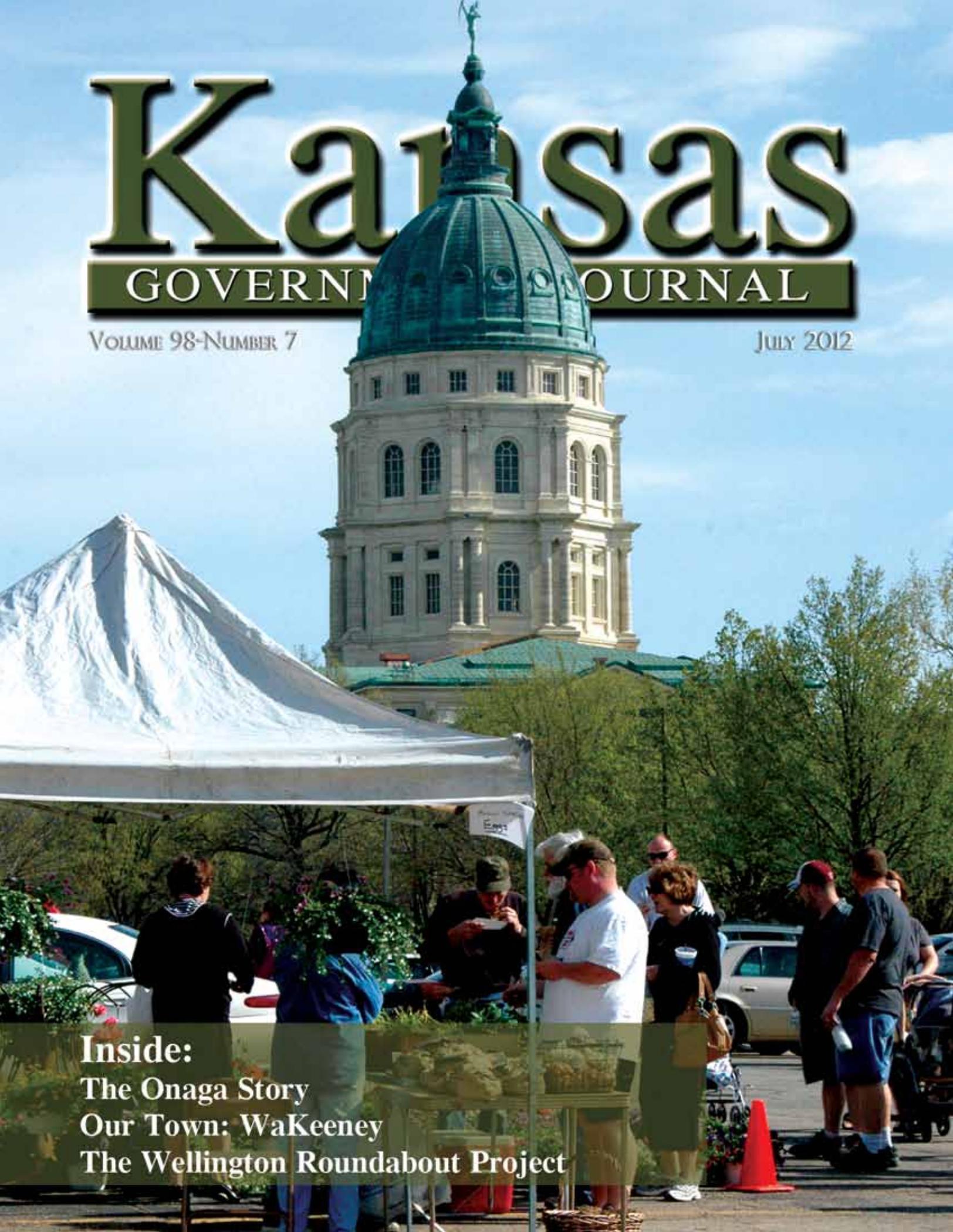


# Kansas

## GOVERNMENT JOURNAL

VOLUME 98-NUMBER 7

JULY 2012

The cover of the Kansas Government Journal features a photograph of the State Capitol building in Topeka, Kansas, with its iconic green copper dome. In the foreground, a white pop-up tent is set up for a community event, with several people gathered around it. The scene is set outdoors on a sunny day with green trees in the background.

**Inside:**  
The Onaga Story  
Our Town: WaKeeney  
The Wellington Roundabout Project



LKM

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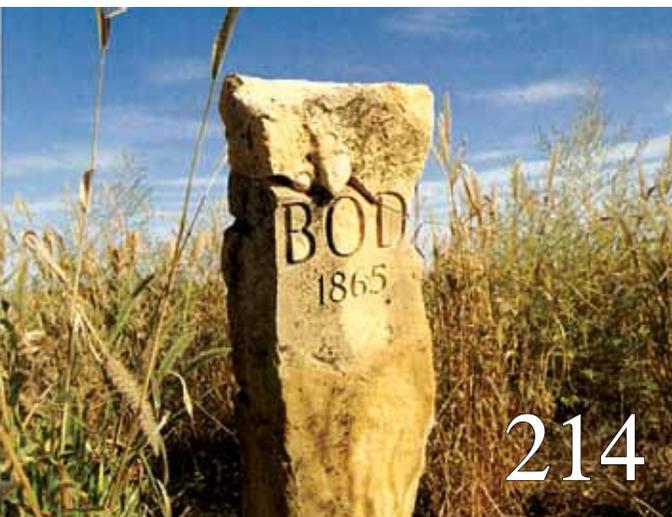
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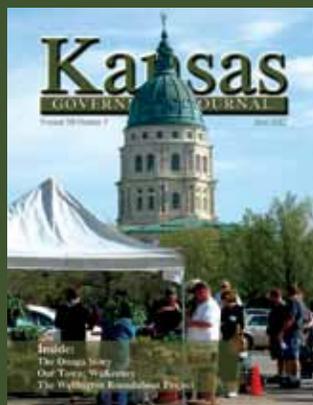
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About the Cover: Shoppers enjoy the downtown Farmers' Market in Topeka. LKM will host its Annual Conference, October 6-8, 2012, at the Maner Conference Center & Capitol Plaza Hotel in Topeka. For registration and more conference information visit [www.lkm.org](http://www.lkm.org). Photo provided by Visit Topeka, Inc.

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Nothing herein shall be construed to have the endorsement of the publisher unless expressly stated.

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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.*

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### August

10 - MLA: KOMA/KORA, Garden City

11 - MLA: KOMA/KORA, Abilene

24 - KMIT Board of Trustees Meeting, Lindsborg

### September

3 - Labor Day

7 - LKM Governing Body Meeting, Kansas City

7 - MLA: Preparing for Retirement, Webinar

8 - MLA: Preparing for Retirement, Webinar

### October

6-8 LKM Annual Conference, Topeka

7 - LKM Governing Body Meeting, Topeka

7 - KMIT Annual Meeting, Topeka

23 - Regional Supper, Liberal

24 - Regional Supper, WaKeeney

30 - Regional Supper, Kansas City

### November

1 - Regional Supper, Mount Hope

7 - Regional Supper, Neodesha

8 - Regional Supper, Minneapolis

9 - MLA: Sexual Harassment, Webinar

10 - MLA: Sexual Harassment, Webinar

22 - Thanksgiving

## Obituaries

**Murray Bandy, 93**, died May 4, 2012. Bandy served the City of Hesston as police judge, school board chair, councilman, mayor, planning commission chair, Chamber and Lions Club president, and authored the City's Centennial history.

**Marvin Lee Bengston, 65**, died May 16, 2012, at his home in Seneca. Bengston served as Holton Mayor in 1978 and 1981. He was a member of V.F.W. Post #1367, American Legion Post #44 both in Holton, and USS Boxer Veteran's Association.

**Janice Eichorn Read James, 88**, died April 12, 2012. James served as City Clerk of Altamont for 17 years. In 1972, she moved to Greensburg, Kansas to be City Clerk. In 1983, she returned to work at the Kiowa County Courthouse in the Registrar of Deeds office and later transferred to the County Clerk's office.

**Judge William D. "Bill" Rustin, 72**, died April 14, 2012. Rustin served as a Workers Compensation Judge, and Sedgwick County Counselor before being appointed a State District Court Judge in 1987, a position he held for 14 years. He was well-known in the legal community, recognized as a Life Member of the Wichita Bar Association in 2009.

**Stan R. Singleton, 59**, died May 18, 2012 after complications from a heart attack. Singleton was a leader in the Derby community, well known for his love of storytelling, and quick-witted sense of humor. He went on to become Derby Municipal Court Judge and President of the Derby Board of Education. He also spent several years as the City Attorney for Mulvane and later Park City.



*The 2012 MLA Graduates from left to right: Ralene Davis, Treasurer of Sedan, Councilmember of Cedar Vale; Charles Hefton, Police Chief, Benton; Joyce Casady, City Clerk, Benton; Dale Shaffer, City Manager, Benton; Emil Bergquist, Mayor, Park City; Brenda K. Davis, City Clerk, Scott City; Jonathan Mitchell, City Manager, Hoisington; Lynne Ladner, City Administrator, Hiawatha; and Dennis Weishaar, Commissioner, Abilene.*

# MUNICIPAL LEADERSHIP ACADEMY

## -2012 GRADUATES RECOGNIZED-

BY MICHAEL KOSS

**O**n May 11-12, city officials from across the state met in Wichita for the 2012 Leadership Summit and Mayors Conference. During Friday's session, the League of Kansas Municipalities (LKM) recognized the 2012 graduates of the Municipal Leadership Academy (MLA).

Founded in 1999, MLA is a continuing education program designed to develop the knowledge and enhance the leadership abilities of both elected and appointed city officials. There are three levels of achievement, with Level 1 focusing on education, Level 2 on achievement, and Level 3 on leadership.

Seven city officials graduated Level 1 by completing 40 credits of training, which included sessions on issues like KOMA/KORA and Ethics. Four officials completed Level 2, which required attendance at several LKM events, including the Leadership Summit and the Governing Body Institute. This also featured the first ever Level 3 graduates, with two officials completing the most advanced portion of the program.

MLA offers participants up-to-date training on a variety of local government issues. While our trainers provide quality education to facilitate better municipal governance, equally important is the opportunity for local officials to interact with each other and share their own solutions to problems facing city governments. By sharing knowledge from their own experiences, our trainees learn about real-world solutions and receive feedback from officials facing similar issues.

This year's graduates have shown a commitment to becoming better public servants, and are assets to all of their respective cities.

Congratulations to the 2012 graduates for your commitment to community leadership.

For more information regarding MLA or additional LKM training, please visit <http://www.lkm.org/training/> or contact Michael Koss at [mkoss@lkm.org](mailto:mkoss@lkm.org).

### LEVEL I GRADUATES

Mark Bishop, Councilmember, Edwardsville  
 Joyce Casady, City Clerk, Benton  
 Ralene Davis, Treasurer of Sedan, Councilmember of Cedar Vale  
 Mary Faulkner, City Clerk, Mount Hope  
 Anita Goertzen, City Clerk, Goessel  
 Charles Hefton, Police Chief, Benton  
 Dale Shaffer, City Manager, Benton

### LEVEL II GRADUATES

Emil Bergquist, Mayor, Park City  
 Lynne Ladner, City Administrator, Hiawatha  
 Richard Nienstedt, City Manager, Ottawa  
 Dennis Weishaar, Commissioner, Abilene

### LEVEL III GRADUATES

Brenda K. Davis, City Clerk, Scott City  
 Jonathan Mitchell, City Manager, Hoisington

 *Michael Koss is the Membership Services Manager for the League of Kansas Municipalities. He can be reached at [mkoss@lkm.org](mailto:mkoss@lkm.org) or (785) 354-9565.*

# Rising From the Ashes: The Onaga Story

by Pam Unruh

**G**rocery stores in small cities are crucial to the local economy. On December 3, 2010, the local well being of the City of Onaga was threatened by a devastating fire which destroyed the city's one and only grocery store. In the days following the loss, City officials were searching for options. With no appropriate building available, the Council knew that some drastic measures would be required to lure an investor.

"Without a store, your town disappears, and the valuation of property goes down," said Onaga Mayor Gary Holthaus. "Residents have scattered like geese to area towns to buy groceries and other goods. Sales tax leaves the town and the county."

The City soon put a pencil to the overall economic impact of losing a vital sales tax revenue stream. The figures were dramatic for the small city. It was estimated to be a loss of \$1,650 per month not taking into consideration the overall loss of sales by other businesses in the community.

With an estimated 38% of small communities losing their local stores in the past 5 years, the City of Onaga officials knew they would have to get creative in order to lure another grocer to their city of 700.

With the lack of an appropriate building or the funds to build one, Pam and Paul Budenbender came to the rescue. "My retirement plan was to open a grocery store in Onaga," Budenbender said,

adding her husband purchased several lots in Onaga a few years ago so she could someday realize that goal.

After the Thriftway was destroyed, other people talked about opening a grocery store in Onaga, but when none of those plans came to fruition, she decided to give it a try. Budenbender teamed up with Morrill & Janes Bank to negotiate a deal with the City to build the grocery store. The Onaga City Council agreed to allocate \$375,000 toward the 7,500 sq. ft. building. In addition, Budenbender also was able to get low-interest rural development loans with the help of the Pottawatomie County Rural Economic Development Corporation and NetWork Kansas.

The end result is that the City of Onaga will recoup their investment in the form of sales tax revenue. With Onaga's 1% sales tax, the City estimates a \$2,000 monthly increase in revenue sales tax, a bit of an increase from the previous store.

With the help of not only the funding partners, but also the significant investment that the Budenbender's provided, the City of Onaga now has a brand new grocery store the whole community can be proud of.

*\*Pam Unruh is the City Clerk for the City of Onaga. She can be reached at (785) 889-4456 or [onagaclerk@bluevalley.net](mailto:onagaclerk@bluevalley.net). Some information was also provided by <http://cjonline.com/news/2011-11-30/new-grocery-store-opens-onaga>.*



*The fire that destroyed Onaga's grocery store, Thriftway on December 3, 2010 caused residents to have to drive at least 50 miles round trip to St. Mary's, Wamego, or other area cities to shop for groceries and supplies. Photos provided by the City of Onaga.*



The new Onaga Country Market grocery store, completed in 2011 is a fully stocked and operational grocery store within the city limits. Photos provided by the City of Onaga.



The following resources were implemented to help the City of Onaga build the new grocery store.

### Network Kansas

[www.networkkansas.com](http://www.networkkansas.com)

Loan funds are available for business startups and expansions in Kansas.

*Match Requirements:* 40% of the amount needed must come from another funding partner.

*How the Onaga Country Market used this program:* The forgivable loan from the City of Onaga was used as a match to access funds from Network Kansas.

### Neighborhood Revitalization Program

[www.cityofonaga.com](http://www.cityofonaga.com)

The Neighborhood Revitalization Act was passed by the Kansas Legislature to provide a tool for municipalities.

The Act authorizes municipalities to establish tax rebate programs in order to provide incentives for property owners to make improvements.

*Commercial and Industrial Property Eligibility:* The amount of rebate is figured on the incremental increase in taxes on the improvement will be on a sliding scale, beginning with 100% the first year, followed by a 10% reduction in the rebate amount year for 10 years.

*How the Onaga Country Market used this program:* Reduced taxes.

### USDA Business and Industry Guaranteed Loans

[www.rurdev.usda.gov](http://www.rurdev.usda.gov)

The purpose of the B&I Guaranteed Loan Program is to improve, develop, or finance business, industry, and employment, and improve the economic and environmental climate in rural communities. This purpose is achieved by bolstering the existing private credit structure through the guarantee of quality loans that will provide lasting community benefits. It is not intended that the guarantee authority will be used for marginal or substandard loans or for relief of lenders having such loans.

*How the Onaga Country Market used this program:* USDA's B&I Loan Guarantee Program provided an 80% guarantee of the loan for the Onaga Country Market.



## Grants Awarded to Kansas

A Kansas county and three cities will share nearly \$482,000 from the U.S. Justice Department to hire military veterans for law enforcement jobs.

The grants were announced under the Justice Department's Community Oriented Policing Services program (COPS).

In Kansas, the Dickinson County Sheriff's Department is receiving about \$113,000. Grants of \$125,000 are going to the Paola Police Department and the City of Andover, while the City of Liberal will receive about \$118,000.

All new positions funded by this year's grants must be filled by military veterans who have served at least 180 days since September 11, 2001.

In all, the Justice Department said it is awarding more than \$111 million this year to public safety agencies nationwide to create or save about 800 law enforcement positions.

## Airport Expansion Moves Forward

The Manhattan City Commission moved expansion plans for the Manhattan Regional Airport closer to reality.

The Commission approved a design contract and accepted a federal grant that will fund most of the contract.

Airport director Peter Van Kuren says the expansion is needed because jet service to Dallas/Fort Worth and Chicago has increased the number of airport passengers. The airport handled more than

54,000 passengers in 2011 and expects to increase that by another 10,000 this year.

The *Manhattan Mercury* reports the terminal expansion is designed as one building but will be built in four phases. The contract approved covers the first three phases.

The design cost is \$1.28 million, but the airport received a \$911,565 federal grant for the project.

## Winners Announced in Poster Contest

The winners have been named in the 2012 Fight the Bite Poster Contest, which is sponsored by the Centers for Disease Control and Prevention (CDC).

There were 75 entries from Kansas. The 2012 Kansas fifth grade winner is Kassidie Womack from Lawrence, and the sixth grade winner is Kyra Horn from Stockton. Each winning artist received \$50 and a certificate. Their posters will be used in educational materials nationwide to help motivate others to Fight the Bite.

The Kansas Department of Health and Environment (KDHE) announced in February the invitation to all fifth and sixth graders in Kansas to participate in the 2012 Fight the Bite Poster Contest. This contest encouraged students to use art to show the ways they

can protect themselves and their families from the diseases spread by mosquitoes, ticks, and fleas by using avoidance behavior, proper clothing, or repellent while outdoors.

"This contest provided a great opportunity for fifth and sixth graders to learn more about the risks associated with mosquitoes, ticks, and fleas and how to protect themselves from these insects," said Robert Moser, M.D., KDHE Secretary and State Health Officer. "Thank you to all the students who participated in the contest."

The contest is sponsored by the CDC and the DEET Education Program. For contest rules and past winning entries, visit [www.fightthebitecontest.org](http://www.fightthebitecontest.org).

## Let's Play Grant Awarded to City

The City of Lawrence has received a \$20,000 Let's Play City Construction Grant from the Dr. Pepper Snapple Group and the national non-profit KaBOOM!.

Lawrence was selected as one of 25 Playful City USA communities to receive a Let's Play City Construction Grant among the 213 communities that earned Playful City USA status in 2012.

The grant is part of Let's Play, a community partnership led by the Dr. Pepper Snapple Group to get kids and families active nationwide. In 2011, as part of Let's Play, Dr Pepper Snapple Group made a \$15 million, 3-year commitment to KaBOOM!, the national non-profit saving play by ensuring there is a great place to play within walking

distance of every child. Together through Let's Play, Dr. Pepper Snapple Group and KaBOOM! will build or fix up 2,000 playgrounds by the end of 2013, benefiting an estimated 5 million children across North America.

Playful City USA is a national program advocating for local policies that increase play opportunities for children. KaBOOM! created Playful City USA in 2007 to help local governments address the play deficit among children and it is through mayors, city council members, parks and recreation departments, school districts, and community leaders that the program succeeds in benefitting children.

## K-State Salina Receives Grant

The Environmental Protection Agency has awarded Kansas State University \$60,000 to help ease pollution in the Old Smoky River channel.

The EPA announced the Urban Waters grant to Kansas State's Salina campus. Forty six organizations nationwide received Urban Waters grants, which are intended to fund research and training to help restore urban waterways.

The Kansas State-Salina grant will be used for developing a program to teach the public about ways to reduce pollutants in the Old Smoky River channel. The EPA says the program will include workshops on such topics as water quality sampling, storm water runoff, and stream bank stabilization.



## SHERER APPOINTS LKM NOMINATING COMMITTEE

LKM President Jim Sherer, Vice Mayor from the City of Dodge City, has appointed an eight member committee to serve as the 2012 LKM Nominating Committee. These appointments were confirmed by the LKM Governing Body at its June meeting in Dodge City. The Committee will be chaired by Carl Brewer, LKM Past President and Mayor from Wichita. There are four director positions on the Governing Body, each with a three-year term of office, considered each year. In addition, the Committee will consider nominations for President and Vice-president for one-year terms.

LKM encourages officials from all member cities to participate in our organization and to consider serving on the Governing Body. Being part of the Governing Body is an excellent way to shape the future development of your organization. LKM welcomes officials

from both large and small cities, from all regions of Kansas, to nominate their colleagues or even themselves for Governing Body positions. See the guidelines for selection below.

Article 4 of the LKM Bylaws charges the Nominating Committee with submitting a written report at least 24 hours prior to the start of the annual business meeting of the organization. This year's business meeting, including elections, will be held Monday, October 8, during the LKM Annual Conference at the Maner Conference Center & Capitol Plaza Hotel in Topeka.

In order to facilitate the process, we ask that all nominations be received by Friday, September 7, at 5:00 p.m. to the League of Kansas Municipalities, 300 SW 8th Ave., Topeka, KS 66603. **You can also go online and submit your form electronically at [www.lkm.org](http://www.lkm.org).**

## 2012 NOMINATING COMMITTEE MEMBERS

Carl Brewer (Chair)  
Mayor  
455 N. Main  
Wichita, KS 67202

Clausie Smith  
Mayor  
205 E. 2nd, PO Box 38  
Bonner Springs, KS 66012

Fred Robinson  
Mayor  
945 2nd Street, PO Box 447  
Phillipsburg, KS 67661

Brad Smiley  
Mayor  
100 S. Main, PO Box 476  
Canton, KS 67428

Jim Sherer  
Vice Mayor  
806 2nd Ave.  
Dodge City, KS 67801

Kathy Raney  
City Administrator/City Clerk  
125 W. Rosewood, PO Box 185  
Rose Hill, KS 67133

Toni Wheeler  
City Attorney  
6 East 6th Street, PO Box 708  
Lawrence, KS 66044

*Nomination forms have been mailed to mayors of all LKM member cities. Additional copies are available by contacting Anna DeBusk at [adebusk@lkm.org](mailto:adebusk@lkm.org) or visit our website at [www.lkm.org](http://www.lkm.org).*

## GUIDELINES FOR LKM GOVERNING BODY SELECTION

Pursuant to Article 4, Section 3 of the LKM Bylaws, the Governing Body has established the following guidelines for LKM Governing Body and Officer Elections: **Section 1. Primary Considerations.** The overall strength of the individual candidates for the LKM Governing Body should be the primary consideration of the nominating committee. Candidates should be evaluated based upon the length of term in office, past service to LKM, potential leadership contributions, and their willingness to serve the organization. In addition, the nominating committee should consider the following factors: **A) Class and Size of City.** A concerted effort should be made to provide for diversity on the Governing Body based on city population. As is traditional, there should be a representative on the Governing Body from each of the cities with a population in excess of 120,000. **B) Elected and Appointed Officials.** The large majority of the Governing Body members should be elected officials. The office of city manager/city administrator should be represented by one or two members. Other appointed officials may be represented by one or two

members. **C) Regional Distribution.** It is important to try to reach a regional distribution that is as diverse as possible. The LKM Governing Body has adopted a regional map as a benchmark. Regional diversity is a general goal that we strive to maintain. **D) Gender, Race, and Ethnicity.** The Committee should factor in gender, race, and ethnicity considerations in order to achieve diversity as well. **Section 2. Officer Candidates.** **A) President.** In keeping with long-standing LKM tradition, the Vice President ascends to the position of President. This policy enables the Vice President to participate on the LKM Executive Committee for a year before leading the organization. **B) Vice President.** Candidates for Vice President should be evaluated primarily based upon the length of term in office, past services to LKM, potential leadership contributions, and their willingness to serve the organization. Other considerations include: 1) at least one year of prior service on the LKM Governing Body; 2) alternation between large and small cities; and 3) geographic diversity.

# Fox Theatre in Hutchinson



A Heritage Trust Fund grant has made possible the restoration of the marquee at the Fox Theatre in Hutchinson. The like-new marquee was installed with updated electrical service and proper drainage to help ensure a long, useful life. The theater's former executive director, Mary Hemmings, applied for HTF funding several times in recent years. As the marquee continued to deteriorate, the situation became dire. Application was successful in early 2011 with an award of \$90,000 toward the project. Luminous Neon in Hutchinson was quickly contracted to undertake the repairs and work proceeded steadily over the summer. The restored marquee was reinstalled on the historic Art-Deco theater in late September 2011. More information about the marquee and upcoming events at the theater can be found online at <http://www.hutchinsonfox.com/>.

 This article was reprinted with permission from Kansas Preservation magazine Volume 34, Number 1, produced by the Kansas Historical Society.



Far left: Reinstallation of the newly rehabilitated Hutchinson Fox Theatre's marquee.

Left: The Hutchinson Fox Theatre's historic marquee being dismantled and lowered by workers. The marquee was taken to a local sign company for restoration and repair.

Top: Circa 1954 photo of the Hutchinson Fox Theatre's historic marquee.

All photos provided by Kansas Preservation.



National League of Cities

## Interested in Serving on the NLC Board?

The LKM Awards Committee is charged with reviewing applicants who seek the endorsement of LKM with regard to a position on the National League of Cities Board of Directors. If you are interested in being considered for endorsement, please send a cover letter and resume to

Kim Winn at [kwinn@lkm.org](mailto:kwinn@lkm.org) or 300 SW 8th Ave., Topeka, KS 66603, (785) 354-9565 by 5:00 p.m. on Friday, August 24, 2012. The Awards Committee will review all requests for endorsement and make a recommendation to the LKM Governing Body for final action.



## New Kansas Agencies Announced

Kansans from across the state joined Governor Sam Brownback and Lieutenant Governor Jeff Colyer, M.D. to cut the ribbon on two new state agencies. Created by Executive Reorganization Order No. 41, the Kansas Department for Children and Families (DCF) and the Kansas Department for Aging and Disability Services (KDADS) are part of the Brownback Administration's ongoing reorganization efforts to increase efficiency among state agencies and improve services and programs.

The DCF replaces the Department of Social and Rehabilitation Services Monday as the Kansas agency responsible for the protection of children and the promotion of healthy families.

The responsibilities of DCF include children and adult protection services, adoption services, foster care support, child support services, welfare and food assistance programs, as well as services dedicated

to vocational rehabilitation, among others. The agency has a budget of \$600 million.

The KDADS merges the former Department on Aging, the Disability and Behavioral Health Services Division at SRS and parts of the Health Occupations Credentialing Division.

The new agency will administer services to older adults; Mental Health, Addiction and Prevention Programs; State Hospitals and Institutions; Home and Community-based Services Waiver Programs and some health occupations credentialing. It will be the second largest in state government, with a budget of \$1.7 billion for fiscal year 2013. The total includes \$154.9 million for state hospitals.

Additional information can be found on both of the departments' websites, [www.dcf.ks.gov](http://www.dcf.ks.gov) and [www.kdads.ks.gov](http://www.kdads.ks.gov).

## Kansas Awarded Silver Shovel Award

*Area Development*, the leading publication covering site selection and facility planning, announced the winners of its 2012 Gold and Silver Shovel Awards, with Kansas winning a Silver Shovel. The award recognizes a significant number of high-value-added new jobs and investment in the state in 2011. Eighteen states were singled out for the magazine's awards this year.

"It is rewarding that our work to make Kansas the best place to operate a business is being recognized by a national trade publication," said Kansas Commerce Secretary Pat George. "The efforts we started last year continue into 2012 with the major tax reform that will eliminate taxes for small businesses and entrepreneurs, create almost 23,000 new jobs and put \$1.5 billion back into the hands of Kansans."

In 2011, the Department helped facilitate 138 projects that created or retained almost 11,500 jobs and resulted in almost \$1.7 billion in capital investment.

The annual Shovel Awards recognize state economic development agencies that drive significant job creation through innovative policies, infrastructure improvements, processes, and promotions that attract new employers as well as investments in expanded facilities. The Gold Shovels are presented annually to the states that have achieved the most success in terms of new job creation and economic impact.

A report on the 2012 Shovel Award winners are published in the Summer 2012 issue of *Area Development* and posted online at [www.areadevelopment.com/awards](http://www.areadevelopment.com/awards).

## State Signs KanCare Contracts

The State of Kansas awarded contracts to three companies that will partner with state agencies to improve health outcomes and curb the growth of spending in Kansas Medicaid. These contracts will provide significant additional benefits for Medicaid beneficiaries not previously offered by Kansas Medicaid, including preventative dental benefits for adults, heart and lung transplants, and bariatric surgery.

After an extensive bidding and review process, Amerigroup Kansas, Inc., Sunflower State Health Plan, and United Healthcare of the Midwest, Inc. were awarded contracts. The partners begin work immediately; KanCare will launch in January, 2013.

The rates the State and contractors have agreed to will increase the projected savings from KanCare to more than \$1 billion in the next 5 years compared to the current projected growth in Medicaid. When KanCare was announced in November of 2011, the estimated savings were \$853 million during the same time period.

KanCare will cover the medical, behavioral health, and long-term care services for all Medicaid consumers beginning January 1, 2013, with the exception of long-term services and supports for individuals with developmental disabilities, which will launch January 1, 2014. Kansas is continuing work to ensure smooth transition to the new Medicaid system through education campaigns and stakeholder workgroups.

"We continue to be responsive to the concerns and special needs of Kansans with developmental disabilities, as well as the other consumer groups within Medicaid. We welcome those impacted by KanCare to continue bringing issues and ideas to our attention," said Shawn Sullivan, Secretary of the Department on Aging, which became the Department for Aging and Disabilities Services on July 1, 2012.

## Kansas Receives Grants

The federal government has awarded more than \$500,000 to law enforcement agencies in 5 Kansas communities for new equipment, staff, and services.

The largest grant—about \$363,000 was awarded to Sedgwick County prosecutors, the Sedgwick County Sheriff's Department, and the Wichita Police Department. The money will go toward investigative equipment, computers and software for court hearings, and other purposes.

Police in Kansas City, Kansas, were awarded \$93,000 for a unit that takes reports on non-emergency offenses such as shoplifting and minor property damage.

The other grants are \$47,000 for video equipment in Douglas County; \$32,000 for technology upgrades in Leavenworth County; and more than \$28,000 for new equipment for Hutchinson police and the Reno County Sheriff's Office.

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[www.kmit.net](http://www.kmit.net)



## Providing workers' compensation coverage to Kansas cities

Enhances a safe workplace  
Provides claims management  
Delivers cost-effective loss prevention

- **Risk Management** — A team of loss-control specialties conducts free, annual, on-site safety inspections and provides a variety of risk-management services.
- **Claims Management** — “Dedicated” claims adjustment, with one individual handling all claims, resulting in efficient and effective claims processing.
- **Safety Publications** — *City Safe*, a quarterly publication, helps train employees in workplace safety. *CompControl*, a quarterly newsletter, is filled with up-to-date workers' comp information, safety tips, pool news, and more.
- **Annual Contribution Discounts** — Members earn discounts based on safety records and participation in KMIT safety programs.

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

Contact the League of Kansas Municipalities for more information.  
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# Our Town

# WaKeeney

by Sarah Hawbaker

**A**s the festival draws to a start, the sound of a bagpipe is heard. The chill in the air is a reminder of the long, dark winter, yet the warmth of the sun is proof that spring has arrived. Families gather. Children play. Strength and bravery will be tested.

Welcome to Th'Gatherin' Ancient Festival O'Beltane, just one of the many things that makes WaKeeney a special place to live and visit. Pastor Randy Gibbs, who serves on the festival's committee, says the early Celtics found reason to celebrate the end of the winter months and the beginning of new life in the spring—all within the lighting of the Beltane fire.

Celebrated the first Saturday in May and held on Th' Gatherin' grounds near Cedar Bluff State Park, this free event includes highland game competitions, vendors, camping, fellowship, feasting, music, and more.

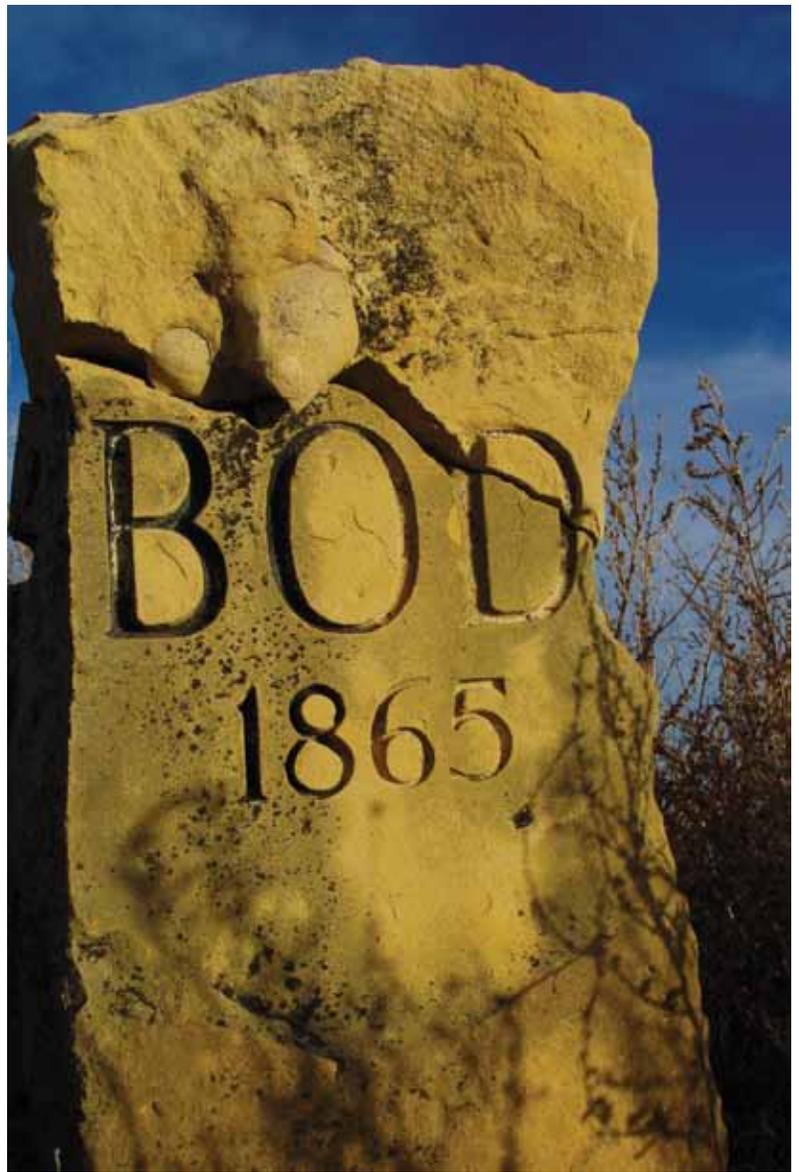
Th' Gatherin' is just one of Wakeeney's many hospitable attractions. From history to Main Street shopping, a scenic byway to outdoor adventure, it's a community that has become the quintessential place to explore in western Kansas.

### Among the Hills

Cathy Albert, Director of WaKeeney Travel and Tourism, says there are plenty of places to visit in the city, but to find those hidden treasures, you must hit the side roads in order to truly experience the area's beauty.

Prepare to explore via the country drive along the Smoky Valley Scenic Byway, which begins in WaKeeney at Interstate 70 and ends at Ogallah on Highway 147. This picturesque, 60-mile loop provides visitors with a first-hand experience of the Smoky Hill River Valley.

Mary Hendricks, Chairman of the Smoky Valley Scenic Byway Committee, says the Byway "gives visitors an opportunity to enjoy



*Left: The Main Street Nature Trail is one of WaKeeney's newest landscape enhancement projects, completed in 2009. Photo provided by the City of WaKeeney.*

*Top: A trail guidepost near WaKeeney marks the Butterfield Overland Despatch freight and passenger trail. Photo provided by WaKeeney Travel & Tourism.*

several historic sites, Cedar Bluff State Park and Reservoir, and the natural beauty of the mid-grass prairie.”

Hendricks, along with her husband, had the light bulb moment to create a scenic byway in Western Kansas at a Kansas Sampler sponsored meeting. “It was just one more thing that we could give our visitors to Western Kansas the opportunity to enjoy.”

Historic points of interest pepper the byway.

The Butterfield Overland Despatch, established in 1865, was the shortest, yet most dangerous freight delivery route from Atchison to Denver. Today, a limestone marker indicates where the trail crosses the Scenic Byway on Highway 147.

Near Cedar Bluff State Park is the Threshing Machine Canyon, which tells the story of a wagon train that was ambushed by Native Americans. Also found on this route is the Wilcox School, an old one-room schoolhouse; two churches, and endless miles of pasture and prairie dotted with windmills, wildlife, and limestone bluffs.

Hendricks thinks it is the wildflowers that bring the Byway to life. “The scenery and wildflowers are constantly changing from year-to-year and season-to-season,” Hendricks says.

### **Family Fun**

WaKeeney offers a variety of activities for the whole family.

Outdoorsmen can hunt for wild game or white bass and catfish at Cedar Bluff State Park and Reservoir, which also makes for an ideal location to camp or hike.

Located in Eisenhower Park, one of four city parks, is an F-14 fighter jet for kids and adults to see. The community also boasts the Kansas Veterans’ Cemetery, one of the newest in the state. Here, staff members give tours and flag-folding demonstrations. Special services are planned for Memorial Day and Veterans Day.

According to Cathy Albert, the community’s support of veterans is also seen at the Iwo Jima Memorial, which was

WaKeeney Mini Speedway and an F-14 Fighter Jet in Eisenhower Park. Photos provided by WaKeeney Travel & Tourism.



designed and built by local veterans as a way to promote the Kansas Veterans' Cemetery prior to its groundbreaking.

Young and old alike will also enjoy an evening at the races. Pick from the WaKeeney Mini Speedway, which features go-kart races on an oval, clay track or, for a little more speed, catch the stock cars and modifieds at the WaKeeney Speedway.

### Downtown

Visitors will find that the newly landscaped WaKeeney Main Street Nature Trail is an unusual opportunity to experience downtown. Native wildflowers, trees and shrubs, an antique windmill and park benches surround the railroad tracks and invite visitors to take a stroll or simply sit and enjoy a spring afternoon.

Travel north on Main Street to find the Western Kansas Saloon and Grill. Pressed-tin ceiling tiles add an antique ambiance, while original hardwood floors, skylight, and a freight elevator provide an old-fashioned feel.

Just east off of Main Street sits the historic Trego County Courthouse, built in 1889 from local limestone. Though the building has undergone many updates, original woodwork, court furniture, vaults, and even some jail cells remain.

### Cheerful Spirit

Holidays abound in WaKeeney. After Thanksgiving, the city is decorated with thousands of Christmas lights, complete with a tree that takes center-stage in the middle of Main Street. It's no wonder the community is known as the Christmas City of the High Plains.

In the meantime, stop in and stay awhile. Cathy Albert says in WaKeeney, "It is still common practice to wave at everyone you meet, so don't be surprised if the locals wave at you when you're exploring our community."

☀️ Sarah Hawbaker is a Salina-based writer. This article was reprinted with permission from the Spring 2012 issue of Kansas! magazine published by the Kansas Department of Wildlife, Parks and Tourism.

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## 2012 *STO* and *UPOC* Changes

This year, the main changes in the *2012 Standard Traffic Ordinance* (*STO*) are to the DUI sections. While there are some other changes, many of which related to the details of the DUI law, the primary changes are cited below. City officials may remember that the DUI law during the 2011 Legislative Session underwent a fairly substantial overhaul, and this session the Legislature made some further changes that did not get incorporated previously. The major change will be incorporated into a new section, 30.2.1, Refusal to Submit to Alcohol or Drug Test. Commonly this is referred to as criminalizing the refusal to take the breathalyzer or blood test after the decision is made to arrest the defendant for driving under the influence of drugs or alcohol. Prior to this change, a refusal resulted in an automatic loss of the driver's license.

In the *STO*, only the first conviction provision has been included. To constitute a first offense for test refusal, the individual must have a prior test refusal within the past 10 years, or have been convicted of DUI at any time. The sentence for a first conviction is not less than 90 days, nor more than one year's imprisonment. Anyone convicted of a first offense must serve five days before being eligible for probation, suspension, or reduction of the sentence. If, however, one or more children under the age of 14 years was in the vehicle at the time of the offense, the sentence is enhanced to require serving at least 30 more days imprisonment. The reason the *STO* only is including a first offense is two-fold. First, after the first offense, the individual is required to serve at least 90 days imprisonment before the sentence may be reduced or suspended. Thus, cities could be responsible for paying for a much longer and expensive incarceration. Second, the bill grants cities the ability to prosecute felony level offenses enumerated in the bill in one section, but in another section states that such offenses shall be sent to the district court for prosecution. Second convictions are misdemeanor level offenses in some cases, but depending upon the facts and prior convictions, could be felony level crimes. Therefore, jurisdiction over such offenses is not by any means clear.

In addition, it is important to note that last year the minimum fine increased by \$250, which district courts were required to submit to the state treasurer to be credited to the community corrections supervision fund. At that time, the remittance portion of the law did not apply to municipal courts. The Legislature, stating that the omission was merely an oversight, is now requiring municipal courts to also remit \$250 to the State to be credited to the community corrections supervision fund, even though cities do not benefit in any way from that program.

The *2012 Uniform Public Offense Code* (*UPOC*) contains more changes than in any other year and are too numerous to detail here. What follows is merely a select overview of the many changes. It is important to note that when the Legislature changes a statute, the *UPOC* does not have to mirror those changes so long as the *UPOC* does not conflict with state law. After the recodification of the

criminal laws last year, some crimes that were two different crimes were merged into one and some that were one crime were rewritten to become two crimes. Gradually the *UPOC* is being changed to reflect some of those changes, although the validity of the enforcement is not affected.

A new provision has been added to the smoking sections applying to minors and smoking, Sections 5.6 and 5.7. Electronic cigarettes have been added to the prohibition on minors purchasing or possessing cigarettes or tobacco products, as well as the prohibition on selling, giving or furnishing cigarettes or tobacco products to minors. On a related topic, Sections 10.24 and 10.26, regarding smoking, have been changed to take out any element requiring an individual to have knowingly violated the law. The words "with no requirement of a culpable mental state" have been added to make it clear that the only requirement is to have smoked in an area where smoking is prohibited.

A new crime of endangerment has been created and becomes new Section 10.10. This crime is defined as "recklessly exposing another person to a danger of great bodily harm or death." It is a Class A violation. Obstructing Legal Process or Official Duty, Section 7.2, is now Interference with a Law Enforcement Officer. The previous crime of obstructing is one subsection of the new law. The new sections address false reporting of crimes, false dissemination of information that could impede a law enforcement officer in doing his or her duty, and concealing, destroying or materially altering evidence to prevent or hinder the apprehension or prosecution of any person. Simulating Legal Process in Section 7.7, which is distributing a document purporting to be a summons, petition, or complaint, has been redefined to include an element of intent "to mislead the recipient and cause the recipient to take action in reliance thereon." Previously, the intent provision was to induce the payment of the claim.

Finally, some of the other sections which have changed include Domestic Battery, Section 3.1.1, Violation of a Protection from Abuse Order, Section 3.8, and Violation of a Protective Order, Section 3.8.1, Unlawfully Buying Scrap Metal, Section 6.25, Escape from Custody, Section 7.3, Carrying Concealed Explosives, Section 10.9, and Unlawfully Obtaining a Prescription-Only Drug, Section 10.20. Some just change a few words, such as the scrap metal provision that removes a few words relating to items being purchased. Others have changed the penalty provisions, such as the explosives section, which goes from a Class C violation to a Class A violation. Because of the large number of changes in both the *STO* and *UPOC*, it is inadvisable to continue using old books. That could result in mischarging violations or not charging violations that are new crimes. As always, cities should discuss these matters with their city attorneys in evaluating how best to address the legislative changes.

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

# Around We Go... The Wellington Roundabout Project



*The post-construction configuration of the new roundabout. City officials are currently considering a monument for the middle that can, once again, welcome guests to the city.*

## by Larry Mangan and Cody Sims

Nearly every community has that one significant issue that tends to attract attention. Sometimes it is a historic landmark, other times it is a special development. In Wellington, that significant issue has historically been an intersection. It is not just any intersection; it is the busiest intersection in Sumner County, which happens to also be the point of convergence of two major highways—US-81 and US-160.

### -Identifying the Problems-

This intersection had a history of high traffic counts, and where there is a high concentration of traffic, there is also a greater probability for accidents. The geometrics of the intersection played a hand in the growing number of accidents. Highway 160 followed a section line east of the intersection, while west of the intersection the highway was located approximately 100-feet south of the section line. East of the intersection, US-160 was known as 16th Street; however, west of the intersection, US-160 turns into 15th Street. The intersection is also surrounded by several retail businesses and residential dwellings.

The growing number of crashes at the intersection made the area an ideal candidate for a geometric improvement project. Questions quickly surfaced: Which intersection design would alleviate the problems which contribute to the crashes without adversely affecting adjacent businesses? Could a traditional, traffic signal-controlled intersection produce the needed safety enhancements in the limited space available?

Growing activity at the intersection captured the attention of the State, and in 1999 the City received a \$250,000 Traffic Safety Grant offer from the Kansas Department of Transportation (KDOT). KDOT offered to provide 90% of the funding that would investigate several geometric alternatives, including elliptical and circular roundabouts. However, KDOT was only interested in funding a roundabout alternative...no other alternative would be considered. City officials decided to spend approximately \$20,000 studying various alternatives. As it turned out, the engineer's estimate for a roundabout project was between \$550,000 and \$600,000, well above the cap provided by the State.

### -Exercise in High School Parking Lot-

City officials knew action had to be taken to alleviate the problems at the troubled intersection—but what? Could a traditional, light-controlled intersection produce the results needed to enhance safety and efficiency? Was a roundabout the best solution? To answer these questions, City staff set out to collect information that would produce a well-informed decision. In May 2000, City staff conducted a test exercise in the high school parking lot. They set up a circular roundabout and an elliptical roundabout using traffic cones and then used a school bus, a fire truck, and a semi-truck with a 48' trailer to maneuver through the cones. The school bus and the fire truck maneuvered through both roundabouts with no problems; however, the semi-truck was not as successful, knocking over a few cones. The driver was quoted in the newspaper the next day saying that it "wouldn't be an improvement over the existing." Consequently, the City Council turned down the funding offer.

Looking back at the exercise, it was determined a couple factors affected the results of the test. First, the high school parking lot was too small to accurately simulate the entrances and exits to a roundabout. A similar test exercise had taken place prior in another community and was successful because the large open spaces available at the fairgrounds, which provided ample room to maneuver. Another contributor to the results of the test exercise was the road cones used to simulate the interior brick apron. The interior brick apron is a design feature which provides an extended width to the road surface of the roundabout in order to accommodate larger-size vehicles. During the test exercise, if any vehicle hit the traffic cones simulating the brick apron, it would create the perception the roundabout would not accommodate the needs of larger vehicles. Certainly, the truck driver's comments in the newspaper contributed to a negative perception of the functionality of a roundabout at the intersection. As more time went by, the exercise in the high school parking lot became recalled as a total failure, proving beyond a doubt that there was no way a roundabout would work.

Five years elapsed from the time of the "failed" exercise at the high school. The high crash rate continued, yet demand for change did not exist. In May 2005, KDOT offered another Traffic Safety Grant. As with the original grant 5 years earlier, KDOT would provide 90% of the funding, however, the second grant had a \$700,000 cap. Once again, the grant funding could only be applied to a roundabout...nothing else. This time, the City had only one month to respond to the grant offer; however, the City Council did not like the "take it or leave it" attitude and immediately declined the offer. City staff worked to analyze alternative solutions to

TranSystems was KDOT's TEAP consultant for the south half of the state. City staff, recognizing the ongoing anti-roundabout sentiment, insisted that all possible alternatives be studied. Numerous standard intersection alternatives were studied as well as various roundabout designs. The various alternatives were condensed into the best standard intersection alternative versus the best roundabout alternative. Statistically, the roundabout alternative was the clear winner.

KDOT and City staff recognized the immense political challenge presented by the roundabout alternative and offered combination Traffic Safety Grant and Geometric KLINK funding with no cap; KDOT would provide 90% of the funding. The 90/10 offer included design, right-of-way, utility relocation, construction, and construction engineering. This type of offer was unprecedented in the state. KDOT recognized that something had to be done.

The TEAP study was completed in August, 2006 and was presented to the City Council and the general public in several public meetings by TranSystems in late 2006. Afterwards, the City decided to retain TranSystems for the design of the project and the proposed agreement went to the City Council at their first meeting in January, 2007. It was approved by a 5-3 vote, not exactly an overwhelming mandate, but the project was finally progressing forward.

The democratic process institutes regular elections at all levels of government, and as part of the democratic process, elected officials change from time to time. Change brings new beliefs, new philosophies, and new priorities. In Wellington, four of the eight councilmembers are up for election every year which makes large-scale, contentious projects difficult to complete. Three



*The intersection in its pre-construction configuration. US-81 is a north-south corridor that enters the intersection from the north and runs west (left). US-160 is an east-west corridor which converges with US-81 at the intersection. The offset configuration of US-160 produces challenging geometrics to maneuver.*



*An oversized load maneuvers through the intersection in its pre-construction configuration. Because the intersection is at the convergence of two major highways, oversized loads are a common occurrence. All photos provided by the City of Wellington.*

roundabouts and presented a standard intersection alternative to KDOT that would have corrected a majority of the problems. KDOT refused to participate financially in any non-roundabout solution.

In late 2005, the City requested a Traffic Engineering Assistance Program (TEAP) study of this intersection. City officials thought if an outside opinion (other than KDOT) could be obtained, perhaps a project could be put together. The TEAP study was funded by KDOT and performed by an outside consultant. In late 2005,

months after progress was made with the 5-3 vote, there was a different City Council, and for the next 3 years, every vote about the roundabout project was 4-4 with the Mayor breaking the tie in favor of the roundabout. It was hard for City staff to believe that this project would ever make it to the finish line.

### **-Design of the Roundabout-**

At the project site, space was limited. A number of businesses lined the periphery of the intersection, as did residential dwellings.



*Construction on westbound US-160, leading into the intersection.*

thinking perhaps the project would be cancelled and they could save the relocation expense. As a result, utilities were still being adjusted after the construction contract was awarded.

**- Right-of-Way Acquisition-**

The opposition continued to be a loud voice against the project, which complicated the acquisition of right-of-way and easements. The City and KDOT worked together to keep the project moving forward.

Like the entire project, there was a variety of situations that had to be addressed. The liquor store and the glass/BBQ businesses, located on the west side of the project, were on too small sites, and were going to be impacted primarily by the construction itself. On the northeast side of the project area, there was a convenience store that was also on too small a site, and their pole-sign had to be relocated because it was encroaching into the existing right-of-way. On the south side of the project, there was a house with a driveway which extended out into the existing intersection; it had to be closed. Finally, there was a vacant house that had to be acquired and demolished. However, as it turned out, the owner of the vacant house died in 2004 and left no will. The family left the house in the same condition as it was in 2004. Before the house could be acquired and demolished, the City had to coordinate the resolution of the property ownership with the descendants of the original owner. There were 10 descendants who now owned the property, making the acquisition and demolition much more complex. Finally, by late 2009 to early 2010, the right-of-way acquisition began.

In order to design a functional roundabout, the TranSystems designers had several challenges they had to overcome:

1. Retail Businesses and Access Points—The numerous retail commercial businesses in and around the intersection had 13 access points that were impacted by the project. One business, a liquor store, had an entrance that went out right into the middle of the existing intersection and was located on a site that was extraordinarily small. The relocating or closure of any business was not an option; the project had to be designed around all the commercial sites. A second business sold glass, art, and garage doors. They had virtually no off-street parking and used the highway right-of-way for parking and maneuvering. During the project design period, they decided to also become a BBQ restaurant. Both of these businesses were vociferous opponents of the project.
2. Stormwater—The intersection sits on a ridge and had an undersized storm sewer system which drained to the east. Most of the drainage, however, flowed west of the intersection and caused localized flooding on the highway about three blocks west. It was decided to capture all this drainage and direct it all east. This, however, required additional study because the drainage would be diverted from one watershed to another.
3. Trucks and Oversized Loads—Because the intersection involves two major highways, there was an extraordinary number of trucks and oversized loads that pass through the intersection daily. The designers had to accommodate all the trucks and as many oversized loads as possible, without acquiring additional properties.

**-Utilities Adjustment-**

Utility adjustment for construction of the project proved to be very difficult due in large part to the vast number of utilities running through the area. The utility relocation was also hampered by inaccurate maps and difficulty investigating utility locations due to the ongoing traffic. The relocations were going to be difficult, so some of the utilities delayed relocations,

**-Informational Meeting-**

In August of 2010, City staff wanted to conduct a meeting with the right-of-way property owners, the design engineers, and KDOT. The objective was to get key players together so all of them could hear the same thing and get all their questions answered. The glass/BBQ business volunteered to host the meeting on site.



*After the existing roadways and storm sewers were removed and utilities were rerouted, construction crews began constructing the new roundabout.*

Instead of simply hosting the meeting, the business owner and others invited much of the city who opposed the project. There were so many people there, it was standing-room only, including the Wichita TV stations and several City Councilmembers (particularly the four who opposed the project). The meeting failed to achieve the results City staff had hoped to achieve of answering questions and informing those involved and affected. A petition was presented that had been signed by 800 persons against the project, including many people who didn't even live in the area.

**-Construction-**

Finally, in February of 2011, construction bids were opened. Cornejo and Sons out of Wichita was awarded the contract for \$1,079,548.50. At the same time, right-of-way acquisition and utility relocations were still going on. Construction began in late March. Because the project involved the busiest part of the city, there were four traffic control phases. The final two phases, in particular, detoured traffic throughout the city, making it very tough on the businesses in the immediate area of the project. Staff knew it would be very difficult on the businesses; however, there was nothing that could be done. It was imperative that the project be completed within the 2011 construction season in order to minimize the inconvenience to citizens and commuters and lessen the hardships imposed on neighboring businesses. The project could not be suspended for winter.

The project started slowly and had its share of set-backs. AT&T finally concluded that they needed to relocate their lines, but didn't start until April. Final negotiations with the convenience store were still going on and their pole-sign still needed to be relocated. The AT&T contractor bored into an 8" water line, creating an impressive flood down 15th Street, which required City crews to turn off the water in an area just south of the project. This area included a City Council person who was against the project, which certainly added a little fuel to the opposition.

In early June, it was discovered that the City's 14" water line that crossed through the middle of the intersection was shallower

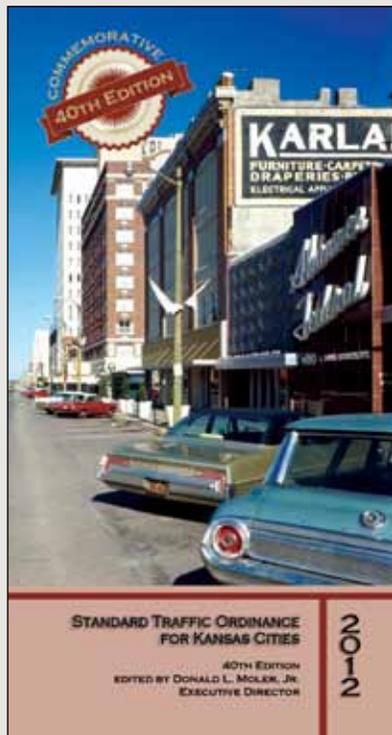
than thought, which required it be lowered. A quick set of plans and proposals were gathered from water line contractors, and Mies Construction out of Wichita was selected to complete the relocation. They worked all night on the last day to finish the job. The project was delayed for a full month and during that time the weather was perfect for construction. Staff wondered if there would still be enough time to complete this project before winter.

The final traffic phase started in late August, which detoured all eastbound and northbound traffic. There were detour signs all over the city and many lost motorists. There were lost truckers on local streets and the City had to supplement the official detour with several additional signs. A police officer had to direct traffic at one intersection in the morning and the afternoon all through this phase because, by now, school was back in session.

The roundabout was officially opened to traffic on November 18, 2011. In the short time it has been open, many lessons have been learned. One citizen, on the first day, drove around and around the circle for about 30 minutes just for fun, finally being escorted out of the intersection by the police. There have been motorists that go around it the wrong way, despite all the signs, and there have been oversized loads that have damaged the area behind the curbs leaving unsightly ruts. There have been signs knocked down, some on purpose, but most by inattentive driving.

After about seven months, it seems Wellington is finally adjusting to the new intersection. There are fewer and fewer incidents of oversize loads causing ruts. The crash rate is still the highest in the City, but the severity of the crashes is much less and some of the crashes just involve signs. As time continues to pass, the roundabout will become more integrated into daily life in Wellington. City staff is currently contemplating what to do with the middle of the roundabout—perhaps to welcome guests to Wellington.

 *Larry Mangan is the City Engineer and Cody Sims is the Director of Economic Development. Sims can be reached at [codysim@cityofwellington](mailto:codysim@cityofwellington) or (620) 326-3631.*



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## ...in Cowley and Butler Counties

It was a hot day in late June...not rare these days.

A month or so earlier, I had been tag-teamed by Cambridge City Clerk Kay Long Newton and Latham City Clerk Laura Burner to come by both cities, and help a bit with their 2013 budgets. Being involved with a real-life city budget once in a while (even though I did 16 of them in my career) is a good thing for me; one's experience base does need some practical updating now and then.

I saw this short excursion to northeast Cowley and southern Butler Counties as a special treat and opportunity in several ways. I was contacted by Kay and Laura largely due to the sad fact that one very special man who had helped them (and lots of other cities and townships in several areas of the state) for MANY years passed away this last February. Harvey Siemens also helped me with my very first city budget, at the Harvey County Courthouse in the summer of 1985, and assisted me with a couple more after that. At the time, Harvey worked as an accountant for what was then Kansas Gas and Electric, and did the gratis budget work as part of his job. I think every small city in our county, and probably every township, too, was aided by Harvey, and for a very long period of time. After retirement, Harvey contracted to do the same thing with a number of cities and townships (and, I believe, some special districts), and met up with them in their local courthouses. The undeniably unglamorous work Harvey did over those many, many years was also invaluable, and he is greatly missed for that. Plus, Harvey was just a VERY nice man and a very good human being.

I asked my friend, Jim Heinicke (who does a lot of work with small cities and larger cities, too), and who has been my finance co-presenter on a number of occasions, to join forces with me on this short day-trip—Jim has worked a lot more than me with the state's spreadsheet budget "program" (it was all paper back in my day); we met up at my house in Derby about 8 AM that day. First stop, about 50 miles to the southeast, along US-160 and just east of the beautiful Grouse Creek (a stream on which I spent hundreds of hours at one point in my life), at Cambridge (pop. 82), where Kay Newton is retiring after 27 years on the job. Kay is the sister of one of my oldest and dearest friends—John Long. John and I met in the 9th grade, played high school, summer, and college ball together, and still are buddies, though he hasn't lived in this part of the state for about 40 years. Like me, John had three sisters (one of whom graduated high school with my late sister, Beverly) and no brothers, so there was that, too. Thus, Kay and I have known each other a little bit for a long while, as well, though this was my very first "city" visit to Cambridge. Kay and Darwin moved to Cambridge 28 years ago from Winfield (Kay tells me this is her third retirement; the first was from Southwestern College and the second from being an employee of their church in Winfield). Darwin has retired several times, too (first from the Navy, and then out of his home as a high-tech guru for a large company), and now only works as the backup rural mail carrier for this area—a job he was doing on this day; in fact, he delivered the Newton's mail (our meeting was at the Newton home, which serves as the de-facto city hall) while we were there. Darwin

is also the Mayor of Cambridge, a position he has held for 26 years. (Kay told me that the City has paid the mayor \$17 a year for the past 60 years or so; councilmembers get much less: \$16/year.)

Kay is tutoring her replacement, Dana Womack, over the summer, and Dana was also working with us on this day. Dana lives next door and works out of her home as a computer guru for a large, far-away company (as does her husband). Dana is also Kay and Darwin's daughter, and, thus, the niece of my friend John (got it?). By the way, John is one of those who was an early-entry into the Internet age (certainly well ahead of me), and he was the guy who taught me how to email (SO LONG AGO...it seems).

By the way, one mill brings in \$242 in Cambridge.

About 11:00 a.m. or so, Jim and I hopped in the Ford and headed straight north along a Cowley/Butler County blacktop (crossing again over Grouse Creek, closer to its headwaters as it meanders down from the hills to the north and east), 16 miles or so, to the city building in Latham (pop. 139).

Laura Burner has been the City Clerk of Latham since 1994, and really had her budget pretty-much done; and, like the folks in Cambridge, is computer-saavy, and mostly just needed some experienced eyes to look over her work. Laura's full-time job is as the rural mail carrier in this area, so she had asked her back-up carrier to work this day—yep, that would be Darwin Newton.

In Latham, a mill's worth of money is \$253. Not much extra cash floating around in these very small cities in the southern Flint Hills. And, the cash is getting even more scarce, as the assessed values (i.e., the value of a mill) are down by 8-9% this year in both cities. Many small cities, especially the very smallest, across Kansas are having to make the most of a dwindling tax base. This is REALLY "where the rubber meets the road."

My eating establishment recommendation this time around is Heavy's BBQ (Home of Baby Huey's Barbecue; [www.heavysbbqcnk.com/heavysbbqcnk.com/Heavys\\_BBQ\\_Home.html](http://www.heavysbbqcnk.com/heavysbbqcnk.com/Heavys_BBQ_Home.html)), in Concordia, where I was invited to share lunch with Concordia City Manager (and City Attorney) Larry Uri several months ago. Larry's other guest that day was the new City Manager in Belleville (20 miles to the north, and just south of Nebraska), Neal Lewis. We had a great lunch and a good, if too-short (everybody had early-afternoon commitments) chat. Neal worked in Parks and Recreation in Nebraska for many years, though he is a California native and went to college and graduate school there. He is one of those guys with so much experience, calm confidence, and just plain "smarts," that you intuitively know that his "learning curve" is about 10 minutes on just about every issue he will face. He drives a Beetle, too (Sue and I had two of those back when, plus a "V-Dub micro-bus"). Almost forgot, the food at Heavy's BBQ is tasty, too, though I really do need to stop by again, and take a little more time to savor it.

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



# 2014 E. A. Mosher Excellence in Local Government Award

The E. A. Mosher Excellence in Local Government Award is presented annually to an elected city official who has not only demonstrated outstanding service to his or her own city, but has also shown an active commitment to strong local government and service to the League of Kansas Municipalities (LKM). Named in honor of E. A. Mosher, League Director from 1960 to 1991, this award is designed to honor excellence and leadership at the highest level.

**Nominees for the E. A. Mosher Excellence in Local Government Award must meet the following qualifications:**

- Must be an elected official from an LKM member city;
- Must have held elective office for a minimum of four years;
- Must have nomination in at the close of nominations on August 24, 2012;
- Must demonstrate contributions that have had a significant impact on the quality of life of the citizens of his or her city;
- Must demonstrate contributions in promoting positive intergovernmental relationships; and
- Must show involvement with LKM.

**Guidelines for the selection of the 2012 award winner are as follows:**

- Nominations will not be accepted after 5:00 p.m. on August 24, 2012;
- Nominations may be made by any elected or appointed official of an LKM city;
- The Awards Committee of the LKM Governing Body will select the award recipient;
- The decision of the Awards Committee will be final; and
- The winner's name will be kept confidential until the presentation at the LKM Annual Conference in Topeka.

For a nomination form, go to <http://www.lkm.org/misc/Excellence-in-Local-Government-Nom-form-2012.pdf>, or, contact Kim Winn at (785) 354-9565 or [kwinn@lkm.org](mailto:kwinn@lkm.org).



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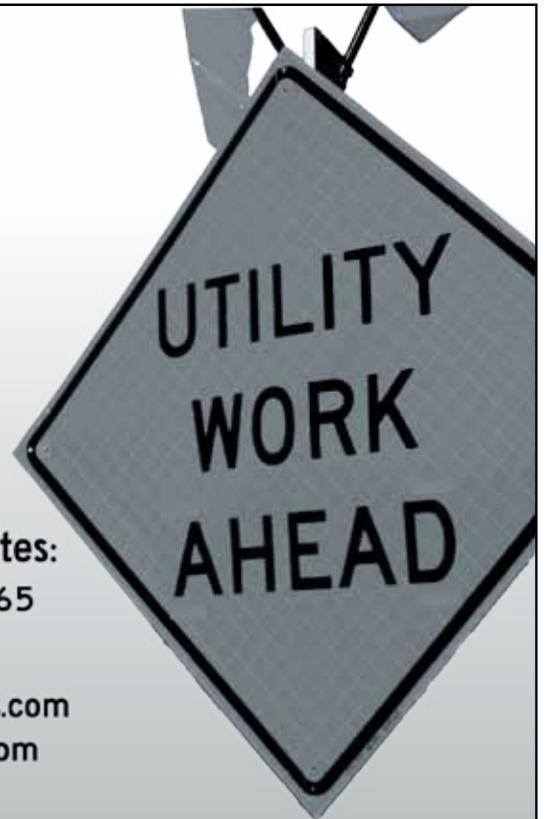
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## Public Contests Create Great Communities

There was a poster hanging in my high school weight room that said “Motivation is what gets you started. Habit is what keeps you going.” For me, the first part has always seemed to be the more difficult of the two. It’s sometimes hard to connect that first step with long-term goals, even if those goals are extremely important.

Local governments have to deal with motivation too. With so many employees performing so many different tasks, it can be hard to motivate all of them to contribute to one over-arching goal. One of the better solutions I’ve heard to this problem came from the City of Olathe.

Olathe used to have an employee incentives program that paid employees for finding ways to save the city money. If an employee came up with a strategy to deliver a service for less than the city currently spent providing that service, and the strategy could be easily implemented, that employee received 10% of the savings. By offering rewards to each individual, the City was able to motivate all employees to contribute toward its goal of decreasing expenses. Financial rewards work well because they motivate people with immediate pay-offs for their efforts. That’s why it’s not surprising some local governments are also starting to offer monetary rewards to non-employees to solve problems and improve conditions within the community.

Issues often arise in cities that require creativity and sophisticated solutions. In 2008, after Hurricane Ike devastated Texas’s coastline, the City of Houston, Texas organized a contest to pay for ideas that dealt with the massive amount of tree debris left by the storm. A group of faculty and students at Rice University won the \$10,000 first-place prize by proposing the debris be converted to biomass charcoal, a process that reduces greenhouse gases and creates a commodifiable fertilizer. The second and third place winners received \$5,000 and \$2,500 respectively, but the City also received hundreds of other free ideas, giving them an abundance of options on how to deal with the debris. With a price tag of \$17,500, the useful ideas generated by the contest substantially outweighed the resources devoted to it.

While contests are great solutions to difficult municipal problems, they can also be used to attract residents and businesses. In the fall of 2011, the City of Pittsburgh, Pennsylvania offered \$100,000 to the winner of their Experienced Dreamers contest, which invited individuals from across the country to relocate and expand their business in the city. After two rounds of judging, five entrants’ were presented to the public for an online vote. The winner was Tess Lojacono, the owner of Fine Arts Miracles, a self-started business that teaches fine art to residents of assisted living and nursing homes. The contest not only brought a new business, jobs, and community service to the city, but also attracted many new residents by giving national attention to the city’s high quality of life.

Chattanooga, Tennessee is taking a more hands-on approach to business creation with its public contest, offering their business

accelerator and \$300,000 in prizes and seed money to the group that comes up with the most viable business plan. Beginning this August, the finalists will face-off in a 14-week contest, and the City hopes their accelerator will develop Chattanooga’s newest start-up company.

While some cities demand tight control over their public contests, some are finding the best strategy is to donate under-utilized public resources to community foundations that manage the competitions. For example, in Birmingham, Alabama, the City donated a one block, city-owned surface parking lot to a community foundation, which supplied the prize money and solicited ideas for the space. After almost 3,000 people submitted more than 1,100 ideas, the City awarded \$50,000 to the creator of the best idea, a multi-use facility devoted to entertainment and social engagement.

Although public contests can be large, ambitious endeavors, small-scale competitions can also be used to create great communities. Here in Kansas, the City of Stafford partners with the Kansas PRIDE Organization to put on a “best yard” contest. Each month, PRIDE judges the yards within the City, and each winner gets a \$10.00 utility credit and a picture of their yard in the local courier. During the holidays, the City encourages residents to decorate for Christmas by offering the same utility credit to residents that have three or more strands of lights outside of their house. By making small investments in these public contests, Stafford’s city government helps create a beautiful community its citizens can be proud to be a part of.

The success of these public contests hasn’t been lost on national leaders. In March, 2010, the White House directed agencies to identify and carry out challenges, and asked them to address legal, regulatory, technical, and other barriers to the use of challenges and associated prizes. Shortly thereafter President Obama ordered the establishment of [Challenge.gov](http://challenge.gov), which “empowers the U.S. Government and the public to bring the best ideas and top talent to bear on our nation’s most pressing challenges,” (<http://challenge.gov/about>). The website creates forums for the public to post and vote for solutions to agency-identified issues. The top ideas receive monetary or non-monetary rewards only if the challenge is solved. The site isn’t just a great example of how cities can organize their own contests, but many of the challenges also deal with municipal issues, so local officials should consider participating.

City residents want to live in excellent communities, but sometimes they need a nudge to contribute to their betterment. These residents aren’t just customers, they’re also assets. By using public contests to tap into their collective knowledge and skills, cities can attract jobs, find cost effective solutions to difficult issues, and increase the overall quality of life within their communities.

 *Michael Koss is the Membership Services Manager for the League of Kansas Municipalities. He can be reached at [mkoss@lkm.org](mailto:mkoss@lkm.org) or (785) 354-9565.*



# Classified Advertising

## City Clerk

Help Wanted: The City of Stafford, Kansas is accepting applications for a full time City Clerk. The position is responsible for maintaining city finances, overseeing billing and collections of the Utility Departments, preparing and maintaining minutes, ordinances, resolutions, and other municipal records, receiving and resolving citizen complaints/concerns, prepares semi-monthly, monthly, quarterly, and annual reports, and prepares and implements annual budget. High School Diploma required. College Degree or experience in related field preferred. Residency required. Send resumes to City of Stafford, 112 W. Broadway St., Stafford, KS 67578

## City Manager

Coffeyville, Kansas (pop. 10,295; \$79.6 million budget; 170 FT employees), located an hour north of Tulsa in southeast Kansas, is a close-knit, progressive community that features one of the strongest, most diversified economies in the region. Coffeyville's robust industrial and manufacturing sector includes John Deere Coffeyville Works, Southwire, Coffeyville Resources Refinery, and one of Amazon.com's largest fulfillment centers. The city also has several economic anchors, including Coffeyville Community College and the Coffeyville Regional Medical Center. Cultural and recreational amenities include two 18-hole golf courses, the Aquatic Center, the Dalton Defenders Museum, historic Midland Theatre, and a beautiful downtown equipped with free wireless internet. For a full description of the community, visit [www.coffeyville.com](http://www.coffeyville.com).

A Master's Degree in Public Administration or a related field is strongly preferred, along with at least 8 years of professional management experience. The successful candidate will also have experience in municipal government, electric and water utility management, and economic development, while having demonstrated leadership, sound judgment, and organizational skills. Coffeyville is seeking an ethical leader who will communicate openly with the commissioners and collaborate with them to form a vision for Coffeyville's future.

Competitive benefits, Salary \$90,000-100,000 DOQ. Interested candidates should submit a cover letter, resume, and three work-related references to LEAPS-Coffeyville, 300 SW 8th, Topeka, KS, 66603. If confidentiality is requested, please state in application materials. Position will remain open until filled. Resume review begins August 6, 2012. EOE.

## City Manager

The City of Canton, Texas, is seeking a new City Manager. Known for its World Famous First Monday Trade Days, Canton is the county seat of Van Zandt County, has a population of nearly 3,600, and sits just 60 miles east of Dallas on Interstate 20.

The City of Canton is a General Law Type A municipality with a six member City Council. The City of Canton has 70 employees.

The successful candidate should have a Bachelor's degree in Public Administration, Finance, or a closely related field, and 10 years of experience in local government. Significant senior management and/or financial background may substitute for educational credentials. Experience in economic development, budgeting, and employee relations is required.

To view a complete position profile and application instructions, visit: [www.governmentresource.com/pages/CurrentSearches](http://www.governmentresource.com/pages/CurrentSearches).

For more information on this position, please contact the recruiter:

Chester Nolen Senior Vice President  
Strategic Government Resources  
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(817) 659-8495

## Economic Development Director

Kingman County Economic Development Council seeks a results-oriented person for the position of Economic Development Executive Director. This position is responsible for facilitating, promoting and ensuring economic development in order to secure opportunities for economic growth, business development, and increase in employment and population county wide.

Requirements for this position include experience in an economic development

organization or equivalent; and a combination of education and experience commensurate with a Bachelor's degree in business or public administration, or marketing. Experience with manufacturing companies is key. Knowledge of grant writing is very important.

Salary is commensurate with experience and the size of this organization.

Full job description is available at [www.kingmanks.com](http://www.kingmanks.com).

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Applications received by July 23, 2012 will receive priority consideration. Position will remain open until filled.

For complete position description and/or to apply, submit letter of interest, salary requirements and resume with three professional references to:

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Website: [www.kingmanks.com](http://www.kingmanks.com)

## Electric Distribution Superintendent

The City of Cimarron (pop 2082) is seeking a working Electric Distribution Superintendent. This position requires maintenance of all equipment used by city's distribution system, including skilled work in the construction and maintenance of the system and supervision of line personnel in work and safety procedures. Valid CDL necessary. Starting salary based on certification and experience. Excellent benefits. Application forms available from City Hall or the city's web page at [www.cimarronks.org](http://www.cimarronks.org). Please send application and resume to Patty Duncan, City Clerk, P O Box 467, Cimarron, KS 67835. Applications accepted until July 30, 2012. Equal opportunity employer. Position open until filled.

## Full-Time Police Officer

Stafford Police Department is seeking to hire a full-time Police Officer. Applicant must be at least 21-years of age, successfully pass a background check, psychological exam,



# Classified Advertising

drug screen and have no felony convictions. KLETC Certification preferred but not required. Excellent benefits. Applications can be obtained from the City Office, 112 W Broadway St., Stafford, KS. 67578

### Police Chief

The City of St. Charles, Missouri, is seeking a Police Chief. The City of St. Charles, a charming historic community on the Missouri River, attracts 1.5 million visitors annually. The City has a population of over 65,000 and is located just seven miles west of St. Louis-Lambert International airport on I-70.

The successful candidate should have a Master's Degree in Criminal Justice, Public Administration, or a related field, 15 years of experience in police work, and 6 years of highly responsible management and supervisory experience.

To view a complete position profile and application instructions, visit: [www.governmentresource.com/pages/CurrentSearches](http://www.governmentresource.com/pages/CurrentSearches).

For more information on this position, please contact the recruiter:

Howard Giles, Senior Vice President  
Strategic Government Resources  
[Howard@GovernmentResource.com](mailto:Howard@GovernmentResource.com)  
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### Police Officer

The City of Anthony is accepting applications for a full-time police officer. Applicants must be 21 years of age with a high school diploma or equivalent, valid

driver's license and no criminal record. Salary is DOQ. Excellent benefits including: BC & BS health insurance, KPERs retirement plan and paid vacation and sick leave. KLETC certification is preferred but not required. Send resume, work history and three work-related references to: City of Anthony, P.O. Box 504, Anthony, KS 67003. Call (620) 842-3134 for additional information. Position is open until filled. The City of Anthony is an EOE.

### Professional Engineer/Architect

The City of Clay Center is soliciting Statements of Qualifications from Professional Engineers or Architects to provide services associated with the design and construction of an aquatic facility. For further information or a copy of the RFQ, please contact: City Clerk Kerry Rozman, (785) 632-5454, [cityclerk@claycenterks.com](mailto:cityclerk@claycenterks.com).

### Town Manager

The Town of Argyle, Texas, is seeking a new Town Manager. Argyle is located in the Dallas/Fort Worth Metroplex, six miles south of Denton on Interstate Highway 35W.

The Town of Argyle is a General Law Type A municipality operating under an Aldermanic form of government. Argyle has a population of 3,400 and 24 employees. The FY2012 adopted budget includes General Fund revenues of \$2.456 million and expenses of \$2.285 million.

The successful candidate should have a Bachelor's Degree in Public Administration,

Business Administration, Finance or a related field with a minimum of 3-5 years of progressively responsible experience as a professional Town Manager. A Master's Degree in Public Administration is preferred.

To view a complete position profile and application instructions, visit: [www.governmentresource.com/pages/CurrentSearches](http://www.governmentresource.com/pages/CurrentSearches).

For more information on this position, please contact the recruiter:

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### Water/Wastewater Operator

The City of Anthony, Kansas (pop. 2,300), is seeking a Water/Wastewater Operator to serve the growing water and wastewater needs of the community. A high school diploma or GED is required. Must possess the ability to obtain an Operator certification within two years of employment. Must possess a valid Kansas Class C driver's license. Strong mechanical aptitude is preferred. Excellent benefits. Send resume, work history and three work-related references to: City of Anthony, P.O. Box 504, Anthony, KS 67003. Call (620) 842-5434 for job descriptions and additional information. Position is open until filled. City of Anthony is an EOE.

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To place an ad online and in the *Kansas Government Journal*, email the ad and billing information to [classifieds@lkm.org](mailto:classifieds@lkm.org).

Questions? Contact Amanda Schuster at [aschuster@lkm.org](mailto:aschuster@lkm.org) or (785) 354-9565

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## Involvement



I have been noticing recently that it seems much easier for people not to get involved than to get involved in various civic activities which a generation ago were simply taken for granted. I am familiar with a number of fraternal organizations who are now facing a membership crisis because the current membership has aged, and they don't have many (or in some cases any) younger members coming in to fill those positions. I think this has become pervasive throughout our society. People are less inclined these days to take a hands-on approach. It is simply easier to let someone else handle it.

I have an uncomfortable feeling that people from all walks of life are now living more and more via the Internet and by all of the other electronic devices that allow us to communicate without any face-to-face communication. Even the telephone is starting to seem like a dim memory. In any case, I don't know if you have been watching much television lately, but there are a series of ads running right now for Toyota where 20-something children are concerned because their parents only have 19 "friends" on their Facebook page, rather than the 600 and some that the kids have. The punch line of the ads, if you haven't had the opportunity to see them, is that the parents are actually out doing something with live human beings that they consider their friends. The kids, of course, never figure it out. I think the ad campaign is really a commentary on society today and what is going on in many facets of our lives.

This brings me to participation in the legislative process, as it involves the League of Kansas Municipalities. I think it is important to stress that the League is by its nature an association of cities and of city officials. When a city pays dues to the League of Kansas Municipalities, it is not a pay for fee service. Rather, it is joining other cities, with common interests, who wish to work together for a common goal, benefit, or public service. Thus, it is vitally important for city officials to participate in the political process in a way that their need and concerns can be voiced directly to state legislators and other policy makers who influence not only our cities but our citizens. To this end, there are a number of things you can be doing which will allow you to not only participate to a greater extent in this fine organization, but which will also allow you to have a greater impact on the decision-making process at the State Capitol.

The first of these things is to participate in the League policy process, which is the bedrock of establishing the annual League policies as they apply to local issues and legislation which is upcoming in the Kansas Legislature. To do this you may participate in a number of ways, but the easiest and most direct would be to become a member of one of the four League Policy Committees. All city officials are eligible to serve on a League Policy Committee. The policy committees meet in August of each year to review and amend the *Statement of Municipal Policy* which is the guide for the League lobbying effort. Three of the four committees are focused in specific areas. They are: Finance and Taxation, Public Officers & Employees, and Utilities & Environment. The fourth committee is the Legislative Policy Committee which reviews the recommendations of the three

specific committees, as well as reviewing the remaining sections of the *Statement* not otherwise covered. Once the legislative policy committee has finished its work, the amended *Statement* is forwarded to the League Governing Body for consideration at its September meeting where the League Governing Body has the ability to amend the policy statement as well. The League Governing Body then forwards the policy statement on to a joint policy committee meeting which is held on Saturday morning at the League annual conference, and which allows the membership to once again look at the entire amended *Policy Statement*. The *Statement* is then forwarded on to the League Governing Body who then can hear any additional input from League member cities and their representatives. Once that hearing is concluded, the League Governing Body forwards the amended *Policy Statement* on to the League's Convention of Voting Delegates where it is voted on and adopted for the upcoming legislative session. The long and the short of it is that this is the very open process by which the League formulates its annual legislative policies and it provides city officials from across this state to have an integral part in the development of the *Policy Statement* itself. To sign up, go to <http://www.lkm.org>.

But, political involvement and the ability to have an impact on legislation which may impact your city and citizens goes far beyond serving on a League Policy Committee. The most effective way to influence legislation, if you are not actually a state legislator, is to strike up a friendship, or at least have a professional relationship with your state legislators. As I have told numerous groups over the years, you cannot do this in the middle of the legislative session. It is simply not possible to establish a rapport with a legislator in the midst of a heated battle over one piece of legislation or another. Many people across this great state and land seem to believe that contacting their legislator on a specific issue at a specific time, with no ground work laid prior to that time, somehow has an impact on their vote. My 27 years of lobbying experience would tell me that this is at best wishful thinking. From my experience, legislators will typically only listen to people with whom they have interacted, and with whom they have established a relationship of some kind. Thus, if you would like to be able to have a discussion about a specific legislative issue with your state legislator during the upcoming legislative session, the time to start talking to the legislator (or potential legislator) is now. If they know who you are, and have dealt with you on a collegial basis prior to the inevitable disputes that will arise in a legislative context, they are much more likely to pay attention to your concerns and wishes.

Participation in the process is an absolute imperative. Failure to engage, and hoping that somebody else will simply take care of it, is almost certainly a losing strategy. We must be willing to go the extra mile and participate in the process to an extent that will allow city voices to be heard, and seriously considered by the Legislature, because of the strength of our message, and the rightness of our cause. A few voices, on a close issue, can ultimately decide which way the vote actually goes. We cannot allow important issues affecting our cities and citizens to be decided because we were unwilling to work a little bit harder, and to make a few more connections and contacts to be sure that our message is adequately heard here in Topeka.

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