

A vibrant photograph of children playing in a swimming pool. In the foreground, a young boy in blue swim trunks runs through the water, splashing. Behind him, other children in various swimwear are also playing. A red life preserver is visible on the left. The background shows a pool deck with people watching.

# Kansas

## GOVERNMENT JOURNAL

VOLUME 99-NUMBER 6

JUNE 2013

**Inside:**  
**Phillipsburg Aquatic Center Grand Opening**  
**2013 Legislative Wrap-Up**  
**Town-Gown Relations**

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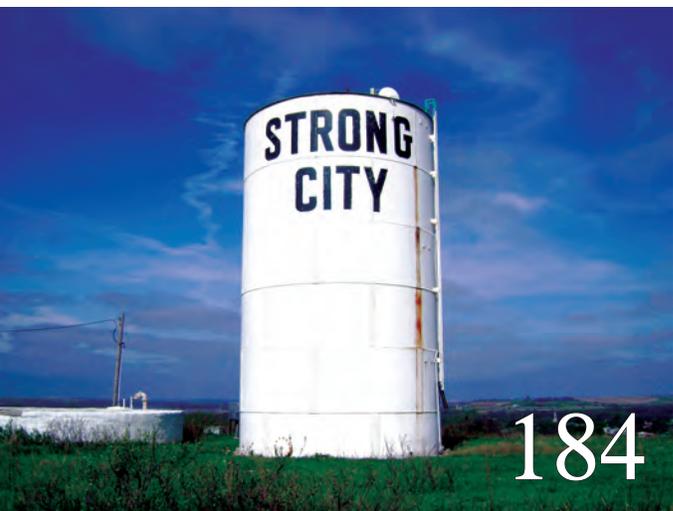
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Children enjoying the  
new Phillipsburg Aquatic  
Center. See related article  
beginning on page 182.  
*Photo by Roxanne  
Bartels.*

Inside:  
Phillipsburg Aquatic Center Grand Opening  
2013 Legislative Wrap-Up  
Town-Gown Relations

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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

- 17- MLA: KOMA/KORA (Core), Hutchinson
- 23- MLA: KOMA/KORA (Core), Emporia
- 24 - MLA: KOMA/KORA (Core), Merriam

## September

- 2 - Labor Day
- 13 - MLA: Economic Development (Elective), Ellsworth
- 14 - MLA: Economic Development (Elective), Leavenworth

## October

- 12-14 - LKM Annual Conference, Overland Park
- 13- Governing Body Meeting, Overland Park
- 29 - Regional Supper, Holcomb
- 30 - Regional Supper, Colby
- 31 - Halloween

## Obituaries

**William D. "Bill" Anderson** was a printer by trade, a Benjamin Franklin buff, and Mayor of Wichita during the turbulent years of 1968 and 1969. He was 83 years old. During his mayoral term, Martin Luther King Jr. was assassinated, resulting in riots around the country, including Wichita, where Mr. Anderson imposed a curfew to help quell the violence. "He was a very civic-minded person," Mr. Anderson's son Brent, an assistant U.S. attorney in Wichita, said of his father. Mr. Anderson was elected to the Wichita City Commission in 1965.

**Jeanne Goodvin**, 68, died Wednesday, June 5, 2013. Goodvin worked in the Wichita city manager's office from 1995 – 2008 and served numerous times as the staff liaison for the League of Kansas Municipalities Annual Conference. Jeanne was involved in many aspects of the community: Executive Director of Junior Achievement of Wichita 1993-94; Chamber of Commerce 2000; Leadership 2000 Alumnae Board; The Forum for Executive Women; Kansas Advisory Council on Environmental Education (Governor Appointment); City Manager's Police Review Board, 1990-2000 (Past Chair); USD 259 Parenting Committee (Past Chairperson); National Conference for Community Justice (Kansas Board of Directors), and many other groups.

**E. Allen Roth**, 77, of Westwood Hills, died May 6, 2013. He was born April 1936, in Cincinnati, Ohio. In 1954 Allen married Cindy Kerr. He was Mayor of Westwood Hills for 14 years, successfully running six times for re-election. He was Chairman of Johnson and Wyandotte Counties Council of Mayors, active in the Northeast Mayors Council and the Johnson County Charter commission. He served as a member of MARC-Total Transportation Council and Johnson County Transportation Council. He chaired the Countryside and Mission Consolidation Task Force, and was recently honored for his work as Chairman of the Foundation for the Shawnee Indian Mission.



BRENDA CHANCE APPOINTS LKM NOMINATING COMMITTEE

LKM President Brenda Chance, City Clerk, from the City of Phillipsburg, has appointed a seven member committee to serve as the 2013 LKM Nominating Committee. These appointments were confirmed by the LKM Governing Body at its June meeting in Phillipsburg. 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 14, during the LKM Annual Conference at the Sheraton Overland Park.

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).**

2013 NOMINATING COMMITTEE MEMBERS

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

Trey Cocking  
City Manager  
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Mayor  
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City Attorney  
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Kathy Axelson  
City Administrator/City Clerk  
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Rose Hill, KS 67133

Randy Jones  
Mayor  
111 S. Military, PO Box 187  
Mulberry, KS 66756

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

*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.



## Fiscal Year Ends With More Than Projected

TOPEKA – Kansas revenue receipts ended fiscal year 2013 on a high note, beating estimates by \$86.6 million.

The revenue figures also reflect the state’s revenue picture six months after income tax rates were cut for every working Kansan on January 1. While most people only think of taxes in mid-April when they file returns, people’s pay checks this year have benefited from those reduced withholding and individual income tax rates.

Revenue receipts also beat monthly projections by \$25.1 million, or 4.6%, overall and revenue receipts were \$159.6 million more than had been collected during the prior fiscal year.

“We are heading into fiscal year 2014 on firm financial footing and I’m pleased to see that Kansas’ economy continues to improve,” said Revenue Secretary Nick Jordan.

## Precautions to Prevent West Nile Virus

The Kansas Department of Health and Environment (KDHE) Division of Public Health has seen a substantial increase in the number of mosquitoes this summer. These mosquitoes can potentially spread West Nile virus.

In 2012, there were 57 cases of West Nile virus in the state, the most cases since the virus first made its way into Kansas in 2002. There are currently no reported cases of West Nile virus in 2013. In addition to tracking cases of human illnesses caused by West Nile virus, KDHE assesses the potential for West Nile virus by conducting limited mosquito surveillance, including laboratory testing.

Symptoms of West Nile virus infection range from a slight headache and low-grade fever to swelling of the brain or brain tissue and, in rare cases, death. People who have had West Nile virus before are considered immune.

KDHE recommends the following precautions to protect against West Nile virus:

When you are outdoors, use insect repellent containing an EPA-registered active ingredient on skin and clothing, including

DEET, picaridin, oil of lemon eucalyptus, or IR3535. Follow the directions on the package.

Many mosquitoes are most active at dusk and dawn. Be sure to use insect repellent and wear long sleeves and pants at these times or consider staying indoors during these hours.

Make sure doors and windows have tight-fitting screens. Repair or replace screens that have tears. Try to keep doors and windows shut, especially at night.

Get rid of mosquito breeding sites by emptying standing water from flower pots, buckets and barrels. Change the water in outdoor pet dishes and replace the water in bird baths weekly. Drill holes in tire swings so water drains out. Keep children’s wading pools empty and on their sides when they aren’t being used.

The Centers for Disease Control and Prevention provides the following web page with additional information about West Nile Virus and preventing mosquito bites: <http://www.cdc.gov/features/StopMosquitoes>.

## Online Returns Increase

With 2012 tax year returns processed, except for those filers who received an extension, the results show that 92% of Kansas tax filers, or about 1.3 million filers, sent their return in electronically compared to about 112,000 paper returns.

“This is an excellent use of technology that benefits the Kansas Department of Revenue and the tax filers,” said Revenue Secretary Nick Jordan. “People who file electronically and have their refund direct deposited receive their money 80% faster than those using the old paper method.

Tax payers have a variety of options for filling online, not just commercial tax preparation sites. The State offers free online tax filing through KsWebFile, and tax assistance sites such as VITA (Volunteer Income Tax Assistance) and AARP offer free tax preparation and online filing for middle- and low-income or elderly tax payers. “While there will always be a handful of people who file by paper, the growing number of free and simple ways to file online means we are seeing more people than we ever expected using electronic filing.” Jordan said.

## Correction

An error was made in the Kansas Tax Rate Book & Fiscal Data Book in the March 2013 issue of the Kansas Government Journal. The values listed for La Crosse and La Cygne are switched. We apologize to the Cities of La Crosse and La Cygne and any other party inconvenienced by this mistake. The League is instituting a new review process to catch such errors in the future. Below are the corrected values:

City	2012 Population	Assessed Tangible Valuation	General Obligation Bonds	Special Assessment Bonds	Utility Revenue Bonds	Other Bonds	Total Bonded Indebtedness	Temporary Notes	No-Fund Warrants	Other Debt	Total City Levy	Total Mills Levied in City By All Units
La Crosse	1,144	5,204,690	340,000	0	1,000,000	1,565,000	2,905,000	0	0	307,948	65.356	224.876
La Cygne	1,315	5,300,391	*	*	*	*	*	*	*	*	77.668	191.243



# 2013 Legislative Wrap-Up

by Kimberly Winn

**T**he 2013 Legislative Session went well beyond the predicted 80 days and 9 days beyond the standard 90-day session. During that time, budget and tax issues took center stage. Cities did not have a stake in the primary debate of whether to extend the existing State sales tax or let .6% expire as originally planned. However, because it is part of the overall State budget, continued funding for the Comprehensive Transportation Program (CTP) was certainly in doubt at different times throughout the Session. In fact, the original House-passed budget took the .4% that was designated for the CTP in order to balance the budget. LKM, Economic Lifelines, and other local partners worked to promote the CTP. In the end, the CTP remains funded at promised levels and local monies, including city-county highway funding (gas tax) and alcoholic liquor funds, remain intact.

## Bad Bills Killed

A number of bills that would have had a negative impact on city governments were seriously considered, but ultimately defeated this year.

**City Elections.** There were numerous hearings on various versions of bills to alter city elections by moving them to the fall and making them partisan. LKM staff testified and coordinated the testimony for many city officials on this issue. We are likely to see some version of this return again next year.

**Public Funds for Lobbying.** Attempts to thwart the use of public funds for lobbying were successfully defeated as well.

**M&E.** Despite support from very well-funded organizations and lobbyists, LKM (along with other local government partners) defeated this legislation for the second consecutive legislative session. While it will likely be brought up again in the future, it seems that the key proponents may no longer be on the same page.

**Tax Lid/Budget Process.** Proponents of this legislation insisted that it was not a tax lid. LKM was successful in having the bill amended to clarify the bill so that it could not be interpreted as a limitation on local taxing authority. In addition, the City of Wichita got an amendment added to have the bill only apply when the city is raising property taxes beyond the CPI. After the amended bill passed the House, the Senate Committee showed little interest in the legislation, and it was not included in the final tax conference committee report.

## Bills passed in 2013

The following is a summary of key bills of municipal interest passed during the 2013 Legislative Session.

### General Local Government

**KORA/Utilities (HB 2128).** This bill clarifies that all records pertaining to individually identifiable residential customers of municipal utilities can be closed under the Kansas Open Records Act. Further, it allows for the closure of any records of a utility concerning information about cyber security, threats, attacks, or general attempts to attack utility operations.

**KORA/Exemption Review (HB 2012).** This bill continues a number of exemptions set to expire under the KORA review requirements. In addition, it does away with the mandatory review by the Legislature every five years. Any exemption reviewed and continued twice by the Legislature or any exemption that has been reviewed or continued during the 2013 session, and thereafter, shall be continued without a mandatory subsequent review.

**KORA/Law Enforcement (SB 81).** The Kansas Open Records Act is amended in three ways in this legislation. First, it amends a prior law regarding the disclosure of personal information about law enforcement officers and judges. Under the new law, law enforcement personnel and judges may individually request

that their home address and home ownership records be removed from a public website that is searchable by a keyword search. The public agency will have 10 days from the date of request to restrict this information.

Next, there is a new exemption that allows for the closure of the name, home address, zip code, e-mail address, phone numbers, or other contact information for any person licensed to carry concealed handguns, person enrolled in a training class, or person who has applied for a concealed carry license.

Finally, this bill requires that requests for records submitted to the Kansas Bureau of Investigation central repository be submitted directly to the criminal justice agency from which the records originated.

**Historic Environs (HB 2249).** Amends K.S.A. 75-2724 to repeal the state restrictions regarding the “environs” of a historic place. Nothing in the bill would prohibit local governments from establishing their own rules regarding environs.

**Fire Districts (HB 2249).** This bill amends K.S.A. 12-546 to provide for a refund of ad valorem taxes paid for fire service for taxpayers when their property is annexed and the land remains not detached from a fire district.

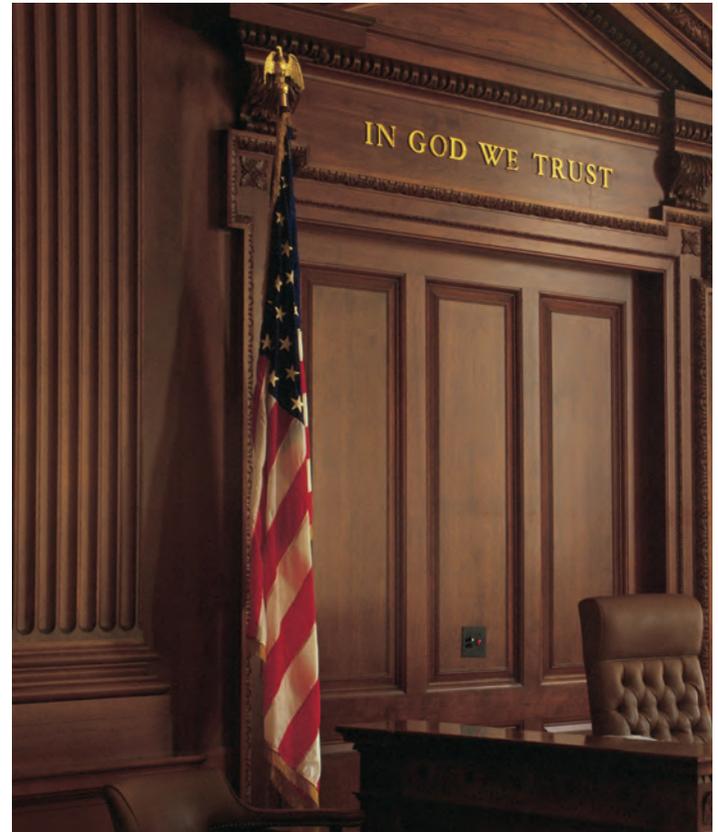
**State Appropriated Funds (HB 2162).** This bill limits the use of **State appropriated** funds. No such funds shall be utilized to lobby for or against gun control. This does not affect city funds unless such funds are appropriated by the State.

**Religious Freedom (HB 2203).** This is new legislation that establishes the standard of review when dealing with the free exercise of religion. Specifically, the bill provides that governments (including local governments) may not “substantially burden a person’s civil right to exercise of religion even if the burden results from a rule of general applicability, unless such government demonstrates, by clear and convincing evidence, that application of the burden to the person (1) is in furtherance of a compelling government interest; and (2) is the least restrictive means of furthering that compelling governmental interest.” This standard does not apply to jails, correctional facilities, and other penal institutions.

**Employer Leave/Benefit Policies (HB 2069).** This legislation prohibits cities, counties, or other local governments from enacting any ordinance, resolution, law, or contract which requires a private employer to provide employees certain leave from work, unless such leave is required by state or federal law. Requirements under state economic development incentive programs or local economic development incentives are exempt from this law. The bill also prohibits local governments from mandating that construction contractors or subcontractors performing real estate construction or an infrastructure project pay a prevailing wage or offer an employee benefit other than those required by state or federal law.

**Public Libraries (HB 2109).** All public libraries (and school districts) are now required to implement and enforce technology protection measures to ensure that no minor has access to visual depictions that are child pornography, harmful to minors, or

obscene; and ensure that no person has access to child pornography or obscene material. The State Librarian will be establishing rules and regulations for the enforcement of this Act. The governing body of each public library must adopt a policy to implement and enforce the provisions of the Act. Any library that is in compliance with the Act shall not be liable for damages arising out of or related to a minor gaining access to child pornography or harmful or obscene visual depictions through a computer that is owned or controlled by the library.



## Finance and Taxation

**Demand Deposit Accounts (HB 2096).** This bill amends K.S.A. 12-1675 to allow governmental entities to invest public funds in demand deposit accounts in banks, savings and loan associations, and savings banks. Such institutions must have a main or branch office within the boundaries of the governmental entity, or in the county where all or part of the governmental entity is located.

**Nexus (SB 83).** A portion of this bill expands the definition of nexus for purposes of sales and use taxation.

**PMIB Loans (SB 83).** This bill extends to all taxing units the authority to request PMIB loans for payment of property tax refunds when taxpayers have prevailed in assessed valuation challenges involving more than 5% of the total countywide valuation.

**Valuation (SB 83).** A portion of this bill clarifies that values determined by county appraisers will have the initial presumption of validity with regard to leased commercial and industrial property, unless certain information is furnished within 30 days after informal hearings.

## Personnel

**Law Enforcement/Firefighters (HB 2339).** Expands existing law to require that municipalities continue to pay health insurance premiums for the surviving spouse and eligible children of law enforcement officers or firefighters for 18 months. Prior law only required this payment for firefighters.

**KPERS (HB 2228).** The KPERS death and disabilities employers' contribution is reduced to .85% from July 1, 2013, to June 30, 2015. The rate then returns to 1%. The bill also institutes a moratorium from April 1 to June 30, 2013, to bring the law in line with the 2012 appropriations bill.

**KPERS (HB 2213).** This bill makes a number of technical and clarifying amendments to the KPERS statutes. In addition, it authorizes certain KP&F active members to opt in to enhanced benefits which are funded by employee payments.

**Unions (HB 2022).** Pursuant to this legislation, unions may not use any dues or other monies deducted from an individual's paycheck for partisan or political purposes. Further, the PERB board is charged with investigating any violations of these new provisions.

**Wage Payment (HB 2022).** A portion of this bill amends K.S.A. 44-319 regarding the types of payments that may be deducted from an employee's paycheck. Upon written agreement with the employee, employers may withhold for the repayment of a loan or advance; recovery of payroll overpayment; and to compensate the employer for the replacement cost of employer's merchandise or uniforms purchased by the employee. Upon the conclusion of the employment relationship, employers may withhold in order to recover the employer's property, to repay a loan or advance, recovery of payroll overpayment, or the replacement cost of the employer's merchandise or equipment purchased by the employee.

**PERB Board (HB 2083).** This bill shifts the costs associated with public employee elections and fact-finding or mediation to the parties involved. When a secret ballot of employees is conducted, the costs will be charged to the party seeking the election. The cost of fact-finding or mediation shall be borne equally by the parties involved.



## Public Safety

**Alcoholic Liquor (HB 2199).** This bill establishes a process by which certain establishments will be authorized to serve free samples.

**Fireworks (HB 2167).** Statutes dealing with bottle rockets were recodified in the Kansas Fireworks Act, K.S.A. 31-501 *et seq.* and certain administrative procedures were added. The bill also provides a licensing and regulatory process for the possession, transportation, and sale of bottle rockets to out-of-state persons.

**Municipal Court Judgments (HB 2017).** The bill provides that appeals to the district court of municipal court judgments may be filed only after the sentence has been imposed. The bill also provides that no appeal can be taken more than 14 days after the sentence is imposed.

**Search Warrants (HB 2017).** This legislation authorizes the issuance of a search warrant based on the probable cause that a crime is about to be committed. The bill also establishes guidance regarding the issuance of a search warrant for the use of a tracking device.

**Pornographic Materials (HB 2017).** The Kansas Bureau of Investigation is required to work with law enforcement to establish a data reporting process in order to report crimes where pornographic materials have been seized.

**Knives (HB 2033).** Prohibits municipalities from regulating the transportation, possession, carrying, sales, transfers, purchases, gifting, licensing, registration, or uses of a knife or knife-making components. Further, the bill prohibits municipalities from passing any ordinance or resolution that would be more restrictive regarding knife manufacture than the manufacture of any other commercial product. Finally, the bill removes certain types of knives (switchblades, etc.) from the criminal use of weapons statutes.

**Municipal Court Reporting (HB 2041).** Requires municipal court judges to forward information for all violations comparable to convictions for all statutory criminal offenses to the Kansas Bureau of Investigation. Under current law, only convictions for class A and B misdemeanors had to be reported. In addition, all cases alleging boating under the influence must be reported. All such reports must be made electronically by July 1, 2014.

**Proof of Insurance (SB 85).** This law allows drivers to provide proof of insurance via a cell phone or other portable device for purposes of vehicle registration or when a vehicle is involved in an accident.

**Second Amendment Protection (SB 102).** The "Second Amendment Protection Act" states: "No official, agent or employee of the state of Kansas, or any political subdivision thereof, shall enforce or attempt to enforce any act, law, treaty, order, rule or regulation of the government of the United States regarding any personal firearm, firearm accessory or ammunition

that is manufactured commercially or privately and owned in the state of Kansas and that remains within the borders of Kansas.”

**Missing Persons (SB 118).** Upon receipt of a missing person report, law enforcement agencies must immediately determine whether the person is a “high-risk” missing person defined as: the result of an abduction; under suspicious or known dangerous circumstances; more than 30 days; designated as high-risk by another law enforcement agency; or under any facts or circumstances such that the person may be at risk of bodily harm. If the person is determined to be a “high-risk” missing person, the law enforcement agency must immediately make such determination known to the Kansas Bureau of Investigation and the missing person system of the national crime information center.

All law enforcement agencies shall accept and process without delay any report of a missing person except when the location of the person reported missing is known, the safe status of the person has been confirmed, or another law enforcement agency has already completed a report on the missing person incident. Law enforcement agencies shall provide the person making the report with contact information concerning the national center for missing and exploited children and the national center for missing adults.

**Human Trafficking (HB 2034).** The Legislature passed a comprehensive law concerning human trafficking that will have a wide ranging impact on local law enforcement, prosecutors, and municipal courts. First, a law enforcement officer must take a person into custody if the officer reasonably believes a child is a victim of human trafficking, aggravated human trafficking, or commercial sexual exploitation of a child. In such instance, the officer should contact the Department for Children and Families immediately. The child must be held in a “staff secure facility” that is not in a city or county jail.

The term “prostitution” has been replaced with “selling sexual relations.” Under K.S.A. 21-6419, selling sexual relations is a Class B nonperson misdemeanor. Also, it shall be an affirmative defense to prosecution under this section that the defendant committed the violation because the individual was subjected to human trafficking. An individual convicted under these provisions may petition for expungement after one year if the individual can prove they were acting under coercion.

Promoting the sale of sexual relations under K.S.A. 21-6420 is now a severity level 9 person felony and can no longer be prosecuted in municipal court.

Buying sexual relations under K.S.A. 21-6421 is now a Class A person misdemeanor (with a fine up to \$2,500). In addition to the sentence imposed by the municipal court judge, a person convicted under this provision shall be fined \$2,500 to be remitted to the newly created human trafficking victim assistance fund. Some of these changes in state law will necessitate changes in the Uniform Public Offense Code which will be available in July.

**Kansas RICO (SB 16).** This is comprehensive legislation that authorizes the state prosecution of racketeering activity. This bill

provides a mechanism so that local law enforcement can work together with the Attorney General to address such issues.

**Concealed Carry Permit Holders (SB 21).** This bill provides for a 180-day receipt for a permit holder from another jurisdiction who establishes residency in Kansas. The bill outlines the procedure for obtaining a permanent permit in Kansas for such individuals. The bill also clarifies that an expungement for a prior felony does not relieve an individual under the criminal possession of a firearm pursuant to K.S.A. 21-6304.

**Concealed Carry in Public Buildings (HB 2052).** The Legislature passed and Governor Brownback signed HB 2052 which authorizes the carrying of concealed weapons in state and municipal buildings. There are a number of key elements to this legislation.

**Effective Date:** July 1, 2013. However, if your city would like time to assess your buildings and make specific determinations, you can simply send a letter to the Attorney General and local law enforcement. In that case, you will have until January 1, 2014, to make such determinations. There is no deadline specified regarding the submission of this letter. A sample letter can be found at <http://www.lkm.org/legislative/briefings/concealedcarry/exemption2052letter.doc>.

**Applies to:** The State (with certain exceptions) and municipalities. It does not include school districts.

**Possible Outcomes:** Under the provisions of this bill, cities will have the following choices:

1. Remove no-carry signs and allow concealed carry in municipal buildings;
2. Provide metal detectors or wands and personnel at each public entrance. Cities can then post the building as no-carry.
3. Assess your buildings and establish a security plan for the buildings. In this case, the buildings will be eligible for a 4-year exemption from the law. The City of Wichita and Sedgwick County recently completed such an assessment. The model for the City of Wichita and Sedgwick County is available here: <http://www.lkm.org/legislative/briefings/concealedcarry/WichitaSGCountyModel.pdf>

**Liability:** Public entities will be exempted from liability for the actions or omissions of concealed carry permit holders if:

1. The entity provides door security and posts the building as no-carry; or
2. The entity allows concealed carry in their buildings.

**Exemption:** The Legislature has provided for a 4-year exemption if the public entity establishes a security plan and adopts a resolution to exempt certain buildings from the requirements of the Act. Such resolution shall include the following statement: “A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun

as authorized by the personal and family protection act.” The security plan may be developed by the police chief. A copy of the security plan shall be maintained on file. Notice of the exemption, together with the resolution, shall be sent to the Kansas Attorney General and to the law enforcement agency of local jurisdiction. Security plans are not subject to KORA.

**Employees:** It is the interpretation of the League of Kansas Municipalities that cities may restrict or prohibit the carrying of concealed handguns by their employees while on their premises or while engaged in their official duties if the city does so through their personnel policies. Failure to adopt such restrictions in personnel policies will allow public employees to carry concealed handguns in public buildings and while engaged in their duties.

This portion of the bill is perhaps the most confusing because the bill itself seems to have an internal conflict:

Section 2(c) reads: **“(c) No state agency or municipality shall prohibit an employee who is licensed to carry a concealed handgun under the provisions of the personal and family protection act from carrying such concealed handgun at the employee’s work place unless the building has adequate security measures and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto.”**

However, Section 9 (b) (1) reads: **“(b) Nothing in this act shall be construed to prevent: (1) Any public or private employer from restricting or prohibiting by personnel policies persons licensed under this act from carrying a concealed handgun while on the premises of the employer’s business or while engaged in the duties of the by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer’s premises;”**

However, the beginning of Section 9 reads: **“Subject to the provisions of section 2, and amendments thereto....”**

If we read Section 9 to be completely subject to Section 2, then from a legal standpoint, Section 9 really has no meaning. Further, Section 2 only deals with employees and their ability to carry a concealed handgun in a building. It says nothing about what happens when an employee is engaged in the duties outside of a building. Section 9 on the other hand, does talk about restricting employees “while engaged in the duties of the person’s employment by the employer.”

So, in order to give some meaning to both portions of the Act and deal with employees both while they are in municipal buildings and while they are engaged in the duties of their employment, LKM is interpreting this language to mean that cities can restrict employees only if you do so in your personnel policies.

Cities should visit with your city attorney to determine the most appropriate way to handle this issue in your community. It is possible that some employees may challenge this interpretation of law. It is also possible that the Legislature will revisit this issue and provide statutory clarification in the future.



## Water and Utilities

**Water/Dams (HB 2363).** This bill authorizes limited transfer permits of water rights by the Chief Engineer. Further, the bill modifies the definition of a dam and provides that hazard Class A dams proposed for construction or modification do not need to obtain a permit from the Chief Engineer (unless it is necessary for the protection of life or property). The bill does require inspection by the Chief Engineer when a dam has been determined to be unsafe. In addition, the bill no longer requires a permit for a water obstruction if the area is obstructed for less than 5% or the change is contained within a land area measuring 25 ft. or less. The bill also authorizes certain fees and different methodologies for determining fees.

**Telecommunications (HB 2201).** This legislation establishes a Telecommunications Study Committee to review telecommunications issues in Kansas over the next two years. The bill further deregulates certain telecommunications providers and does away with the carrier of last resort requirement. The bill also makes changes to the Kansas Universal Service Fund and the KAN-ED program.

**VOIP (2326).** This bill provides that VOIP services shall not be subject to any supervision or control by any state agency or political subdivision. However, the bill specifically exempts from this limitation the Video Competition Act, K.S.A. 12-2021 *et seq.* and right of way management pursuant to K.S.A. 17-1902. Therefore, cities can still enforce the Video Competition Act and your right of way management rules with regard to VOIP providers.

☀️ *Kimberly Winn is the Deputy Director for the League of Kansas Municipalities. She can be reached at [kwinn@lkm.org](mailto:kwinn@lkm.org) or (785) 354-9565.*



# Town and Gown Relations Revitalize America's Downtowns

by Roger L. Kemp, ICMA-CM

Interactions between local governments and higher education institutions have a long history, dating back to the Middle Ages. These interactive relationships are often referred to as town-gown relations. Misunderstandings between these parties can be traced to historical developments and a lack of general understanding of the implications that these developments have on each other.

In the 21st Century, a college or university has a positive economic development impact, directly and indirectly, on the community and the residents who live in it. Some issues and problems have evolved over time since each party has separate governing bodies with different priorities and loyalties, even though they share the same limited geographic space.

In a number of cases, public colleges and universities are located on state property, and the higher level of government—the state—usually gets its way, even though this property resides within a neighborhood that is located with the political boundaries of a legal local government. Also, such educational properties are usually tax exempt, and the owner (the state) does not have to pay property taxes to the local government.

Today, most local government officials are probably familiar with the positive employment and other economic contributions that the higher education sector has on a community, along with the purchasing power that school officials, faculty, staff, and students have. While the educational institution might not generate property tax revenues to a community, the revenues generated from those individuals associated with it are very significant.

## WORKING TOGETHER

For these reasons, public and school officials often work together since they know that it is in their mutual and individual best interests to do so. For instance, they might form joint neighborhood advisory committees. Elected officials have also requested students to serve

on their government bodies.

The goal of this article is to educate readers on evolving, state-of-the-art, town-gown relationships. Based on an extensive national literature search, these leading practices illustrate contemporary relationships between the two parties, and demonstrate how local communities can work with higher education institutions to amicably resolve their differences and build a stronger community for all residents—citizens and students alike.

This article explores four topics:

1. Introduces the reader to relevant topics related to this field.
2. Includes numerous leading practices on how local governments and schools are initiating measures to resolve issues and problems, while maintaining acceptable levels of public and educational services to the residents and students that they serve. Such practices are critical to maintaining the quality-of-life in cities and towns and their educational institutions throughout the country.
3. Focuses on the future of this field, providing a summary of the options and leading practices available for charting future town-gown relationships.
4. Promotes a greater understanding of this dynamic and ever-changing field, as well as provides information resources (see the “Town-Gown Resource Directory”).

This information presented here is based on a national literature search of the best town-gown relation practices in the United States. Some of the topics examined include measures being taken to ensure proper social responsibilities, opportunities and risks confronting local municipal and school officials, and the creation of economically sustainable communities.

These leading practices represent an important codification

Above: Mass St. photo by Kathryn Greenhill, (sirexkat on Flickr)  
Below: Original photo of KU campus from FHKE on Flickr



of knowledge in the field of town-gown relations. This research includes more than 40 local governments and their higher educational institutions.

For reference purposes, these leading practices have been broken down into three categories: joint processes; those addressing issues and problems; and mutual town-gown projects.

### **JOINT PROCESSES**

- The use of dialogue to enhance mutual cooperation that is jointly beneficial.
- Positive planning processes that are typically a result of long-standing cooperative relationships.
- Many colleges, as well as local governments, seek opportunities for the resolution of town-gown conflicts.
- A town-gown task force jointly developed by a community and a school.
- Both parties adopt formal policies to strengthen their relationship with each other.
- Communities and colleges jointly cooperate to create downtown campuses, or to expand them.
- Local governments and schools work together to develop long-term neighborhood plans.
- Community and college officials work together to create joint university district plans.
- A city and school form a partnership to revitalize an inner-city neighborhood.
- A community and college form a joint neighborhood relations committee.

### **ADDRESSING ISSUES AND PROBLEMS**

- Some cities work with schools to involve students in their urban planning processes.
- Communities and colleges work together to develop a joint neighborhood action plan.
- One city and school work together to provide a joint community policing center.
- Communities and schools work together to improve neighborhood security for both residents and students.

- Some schools have learned to work with existing local neighborhood associations.
- Communities and their colleges cooperate to make students better residents in the future.
- A public university prepared a model for joint city-school infrastructure planning.

### **MUTUAL TOWN/GOWN PROJECTS**

- Communities and schools negotiate the cost of providing local services.
- Communities and schools create programs to train future public managers.
- Some local governments work with schools to provide housing for the students in their college's internship program.
- Communities involve students in the planning process for those parks that are located by schools.
- Communities and schools cooperate and plan for the future of their "joint" downtown areas.
- Communities and their residents benefit from the public services provided by their local student internship programs.
- Local government planning agencies benefit from a university's technology and software.
- Communities and their residents benefit from studies linking families and students to transit development. Students can benefit from public transit, and property values go up because of transit-oriented development (TOD). TOD can also be used to revitalize downtown areas.
- One community and university planned and built a joint public library for residents and students to use.
- A community and college work together to develop a new campus for educational and economic reasons.
- Some communities and colleges collaborate on the expansion of research facilities to create jobs and promote local economic development.

### **A BRIGHT FUTURE**

A cooperative mindset in recent years has led to a new generation of college towns that promote positive interactions and developments



that are mutually advantageous. These leading practices include joint processes where town and gown officials, as well as residents and students, work together to solve pending community issues before they become problems.

One of the best examples is the joint town-gown library where the cost of constructing a new library and its annual operating costs are equally split between the community and the college. The beneficiaries are the residents, who have saved their tax dollars by sharing these costs, and the students, who all benefit from a service without having their tuition increase.



Jayhawk statue in Lawrence.  
Photo by Kathryn Greenhill  
(sirexkat on Flickr)

These practices are still evolving, are very dynamic in nature, and represent the new focus of public and school officials in cities and schools throughout the nation. Modern town-gown planning practices that achieve these goals are being developed and implemented with greater frequency by city and school officials throughout the nation during the past few years, partly because of recent economic hard times. It is important that public officials and residents continue to work together with school officials and students on existing, evolving, and future town-gown issues.

Thinking about the future, another important topic of concern is the impact of online educational services. The question is, will local and college relations diminish in future years as a result of a greater number of institutions providing more online off-campus educational opportunities for their respective students?

The future of America's communities and schools depends upon the proper planning and management of their respective community and school resources through the best use of available, state-of-

the-art town-gown practices. It is only through such cooperative processes that outstanding and emerging issues and problems can be appropriately addressed, and that joint proactive efforts can be taken to appropriately plan for the future. Jointly working together in a positive relationship will help achieve this goal.

Residents and students, as well as public and schools officials, should not only expect, but demand, that prudent practices be adopted and implemented for their respective communities and schools in these areas to ensure that appropriate cooperative efforts are undertaken in the future to create an improved quality-of-life for everyone.

Finally, the Town-Gown Resource Directory references major organizations and research institutions serving local government officials as well as higher education representatives and concerned residents and students. These organizations' focus includes work related to town-gown issues and problems.

### Town-Gown Resource Directory

- Center for State and Local Government Excellence (CSLGE): <http://www.slge.org>
- Government Finance Officers Association (GFOA): <http://www.gfoa.org>
- International City/County Management Association (ICMA): <http://www.icma.org>
- International Town/Gown Association (ITGA): <http://www.itgau.org>
- National Association of Counties (NACO): <http://www.naco.org>
- National Association of Planning Councils (NAPC): <http://www.communityplanning.org>
- National Civic League (NCL): <http://www.ncl.org>
- National League of Cities (NLC): <http://www.nlc.org>
- Office of University Partnerships (OUP): <http://www.oup.org>
- Society for College and University Planning (SCUP): <http://www.scup.org>
- U. S. Conference of Mayors (USCM): <http://www.uscm.org>

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### Source

☀ Roger L. Kemp, *Town and Gown Relations: A Handbook of Best Practices*, published by McFarland and Company, Inc., Jefferson, North Carolina, 2013 (ISBN: 978-0-7864-6399-2).

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*Roger L. Kemp, PhD, ICMA-CM, Meriden, Connecticut, has been a career city manager in California, New Jersey, and Connecticut during his public service career. He is presently a Practitioner in Residence, Department of Public Management, College of Business, University of New Haven, Connecticut, and a Distinguished Adjunct Professor, Executive MPA Program, Golden Gate University, California. Roger can be reached via e-mail at (rlkbsr@snet.net).*

# LKM 2013 Annual Conference

## Hotel Accommodations & Reservation Procedures

October 12-14 • Sheraton Hotel & Overland Park Convention Center • Overland Park

### Sheraton Overland Park Hotel\*\*

6100 College Blvd  
Overland Park, KS 66211  
913.234.2100  
Rate: \$137 + tax per night  
Cut-off date: September 21, 2013

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



### ADDITIONAL ACCOMMODATIONS

Chase Suite Hotel  
6300 W 110<sup>th</sup> Street  
Overland Park, KS 66211  
913.491.3333  
\$119 + tax per night  
Cut-off date: 9/13/2013

Courtyard by Marriott  
11001 Woodson Ave  
Overland Park, KS 66211  
913.317.8500  
\$109 + tax per night  
Cut-off date: 9/20/2013

### RESERVATION PROCEDURES:

- LKM has made special arrangements with the hotels listed to provide accommodations during our Annual Conference.
- Attendees are responsible for making their own reservations. Please contact the hotel directly.
- Reservations may not be made until after 2/1/13.
- Remember to ask for the special LKM conference rate when making reservations.

### LEAGUE OF KANSAS MUNICIPALITIES



SERVING CITIES SINCE 1910

### SPECIAL NOTE:

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



## Wyandotte County Settles Air Pollution Dispute

Wyandotte County officials have reached a settlement with the Sierra Club over allegations of excessive air pollution from two area power plants.

The agreement, which Wyandotte County approved Thursday, requires that the Quindaro Power Plant generating units stop burning coal by April 16, 2015, and that the Nearman Power Plant add controls to meet negotiated emissions limit for air emissions by Sept. 1, 2017.

The Board of Public Utilities and the Unified Government of Wyandotte County say in a release that the Sierra Club in 2012 alleged that emissions from the Nearman and Quindaro plants exceeded levels allowed under air permits for each plant. Wyandotte County and the BPU disputed the allegations.

The agreement has to be approved by a federal judge before becoming final.

## Senate Panel OKs Cash for Lab at K-State

A U.S. Senate subcommittee on Tuesday approved \$404 million in federal spending for the construction of a federal research laboratory at Kansas State University.

The 8-1 vote sends the funding for the National Bio- and Agro-Defense Facility to the full Senate Appropriations Committee for consideration. The money is part of the Department of Homeland Security budget for 2014.

Federal officials want to build the \$1.25 billion lab for research into deadly animal diseases, to replace an aging facility at Plum Island, N.Y. President Barack Obama proposed spending \$714 million on the project in 2014. The House earlier this spring approved spending \$404 million for construction.

State officials have approved spending up to \$305 million in

bond proceeds as part of its cost to construct the lab, which is being built on the northern edge of the Kansas State campus in Manhattan. Ground has been broken on a central utility plant that will service the lab.

Announcing the development, Kansas Senators Pat Roberts and Jerry Moran said in a joint statement that the research lab was a national security priority.

Construction on the main laboratory facility is expected to begin in 2014, pending approval of federal funds. The Department of Homeland Security has not published a date for certifying the lab and beginning operations, but Kansas State officials have hoped that it would be by 2018.

## Lawrence Commission Approves Rock Chalk Project

Lawrence city commissioners have given final approval to a proposal to build recreation center in northwest Lawrence.

The proposed \$25 million recreation center will include gyms, an indoor turf field and other amenities as part of the Rock Chalk Park project. The city is spending \$22.5 million on the project, which is part of a partnership between the city, a Kansas University Endowment entity and a private developer.

The Lawrence *Journal-World* reported a revised development

agreement requires the commission to meet monthly to review infrastructure costs and clarifies that some fees for the project are exempt from a 2.5% management fee charged by the private developer.

The recreation center will be next to a larger project that will include privately owned athletic facilities for the University of Kansas.

## State Agencies Moving From Wichita Building

Nine state agencies will be leaving the Finney State Office Building in Wichita, meaning more than 700 people will be moving when new office space can be found, state officials said.

The state is looking for a new building in Wichita for the agencies, The Wichita Eagle reported (<http://bit.ly/12tQkwS>).

More than 550 of the state employees in the building work for the Department of Children and Families, which has its work space spread over seven floors, making it difficult to efficiently serve a growing list of clients efficiently, said DCF regional director Diana Bidwell.

“And so we’re going up and down and up and down and up and down all day long to get the clients served as fast as we can,” Bidwell said. “It’s just very fragmented.”

A change in department operations makes the move necessary, she said. In the past, DCF clients dropped off applications and then

waited as long as a month to hear whether they were eligible for services. In 2011, the state switched to what it calls a one-touch business model, which means clients may have to wait a couple of hours to be seen, but 75% of them learn the same day if they qualify for benefits.

The department is handling about 45,000 cases and the number is expected to increase, making the Finney building’s inefficiencies even more of a problem, Bidwell said.

Because many clients bring children or other family members with them, the department needs a lobby for about 300 people, forcing the agency to continually monitor whether it is within fire code, she said. Files must be kept on different floors from clients, there are not enough meeting rooms and the parking lot is a block away, she said.

“We can’t continue to serve clients in this structure,” she said.



# DWIGHT D. EISENHOWER

## Commission Approves Memorial Design Refinements



*Eisenhower as Supreme Allied Commander during World War II is commemorated in bronze sculpture set before a bas relief depicting the beach landing at Normandy on D-day, June 6, 1944. Image courtesy of Gehry Partners, LLP, 2013*

**B**y unanimous vote, the Dwight D. Eisenhower Memorial Commission approved important new modifications to the proposed memorial design at its meeting on June 19, 2013. Architect Frank Gehry, who has been working steadily to refine the preliminary design in order to incorporate comments from the public—unveiled his latest work at the Commission’s meeting.

One of the recent developments is a new image of Eisenhower as president: an artistic interpretation of Eisenhower signing the Civil Rights Act of 1957, the first civil rights legislation to be passed by Congress since Reconstruction. Another refinement to the memorial design is the juxtaposition of three-dimensional sculpted panels. For example, a sculpture of Ike addressing the troops on the eve of D-Day will now have a new backdrop: a bas-relief panel depicting a beach landing with troops coming ashore at Normandy of June 6, 1944 (pictured above).

In addition, changes have been made to a sculpted image of Eisenhower as a young man. The current proposal calls for a statue of Eisenhower as a teenager, seated on the memorial’s overlook wall in a pose that suggests he is looking at his future monumental achievements. The younger Eisenhower serves both to unify the memorial’s composition and as a metaphor it inspires the “American Dream” for young memorial visitors.

Architect Frank Gehry told the members of the Eisenhower Memorial Commission that he feels “more humbled than ever” by what he continues to learn about Dwight D. Eisenhower’s contributions to American life. The next step is to submit the Eisenhower Memorial Commission’s approved memorial design to the Commission of Fine Arts and the National Capital Planning Commission for their approvals.

For more images and further information on the current design, please visit the EMC website at [eisenhowermemorial.gov](http://eisenhowermemorial.gov)

*Reprinted with permission from the Dwight D. Eisenhower Memorial Commission.*



## 2013 Changes to the UPOC and STO

The Standard Traffic Ordinance (STO) has been published by the League of Kansas Municipalities since 1960 and the Uniform Public Offense Code (UPOC) has been published by the League since 1980. Both are designed to provide, respectively, a comprehensive traffic code or public offense ordinance for Kansas cities. Neither the STO nor the UPOC become effective until the city governing body has passed and published adopting ordinances.

It is not necessary to publish the STO or the UPOC in a newspaper if it is properly incorporated by reference. It is only necessary to pass and publish the incorporating ordinances. Remember, you are no longer required to publish ordinances in the newspaper in their entirety. Cities now have the option of publishing a summary of the ordinance in the paper and providing the full text of the ordinance online. Complete steps for utilizing this option can be found on the LKM website at <http://www.lkm.org/resources/ordinances/samples/Ordinance%20Publication/ordinance-pub-clerks-manual.pdf>

The provisions that authorize and prescribe the procedure for incorporation by reference are K.S.A. 12-3009 through 12-3012 and K.S.A. 12-3301 and 12-3302. Both the STO and the UPOC come with a manual of procedure for adopting them by reference. The manuals include an explanation of incorporation by reference and instructions regarding the designation of any changes, omissions, or additions that your city may want to make to the STO or UPOC. In addition, each manual contains a model ordinance for the incorporation by reference. Each manual also contains forms for omitting or changing or adding local regulations to either the STO or UPOC.

Printable order forms for the UPOC and STO are available at <http://www.lkm.org/publications/stoupoc/>

The 2013 editions of both the Uniform Public Offense Code (UPOC) and the Standard Traffic Ordinance (STO) will be available from the League beginning in July.

Sections changed in the 2013 STO include the following:

- Section 1.**            **Definitions.**
- Section 25.**        **Duty to Give Information and Render Aid.**
- Section 30.**        **Driving Under the Influence of Intoxicating Liquor or Drugs; Penalties.**
- Section 30.1**       **Driving Commercial Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs; Penalties.**
- Section 30.2.1**    **Refusal to Submit to Alcohol or Drug Test.**
- Section 30.3**       **Ignition Interlock Devices; Tampering.**
- Section 183.**       **Head Lamps.**

### **Section 186.       Stop Lamps.**

### **Section 200.       Motor Vehicle Liability Insurance.**

The following is a summary of the key changes to the STO in 2013:

**STO Definitions:** A large number of changes have been made in the STO “Definitions” section. Many of the changes were done by the legislature to bring consistency in the various definitions contained in K.S.A. 8-1401, et seq. and the statutory provisions regarding titling and registration of vehicles, others are new to the STO, and some are simply formatting changes. Those definitions that have been changed include all-terrain vehicle, commission, department, electronic certificate of title, electric vehicle, farm tractor, highway, implement of husbandry, micro utility truck, motor vehicle, motorcycle, motorized wheelchair, oil well servicing machinery or equipment, owner, passenger vehicles, person, pole trailer, road tractor, self-propelled farm implement, semitrailer, specially constructed vehicle, trailer, travel trailer, truck, truck tractor and vehicle.

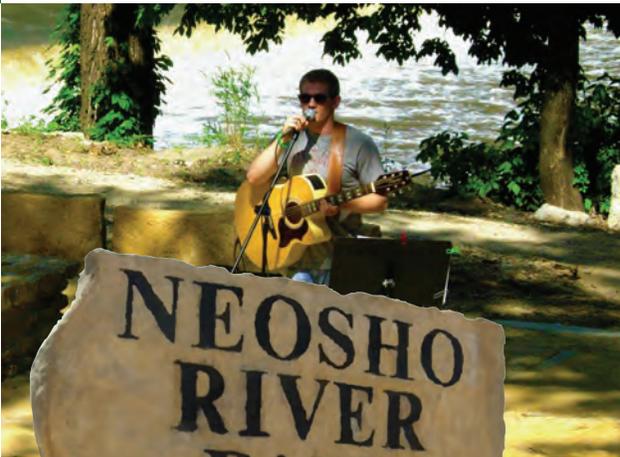
**Proof of Insurance:** In addition to the use of an insurance identification card, an operator of a motor vehicle may now show proof of insurance/financial security at the time of an accident (STO §25(c)) or when requested by law enforcement or as proof in court (STO §§200(d) and (e)) by display on a cellular phone or any other type of portable electronic device. The law enforcement officer to whom such evidence of financial security is displayed shall view only such evidence of financial responsibility. The law enforcement officer is prohibited from viewing any other content or information stored on the cellular phone or other type of portable electronic device.

**Motorcycle Lights:** Section 183 has been changed to allow a motorcycle’s headlamp to be wired with a headlamp modulation system, which must meet federal standards. Changes to section 186 allow certain types of lights on the sides of motorcycles which must be visible only from the side and not from the front or rear and to not protrude beyond or outside the body or wheel of the motorcycle. The side lights may emit white, amber, or red light without glare.

**Comments Regarding STO §30.3, Ignition Interlock Devices:** No change has been made to section 30.3. K.S.A. 8-1015(e) appears to provide an exception to K.S.A. 8-1017(a)(4) (STO §30.3(a)(4)) with regard to driving an employer’s vehicle. However, there are also exceptions to this exception. Please see K.S.A. 8-1015 for further guidance.

Next month’s “Legal Forum” will include a summary of changes to the UPOC.

 *Larry R. Baer is Legal Counsel for the League of Kansas Municipalities. He can be reached at [lbaer@lkm.org](mailto:lbaer@lkm.org) or (785) 354-9565.*



*Neosho River Park photos from the dedication day. Photos provided by the City of Humboldt.*

## NEOSHO RIVER PARK DEDICATION AND IMPROVEMENTS

by Larry Tucker

Looking for a scenic and quiet place to hold a special event, perhaps a wedding or family reunion? The City of Humboldt was given some land years ago by the Neosho River which flows through southeast Kansas and Allen County for sportsmen to use to land local fish. Recently, those fishermen and other volunteers came together to improve access to the river by installing a handicap fishing dock. After that was done, volunteers and local naturalists decided to add a walking trail, kiosk sign, percolo shelter house, information about local vegetation, a monarch butterfly flower garden, and an outside amphitheatre to entertain local events, concerts, weddings, and most recently, the dedication of all the new improvements along the Neosho River.

City Administrator Larry Tucker called the park the “New 8th wonder of Kansas.” County Commissioner Dick Works called it “a great collaboration of what volunteers working together can get done.” Over 150 local citizens and supporters including Senator Caryn Tyson and Representative Ed Bideau attended the dedication which was held on a refreshing summer day along the banks of the Neosho River. For more information, go to Humboldt’s web page at [www.humboldtks.org](http://www.humboldtks.org).

Dedication of the new improvements at the Neosho River Park was held on Saturday, June 8th. A large crowd attended to hear the history, list of improvements, recognition from the State of Kansas and Allen County, entertainment, food and beverages, and official dedication by the Humboldt City Council.

Other improvements include the fishing dock, walking trail, prayer-wheel butterfly garden, tree signs, picnic tables, kiosk sign, electricity and water access and a beautiful view of Humboldt’s famous arch bridge along the Neosho River.

To schedule events, including concerts, weddings and classroom use, contact City Hall.

 *Larry Tucker is the City Administrator for the City of Humboldt. He can be reached at [larry.tucker@kwikom.net](mailto:larry.tucker@kwikom.net)*



# Best Practices

by Michael Koss

## Positive Psychology in the Workplace

It's not always easy to stay optimistic working for a local government. With citizen complaints and political divisiveness in some governing bodies, municipal employees can face conflict from their customers and the organization leaders. These pressures can distract from the city's public service mission and create an uncomfortable work environment. One way to keep a staff focused on their mission and build a more pleasant workplace is utilizing lessons from the field of positive psychology.

Positive psychology is a recently established branch meant to complement and extend mainstream, problem-focused psychology. The field tries to shift the focus from weakness to strength, from repairing to building, and from healing to fulfillment. Founder Martin Seligman hoped it could "achieve a scientific understanding and effective interventions to build thriving individuals, families, and communities."<sup>1</sup>

Research into positive psychology has revealed numerous benefits from upbeat environments. Positive emotions can improve a person's creativity, efficiency and resilience, which is the ability to flexibly respond to changing situational demands and bounce back from negative experiences.<sup>2</sup> A cheerful state may also lead to more cooperative approaches during conflict resolution.<sup>3</sup> People with a sunny attitude even get sick less often than those with gloomy outlooks.<sup>4</sup> Taken together, the benefits of positivity have the potential to dramatically improve a staff's workplace performance.

Does this mean that to improve your organization you need go around making sure all of your co-worker's are happy? Luckily, no. Research shows that in a social network, happiness spreads among people up to three degrees removed from one another.<sup>5</sup> So, if you maintain a cheerful attitude, and try to inspire a positive emotional state in a few others, the rest of the staff likely will be affected too.

An example of the impact of positivity recently occurred in a governmental organization in Kansas, but probably not one that you'd expect. Earlier this year, prison therapist Alecia Chahine decided to test whether she could break through to the inmates of Lansing Correction Facility by cultivating positive emotional states.<sup>6</sup> This was a formidable challenge, considering these criminals face hate, violence, and hopelessness on a daily basis. Over 20 weeks she worked with 4 groups, trying to increase their mindfulness of the good aspects of their lives. She began each session by asking the participants what was better since the last meeting. She then facilitated a discussion on one of a dozen topics, including gratitude, meaning, happiness and humor. Chahine claims that the majority of the inmates experienced an increase in positive emotion over the course of the meetings. One inmate said of the exercises, "I start to notice stuff that happens during the week... Maybe a visit or getting a letter from my girl or not getting a DR [disciplinary report] or getting pictures of my kids... It gets easier to see the good stuff going on."<sup>7</sup> Chahine's success is evidence that increasing positivity can transform even the most toxic environment for the better.

There are several ways to encourage positivity at your workplace. Try starting a meeting by complimenting your peers for their contributions. If the employees are receptive, the comments could generate creativity and smart decision making. Also try focusing

beyond yourself. By reaching out to others, you make that person and yourself feel better. This could be a small act like bringing homemade treats to work, which may also generate productive interactions. Another idea is keeping a gratitude journal at work, which allows you to pause each day and reflect on the most satisfying aspects of your life. Maybe the simplest strategy is just to act happy. Simply smiling, or talking optimistically, can make people feel better. It may sound crazy, but just going through the motions of happiness triggers related emotions.<sup>8</sup>

Local governments can sometimes be a difficult place to work. They can also be some of the most rewarding. Encouraging positive emotional states within city government can help employees see the meaningful aspects of their positions, make their work more enjoyable, and facilitate their development in ways that improve municipal operations. So if you're searching for strategies to advance your organization, the best first step might be a simple smile.

<sup>i</sup>Seligman, M. (2007). Positive Psychology, Positive Prevention, and Positive Therapy. In C.R. Snyder & S. Lopez (Eds.), *Positive Psychology: The Scientific and Practical Explorations of Human Strengths* (pp. 133-134). Thousand Oaks, CA: Sage.

<sup>ii</sup>Tugade, M., Fredrickson, B., & Barrett, L.F. (2004). Psychological Resilience and Positive Emotional Granularity: Examining the Benefits of Positive Emotions on Coping and Health. *J Pers.* 2004 December; 72(6): 1161-1190. doi: 10.1111/j.1467-6494.2004.00294.x.

<sup>iii</sup>George, J. M., Brief, A. P., & Motowidlo, S. J. (1996). Motivational agendas in the workplace: The effects of feelings on focus of attention and work motivation. In L. Cummings & B. W. Staw (Eds.), *Research in organizational behavior* (Vol. 18, pp. 75-109). Greenwich, CT: JAI.

<sup>iv</sup>Palmer, A. (2003, November). Positive emotion styles linked to the common cold. *Monitor in Psychology*, 34(10), 16.

<sup>v</sup>Fowler, J.H. & Christakis, N.A. (2008). Dynamic spread of happiness in a large social network: longitudinal analysis over 20 years in the Framingham Heart Study. *British Medical Journal*, 337(a2338), 1-9.

<sup>vi</sup><http://www.doc.ks.gov/news-room/news-stories/archived-news-stories/positive-psychology-group-therapy-for-maximum-security-male-inmates-identifying-nurturing-and-enhancing-strengths-and-virtues>

<sup>vii</sup>Chahine, A. (2013, March 25). Positive Psychology Group Therapy for Maximum Security Male Inmates: Identifying, Nurturing, and Enhancing Strengths and Virtues. *Corrections.com*. Retrieved June 2, 2013, from <http://www.corrections.com/news/article/32721-positive-psychology-group-therapy-for-maximum-security-male-inmates-identifying-nurturing-and-enhancing-strengths-and-virtues>.

<sup>viii</sup>Seligman, M. (2007). Positive Psychology, Positive Prevention, and Positive Therapy. In C.R. Snyder & S. Lopez (Eds.), *Positive Psychology: The Scientific and Practical Explorations of Human Strengths* (pp. 145-146). Thousand Oaks, CA: Sage.

 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

# DID YOU KNOW?

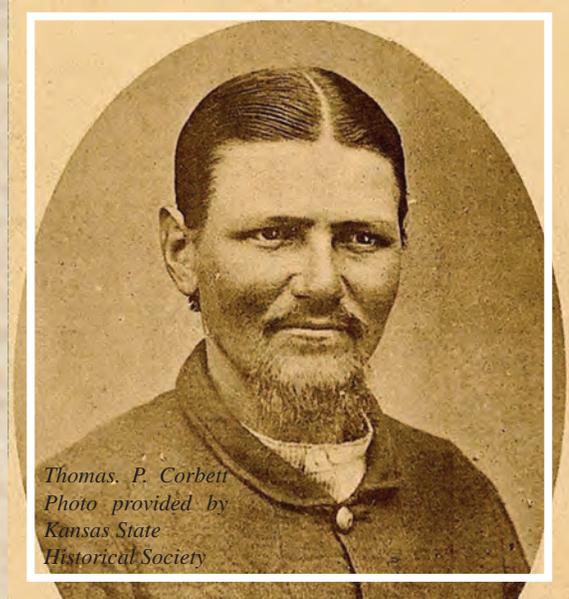
by Kimberly Winn

Did you know that the man who killed John Wilkes Booth lived in Kansas prior to his death? Known by most Americans as the “Avenger of Lincoln,” Thomas P. Corbett was born in England in 1832 and immigrated to the United States at the age of seven. Living in Troy, New York, he pursued a business as a hatter. Corbett later moved to Danbury, Connecticut. He married, but his wife died in childbirth.

Corbett was in Boston when he happened upon a church revival and experienced a deep religious conversion. It was there that he changed his first name to Boston in acknowledging of his rebirth.

With the onset of the Civil War, Corbett volunteered for the Union Army. On the morning of April 15, 1865, news that President Abraham Lincoln had been shot the night before reached Corbett and his fellow soldiers in Virginia. The President was still alive at the time, but not expected to recover. Corbett volunteered to help hunt down the perpetrators.

“We advanced down to the Potomac River,” he later recalled, “when near the river we saw the flag at half mast on one of the forts and we knew our President was dead.” On April 26, 1865, Corbett’s detachment reached Garrett Farm near Bowling Green, Virginia. The assassin, John Wilkes Booth, and an accomplice were said to be hiding in a tobacco barn. “A surrender was demanded and refused,” Corbett wrote, “Booth declaring he would not be taken alive.”



Thomas P. Corbett  
Photo provided by  
Kansas State  
Historical Society

Orders were given to drive the men out with fire and take them alive. Accomplice David Herold surrendered, but Booth remained in the barn. Corbett approached a gap in the wall, saw Booth, and shot him. He wrote that it “was the day on which God avenged Abraham Lincoln’s death.”

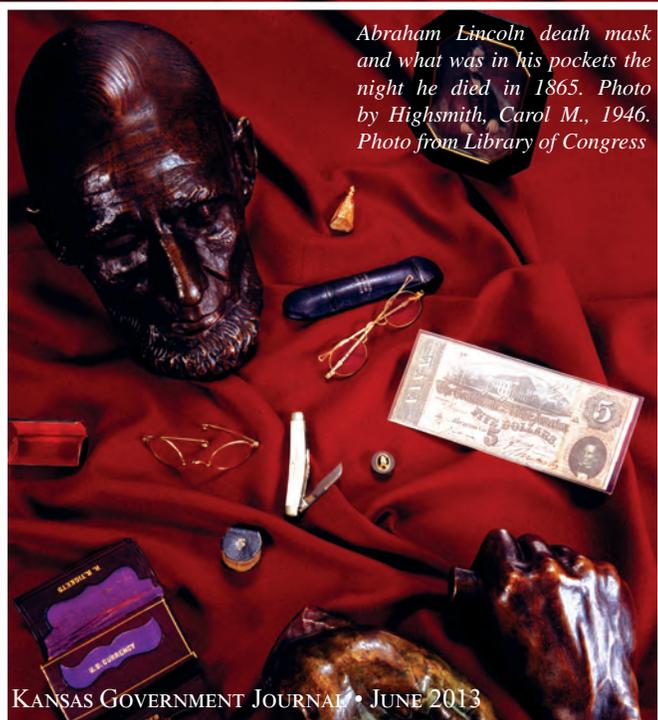
Corbett expected to be hailed as a hero, but was arrested for disobeying orders. He was released and returned to Boston, but was never able to go back to his pre-war way of life. Corbett came to Kansas in 1878. Living in a dugout near Concordia, neighbors said he kept to himself and greeted visitors with a rifle in hand. He avoided talking about the events that took place at Garrett Farm.

In 1887, Corbett was given the position of assistant doorkeeper for the Kansas House of Representatives in Topeka. He was proud of his position and took it seriously, wearing his army holster and pistol on the job. During a session of the legislature, Corbett overheard a comment he considered blasphemous. Outraged, he brandished his pistol, clearing the room.

Corbett was arrested, declared insane, and committed to the state hospital in Topeka. In May 1888, while taking a walk on the grounds with other patients, Corbett saw a horse hitched near the entrance and used it to make his escape. He rode south to Neodesha, stayed with a friend for a couple days, then said he was leaving for Mexico.

A few years later a man claiming to be Corbett surfaced, trying to collect his pension. He was found to be an impostor. No further official record of Corbett exists.

Source: Kansas State Historical Society, *Kansapedia*



Abraham Lincoln death mask and what was in his pockets the night he died in 1865. Photo by Highsmith, Carol M., 1946. Photo from Library of Congress



# Phillipsburg Aquatic Center Grand Opening

By Regan Bartels

**A**fter several failed attempts, our community finally pulled together and created a pool committee. In May 2010, the committee met for the first time to discuss the many options that lay ahead of them. At the time, our pool was nearing its 50-year mark and it needed many updates and repairs.

Growing up, I lived at the pool during the summer. So naturally, I became a lifeguard as soon as I was old enough. Although I was just a teenager, even I knew that the condition of our pool was not acceptable. From cracked concrete to a failing pump, we had issues.

Mayor Fred Robinson, who pushed for the creation of the pool committee, felt it was necessary that the youth of our community were represented during the process. As a sophomore, I was asked, alongside three of my classmates, to join the committee and voice the opinions of the youth. Our committee members ranged from teenagers to senior citizens, swimmers and non-swimmers; but all

had the best interest of our small town in mind.

The committee worked to hire an architecture firm to give us design options; questionnaires were sent out to the public to find out the type of features our community wanted included; the four youth members gave a presentation to the high school students; and the elementary school kids voted to choose the two floatables that would be incorporated. We targeted the kids in our community to make them excited about the future of our pool, so they would go home and talk to their parents and make them excited about the project, too. Mayor Robinson also spoke to many organizations throughout Phillipsburg to make sure the correct information was being shared.

Even though we targeted the youth, we also knew that we needed to gain the support of the older population of our community to pass the project. A therapy pool was our solution. This pool would be a small indoor pool that could be used year round for rehab and exercise.

Before our project went to vote in April 2011, our committee held an informational meeting to encourage voters to support



the project. Knowing that a new pool had been shot down in previous years, I was particularly nervous on election day, especially since I wasn't old enough to vote yet. Waiting on pins and needles to hear the outcome, we were thrilled to find out the pool project passed by a narrow margin.

I thought the project would be smooth sailing from there. However, we soon hit a major bump in the road. After breaking ground and starting construction, our general contractor failed to show up one day. We soon learned that the company had gone bankrupt, and our project came to a screeching halt. After what felt like forever, we finally hired a new contracting company, and construction began again.

Originally, we planned for the new facility to be open for the summer of 2012, but with the construction setback, the old pool was filled for one last summer. The 50-year-old pool had other plans.

It was ready for retirement. After inspection, we learned that the main pump for the pool was barely hanging on. We had the option to replace it, but decided against it because we only needed it for a few months. Thankfully, the pump held out until the final weeks of summer, and we had to close a bit earlier than expected.

This past winter, the first part of our pool opened to the public. The response to the therapy pool was better than anyone imagined. The indoor pool features two underwater jets, which provides resistance when swimming or walking against a handicap accessible ramp, and various exercise and therapy equipment. The hospital physical therapy department uses the therapy pool to help rehabilitate patients. It is also open to the public for exercise use.

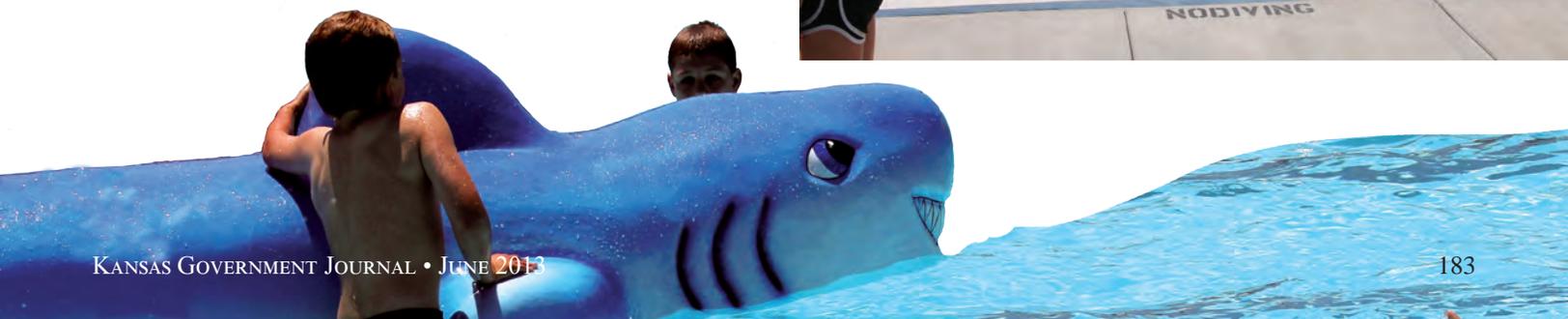
The outdoor pool soon followed suit, and an open house was held on May 16, 2013. The public was able to get its first taste of all that the aquatic center had to offer. Hearing all of the positive comments and the excited squeals of little kids made this long project worthwhile.

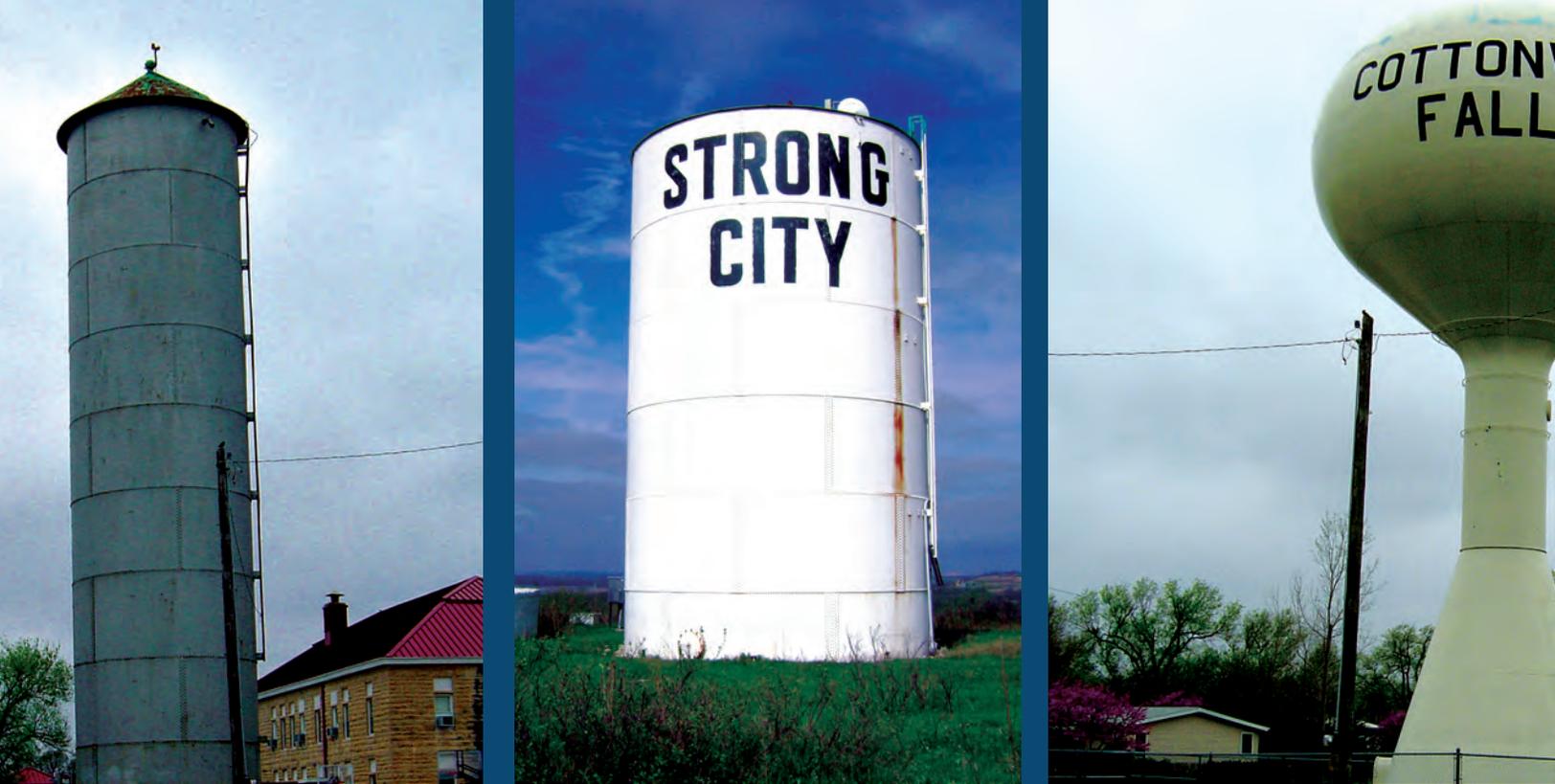
The aquatic center's grand opening and ribbon cutting ceremony took place on May 25, 2013, three years after the process began. The pool was packed with excited patrons of all ages.

Families filed in, the parents as excited to swim as their kids. As I sat on the lifeguard stand that day, I felt proud of the hard work that not only I had done, but the committee and community as well. Our dreams finally became a reality.

☀️ *Regan Bartels is a Phillipsburg High School 2013 graduate.*

*Photos provided by the City of Phillipsburg and taken by Roxanne Bartels.*





# Cities Unite for New Water Supply

by Shari DeWitt

**I**n September of 2008 the Cities of Strong City and Cottonwood Falls and Chase County Rural Water #1 met to discuss the applying for a grant through KDHE to perform a study regarding the construction of a Regional Public Water Supply System. All entities agreed to proceed with the study and invite the City of Elmdale who was interested in participating.

In October 2008 the four entities met and agreed to apply for the KDHE grant which would provide a 50% cost-share match up to a maximum of \$12,500 for development of a preliminary engineering study for a Regional Public Water Supply System. Each entity appointed two members of their board to serve as the members to attend meetings and have voting privileges for the project.

The estimated cost of the study is \$28,565 for engineering cost and \$7,500 for water testing and geology, less KDHE grant of \$12,500. The cost to the committee would be \$23,565. Chase

County Development, Inc. approved to pay the committee's cost of the study in the amount of \$23,565.

The committee received an agreement from KDHE for funding the study. BG Consultants presented a draft of the Region Water Study to evaluate the feasibility of creating a wholesale water supply district and EOPC. Engineers recommended funding options – CDBG grant program for individual projects, State Revolving Loan Fund, Rural Development and General Obligation Bonds or Revenue Bonds.

We then received a grant from the Bureau of Reclamation to complete feasibility of creating a wholesale water supply district in the amount of \$150,000

The KDHE required Pilot was completed in June 2013, with results better than expected.

 Shari DeWitt is the City Clerk for Strong City. She can be reached at [strongcity@sbcglobal.net](mailto:strongcity@sbcglobal.net)



*Photos of current water supply systems in place. Photos provided by BG Consultants, Inc*

## Public Wholesale Water Supply District #26

This project began with several area communities each separately pursuing preliminary engineering reports conducted by BG Consultants, Inc. to upgrade the aging water supply, treatment and distribution systems in their communities. After coordinating and listening to the needs of each entity, a comprehensive, regional water study that addressed the water needs of each community was prepared. The report recommended Cottonwood Falls, Strong City, and Chase County RWD #1 form a public wholesale water supply district to supply water to the regional area. Raw water from the existing Cottonwood Falls and Strong City wells shall be treated by a new 0.5 MGD treatment plant located in Strong City. The new treatment plant includes greensand plus pressure filtration followed by reverse osmosis filtration. Finished water will be diverted to a new 0.5 million gallon storage tank for adequate storage capacity and pressure to the regional distribution systems.

A waste stream summary was prepared and submitted to Kansas Department of Health and Environment to gain approval from several state agencies for the disposal of the treatment residual. Several options were evaluated with respect to environmental, capital costs, and operational impacts. The recommended option is to direct discharge the RO concentrate to the Cottonwood River. The agencies concurred with the proposed option and a discharge location was selected that will provide minimal environmental impact and low construction and operational costs. Iron and manganese sludge will either be land applied or discharged to the existing lime sludge lagoons.

A pilot study utilizing the proposed treatment process is required to verify treatment results and operational costs. The design team elected to procure equipment manufacturers based on qualifications and proposed cost of the anticipated final equipment. This process allows the District to pilot equipment from the manufacturers that will be supplying the final equipment and the design team is able to design the plant specific to the final equipment being supplied. This also allows for the identification of potential problems early in the process and changes can be mitigated before the final design. This process does take longer and the procurement of equipment and subsequent pilot study is the critical path. The pilot began in March 2013 and is currently in its final stages.

Other portions of the design include a new 0.5 million gallon ground storage structure and new water transmission lines connecting the new and existing infrastructure. A unique aspect of this project is that the District will also own and operate the new storage structure, which will directly serve all three entities. This reduces operational costs of each entity maintaining smaller separate storage structures. Supply to each system will be the responsibility of the District. Two of the entities have existing infrastructure in close proximity to the proposed tower. The supply to Cottonwood Falls requires 10,000 feet of 16" waterline. This supply line will have to cross the Cottonwood River via directional bore. A new 8" raw waterline under the Cottonwood River is also required to connect the existing wells to the new treatment plant.

The proposed waterlines will be constructed through existing City right-of-way or on private easements. Landowners were contacted early in the process and easements are currently being acquired. The ability to promptly identify the proposed easements and provide legal descriptions will allow the district ample time to acquire the necessary easements.

Separate projects are currently being designed that will improve the aging infrastructure of each entity. These improvements will reduce water loss by replacing over 100,000 feet of existing distribution mains. Combined with the wholesale district there will be approximately \$10 million in water system improvements constructed in the region.

### Project Funding:

USDA-Rural Development Loan	\$2,359,000
USDA-Rural Development Grant	\$1,911,400
CDBG Regional Grant	<u>\$1,000,000</u>
<b>Total Project Funding</b>	<b>\$5,270,400</b>

The PWWSD 26 is the first CDBG Regional Grant in Kansas.



### LOCATION:

Chase County, Kansas

### CLIENT CONTACT:

PWWSD #26  
420 E 4th St.  
P.O. Box 208  
Strong City, KS 66869  
Mike Cahoon, Chairman  
620-273-6345

### FIRM RESPONSIBILITIES:

- Preliminary Engineering Report
- Surveying & Easements
- 0.5 MGD Treatment Process Design
- Waste Stream Summary Report
- Pilot Testing Oversight
- Structural Design
- Architectural Design
- Civil and Waterline Design
- Construction Administration

### PROJECTED COST:

\$5,270,400



# Classified Advertising

## Assistant City Manager

The City of Cape Girardeau, Missouri, is seeking two Assistant City Managers. Cape Girardeau is a growing community with a current population of nearly 38,000. Ideally located on the Mississippi River and Interstate 55, the City is a regional education, retail, and healthcare hub with a daytime population exceeding 100,000.

The City has a \$51.7 million operating budget with 390 full-time employees, \$78.5 million capital projects budget, and Standard & Poor's National Municipal Bond rating of "A+."

The Assistant City Manager for Administrative Services oversees the Human Resources, Information Technology, Finance, and Customer Service Divisions, more than 20 full-time personal and a \$1.5 million departmental operating budget.

The Assistant City Manager for Development Services oversees the Engineering, Geographic Information Systems, Inspections, and Planning Divisions, along with operations of the Cape Girardeau Regional Airport, more than 40 full-time personnel, a \$78.5 million Capital Improvement Projects budget, and a \$3.3 million departmental operating budget.

Bachelor's degree and 5 years of progressively responsible management experience in a municipal environment required. Master's degree preferred. Residence within City limits within six months of hire date required.

View complete position profiles and apply online: [www.GovernmentResource.com/pages/CurrentSearches](http://www.GovernmentResource.com/pages/CurrentSearches)

For more information contact: Gary Holland, SGR Senior VP [GaryHolland@GovernmentResource.com](mailto:GaryHolland@GovernmentResource.com)

## Chief of Police

The City of Osborne, Kansas is seeking a community oriented professional to serve as Chief of Police. This full-time position prioritizes, assigns, disciplines and evaluates the work of other police department employees and directs departmental programs and activities. Enforces the city code, animal control and serves as the City's Health officer. Ability to plan, organize, prioritize, coordinate, assign and evaluate work of police officers. Ability to prepare detailed and accurate reports, communicate effectively, both orally and in writing. Ability to deal courteously and authoritatively with the public. Minimum

Requirements: At least 5 years work experience as a commissioned Kansas law enforcement officer and at least 2 years of supervisory experience. Possess an excellent work history and attendance record. Possession of a valid Kansas driver's license, excellent driving record is required and submit to an extensive background check. Must provide current Kansas law enforcement certification from the Kansas Law Enforcement Training Center or equivalent. City residency preferred. Benefits include vacation and sick leave, holidays, health insurance and Kansas Public Employees Retirement System (KPERs). Applicants should send employment application, resume and three professional references to City of Osborne, City Clerk, 128 N. First Street, Osborne, KS 67473. Employment applications can be obtained by contacting the City Clerk at or call (785)346- 5611. EOE.

## Chief of Police

The City of Dodge City, Kansas, population approximately 28,000, the largest city in Southwest Kansas, is accepting applications for the position of Chief of Police. This position reports to the City Manager and heads the City's Police Department composed of 49 sworn positions and 21 non-sworn positions. The FY 2013 operating budget is \$4.8 million. As a member of the City's Manager's management team, the Chief is responsible for directing, planning and managing all functions and operations of the Police Department.

A Bachelors Degree in Criminal Justice or a closely related field from an accredited college or university is required, plus at least 10 years progressively responsible experience. Master's Degree preferred but not required. Beginning salary range is \$82,200 to \$92,000, DOQ, plus complete City benefit package. Requires Kansas State Law Enforcement Certification within 12 months of employment.

Please review complete ad online at [www.dodgecity.org/jobs.asp](http://www.dodgecity.org/jobs.asp) and apply using [www.hrepartners.com](http://www.hrepartners.com). Attach a resume, cover letter, and a list of no fewer than 10 personal references. Please submit a copy of college transcripts by email to [hr@dodgecity.org](mailto:hr@dodgecity.org). Should accommodations be needed to receive or complete the online application, please contact Human Resources, City of Dodge City, PO Box 880, Dodge City, Kansas 67801, or call (620) 225-8100 or email [hr@dodgecity.org](mailto:hr@dodgecity.org). Review of applications will begin immediately

and shall end by September 1, 2013. We anticipate final selection by January 1, 2014.

Substance Abuse screening and post offer physical required. Must confirm USCIS (I-9) employment eligibility upon hire. The City of Dodge City is a drug free work place. EOE

## City Administrator

Located in the heart of Northeast Kansas, Valley Falls (pop. 1192) is looking for a highly motivated person to be our next City Administrator. The right candidate is the one that is willing to invest themselves in the community to preserve the best quality of life for all residents with the same can do spirit that drove the early settlers of this region. Valley Falls is a full service community that sits half-way between Topeka and Atchison at the junction of K-4 & K-16 Highways in the beautiful rolling hills of northeast Kansas. Valley Falls has a \$1.5 million budget and operates its own water and sewer facilities. The community offers Standard of Excellence award winning Pre-K through 12 school system, library, and recreation commission and activities. It maintains beautiful parks, baseball fields, and swimming pool. Experience and a certificate or a degree in Public Administration, Public Works, or business is preferred, however it is expected that the selected candidate shall be able to attain the necessary skills for the job within a year after hired. Individual must possess good interpersonal and communication skills, as well as budget management skills. Experience in economic development is a plus. Residency in Valley Falls is required. Competitive salary and benefit package will be offered DOQ and experience.

Send cover letter and resume to City of Valley Falls, 417 Broadway Street, Valley Falls, Kansas 66088, or email to: [vfcity@giantcomm.net](mailto:vfcity@giantcomm.net). Position open until filled.

## City Engineer

The City of Alice, Texas, is seeking a new City Engineer. Alice, with a population of almost 20,000, is located 44 miles west of Corpus Christi and intersected by US Highway 281 and State Highways 44 and 459. Positions directly reporting to the City Engineer include one assistant city engineer, two engineering technicians, one administrative assistant, one special projects/maintenance and construction superintendent. The Engineering Department operating budget for FY 2013 is \$293,090.

Bachelor's Degree in Engineering and ten or more years of progressively responsible experience required. Master's Degree and local government experience preferred. Must possess or have the ability to obtain within 6 months of employment a Professional Engineer license.

View complete position profile and online application instructions: [www.governmentresource.com/pages/CurrentSearches](http://www.governmentresource.com/pages/CurrentSearches)

For more information on this position, contact: Chester Nolen, Senior VP Strategic Government Resources [Chester@GovernmentResource.com](mailto:Chester@GovernmentResource.com)

Deadline: August 7, 2013

### **City Engineer**

The City of Plano, Texas, is seeking a new City Engineer. Plano is a community of over 261,000 residents located 20 miles north of Downtown Dallas along US Highway 75.

The City has a budgeted, full-time staff of 2,050, and 717 part-time and seasonal employees, and a total combined budget for FY2013 of over \$424 million. The Engineering Department has 62 full-time employees and a combined department operating budget for FY 2013 of over \$11.5 million.

Bachelor's Degree in Civil Engineering and seven or more years of experience as a professional engineer required. Must have Registered PE credentials, and if those credentials are not from the State of Texas, they must be transferred to Texas within 1 year of hire.

View complete position profile and online application instructions: [www.governmentresource.com/pages/CurrentSearches](http://www.governmentresource.com/pages/CurrentSearches)

For more information on this position, contact: Chester Nolen, Senior VP Strategic Government Resources [Chester@GovernmentResource.com](mailto:Chester@GovernmentResource.com)

Deadline: August 7, 2013

### **City Manager**

Junction City, located in second fastest-growing U.S. micropolitan region, seeks City Manager to contribute to economic growth, consistent with its values of self-sufficiency and community diversity. Prospective candidates will find exceptional public schools and quality of life; thriving economy with an unemployment rate below national average; nearby U.S. Army installation of Fort Riley and Kansas State University; and many destination parks, including Milford Lake, the largest man-made lake in Kansas.

Council/Manager government since 1946; six managers in past 30 years. Position has

responsibilities for hiring/termination of 175 employees, \$48 million budget, management of all services, purchasing, policy research and recommendations. Base salary of last City Manager was \$100,000. Letter with resume, salary history in one e-file, in confidence to recruitment advisor: [bcrowder@austinpeters.com](mailto:bcrowder@austinpeters.com). Preference to resumes received before August 2. Finalists subject to disclosure. Qualifications in recruitment profile: [www.junctioncity-ks.gov](http://www.junctioncity-ks.gov).

### **Electric Maintenance Worker I (Electric Department Lineman)**

The City of Anthony, Kansas (pop. 2,300), is seeking an Electric Maintenance Worker I (Electric Department Lineman) to serve the growing electrical distribution needs of the community.

A high school diploma or GED is required. A vocational degree in electricity or additional training is preferred. Must possess a valid Kansas Class C driver's license

The ideal candidate must be able to maintain power lines, electrical equipment and transformers. Abilities to maintain jobsite safety and set poles are required. Applications and complete job description are available at: [www.anthonykansas.org](http://www.anthonykansas.org). Please call 620-842-5434 for more information.

### **Police Chief**

The City of North Newton (population 1700) is accepting applications for the position of police chief. North Newton is a quiet, low crime community that is home to Bethel College. The Police Department has two full time employees including the chief and several part time officers. The current chief is retiring after 30 years in the position. The ideal candidate would show sound judgment and prudence in the enforcement of local ordinances with a demonstrated ability of earning respect and appreciation of the public. The salary range for the position is between \$39,000 and \$55,000/yr. Benefits include KPERS, health insurance, liberal holiday and vacation leave, and an ideal work environment. Interested individuals should send a letter, statement of qualifications, and at least three references to City Administrator, P.O. Box 87, North Newton, KS. 67117.

North Newton is an equal opportunity employer.

### **Police Officer**

The City of Baldwin City is now accepting applications for a full-time Police Officer.

The position protects and serves the citizens of Baldwin City. This position provides citizen assistance, enforces all federal, state, and local laws, and performs patrol duties.

Making arrests, issuing citations for traffic violations, and investigating crimes and accidents are the primary responsibilities of this position. This employee should possess excellent communication, public relations, and interpersonal skills.

Qualified applicant must be a U.S. Citizen, have a High School/GED education and be at least 21 years of age.

Experienced officer preferred; KLETC certified or equivalent.

Annual Salary Range is \$31,680 to \$47,520. Depending on Qualifications.

For a complete job description please visit the City's website at [www.baldwincity.org](http://www.baldwincity.org).

All interested parties should go to Kansas HREPartners ([www.hrepartners.com](http://www.hrepartners.com)) to fill out an application. Applications will be accepted until the position is filled. EOE

### **Police Officer**

The City of Edwardsville, Kansas is accepting applications from qualified persons to fill future Police Officer position(s). Salary is \$39,613.08/yr to \$47,773.09/yr DOQ.

Minimum Qualifications: Twenty one years old when hired; high school diploma or GED; current peace officer certification or ability to obtain certification within one year; good physical condition; no domestic violence or felony convictions.

Interested persons should submit a cover letter, résumé, and employment application to Edwardsville Police Department, 650 South 4th Street, Edwardsville, KS 66111. Applications and full details about the position and benefits are available on the City's website at [www.edwardsvilleks.org](http://www.edwardsvilleks.org), or by emailing

### **Power Plant Operator**

The City of Baldwin City is now accepting applications for a Power Plant Operator.

The employee in this position operates and maintains generation equipment and cooling towers, performs routine maintenance on buildings and grounds, and works with, and assists other departments as deemed necessary.

Applicant should have a strong mechanical background and willingness to learn. 1-3 years of operator experience and maintenance is preferred. HS Diploma/GED and a valid Kansas Driver's License required.

Annual salary range \$39,520 to \$43,680 depending on qualifications.

Must be willing to work varied and/or extended hours.

For a complete job description please visit the City's website at [www.baldwincity.org](http://www.baldwincity.org).

All interested parties should go to Kansas HREPartners ([www.hrepartners.com](http://www.hrepartners.com)) to fill out an application. Applications will be accepted until the position is filled. EOE



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# Moler's Musings

by Don Moler

## A Sense of Place



I just returned from a long weekend in Illinois during which I attended my 40th high school class reunion. I probably shouldn't admit that it has been 40 years since I graduated from high school, but there it is. Few things in life seem to date one more than going back to class reunions after a period of years have passed, and you can see what all of those beautiful young people look like

after that passage of time.

I had been reluctant to go back for my reunion as I hadn't been to one in a while, and it would be the first time returning to Charleston, Illinois when my parents no longer lived there. For a period of time I seriously considered not going at all given the time and distance commitment it involved. But, in the back of my mind, I remembered a conversation with my mother from many years ago which I have never forgotten, and which I will recount to you now.

The conversation took place long after I had moved away and had started my own life in Kansas. It began as a discussion of place. I should tell you before I relate the story that my mother always took great stock in places and their meanings to her. For her entire 90 year life, she had an never-ending love of Jamestown, Kansas, and our family farm located there (known as Ansdell Acres). The farm was founded by my great-grandfather, her grandfather, in 1870. She related to that place like no other. She also had a fondness for other important places in her life, including Charleston, Illinois.

On a visit to Charleston back in the 1980s, Mom made a statement to me that she assumed I would want to come back to Charleston, apparently on a regular basis (although she didn't articulate that) because of my fondness for the place. In an effort to be a good son, I replied that if Mom and Dad weren't there, there wouldn't be any reason for me to return to Charleston. Well, in a nutshell, that was one of the few times in my life that I can ever remember my mother being absolutely furious with me. She let me know it in no uncertain terms.

That conversation/admonishment has stuck with me for all these years, and it popped back into my head as I considered returning for my 40th class reunion this summer. It struck me that my mother had spoken to me about this very matter, and would expect me to return to the city of my birth, and to revisit the important landmarks and people in that city. So that is what I did, accompanied by wife Judy, who went along to lend moral support and be a charming traveling companion.

Returning to a place, and finding that place intact and thriving, is important to a sense of our place in the world, and our journey through life. I attended the 40th reunion, spoke with people who I hadn't spoken to in decades, and rekindled old friendships with comrades from my youth. As one might expect, and as I would guess is common with most high school classes, perhaps 50% of

the folks from the class never left Charleston. The remainder had scattered to the four winds and had returned simply for this event.

But they, as I, had returned in part to reminisce and I suspect in part to remember a place that was once central to our lives. I did the usual things of traveling around town. I revisited my childhood home, which my folks so dearly loved, and was pleased to see it was still standing and had a new coat of paint. One never knows what will happen after one leaves, but the house was still there and I was glad. I drove by the buildings where my father used to work at Eastern Illinois University. I drove around the town square, which houses not only a number of businesses, but surrounds the venerable Coles County Courthouse where my mother was a county commissioner for many years. While many things had changed, it was amazing how many were the same as they had been almost a half century ago.

I think it is important, particularly for those of us in city service, to remember a sense of place. The communities that we help to govern and guide are important, and at their core are essential places for the people who live in and grow up in the community. The ability to have a positive experience in one's youth, which one can relate back to a community, can be laid directly at the feet of those individuals who are willing to step up and guide that community in its development and civic life.

It is important that people have a positive growing experience through their communities. It is also important that the communities continue to grow and thrive, to the extent possible, creating a linkage back for those who have grown up there and then moved on, as well as for the current citizens. Of course one never knows how things will play out as time passes, but we as stewards of cities in Kansas need to be ever mindful that there are literally thousands of people who look fondly on our communities, and who expect nothing less than the best from us in helping to guide them into the future. Taking a trip down memory lane is a very interesting experience, and is, as my mother suggested, directly tied to people and places we once knew.



*Don Moler with his 1967 Lincoln Continental convertible back in the day.*

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