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GOVERNMENT JOURNAL

VOLUME 100 NUMBER 1

JANUARY 2014

Inside:
Chief Little Bear Day
J.O. Sundstrom Conference Center
Quinter Rejuvenation

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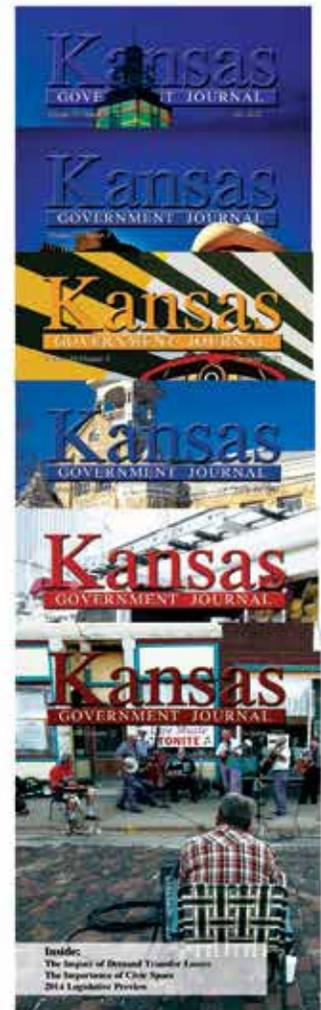
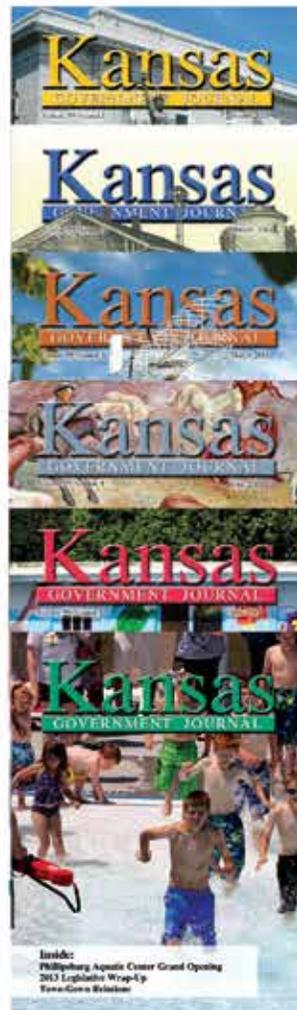
GOVERNMENT JOURNAL

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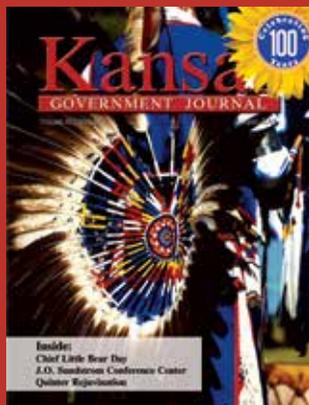
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About the Cover:
Delaware Tribe dancing
ceremony at the Little Bear
Day in Neodesha. *Photo
provided by Bobby Busch.*
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The *Kansas Government Journal* is published monthly by:

© League of Kansas Municipalities
300 S.W. 8th Ave. • Topeka, Kansas 66603-3951
phone: (785) 354-9565 • fax: (785) 354-4186
www.lkm.org

General subscriptions are \$40 annually. Subscriptions for League member cities and research subscribers are \$20 annually. Individual issues cost \$5, with an additional \$5 charge for the Tax Rate Book edition.

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The mission of the League shall be to 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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January

- 01 - New Years Day
- 13 - 2014 Legislature session begins
- 20 - Martin Luther King Day

February

- 05 - City Hall Day, Topeka
- 06 - Governing Body Meeting, Topeka
- 21 - MLA: Ethics, Goodland
- 22 - MLA : Ethics, Fredonia
- 28 - MLA : Ethics, Basehor

March

- 07 - Governing Body Meeting - Topeka
- 21 - MLA : Municipal Finance, Beloit
- 22 - MLA: Municipal Finance, Pittsburg

Obituaries

Kevin Buchta, 78, former member of the Merriam City Council, died on January 14, 2014.

Besides representing Ward 3 on the Merriam City Council for eight years, Kevin had a long history of service to the Merriam area. He held several volunteer executive positions with the Antioch Hills Homes Association. Kevin was a member and chairperson of the Merriam Tree Board. He also coordinated the community Spring Tree Sale for several years. Kevin was one of the planners instrumental in the development of the Merriam Turkey Creek Streamway.

Kevin served on the committee to bring the Flags 4 Freedom Display to Merriam. Kevin was a member of Queen of the Holy Rosary parish, Historic Merriam, the American Legion, Arbor Day Foundation, and the Merriam Downtown Development Council.

Everett Lee Donham, 69, Mayor of Viola and retired Overhaul Specialist at Electromech, died Sunday, December 15, 2013. Everett was a lifetime member of the Lions Club, avid bass fisherman, and Captain of the Viola Volunteer Fire Dept.

Harold H. Hundley, 91, died November 22, 2013. Harold served in the United State Army Air Corps during World War II. Harold lived in Salina from 1957 to 1964, and was an active member of the Kiwanis club, a Boy Scout leader and member of Sunrise Presbyterian Church. He retired to Oak Hill in 1991, where he served as mayor for 12 years.



Presidents Update

Editor's Note

As many of you know, the League is currently in the process of selecting a new Executive Director to lead the organization. As the League transitions, we wanted to take a moment to also highlight some of its history. In December 1914, the 1st edition of the KGJ was printed, and we will be featuring historic articles in each edition of this year's magazine leading up to its 100th anniversary in December. We hope you enjoy these articles, and appreciate your support in making this year's KGJ a success.



The coming year will bring about some significant changes to the League of Kansas Municipalities, its members, and employees. We said goodbye to our long time Executive Director Don Moler, who served LKM for the past 28 years, the last 15 years as our Executive Director. If you ever talked to Don or were around him at all, you would know he believed very strongly in the mission of the League. Don's work and commitment during

his time at the League kept our organization strong and financially sound. In addition to Don's retirement we said goodbye to our Deputy Director Kim Winn who began serving as the Executive Director of the Virginia Municipal League of Cities in January. Kim served our organization with a high level of commitment and energy and I wish her well in her new role at the Virginia League.

The LKM Board has engaged a search firm to conduct a national search to fill the position. Past President Brenda Chance last fall appointed a search committee (see insert) which will be assisting the Governing Body in screening and interviewing candidates. The search is going well and the Board hopes to interview finalists for the position in early February with a goal of having a new Executive Director on board by April 1 of this year. Early in the search process it was apparent we would not have a new Executive Director on board by the first of the year. The Board then discussed hiring an interim director to help with the staffing transition. At the December Board meeting, the Governing Body approved the hiring of Michael Johnston to serve as Interim Executive Director of the organization effective January 1, 2014. Michael is a native of Parsons, Kansas, retired in June of 2013 after eighteen (18) years as President/CEO of the Kansas Turnpike Authority. Michael served 14 years in the Kansas Senate, the last six as Senate Democratic Leader. He also served stints as the Secretary of the Department of Human Resources, Secretary of the Kansas Department of Transportation. Finding an interim Executive Director was not an easy task and we are fortunate to have someone with the appropriate background and experience to lead the organization during the interim period. I think Michael brings a truly unique background to the LKM and I am confident he will serve us well. Michael has already spent some time at the LKM offices meeting staff and discussing strategies for the upcoming legislative session and how we can effectively promote the League's agenda in 2014.

In addition to the Executive Director search, the board will focus its attention on implementation of the Strategic Plan that was completed this past year. Past President Brenda Chance brought LKM membership together in 2013 to talk about our future and build a new strategic plan. During the process our member city officials came together through a series of focus groups meetings, surveys and work committees to develop a plan for our future. One of the significant issues that came forth during the strategic planning process was the League's lobbying strategies and a need to evaluate our efforts. It is not uncommon in our own cities to evaluate our many programs and processes looking for new and improved ways to deliver our services. The strategic planning process allowed us as an organization to really look at our programs and processes. The planning effort allowed membership a voice in ways to improve our advocacy agenda, evaluate our training and education programs, identify ways to more actively engage the membership and finally, how we can enhance our services and operations with limited resources. The results of the strategic planning effort should provide us with a clear direction as we enter into a new year. The participation from our membership in this process was outstanding. Work has already begun on implementation of the plan and I am confident the Governing Body and staff will commit to bringing the plan to life during 2014.

Finally, I am honored and privileged to be serving as the President of this great organization, the League of Kansas Municipalities. The transition into new leadership has and will create some challenges for us, but with the support of LKM staff and clear direction from the Governing Body, I have no doubt we will succeed.

LKM Executive Director Search Committee

- John Deardoff, City Manager, Hutchinson
- Brenda Chance, City Clerk, Phillipsburg
- Joe Denoyer, Vice Mayor, Liberal
- Robert Layton, City Manager, Wichita
- Eric Wade, City Administrator, Lenexa
- John McTaggart, Mayor, Edwardsville
- Rod Franz, Finance Director, Liberal
- Brenda Davis, City Clerk, Scott City
- Doug Gerber, City Manager, Goodland
- Allen Dinkel, City Administrator, Neodesha

2013 ACEC

CITY AND COUNTY PUBLIC IMPROVEMENT AWARDS by Amy Dubach

Congratulations to the 2013 winners of the ACEC of Kansas City and County Public Improvement Awards! The American Council of Engineering Companies of Kansas (ACEC of Kansas) is a professional association of private-practice consulting and engineering firms in the State of Kansas. Sponsored by ACEC of Kansas, the Public Improvement Awards competition is unique because it recognizes engineering projects for their benefit to the citizens of a community and not for engineering design. This is the 52nd year ACEC of Kansas has presented the City and County Public Improvement Awards.

City Public Improvement award winners are selected from four different population categories (Under 5,000; 5,000-19,999; 20,000-49,999; and Above 50,000). City representatives as well as engineering firm representatives were presented with awards at the December 5 luncheon of the Kansas Association of City/County Managers Annual Conference in Emporia.

Winning City Projects

The City of Alma is the winner of the 5,000 and under population category for the Alma Streetscape Project. The engineering firm on the project was BG Consultants, Inc., and the contractor was Kansas Heavy Construction, LLC.

The City of Alma is changing from a small local agricultural economy based community to a more regional housing and employment center with a stable population of around 750.

The quality downtown streetscape is part of what makes Alma the center of daily social and business life in a community. With the right points of interest on some special days, it becomes a center of regional public life. The streetscape gives downtown Alma its identity. A quality streetscape gives the citizens of Alma reasons to come to the downtown to linger and it gives them places to gather downtown. The design elements and the people together create a place of vitality and activity.

The streetscape has created a more vibrant and livable downtown Alma. When people remember a small Kansas community they often recall the downtown area. This streetscape oozes history, color, and vibrancy.

To have a future Alma must continue to be a desirable place to visit, work, live, and play. The downtown streetscape helps make these things happen. The tone of the downtown is set by the streetscape. Businesses change up and down Missouri Street, but the streetscape will be the continuous element throughout the downtown in time and in space. This streetscape and the Downtown Historic District create downtown Alma's sense of place. This streetscape ties together all of the various downtown elements and enhances the history of an already historic district.

The City of Chanute is the winner of the 5,000 – 19,999 population category, for the Main Street and Lincoln Avenue Intersection Improvements project. The engineering firm on the project was

Wilson & Company, Inc. Engineers & Architects and the Contractor was Mission Construction Co., Inc.

In 2012, the City of Chanute decided to partake on a major project to reconstruct one of the main intersections within the city limits – the intersection of Main St. and Lincoln Ave. This intersection is located in the heart of downtown and provides the main entrance into the town from north and east directions. In addition, many local businesses rely on this intersection to allow traffic to access their buildings.

There are several benefits to the citizens with regard to the Main Street and Lincoln Avenue Intersection Improvements. These include:

- Improved streets and storm sewer to properly drain stormwater.
- New sidewalks and curbs to provide adequate room for safe pedestrian traffic, including proper striping location.
- New ADA compliant handicap ramps for all sidewalk entrances.
- New street lighting to match existing lighting in other portions of the downtown area.
- New traffic signal system with video control.
- Incorporation of artwork to highlight this intersection as the center of town.

In the 20,000-49,999 population category, Garden City, for its Lareu, Schulman & US-50/83/400 Commercial Development Access Improvement project. The engineering firm was LOCHNER and the Contractor was Smoky Hill, LLC.

A major new retail development on the northeast corner of US-50/83/400 and Schulman Avenue in Garden City, was the driving force behind this project. The retail development would encompass approximately 160 acres, and a major national chain was proposing to construct a 162,500 square foot home improvement store with a 50,000 square foot drive-through warehouse immediately upon opening the development area.

This project opened up a new regional retail area for Garden City and the surrounding communities. It also improved access to new commercial centers and increased safety at the intersection at Schulman of US-50/83/400, and the intersection of Schulman and Lareu. The additional new development will begin construction this fall. The new development has already spawned an additional restaurant, and motel with an indoor waterpark, now under construction. Ground breaking for phase 2 of the Schulman Crossing commercial area was in October, for the first 190,000 square feet of inline retail stores. There is also additional interest in other sites within the new development. The increased commerce will contribute to the tax base for the community development.

There were no award submissions this year in the Above 50,000 population category.

Winning County Projects

County Public Improvement award winners are selected from two different population categories (Under 10,000, and Over 10,000). County representatives as well as engineering firm representatives were presented with awards at the October 30, Kansas Association of Counties Annual Luncheon in Wichita.

In the Under 10,000 population category, Ford County won for the Western State Bank Expo Center.

The facility boasts one of the largest open-span exhibit spaces in Kansas, (West of Topeka) and has become host to the annual 3i Show featuring more than 500 exhibitors who cater to Industry, Implements and Irrigation. The influx of people to Dodge City each July is an economic boom for local restaurants, hotels and other service industry. The Expo Center has also played host to indoor rodeo events, dog shows, weddings, training events, and corporate meetings and is scheduled to host a model train show this fall.

The approximate project cost was \$10,862,000 and was financed through bonds. The engineering firm was Kirkham, Michael & Associates, Inc., and the general contractor was Building Solutions, L.L.C.

There were no award submissions this year in the Over 10,000 population category.

Congratulations to our 2013 winners! On behalf of ACEC of Kansas, our thanks go to all of the cities and counties who entered the Public Improvement Awards competitions. We hope to see a project from you again next year!

 Amy Dubach is the Membership Manager for the American Council of Engineering Companies of Kansas. She can be reached at amy@acecks.org.



Robert Miller, ACEC of Kansas member; Brian Spano, City Engineer, Wilson & Company; Sam Budreau, Interim City Manager, Chanute; Larry Gates, Director of Utilities & Public Works, Chanute; Rebecca Wood, City Clerk, Chanute.



Robert Miller, ACEC of Kansas member; Glenn Knak, Senior Vice President, Lochner; Matt Allen, City Manager, Garden City; Chad Lawson, Senior Project Manager, Lochner. All photos by Jay Bachman.



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CHIEF LITTLE BEAR DAY

A Celebration in Neodesha

by Bobby Busch



*Delaware Tribe dancing ceremony with drums.
All photos provided by Bobby Busch*

The Native American Opening Flags and Festival Blessing organized by the Citizen Pottawatomie Nation Color Guard. All Native Americans and all Veterans are invited to participate.



Like many small Kansas towns, Neodesha was home to an annual Fall Arts and Crafts festival that started over 40 years ago by two industrious women. People would come from miles around not only to participate in the festival, but to shop, eat, and socialize with other people from nearby communities. Over the years, the Arts and Crafts Festival passed through the responsibility of individual hands, down to sororities and clubs, to the local Arts Association, until it finally became a function of the Neodesha Chamber of Commerce. But like so many other things, time slowly changed and Arts and Crafts festivals stopped being the draw they once were.

According to Karen Porter, Executive Director of the Neodesha Chamber of Commerce (and ironically the daughter-in-law of one of the original founders of the Arts and Crafts Festival in Neodesha), they decided that it was time to stop pouring time, money and energy into an event that had seen better days, so they put their collective minds together to come up with something else that would pull people to the community of Neodesha. After much brainstorming and researching, the Board decided to combine the Arts and Crafts Festival with some of Neodesha's heritage and create, "Chief Little Bear Day".

The name "Neodesha" is derived from an Osage Indian word and is pronounced "Nee-o-de-shay" with the accent on the syllable "shay." The word loosely translated means, "The water is smoky with mud."

Neodesha is situated in the east end of what was once the Diminished Reserve, the last hunting ground for the Osage in Kansas. Little Bear, chief of the Little Osage band of the Osage Nation died near the town site in 1867 and was buried on the highest point of a mound north of the town – a hill that is known to this day as Little Bear Mound. His tribe held ceremonies and meetings on the sacred ground until it was discovered that the chief's remains were no longer there. Either they had been stolen or perhaps moved to an unknown location by tribal leaders. The actual burial location is unknown to this day.

In the late 1800s when the French first encountered the Osage, their villages were mainly up and down the Osage River. They claimed for their tribal rights all of the land west of their villages to the headwaters of the Kansas River and then south to the Arkansas River, then south to the Mississippi, and up that river to the Missouri. The Osage were divided into three primary groups.

The United States made their first treaty with the tribe in 1808 and the Osage abandoned their claims to Southern Missouri and Arkansas. In 1825, another treaty ceded all of their lands to the United States except for a reservation embracing about the southeastern one-fourth of Kansas, south of the Kansas River. Finally, in 1870 the Diminished Reserve was opened for settlement.

The Osage Indians had been shunted by the U. S. Government into this reserve from their villages along the Neosho and Osage rivers. Their arrival coincided with the arrival of white settlers in

the area. But, according to the terms of the treaty, the Osage Indians were in essence the “landlords” of the settlers. However, the Native Americans did not view the land as a personal possession like the settlers so it did not take long before the settlers had made claim to almost the entire area. Not long after this time, the Osage Indians made their final move to the lands they now hold in Oklahoma.

Neodesha’s Chamber of Commerce wanted Chief Little Bear Day to be something more than just a replacement as another Arts and Crafts Festival. They wanted arts and crafts, music, and other forms of art and culture. They also wanted the heritage of this community to be recognized, respected, and honored. The last day in September was chosen for the event because this day is National Native American Indian Day.

It took three to four years of detailed planning to make the first Chief Little Bear Day come to fruition. The planning committee decided that it shouldn’t just be in honor of Chief Little Bear or even the Osage Indian tribe, but in recognition of all the tribes from the area. As Porter, says, “While we honor the chief who lived, ruled, and was buried here, the festival also highlights our present day relationship with all Native American tribes who impacted the region.” The first Chief Little Bear Day was held on September 26, 2009.

The festivals now kick off with a Native American Opening Flags and Festival Blessing. All persons of Native American descent and all veterans are invited to participate in the ceremony. The Citizen Pottawatomie Nation Color Guard coordinates this for the

festival. There has also been dancing ceremonies by the Delaware Tribe which utilizes the tribal drums and in 2010, the festival was graced with the presence of Sophia Little Bear, the great-great-granddaughter of Chief Little Bear. “Because different tribes may have been at war with each other during their history, the inter-tribal ceremonies are very important to them and are valued ceremonies by the different Nations,” says Porter. The ground where Chief Little Bear and his people lived is considered sacred not only by the Osage but by other tribes as well.

Visitors are welcome and encouraged to join in the dances and learn about Indian traditions. Storytellers are on hand throughout the day, as are Indian speakers who explain their customs. There are also exhibits of artifacts to view.

In addition to the Native American performances, there are music performances, food booths, face painting, hair braiding, inflatables for children, food competitions, fun, and laughter. The Chief Little Bear Festival draws in approximately 3,000 people a year. Although the Chamber of Commerce does not make money on this event, their main objective is to bring traffic into the community. If people come to Neodesha for the festival, they usually shop in our stores, buy gas at our stations, and decide to come back again and again.

In closing, “Yes, Virginia, there are still Arts and Crafts Festivals.” But now they are so much more than just crafts.

 Bobby Busch is the City Clerk for Neodesha. He can be reached at bbusch@ci.neodesha.ks.us.

One of the many food vendors attending the festival.



A display of Native American Artifacts.



Holding hands with his granddaughter and teaching her about her culture.



Part of the traditional attire.



Brownback Issues State of the State

On January 15th, Governor Brownback gave the annual State of the State address in the House chamber in the Kansas Capitol.

The Governor cited economic growth during his term, more than a thousand private sector jobs every month and the unemployment dropped 6.9% to 5.1%, tied for the tenth lowest rate in the United states since December 2010.

The Governor spoke about appropriations to fund all-day kindergarten schedule across the state, costing \$16 million over the next five years the cost. A special house committee has been

assigned to do a study over the concerns about the cost and overall benefit. Brownback says it'd be financed through expected growth in state revenues.

The Governor also discussed how the Rural Opportunity Zones program was flourishing in the majority of counties. He stated that he hopes of expanding it further this year. To complete the program he proposed an additional \$2 million to address a housing shortage in the rural communities.

Agricultural Marketing Advisory Board Launched

The Kansas Department of Agriculture (KDA) has appointed an agricultural advocacy, marketing and outreach team advisory board. Members of this board were selected by Jackie McClaskey, acting Secretary of Agriculture, and will serve terms of various lengths beginning in January 2014.

The board consists of 12 members who will advise the KDA advocacy, marketing and outreach team on programs and services offered by the team. Advisory board members will work with the advocacy, marketing and outreach team on the state trademark program, international agricultural development, agricultural business development, agricultural communication, and education program areas.

Board members include: Mike Bergmeier with Shield

Agricultural Equipment, Hutchison; Donna Cook owner of Rabbit Creek Products, Louisburg; David Foster, a dairyman from Fort Scott; Ron Hirst, a Kansas rural economic development professional, Hutchison; agricultural education instructor Lindsey Huseman, Ellsworth; specialty crop producer Twilya L'Ecuyer, Morrowville; Brian Linin, Chief Financial Officer at Frontier Ag, Inc., Goodland; Becky Nickel, co-owner of Prairie Harvest Market & Deli, Newton; agricultural advocate Greg Peterson, Assaria, Kan; Jennifer Ryan, a Kansas farmer and rancher from Pratt; Derek Sawyer, a Kansas farmer and rancher from McPherson; and farmer Ron Suppes, Dighton.

Members were selected based on their knowledge and leadership in specific sectors of the agricultural industry.

Safe Kids Kansas Awards

Safe Kids Kansas, a coalition network of over 70 statewide and regional partners dedicated to preventing childhood injury, presented their annual awards in a ceremony at the Washburn Institute of Technology in Topeka. Awards include the prestigious Dr. Dennis Cooley Award of Excellence, named in honor of pediatrician Dr. Dennis Cooley of Topeka. This year's Cooley Award was presented to Phyllis Larimore with Children's Mercy Hospitals and Clinics.

The Outstanding Partnership for Child Safety award was presented to the Kansas Department of Transportation.

The Outstanding Coalition Organization award was presented to the Kansas Traffic Safety Resource Office.

The Local Coalition of the Year award was presented to Safe Kids Cowley County.

Service Recognition Awards were presented to Jeff Rozwick, Webmaster for the Kansas Department of Health and Environment, and the Office of Communications for the Kansas Department of Health & Environment.

For more information about Safe Kids, visit <http://www.safekids.org> and <http://www.safekidskansas.org>.

Governor Presents Initiative to Honor and Serve Veterans

Governor Sam Brownback presented a proposal to improve outreach to Kansas veterans and upgrade and expand two veterans' homes located in Fort Dodge and Winfield.

"In Kansas, we honor our veterans," said Governor Brownback. "They have earned our respect and deserve services and facilities that match the quality of care provided to these heroes."

Two years ago, the Governor tasked the Kansas Commission on Veterans' Affairs (KCVA) with developing a comprehensive strategic plan for the agency with one priority firmly in mind – doing what's best for Kansas veterans. The Governor's FY 2015 budget submission to the Legislature will include three important elements in support of this goal: hiring four new service officers to improve outreach to Kansas veterans; providing 40 new beds by opening Triplet Hall at the Kansas Veterans Home in Winfield;

and expediting renovations to the two main facilities at the Kansas Soldiers Home at Fort Dodge.

Funding for facility improvements at the Soldiers Home, a \$1.4 million investment, will come from a Special Building Fund restricted to improvements at state-owned hospitals and veterans' facilities. The Soldiers Home submitted a five-year plan for renovations which are being accelerated to be completed in two years.

Four service officers with hired under this proposal will be stationed in strategic locations across the state to help our veterans gain access to the federal benefits, such as health care, education assistance, disability compensation and home loan guarantee programs.



PRESENTS ANNUAL AWARDS

The Kansas Association of City/County Managers (KACM) annual conference took place in Emporia December 4-6, 2013. One of the highlights of the conference is the annual Awards Luncheon. The following recipients received awards:

Buford M. Watson, Jr. Award – Jason Gage, City Manager for Salina, was honored with the Buford M. Watson, Jr. Award. This Award is given each year to a local government manager who has displayed the attributes of the late Buford M. Watson, Jr. (former City Manager of Lawrence, KS), which includes serving as a role model in dealing with constituents, valuing customer satisfaction, and encouraging new members of the profession. Gage has worked in municipal government for over 16 years and has initiated numerous improvements during his eight year tenure at Salina.

Recently, Gage encouraged his executive staff to be active in succession planning and leadership development in order to ensure consistent operations and service to citizens. He has also introduced Continuous Process Improvement strategies to improve city services, conserve staff time and public money, and reduce stress for municipal employees. One example of Gage’s leadership was his coordination with county leaders, USD 305, the Salina Airport Authority, KDHE, and many others in an effort to hold the EPA and federal government responsible for a long unresolved groundwater contamination problem. His diligence in this effort resulted in a landmark decision that will help protect the drinking water of Salina for generations to come.

Career Achievement Award – Bob Evans was this year’s winner of the Career Achievement Award. This Award was established in 2000 and is intended to recognize professional local government managers and administrators who are retiring from the profession.

Evans retired in 2013 after 42 years of public service. He was the long-time City Manager for Bonner Springs and worked for the Unified Government of Wyandotte County/KCK starting in 1992. Evans played a key role in crafting and submitting the application that resulted in Kansas City, Kansas becoming the first city in the U.S. to receive Google Fiber. Evans also recently coordinated an effort to replace and upgrade the countywide radio system to a trunked 800 MHz all digital system. This new system provided complete interoperability to the regional radio system for large incidents, replaced 2600 digital radios, and added two towers.

Early Career Excellence Award – Two KACM members were honored for the Early Career Excellence Award – Kiowa City Administrator Nathan Law and Olathe Management Intern Jaime Shockley. This was the first year for the Early Career Excellence

Award, which was established to recognize early career local government professionals working in Kansas who demonstrate excellence in the profession and strong promise to positively impact the profession. The award is intended for early career professionals ranging from intern stage through the first five years of their career.



From top to bottom. Jason Gage, Bob Evans, Nathan Law, Jaime Shockley.

J.O. SUNDSTROM
CONFERENCE
CENTER
LINDSBORG, KAN.

by
Holly Lofton



Almost 10 years after its original acquisition, the City of Lindsborg rededicated a downtown icon, a landmark building that stood for 133 years to be eventually razed in 2012 and rebuilt in its own image.

The J.O. Sundstrom Building began its 134-year existence as a department store. The original owners, John G. Bergsten and Jacob O. Sundstrom, both emigrated from Sweden but at different times. Both arrived in Chicago as members of the first Swedish Agricultural Company, the land company that would initiate the establishment of Lindsborg.

Bergsten was firmly established in Lindsborg by the time Sundstrom moved to the town with his dream of starting a new-concept department store, seen only in metropolitan areas at that time. The men teamed up in 1879, building a store at the town's prime intersection for the then-magnificent sum of \$7,000. It opened on December 23, just in time for last-minute Christmas shopping. It was a success.

Sundstrom operated the store until he died in 1926, yet the store lived on. In fact, an advertisement for the store appeared on the same page as Sundstrom's obituary.

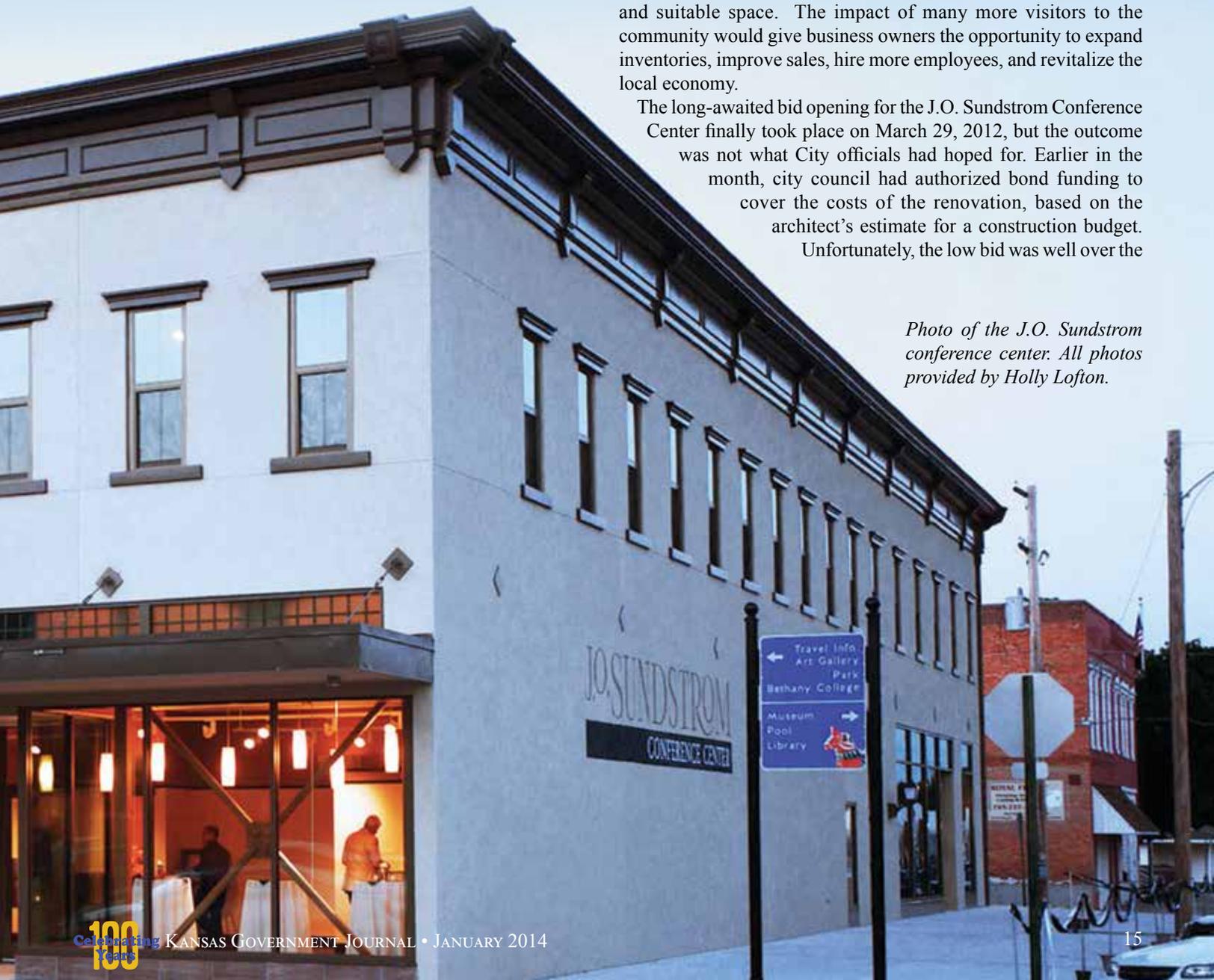
By 1928, however, a variety of businesses occupied the Sundstrom space. Sundstrom's daughter Elizabeth Sundstrom tended the building for years and rented to multiple tenants. Eventually it fell into disrepair and was purchased by the City of Lindsborg in 2003.

After lengthy discussions, meetings, work sessions, and the concentrated efforts of citizen groups, a plan to renovate the building finally emerged in 2011. Several uses for the site had been proposed, but city leaders decided that a conference/convention space would best fit the needs of the community, as well as honor the historic site. The design called for a complete reconstruction of the building, including replicating the distinctive Italianate architecture common to the late 19th Century.

The Sundstrom Conference Center renovation called for a completely redesigned first floor containing an elegant entrance foyer, catering and staging kitchen, audio/visual and storage space, and restrooms capable of handling large groups. At the center of the plan was a large banquet hall to be used for dinners, reunions, receptions, and meetings. More importantly, the expected capacity of 300 would provide a conference space for corporate and non-profit organizations, thus having the potential to positively impact local businesses. A 2010 feasibility study concluded that Lindsborg could attract more than 100 meetings per year if it had available and suitable space. The impact of many more visitors to the community would give business owners the opportunity to expand inventories, improve sales, hire more employees, and revitalize the local economy.

The long-awaited bid opening for the J.O. Sundstrom Conference Center finally took place on March 29, 2012, but the outcome was not what City officials had hoped for. Earlier in the month, city council had authorized bond funding to cover the costs of the renovation, based on the architect's estimate for a construction budget. Unfortunately, the low bid was well over the

Photo of the J.O. Sundstrom conference center. All photos provided by Holly Lofton.





With space for groups of up to 300, the Grand Ballroom features a dance floor and modern art deco décor.

approved limit. As a result, the project was placed on hold so that staff could look for a plan that could be built within budget. Wiens Construction of Hutchinson, Kansas, was the low bidder, and was selected to provide an alternative approach to the construction design without compromising the look, use, and function of the facility.

Rapidly putting together a new proposal, Wiens Construction presented an alternate plan that fell within the approved construction budget. At a special council meeting, Council approved this proposal with selected alternates and a Notice to Proceed was issued. Wiens announced that work fence would be installed the week of August 13, 2012, to begin the project.

Work began in early August 2012, and by August 22, it was determined at a pre-construction meeting that all historical elements had been salvaged. The demolition contractor, who had been staged for almost a week, was given a green light to proceed. Demolition of the rear of the building began almost immediately, with the last wall coming down on September 5.

New construction officially began September 19 when concrete footings were installed at the front of the site. Wiens and Company began pouring the first floor on October 5 and completed it a week later. Steel arrived on October 16, and the first column was planted the morning of the 18th. Framing was complete by October 31. The middle level was fastened to the adjoining building on November 1, prompting complaints about noise and vibration, but finally putting an end to rumors of the unavoidable destruction of a neighboring building.

With temperatures in 60s, the second floor was poured on November 13 and allowed to cure. Following the Thanksgiving break, the roof was installed in two days. Metal stud walls went up in early December, trailed by bright green exterior gyp board, prompting comments that a red ribbon (and bow) was planned for Christmas. Mercifully, the building was wrapped with a white fiber wrap in early January.

Work moved inside, with plumbing, HVAC and electrical rough-



Wait staff serves hors d'oeuvres to guests at the Grand Opening Gala for the J.O. Sundstrom Conference Center.

in proceeding in tandem with interior wall and drywall installation. Much of the rough interior work was completed by the end of March. Second floor windows arrived on March 28 and were installed within two weeks, about the time cornice framing began.

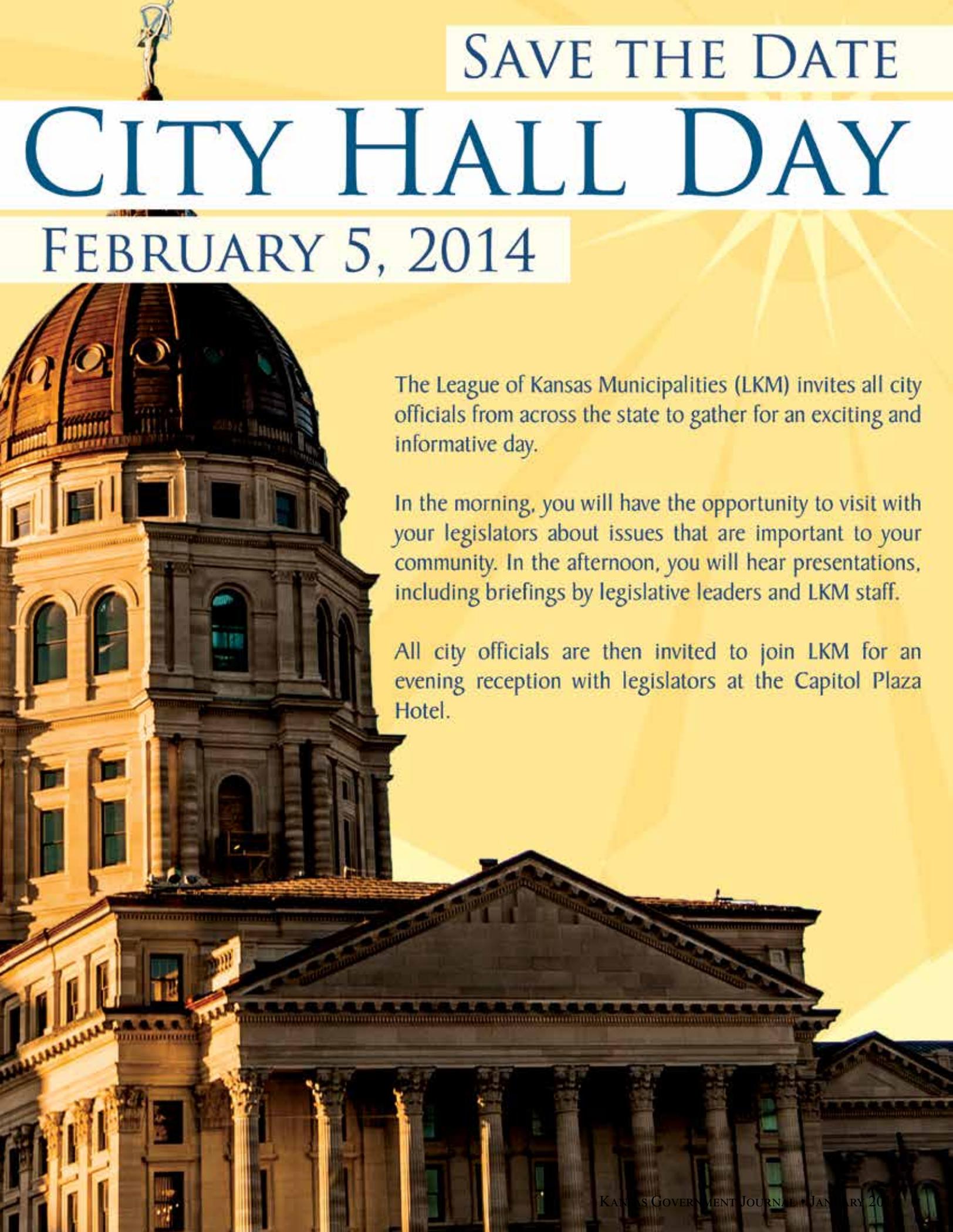
Finish carpentry, painting and flooring occurred through April and May, with little exterior work evident until scaffold for the stucco contractor went up on June 10. Wet weather delayed plaster work until the week of June 24, with the final color coat applied on July 10. The final touches were added to the building and the keys delivered to the City of Lindsborg on August 31, 2013.

When it opened in September, the Sundstrom Conference Center began to host meetings, conferences, receptions and events in its 15,000 square foot of event space. The facility has a state of the art audio/visual system for presentations, training sessions, and workshops. The Sundstrom's space is flexible enough to provide meeting space for a group of 2 to 400 hundred. A completely redesigned first floor contains an elegant entrance foyer, a 3,500

square foot banquet hall, dance floor, catering and staging kitchen, state-of-the-art audio/visual equipment, and restrooms capable of handling large groups.

The return to use of the J.O. Sundstrom Building has been a strategic goal of the city council for many years, and the J.O. Sundstrom Conference Center now crowns a community of 3,400 with a rich tradition of welcoming visitors, serving as a destination that honors its past as while keeping its eyes on the future.

 *Holly Lofton is the Director for the CVB in Lindsborg. She can be reached at cvbdir@lindsborgcity.org.*

The background of the entire page is a photograph of the Kansas State Capitol building in Topeka, Kansas. The building is a grand, classical-style structure with a prominent central dome and a portico supported by columns. The lighting is warm, suggesting a sunset or sunrise, with a bright sunburst effect in the upper right corner. The text is overlaid on this background.

SAVE THE DATE

CITY HALL DAY

FEBRUARY 5, 2014

The League of Kansas Municipalities (LKM) invites all city officials from across the state to gather for an exciting and informative day.

In the morning, you will have the opportunity to visit with your legislators about issues that are important to your community. In the afternoon, you will hear presentations, including briefings by legislative leaders and LKM staff.

All city officials are then invited to join LKM for an evening reception with legislators at the Capitol Plaza Hotel.



Annexation Manual Updated

The League of Kansas Municipalities (LKM) manual on annexation has been updated to include the changes made by the 2011 Legislature. The last update to the manual took place in 1991 after the major changes to the statutes during the 1980s. The update has preserved much of the previous edition's content that had been developed over the years by LKM staff and other annexation experts from across the state.

There are three types of annexation in Kansas, unilateral without landowner consent; county board approved without landowner consent; and annexation with landowner consent. In 2011, the Kansas Legislature amended the annexation process concerning county board approval without landowner consent. The purpose of this article is to explain the changes and provide a guide to avoid the potential pitfalls along the way.

K.S.A. 12-521 provides a process for a city to annex land with the approval of the board of county commissioners. A city would use this statutory process if it is not permitted to annex land through unilateral annexation or any of the consent annexation procedures in K.S.A. 12-520. A city can annex land with the approval of the county board, even if the landowner does not consent. The changes that took place in 2011, however, added some requirements and restrictions.

The amended language requires a two-thirds vote of the county commission to grant the annexation. In addition, cities are limited to three adjoining annexations of less than 40 acres in a 60 month period. A city can pursue an unlimited number of annexations of tracts that are less than 40 acres in size as long as no more than two of the tracts adjoin each other. It is important to keep in mind that in this context, the term adjoining refers to the proposed tracts themselves and not the city boundary.

If the proposed annexation is a tract of 40 or more acres, the county election officer must conduct a mail ballot election. If the qualified electors in the area proposed for annexation vote in favor of the annexation, the city may adopt an ordinance annexing the land. If the qualified electors do not approve the annexation, the city may not propose the annexation again for four years. "Qualified elector" is defined as any owner of land within the area proposed to be annexed. K.S.A. 12-519(g).

Annexation is generally a controversial issue when done without the owner's consent; therefore, it is safe to assume that a vote of the owners will be against the annexation. The election process can be avoided by careful planning to see that only tracts of less than 40 acres are annexed, because a tract of 40 or more acres automatically requires an election when the county approves the annexation. K.S.A. 12-521(e).

Pursuant to K.S.A. 12-521 a county board is limited to granting annexation of three adjoining tracts of less than 40 acres in a 60 month period. Remember the statute refers to the tracts adjoining each other and not the city boundary. If the county has granted three annexations of adjoining tracts of less than 40 acres within a 60 month period, the board is prohibited from granting any more annexations of tracts of less than 40 acres. *Id.*

The county board would still be able to grant annexation of tracts of 40 acres or more but, as discussed above, the vote of the

owners would most certainly stop the annexation. Therefore, based on the changes made to K.S.A. 12-521 the only county approved annexations that should be attempted are tracts of less than 40 acres. It will also be important to plan the annexations in a way that no more than two of the tracts adjoin one another so that the county will not be prohibited from granting future annexations.

A city using the K.S.A. 12-521 annexation procedure still must petition the county board, request a public hearing, and file a report detailing how municipal services will be provided to the land being annexed. The county board must order that a public hearing be held between 60 to 70 days from the date the city files the petition.

At the public hearing, the county board hears testimony concerning the advisability of the annexation. In making its decision, which the statute expressly provides is a quasi-judicial action, the county board should consider the impact of approving or disapproving the annexation on the entire community involved, including the city seeking the annexation and the land proposed to be annexed. The purpose is to ensure the orderly growth and development of the community.

The county board must determine if the annexation will cause manifest injury. *In re Petition of City of Shawnee*, 236 Kan. 1, 687 P.2d 603, 613 (1984). As the term is used in the Kansas statutes, the Kansas Supreme Court has held manifest injury, to mean the imposition of material or substantial burdens upon the landowners without accompanying material or substantial compensating benefits. *In re Petition of City of Lenexa*, 232 Kan. 568, 657 P.2d 47, 61 (1983). K.S.A. 12-521 provides 14 criteria that the board must use to decide if manifest injury will result.

If two-thirds of the members of the county board conclude that the annexation or any part thereof should be allowed, the board must grant the annexation by order. The city may then proceed to annex the land by ordinance. K.S.A. 12-521(d).

Annexation is the process used for the orderly growth of cities. It is important for a city to carefully plan any future growth. The amendments made to K.S.A. 12-521 still provide cities the power to annex land and expand borders; however, it will no longer be feasible to attempt to annex tracts of 40 acres or more.

This article is by no means a complete guide to the annexation process, however, I hope that it has helped to explain how the amendments to K.S.A. 12-521 will govern annexations in the future.

The publication, *Annexation in Kansas – A Guide to Orderly Growth of Cities*, has been updated and includes much more detail and explanation of the annexation process in Kansas. The updated manual is available for purchase at this time and can be ordered on—line from the LKM website at www.lkm.org.

 Eric Smith is the Legal Counsel for the League of Kansas Municipalities. He can be reached at esmith@lkm.org or (785) 354-9565.



Mainstreet News

Manhattan Ranked Among Top Small Cities

Manhattan Kansas was recently selected by Movoto as 6th best out of 140 for places to live. The survey took into account its nightlife, young population, and other criteria.

K-State, Aggieville, and the rapidly growing economy helped boost Manhattan into the survey's top 10.

Linwood District Placed on National Register of Historic Places

Historic districts in Wichita and Johnson County, as well as two culverts in Gove County, were recently added the newest Kansas properties to the National Register of Historic Places.

The Wichita listing Linwood Place Historic District is 40 acres in south Wichita near the aircraft-related industrial area. It includes 90 fourplex buildings, a maintenance shop and several other buildings.

The Westwood Hills Historic District in Johnson County was listed as an entire city. It was originally platted in 1923 by J.C. Nichols Co. and incorporated as a city in 1949. The buildings reflect the history of the neighborhood as it evolved from pasture to a residential subdivision.

Each site was selected because of the local significance in community planning, architecture and commerce.

Hutchinson Fire Officials Say Cameras Effective

Hutchinson fire officials are advising residents not to hesitate to call the fire department if they smell smoke in their homes, because the Hutchinson Fire Department has thermal imaging cameras that can detect hidden hotspots people might not see.

The advisory comes after a fire caused about \$5,000 in damage. The residents smelled smoke a few hours before alerting authorities. After a ceiling fan fell in the kitchen because of a smoldering blaze

in the attic, four adults quickly contacted the fire department and escaped injury. Fire officials say the cause of the blaze appeared to be electrical.

The Hutchinson Fire Department obtained its first thermal imaging camera in the late 1990s and now has eight of the cameras, which range in price between \$4,000 and \$9,000.

Wichita Considers Replacing Diesel Buses with Natural Gas

Wichita's Transit Department will be recommending the City adopt natural gas buses for public transportation. The city is currently in the planning stages of replacing its diesel buses.

There are a number of costs that the City anticipates in transitioning to natural gas buses. The cost to modify buildings will be \$200,000 and setting up natural gas fuel stations will cost

\$2 million. Buses that use natural gas are slightly more expensive, costing \$450,000 instead of the \$400,000 for a diesel bus. Even with these expenses, the city could expect to save around \$300,000 a year using natural gas buses.

Roeland Park Police Organize Community Policing Program

Roeland Park's Police Department wants to get neighborhoods involved in a newly energized community policing strategy that includes a neighborhood watch and block captains.

"This is not just to deter crime," says Roeland Park Police Chief John Morris. "If you know your neighbors, it makes it easier (in lots of situations)." The idea is to start by organizing in a three to four block area and encouraging neighbors to meet regularly and watch out for each other.

Morris sees it as a win-win that keeps the neighborhood safe, strengthen the community's ties and gets residents involved. It

also encourages neighbors to call police when they see suspicious activity. "I would rather get a call and have it turn out to be nothing, than not get called," Morris says.

Morris hopes to launch this spring starting with a small group and then expanding. Any citizen wanting to become a block captain and start the program in their neighborhood can call the department and volunteer. Otherwise, police will look at crime statistics and focus on dangerous neighborhoods.



EUDORA

Collaborating to Achieve a Shared Vision
By Barack Matite

Tree planting at Eudora South Trail ribbon cutting. From left to right, Sunflower Foundation representative, Elizabeth Stewart, Eudora City Commissioners, Jolene Born and Tim Reazin, and Eudora School Board member Belinda Rehmer. Photos provided by Barack Matite.

Federal budget constraints, political gridlock, and short and long-term fiscal uncertainty are issues that concern local government officials as they provide services in their communities. Today, local governments are resource strapped, yet the demands for services have not declined. Cities and counties are forced to seek bold and innovative ideas in order to have significant impact in their communities, as they deal with budget difficulties. The City of Eudora is one of many cities that continues to find ways to enhance the quality of life for its citizens.

One innovative way Eudora is making our community better is by developing visions and goals that encourage collaboration with entities within and outside our community. By doing this, everyone has a sense of ownership and duty to ensure the set goals and visions are achieved. In 2012, the City developed and adopted a new Parks and Recreation Master Plan that reflected the city's vision of making Eudora one of the most walkable communities in Kansas and beyond.

The City knew that implementing the goals in the Master Plan and fulfilling the City's vision would require collaborative effort with organizations that share a similar vision. As the City continues to implement the Plan, Eudora has found great partners who share the vision of making Eudora a better place. The Eudora School District and the Sunflower Foundation have been great partners in realizing this vision.

The Sunflower Foundation is a non-profit organization that believes in making the life of all Kansans better. The organization's vision is to "direct resources toward helping people and communities achieve and maintain optimal health by improving the access to healthcare and information, eliminating barriers, emphasizing prevention and promoting healthy environments that enable and support personal responsibility for health." Through its numerous programs the Foundation has worked with communities to improve the quality of life of their residents.

The Project: Eudora South Trail

In October 2013, the Sunflower Foundation, the City of Eudora and Eudora School District completed the construction of about a half-mile shared-use trail south of Eudora. The completed trail is part

of a three phase construction project that would see the connection of the north and south part of Eudora that is currently divided by Kansas Highway 10. These phases will provide a safer walkable and bikeable route for members of the community who cross the highway. The City's residents will be connected to amenities available on both sides of Eudora. The three phases also connect to the community-wide trail network as part of the Master Plan.

The success of the Eudora South Trail project was made possible by the collaborative efforts of the city and the Eudora school district. When Sunflower Foundation announced that funds for their Trail Program had become available, school district and city officials met and discussed options available for Eudora to pursue the grant as a community, instead of each entity pursuing the grant. After numerous conversations, the governing bodies of each organization decided to contribute equal amounts of matching funds to leverage the grant funding from Sunflower Foundation and agreed on the location and length of the trail.

Once a consensus was reached, the officials worked on a single application. The joint application and shared resources during the application process and implementation stages of the project reflected the unity and shared vision that both entities had for the community. Both organizations believed that adding a trail in the city would make it safer for the children and other members of our community. It is this unity, passion for community-building and the commitment to make Eudora a better place for all that drives such bold aspirations and initiatives.

As Eudora moves forward, the City will look for more opportunities to partner and share resources, ideas, knowledge and information to continue to improve. The current political and financial climates demand that local governments develop partnerships and relationships that foster thriving communities and that will survive the political and financial turmoil in order to prosper today and well into the future. Hopefully Eudora's success will inspire other communities.

 Barack Matite is the City Liaison for Eudora. He can be reached at bmatite@cityofeudoraks.gov.

Quinter

Rejuvenation

by Ericka Gillespie - Nicholson



Ground work for the fire station. All photos provided by Ericka Gillespie.

In 2010, in an economic climate causing many small Kansas communities to batten down the hatches, the governing body of the northwest town of Quinter began asking itself some hard questions.

Census projections showed Gove County suffering a double digit population decrease between 2000 and 2010.

Quinter Mayor Dwight Tummons recalls when the census numbers were distributed, and what it meant to his community. “Our people are our greatest asset, and we were losing them, quickly. The Governing Body of the City of Quinter had to do something for our local businesses who were struggling with recruiting and retention. We felt that people needed to know about the tremendous opportunities that can be found in rural Kansas, and to emphasize our amazing quality of life. We had to grow, to continue to grow always, and we knew it would require some change. We knew where we were, and we knew where we wanted to go, we just needed the tools to get there.”

Focused on growth, a pro-active city council established priorities, knowing many of the tasks would take years, perhaps decades, and would reach well beyond the terms of those current council members. Needed changes in Quinter included facility upgrades, tourism, stimulating the local economy, efforts of recruiting and retention, gauging the transfer of wealth, and addressing the lack of housing that was a contributing factor in prohibiting the needed business growth.

The council first looked at its own capabilities to facilitate the

much needed stimulation in business. The opportunity was there, but the missing piece seemed to be the funding. Many willing entrepreneurs struggled with financing a new or expanding business in Quinter. In the late 1980s, the City had established a Community Revolving Loan Fund utilizing resources from the Kansas Department of Commerce and the USDA. The council reviewed this loan program activity and found that from 1997 through 2006 (a nine year span), this program made only 5 loan distributions to new businesses in Quinter (3 have since been paid off). Four of these businesses are still open and employing full time employees. The city council recognized that these funds were sitting idle in the bank, and not being utilized for stimulation, thus not providing the results they desired. An intentional effort was made to distribute these loan funds to meet the growing needs of the community. In a two year span (2011—2013), this program has since made four additional loan distributions to new or existing businesses. Each of these businesses employs full-time help.

The urgency for needed facility upgrades came to a head in the summer of 2011. The Quinter Volunteer Fire and Rescue team reported a record number of calls, most coming as a result of extraordinary temperatures and continuing drought. In addition to the fire calls, Quinter Rescue responds to all motor vehicle accidents in the County, carrying the necessary equipment for patient extrication. In a council meeting in the fall of 2011, a plea from the Quinter Volunteer Fire and Rescue Chief Mikey Lewis was heard. Chief Lewis reports that “we just can’t do what we



New Quinter fire station

need to do in the space we have. Our facilities are hindering our ability to do the best job we can. We need more room for training and for new equipment.” The fire team was fighting enormous fires without enough equipment, and the space at the current fire station was grossly inadequate. The fire station was an over-sized two car garage with only alley access. Three large fire vehicles were packed into this garage, along with all of the fire gear and supplies and there was no room for training. The demand on both the fire volunteers and the station was becoming too great and was beginning to affect response time and the recruiting of new volunteers. A new fire station had always been on the horizon, but due to cost, had to be pushed back during each strategic planning session. At this point, it was no longer an option to put off the construction desperately needed for the fire department. The solution came in the form of a partnership with Midwest Energy through the USDA (Rural Economic Development Loan & Grant) program. Under the REDL&G program, USDA provides grant funds to local utility organizations (in Quinter’s case was Midwest Energy) which use the funding to establish revolving loan funds. Loans are made from the revolving loan fund to projects that will create or retain rural jobs. The needed fire station fell within the eligible projects for this program. Because of the terms of this program, the City of Quinter was able to borrow (without interest) \$243,760 from Midwest Energy. Over the ten year repayment schedule, the City of Quinter will save tens of thousands of dollars in interest that would be typical of a standard commercial loan. The new fire station has been completed and the City of Quinter has a rescue vehicle and a brush vehicle added to its fleet.

Another long term project came to fruition that same summer. The Quinter Recreation department received a gift from the Porter Trust to finally break ground on a pool slide. That gift, in addition to revenues from many years of summer concession sales, and a match from the City General Fund, was enough to see this eight year endeavor become a reality. In the summer of 2012, the Quinter swimming pool finally had the long anticipated water slide. The daily attendance numbers from 2012 and 2013 were the highest on record for the City of Quinter.

Census numbers also showed that few if any rural communities

were experiencing business growth. However, Quinter businesses were desperate for employees for much needed expansion. The unanimous and resounding cause of the shortage of employees was the extraordinary lack of housing within the community. Utilizing another partnership, the City of Quinter worked with the Northwest Kansas Planning and Development Commission to find a grant program that might stimulate housing. The new Middle Income Housing (MIH) program under the Kansas Housing Resources



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Corporation seemed like a good match for the needs presented in Quinter. As part of a grant application, one Quinter citizen wrote: "Not only is quality housing and /or the lack thereof prohibiting growth, businesses expansion, recruiting and retention, but it is opening the gates—flooding outward our transfer of wealth, youth and possible employees desperately needed for our community's growth." The community needed a developer who also recognized the true need for housing in Quinter, and an afternoon meeting between the City Administrator and Wes Bainter provided what both parties were looking for. Bainter Construction, LLC, agreed to develop the area into apartments and duplexes, but they needed a street to serve this complex. After months of work, the grant application was sent off with an almost 10 to 1 ratio of investment dollars to grant fund dollars. On October 8th, the City of Quinter was notified that its grant application for \$400,000 was approved in full by the Kansas Housing Resources Corporation. In early 2014, these funds will stimulate the single largest housing endeavor in Quinter. The funds will provide street/curb/gutter and drainage infrastructure for the housing development. Bainter Construction will then be putting in duplexes and apartments after the infrastructure is complete. A preliminary completion goal of the summer of 2014 has been set.

"People need to know what is going on in this little town," states Ericka Gillespie-Nicholson. Mrs. Nicholson was born and raised in Quinter, and in May of 2010 returned to her hometown to accept the position of City Administrator. With a background in Government

and Economic Development, the new City Administrator was utilized to promote this dynamic community. Gove County Medical Center and Swift Bullets Inc. were nominated for Kansas Department of Commerce awards (Business of the Year and Kansas Exporter of the year), and in their first year of nomination, both reached the finals. The city council stood in support of Governor Brownback's Rural Opportunity Zones (ROZ) student loan repayment program and a county-wide economic development program. City officials allowed the City Administrator's time to be utilized to voice support and work on these programs as well as a community foundation to capture some of the transfer of wealth that was exiting the county.

These actions started a ripple effect for the utilization of resources available to the City of Quinter. A "bootstrap" mentality has developed within the City Administration and Leadership, and the growing excitement has become palpable within the community and in Gove County. This list of accomplishments in such a short time shows a genuine attitude of a progressive community doing all it can to help itself, and the results are beginning to show.

"I'd love to have a crystal ball, to see where this momentum has taken us," Gillespie-Nicholson writes. "You have to truly appreciate council leadership that believes in its town, its businesses and its people."

 Ericka Gillespie-Nicholson is the City Administrator for the City of Quinter. She can be reached at ericka.jean.gillespie@gmail.com.

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Joint City-County Planning Commissions

Zoning ordinances are one of the most important tools for city planning. These regulations are often used to maintain a neighborhood's character, encourage orderly community development, and protect residents from dangers like flooding. Kansas Supreme Court Justice John Dawson summarized the virtues of zoning well in our state's first zoning case, writing that, "giving the people a means to secure for that portion of a city, wherein they establish their homes, fit and harmonious surroundings promotes contentment, induces further efforts to enhance the appearance and value of the home, fosters civic pride and thus tends to produce a better type of citizen." *Ware v. City of Wichita*, 113 Kan. 153 (1923).

In Kansas, zoning regulations often originate with the city planning commission. In fact, no zoning ordinance may be adopted unless it is first recommended by the planning commission. K.S.A. 12-756(a). Beyond making land use recommendations, these bodies also approve building permits, help develop comprehensive plans, and research the impact of potential development projects. Unfortunately, state statutes and common law make it difficult for communities to recruit residents to serve on their planning boards. Members cannot be compensated other than reimbursements for the expense of performing their duties, must comply with conflict of interest laws, and are ineligible to also serve on the city's governing body. *Dowling Realty v. City of Shawnee*, 85 P.3d 716 (2004); Kan. See also. Att'y Gen. Op. No. 77-212 (June 24, 1977). Another issue is the cost of employing an administrator to enforce the municipality's regulations and hiring legal counsel to navigate the myriad of statutory and judicial zoning rules.

Several cities in Pratt County are trying to avoid some of the expenses and administrative burdens associated with running their own planning board by partnering with their County Commission. The Cities of Byers, Coats, Cullison, Preston and Iuka are in the process of joining Pratt County to form the Pratt County/Cities Joint Planning Commission. Last fall, the Pratt County Commission approved an inter-local agreement that would provide each of the five partner cities with access to the county zoning board. State law requires that the agreement state the purpose of the partnership, its proposed duration, the manner of financing, and the method for termination. Since this law also requires that each municipality sanction the proposal by ordinance, and that the agreement be sent to the Kansas Attorney General's office for final approval, the partnership will likely not go into effect until sometime in the spring of 2014. K.S.A. 12-2904(g).

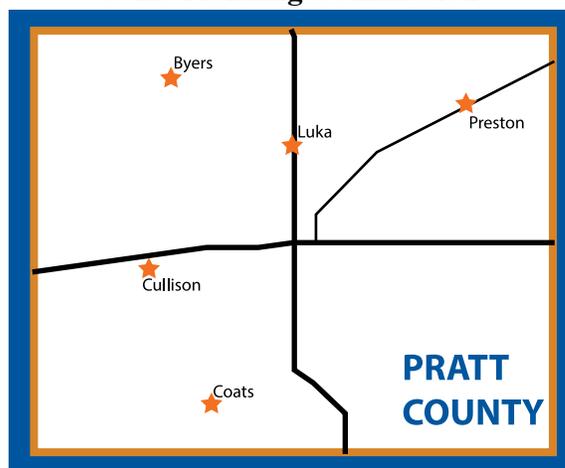
The proposed inter-local agreement mandates that each city's mayor appoint a non-voting, ex-officio member to bring matters before the joint commission. These appointees are expressly tasked with providing input whenever a zoning recommendation is being made for their community. The ex-officio members will serve a three-year term, subject to removal by their governing body, and must reside within their respective city.

The five cities involved are expecting immediate benefits from the arrangement. They will now have a means of establishing areas where businesses can locate within their borders, regulating the placement of telecommunications towers, and preventing cluttered and unsightly neighborhoods.

The joint commission will also serve as each community's board of zoning appeals. Cities with zoning ordinances and planning commissions must also establish these boards, which serve as a safety valve for unanticipated interpretive problems and hardship cases. Any person aggrieved by an official's enforcement of the city's zoning rules can appeal that decision to this board of appeals. If the individual is dissatisfied with the board's order, they can then appeal the order in district court. K.S.A. 12-759.

One could argue that the participating cities are giving up some of their authority on land use decisions. While it is true that the city governing bodies will not be able to pass a zoning ordinance without the joint commission first approving the measure, they would not even have that option without the partnership. In addition, the joint commission's recommendations can be ignored or overridden by each governing body. K.S.A. 12-756(b). By teaming up with Pratt County, the five partner cities are reducing their costs to enforce zoning regulations, relieving themselves of the burden of recruiting planning board members, and giving their citizens access to an essential development tool.

Cities Considering Joining the Pratt County/Cities Joint Planning Commission



 Michael Koss is the Legal Counsel & Membership Services Manager for the League of Kansas Municipalities. He can be reached at mkoss@lkm.org or (785) 354-9565.

I'd like to thank Sherry Kruse, County Clerk for Pratt County, for taking the time to send me a copy of the inter-local agreement between Pratt County and its cities of the 3rd class.



Classified Advertising

Assistant City Attorney

The City of Olathe is accepting applications for an Assistant City Attorney. The Assistant City Attorney, under the broad policy and guidance of the City Attorney, performs a variety of complex professional work in representing the City as a member of the City's Legal Department; rendering legal advice to the City Council, Mayor, City Manager, City Departments and City Boards and Commissions. Position will also assist in Municipal Court as needed; and represent the City in litigation. Applicants should apply online at www.olatheks.org

Experience: Three years of increasingly responsible experience in city or related government law, including trial experience. Education: Juris Doctorate from an accredited law school. License or Certificate: License to practice law in the State of Kansas. Valid Driver's License.

Salary: \$63,150- \$81,000

Assistant Director of Public Works

The Kechi Department of Public Works manages the City's water, wastewater and natural gas public utilities, as well as the street department for its 2,000 residents. The City of Kechi is currently accepting applications for the position of Assistant Director of Public Works.

The Assistant Director of Public Works reports to the Director of Public Works. Salary range for this position is \$35,244 - \$52,866. Actual starting salary is based upon qualifications and experience. The City offers an excellent benefit package. A background check will be conducted. Pre-employment and regular drug screens are required. Upon recommendation by the Director of Public Works and the City Administrator, the successful candidate will be appointed by the Mayor with City Council's approval.

Interested applicants should send a completed job application and resume to: City Clerk, City of Kechi, P.O. Box 88, Kechi, KS 67067. Job descriptions and a downloadable application can be found at www.kechiks.com/departments/

[administration/employment-opportunities](http://www.kechiks.com/departments/administration/employment-opportunities). Inquiries should be directed to: cityclerk@kechiks.com or by calling 316-744-9287. Applications and resumes accepted through February 28, 2014. However, the position will remain open until filled. The City of Kechi is an Equal Opportunity Employer.

Budget Analyst

SALARY: \$47,814.00 - \$61,300.00 Annually

DESCRIPTION: Monitor and analyze governmental services including delivery strategies, costs, results, and comparative performance for the Resource Management Department. Provide coordination, expertise and knowledge to departments in preparation of multi-year strategic plans, annual budgets and quality improvement projects; monitor regulatory compliance with city agreements; and perform a wide variety of analytical and financial tasks.

KEY RESPONSIBILITIES: Coordinate specific analysis of departmental service budgets and costs. Assist in the preparation, publication and monitoring of the City's Strategic Plan and Annual Budget. Monitor existing revenue sources and prepare supporting forecasts; prepare adjustments as warranted. Assist in the preparation, publication and monitoring of the City Capital Improvements Program (CIP). Analyze and prepare monthly statistical and fiscal reports; prepare special reports relating to the progress of performance improvement and budget activities. Perform financial analysis to assess and monitor the impact of projects, legislation and other factors on the City's budget. Perform cost of service studies; analyze rates, fees and taxes; propose ordinances detailing revenue fee adjustments. Analyze revenues and expenditures; recommend amendments to the budget as warranted. Consult with internal clients regarding budget, CIP, and related matters. Perform related duties and responsibilities as required.

Experience: Three years of increasingly responsible and professional analytical experience in the areas of budget, finance,

accounting, or capital improvement programming.

Education: Equivalent to a Bachelor's degree from an accredited college or university with major course work in business or public administration, finance, accounting or a related field. Masters of Public Administration required.

SUPPLEMENTAL INFORMATION:
Hours: M-F 8am-5pm

Must pass a pre-employment physical, drug screen and background investigation

APPLICATIONS MAY BE FILED ONLINE AT: <http://www.olatheks.org>

City Maintenance Worker

The Kechi Department of Public Works manages the City's water, wastewater and natural gas public utilities, as well as the street department for its 2,000 residents. The City of Kechi is currently accepting applications for the position of City Maintenance Worker.

The City Maintenance Worker reports to the Assistant Director of Public Works. Salary range for this position is \$26,310 - \$39,465. Actual starting salary is based upon qualifications and experience. The City offers an excellent benefit package. A background check will be conducted. Pre-employment and regular drug screens are required. Upon recommendation by the Director of Public Works and the City Administrator, the successful candidate will be appointed by the Mayor with City Council's approval.

Interested applicants should send a completed job application and resume to: City Clerk, City of Kechi, P.O. Box 88, Kechi, KS 67067. Job descriptions and a downloadable application can be found at www.kechiks.com/departments/administration/employment-opportunities. Inquiries should be directed to: cityclerk@kechiks.com or by calling 316-744-9287. Applications and resumes accepted through February 28, 2014. However, the position will remain open until filled. The City of Kechi is an Equal Opportunity Employer.

City Superintendent

City of McFarland, Kansas is accepting applications for the position of City Superintendent. Ideal candidate would have experience in all public works including water, wastewater, streets and natural gas distribution. Qualified person will be required to have and maintain a Class II Wastewater Operators License, a Kansas Water Supply System Class I Operators License and a Natural Gas Qualified Operators Certificate. Candidate must possess a valid Kansas driver's license and a High School diploma. Salary based on experience. Contact McFarland City Clerk for a job description and application. City of McFarland, 518 Rock Island Rd, P.O. Box 183, McFarland, KS 66501-0183 785-765-2265

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. Please call 620-842-5434 for more information.

Facility Operations Manager

Franklin County – Facility Operations Manager (Salary – DOQ)

Franklin County is seeking a Facility Operations Manager. This individual is responsible for the maintenance of all county facilities and grounds. The Manager works closely with Administration, employees, the public and contractors. This position reports to the County Administrator.

Applicants should possess a Bachelor's degree from an accredited four-year college or university OR have four-five years related experience in electrical, plumbing, heating and a/c maintenance and/or training (possess a journeyman's license in one of the building trades) OR have an equivalent combination

of education and experience. Supervisory experience is required.

Employment is contingent upon successful completion of pre-employment screenings to include a drug screening, background check, physical and pre-work screen.

Visit www.HRePartners.com for a complete job description and to apply OR obtain application materials at the Office of Human Resources, 1428 S. Main, Suite 2, Ottawa, KS 66067. Call (785) 229-3445 (Gayla or Shelly) Applications accepted until filled.

Franklin County is an EOE.

General Manager

The Leavenworth Water Department is seeking an experienced General Manager. GM reports to a five member Board of Directors elected for four years. Responsibilities include management over production, distribution, and administration departments. Able to develop and implement capital improvement and operating budgets. Salary range \$80K - \$115K. Salary commensurate with experience. Send letter of interest and detailed resume to Chairman Michael Bogner at mbogner@lvnwater.org. For more information see job description at www.lvnwater.com. The Leavenworth Water Department is an Equal Opportunity Employer.

Manager of Building Services

MANAGER OF BUILDING SERVICES – Edmond, OK Starting Salary Range: \$66,493 TO \$76,882 per year DUTIES: Provide leadership and guidance to help staff complete the department mission. Coordinate and oversee building inspection divisions, including public counter activities; ensure quality and timely inspections of residential and commercial projects. Preparation and administration of the division budget, monitoring expenditures. Interviewing, hiring, training employees; planning, assigning, directing work; evaluating employee performance; addressing complaints, resolving problems. Prepare reports, memoranda, correspondence. Direct the preparation of new ordinances and codes; revision of existing ordinances and codes.

QUALIFICATIONS: Technical degree in disciplines such as construction, engineering, architecture or related field, plus 5 years related experience and 4 years related management experience, or equivalent combination of education

and experience. Prefer Certified Building Official (CBO) certification, and/or hold Inspection certifications in all four state recognized trades in commercial and/or residential structures. Must have or obtain a valid Oklahoma Driver's License and have a driving record acceptable to the City's insurance carrier.

Applications will be accepted until vacancy is filled. Apply at Human Resources 7 North Broadway in Edmond, request application at 405-359-4685, or print application from web site www.edmondok.com/jobs.

Utility Manager (Water/Wastewater)

The City of Gardner KS is accepting applications for the position of Utility Manager in the Water/Wastewater Division of the Public Works Department. This position reports to the Public Works Director, to plan, direct, and manage the activities of the water treatment and wastewater treatment divisions of the Public Works Department. The manager is responsible for planning and scheduling the work of the municipal water treatment, and wastewater treatment divisions, ensuring the work conforms to applicable local, state, and federal standards. Requires BS degree in Civil Engineering and a licensed PE within the State of Kansas or the ability to become licensed within six months of employment and ten (10) years experience relating to Public Works methods and practices and materials and equipment used in the Public Works department with a minimum of five (5) years supervisory experience, or any equivalent combination of training, education, and experience that provides the required knowledge, ability and skill. Requires possession of valid driver's license. Hours: M-F; 8-5 with evening meetings as required. Salary: Up to \$87,000/Yr. (EXEMPT) Application Deadline: Open Until Filled with First Review Date: 2/17/14



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KGJ: A Look Back

KANSAS MUNICIPALITIES

Official Organ of the League of Kansas Municipalities

VOL. I.

FEBRUARY, 1915

No. 3.

Threatened Raid on Municipal Ownership

Bills pending at Topeka may destroy or cripple cities' powers of Municipal ownership and regulation of local utilities. Prompt action necessary to prevent.

As bold a raid on the rights of the people of the municipalities as was ever made by a crew of pirates on a defenseless city, is being attempted in the legislature at Topeka.

Five bills embodying AN ASSAULT ON MUNICIPAL OWNERSHIP, AND THE MUNICIPAL OWNERSHIP POWERS OF EVERY CITY in the state, and on THE POWERS OF THE CITIES TO CONTROL AND REGULATE LOCAL UTILITIES, are pending in the legislature. *Whether or not these measures are defeated will depend largely upon YOUR prompt and vigorous action.*

Senate Bill 815, if passed, will prevent any city from establishing a municipal water, light or street railway system, where there is a private plant, except in case the city can secure from the state utilities commission, after a public hearing, a certificate that "public convenience and necessity" require the establishment of the municipal plant. (Also, under no condition, under this bill, is a city permitted to own a telephone system.)

The bill furthermore strips the cities of their control over local privately owned public utilities, and vests this power in the hands of the state commission.

The bill might properly be entitled, "An act to prevent municipal ownership and to deprive cities of their control over public utilities within such cities."

Senate Bill 477 contains in effect the same provisions as those referred to above in Senate Bill 815.

Substitute for House Bill Number 863 is even worse than Senate Bills 815 and 477, as it also permits a utility to waive its franchise and take out a perpetual franchise ("indeterminate permit") from the state, and go on doing business in any city not withstanding the terms and limitations of its franchise from the city.

Senate Bill 367, "as amended," reduces a city's municipal ownership bonding power from fifteen to five percent of the assessed valuation of the city; provides that no city may hold an election to vote bonds for a municipal plant without first obtaining from the state utilities commission a certificate that "public convenience and necessity require the service of such municipal plant," and prohibits any but "taxpayers" from voting on the election.

Senate Bill 496 prevents any but "bona fide taxpayers" from voting on any city bond election. This of course (like Senate Bill 367, "as amended") would practically disfranchise women from voting on such questions as the municipal ownership of a water or light plant, as well as disfranchising many other worth citizens—and voters.

Two other measures pending—Senate Bill 655 and House Bill 841 (duplicate measures)—will, if passed, very largely take the control over local private utilities out of the hand of the people of the cities and vest it in the hand of the state utilities commission.

PROMPT ACTION is needed to defeat these pernicious measures. THE PRIVATE UTILITIES LOBBY IS STRONG. INFLUENTIAL AND PERNICIOUSLY ACTIVE.

If your city council or commission has not already passed the Resolution sent you, protesting against the bills pending, will you please see that a SPECIAL MEETING is called to take such action?

WILL YOU NOT INDIVIDUALLY TAKE UP THE MATTER OF THE BILLS REFERRED TO, WITH YOU REPRESENTATIVE AND SENATOR?

Editor's Note: This new column will feature historical articles from past issues of the Kansas Government Journal, highlighting 100 years of reporting on local government news. Since the 2014 Legislative Session is upon us, we thought it would be appropriate to reprint an early article encouraging municipal action in response to several proposed state bills.

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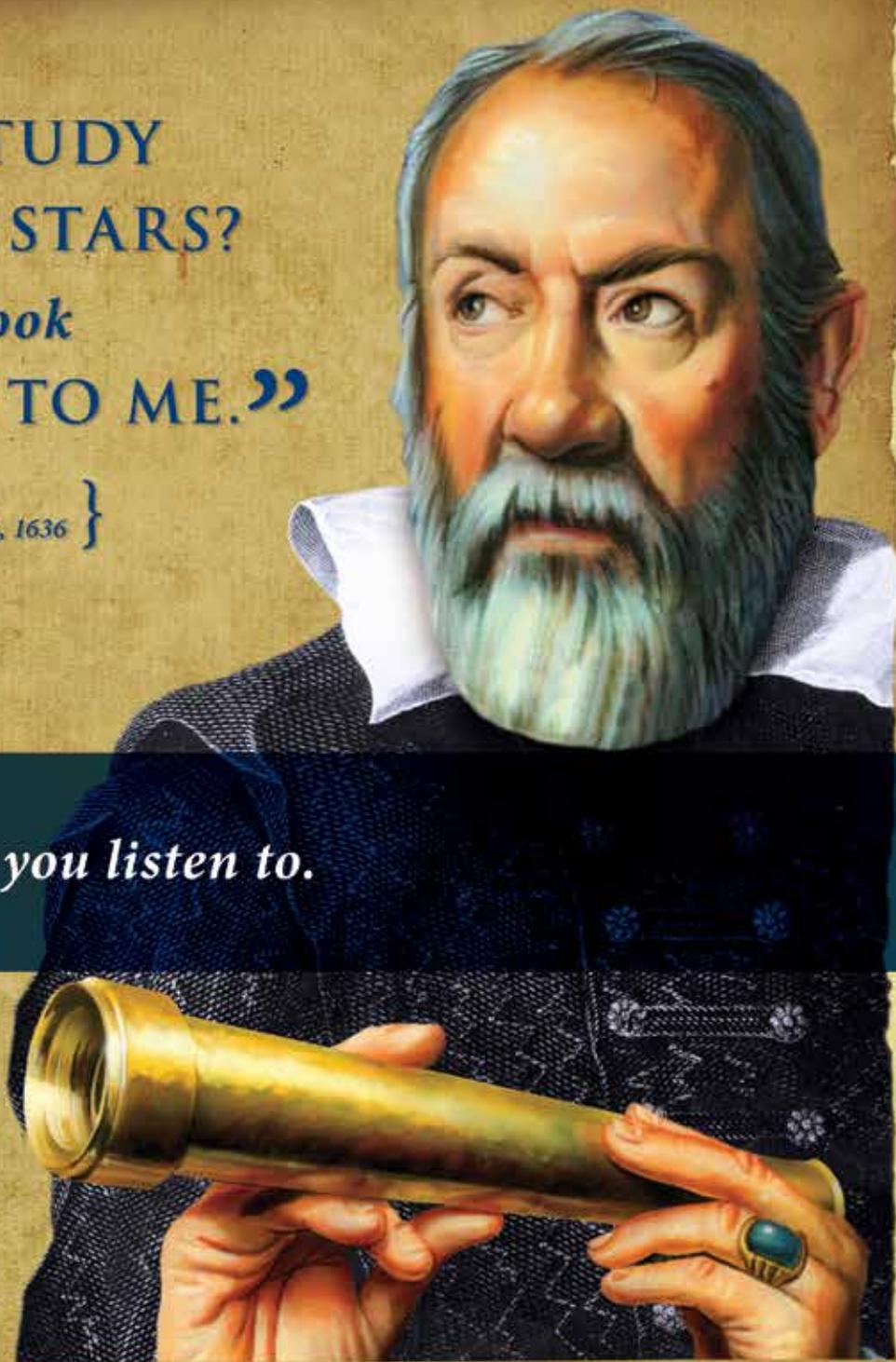
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