

Kansas

GOVERNMENT JOURNAL

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About the Cover:
A photo of bees enjoying a sunflower at Grinter Farms. Photo by Andrey Ukrazhenko.

Kansas

GOVERNMENT JOURNAL

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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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2015 LKM Events Calendar

October

10-12 - Annual Conference, Topeka

11 - Governing Body Meeting, Topeka

21 - Regional Supper, Goodland

22 - Regional Supper, Ulysses

28 - Regional Supper, Abilene

29 - Regional Supper, Hutchinson

November

10 - Regional Supper, Olathe

12 - Regional Supper, Fort Scott

13 - Personnel Management, Plainville

14 - Personnel Management, Park City

20 - Personnel Management, Mission Hills

26-27 - LKM Holiday: Thanksgiving

Obituaries

Kenneth Forsberg, 81, died August 13, 2015. After graduating from Phillipsburg High School in 1953, Ken began work as a general contractor in plumbing and electrical work, eventually operating his own business, Forsberg Electric and Air Conditioning. He spent his entire life serving the people of Rooks County and the surrounding areas with any job they needed, big or small. Ken also served numerous terms as mayor and as city commissioner for Stockton.

Richard D. Standrich, 80, died August 9, 2015. Rich was born December 21, 1934, in Anthony. He and Vanatta moved to Derby in 1966, where he built a successful custom home-building business, Standrich Inc. A highly-respected business man, Rich was one of the original founders of First National Bank of Derby, now Verus Bank, where he served on the Board of Directors until December 2014. A longtime member of the Wichita Area Builders Association, he served locally and nationally in many leadership positions. Committed to community service, he served on city council and was elected Mayor of Derby from 1999-2003.

David F. Watkins, 61, died August 17, 2015. While attending Berry (now Hoover) High School, he excelled at football and was voted "Most Intellectual" of his high school class. Watkins attended Auburn University, pledged Sigma Nu, and graduated with a degree in public administration. Upon graduation he attended the University of Kansas, earning a Master of Public Administration and became a member of Pi Alpha National Honor Society for Public Affairs and Administration. Watkins began his public service career in 1977, serving as the assistant to the City Manager in Ottawa and later became the City Manager of Ottawa from 1981 to 1984. Watkins was named the City Administrator of Lenexa in December 1984 and served there for 19 years.

Director's Foreword

by Erik Sartorius



Conference time! The highlight of associations far and wide, including your League! We are putting the final touches on what are sure to be informative and thought-provoking sessions in Topeka. New this year will be a conference orientation for first-time attendees on Sunday morning. I look forward

to meeting you!

The focus of this year's conference is "city essentials." While transformative projects or politically charged issues may garner media attention, it is the quieter, day-to-day work that provides the foundation of successful cities. Great presenters will be discussing topics such as nuisance abatement, the future of IT in government, and priority based budgeting.

Our keynote speakers bring interesting perspectives to what cities can expect this century, and how their workforce will achieve things beyond expectations. We welcome back Dr. Lowell Catlett to present "Blueprint for an Eden," and Dr. Shane Lopez to share "Leading with Hope." We are also excited for a federal legislative update from Carolyn Coleman, director of federal advocacy for the National League of Cities (and a Kansas native!).

As soon as the conference ends, our attention quickly turns to our Regional Suppers. Information is available on our website, as well as on page 235 of this month's magazine. Legislators have received from us an invitation to the dinner covering their district, but please reach out to them on your own to encourage their attendance, as well.

In my last column, I wrote about the importance of engaging your citizens to gauge their satisfaction with your cities' budgets and priorities. But, how do you approach projects citizens see as unnecessary? What if it is something critical to the cities' survival or mandated by the state or federal government? You want to be certain that people have a good understanding of the investments your city is making.

In *Governing* magazine a few months ago, there was a discussion about the importance of storytelling when explaining government initiatives. And no, "storytelling" does not mean "tall tales." Rather, it is bringing the human element into the conversation. I have stressed in front of many audiences over the past year to avoid speaking in generalities about budgetary challenges – bluntly saying that "no one cares about your budget."

Compelling stories build an emotional connection to public policies. A presentation outlining why a new water treatment facility is necessary for compliance with clean water mandates may

be accurate, but is it compelling? Are you building a new facility because cleaning water is fun? No! A city looks to bring clean water to its residents because it is vital to their survival, both young and old. That is what matters, and that story is one that everyone can understand at an emotional level.

One important tip from the *Governing* article is to not use anecdotes that are one-time events or have no connection to the initiative being discussed. For instance, a sanitation worker resuscitating someone who had collapsed on the sidewalk should be lauded and celebrated. Suggesting that this heroic event supports the city's recommendation to begin a recycling program, however, is a dubious stretch that will do more harm than good.

Consider, too, that the positive impact of storytelling can reach beyond the public and legislators. A compelling story can also inspire your city's employees to embrace an initiative and achieve more than they might otherwise.

I want to wrap up this month's column with some changes that are on the horizon. Not giant changes, but a few things I want to share as we head into the fall. The first change will probably be the most visible one. We are giving the League's logo a bit of a refresh. You will see some different colors and a bigger focus on us as "the League." You will see the new look at conference.

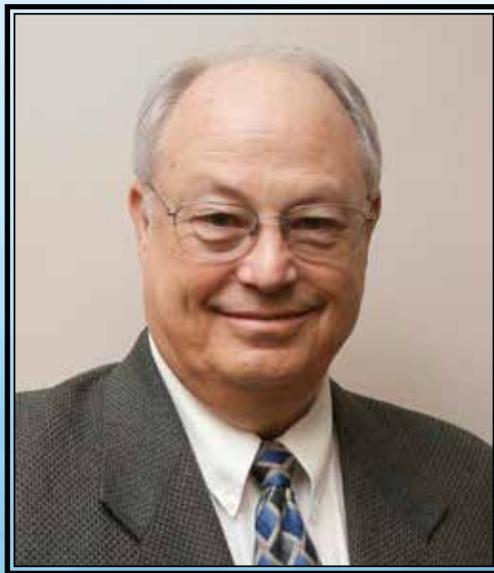
The logo tweak came about, in part, because of another update we have underway – that of our website. Five years is a long time in the electronic age, and the content, features and usability of our website warrant some attention. We're aiming to bring you a more accessible website, with some new content and web pages that are more frequently updated.

Lastly, we continue to move the League forward guided by the Strategic Plan. We are using a staff opening as an opportunity to ensure our capabilities are benefitting member cities. This fall, we will be hiring a research associate. Some of this person's focus will be on the surveys and reports we produce for members. More importantly, this position will grow our ability to delve deeper into policy issues affecting cities, particularly those that come before the legislature.

As always, if you have comments or questions, I would love to hear them. Reach me at esartorius@lkm.org or 785-354-9565. See you in Topeka!



Mount Hope Mayor Terry Somers 2015 Mayor of the Year



Terry Somers was elected as Mayor of Mount Hope in 2003, when he ran for office at the request of citizens. “I believe that one leads by serving and it was my decision to try and ‘give back’ in some way.”

Mayor Somers was recently recognized as the 2015 Kansas Mayor of the Year and honored this May at the 2015 Kansas Mayors Association (KMA) Conference. As a dedicated, service-oriented public official, Mayor Somers takes the health and economic vitality of his small community seriously. He’s represented his community with involvement in several regional organizations, including the Regional Economic Area Partnership (REAP) and the K-96 Corridor Development Association, in addition to leadership at the state-wide level as the current President of the League of Kansas Municipalities, and past President of the Kansas Mayors Association.

Under his leadership, Mount Hope has made many other improvements to infrastructure, including a 2-inch overlay to twenty blocks of the City’s streets; reshaping the dikes and placing rip-rap rock on the City’s five wastewater lagoons; and drilling new water wells and installing piping, including a new 10” water main. In 2004, the City applied for and received FEMA grant money following a large ice storm to bury the City’s electric lines – a \$1.7 million, multi-year project scheduled for completion this year. In 2013, the City established their first Capital Improvement Plan, creating the first long-term plan for the City Infrastructure, developed and implemented a newly redesigned city website, and upgrades are scheduled in the near future for Woodland Park.

Terry and his wife Marcia have been married nearly 50 years and have two daughters and five grandchildren. Even with his busy schedule, Mayor Somers frequently finds time to attend his grandchildren’s sporting events and activities.

The Mayor of the Year is selected annually by KMA members. The KMA consists of 358 mayor members throughout Kansas, and exists to advance the proficiency of Kansas mayors and improve the quality of life in Kansas communities. As part of its efforts, the KMA annually recognizes individuals like Mayor Somers who have gone above the call of duty to provide exceptional community leadership. The Kansas Mayors Association is an organization that promotes the proficiency of mayors in Kansas through study, research, and mutual counsel.

Clay Center City Clerk Kerry Rozman 2015 Clerk of the Year



The City Clerks and Municipal Finance Officers Association (CCMFOA) is proud to honor City Clerk Kerry Rozman, MMC, of Clay Center, with the Mildred Vance City Clerk and Municipal Finance Officer of the Year Award. The announcement was made during CCMFOA's 65th Annual Spring Conference on March 12, 2015, in Wichita, Kansas. Kerry will be formally recognized as the recipient of the award at the League of Kansas Municipalities Conference in Topeka in October.

The award is presented each year to a Kansas city clerk or finance officer who has made significant contributions to the state association, the profession, and to their city. The award is named in honor of Mildred Vance, former auditor and City Clerk/Finance Officer for the City of Parsons, who served her community from 1948 to 1988. Mildred was instrumental in developing and promoting professional education programs for city clerks and finance officers at the state and national levels and was one of the first one hundred clerks to receive the Certified Municipal Clerk (CMC) designation in 1972. She was later accepted into the Academy for Advanced Education (AAE) and served as a director of IIMC. Mildred strongly believed that city clerks and finance officers should contribute to their communities, and she unselfishly gave of her time and talents in church, community, and civic activities.

After sixteen years in the banking industry, Kerry began her career in municipal government in Beloit in 1993 as a Deputy City Clerk and was promoted to Director of Finance/City Clerk in 2008. She earned the distinction of Certified Municipal Clerk in 1996 and the prestigious Master Municipal Clerk in 2009. In 2010, she began serving as City Clerk in Clay Center. Not only has she been on numerous CCMFOA committees, she was a member of the officer team, ultimately serving as President, as well as a committee member and convener at International Institute of Municipal Clerks (IIMC) conferences. Kerry has served and participated on numerous community boards, organizations, and committees for many years, with a particular interest in youth and public education. She is also a former School Board President.

Kerry echoes the sentiments of many of her peers, by noting, "Being a public servant has been one of the most challenging jobs, both professionally and personally, but by far the most rewarding job ever." She has been supported in all these endeavors by her husband, Greg Rozman, and her son, Joe Studer.

Kerry was nominated for the award by Clay Center's city council and her mayor, Jimmy Thatcher, who says, "I'm aware that Kerry has attended countless city clerk functions and activities and has attained your highest professional achievements. During her service to our community, Kerry has clearly demonstrated that she is willing to go the extra mile for the City of Clay Center. She has not merely done the job we asked of her, but has performed her duty to the best of her abilities time and time again!"

To learn about the selection process and how to submit a nomination for 2016 Clerk of the Year, see page 253.

Legal Forum

by Nicole Proulx Aiken

An Analysis of the New Governing Body Vacancy Filling Process

Since the legislative session ended, League staff has fielded numerous questions concerning moving elections to the fall, the effects of the property tax lid, and implementing new sign regulations. An issue not garnishing as much attention, but still important, is the new governing body vacancy filling process found in L. 2015, ch. 88, sec. 71.¹ This article discusses the different approaches cities can take to address this new law.

L. 2015, ch. 88, sec. 71 establishes new rules for filling governing body vacancies. Under the law, cities that have a governing body vacancy filling process may continue to follow their procedure. If the city fails to fill the vacancy within 60 days, however, the city must conduct a special election. For cities that do not have a local process for filling governing body vacancies, the law requires that the remaining members of the governing body – including the mayor – appoint the new member by a majority vote. If the remaining members of the governing body fail to make an appointment within 60 days of the vacancy, the city must conduct a special election.

While the new law seems straightforward, it conflicts with several statutes that provide procedures for filling governing body vacancies, depending on the class of the city and/or the city's form of government. [See K.S.A. 12-10a04 (modified mayor-council form of government); K.S.A. 13-513 (city of the first class, mayor-council form of government); K.S.A. 14-204 (city of the second class, mayor-council form of government); K.S.A. 14-308 (city of the second class, mayor-council form of government); K.S.A. 14-1305 (city of the second class, commission form of government);

K.S.A. 15-201 (city of the third class, mayor-council form of government); K.S.A. 15-311 (city of the third class, mayor-council form of government); and K.S.A. 15-1405 (city of the third class, mayor-commission form of government)] L. 2015, ch. 88, sec. 71 did not repeal these statutes, which means cities can interpret the new law in many ways:

1. Cities can follow the new law or follow the statute that applies to their class and/or form of government. If a city has chartered out of the statute that applies to their class and/or form of government, (example: a city of the third class with a council form of government that chartered out of K.S.A. 15-201) the city can choose to follow the new law or its charter ordinance;
2. Cities can read the new law together with the existing vacancy filling statutes. Under this interpretation, cities may fill their vacancies using the procedure outlined in the statute (or respective charter ordinance) that applies to their class and/or form of government. The city would then hold a special election if it could not fill the vacancy within 60 days. Please note, however, this may lead to absurd results, especially in cities of the second and third class with commission forms of governments. These cities are already required to fill a governing body vacancy within 10 days; or



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3. Cities can take the position that the new law conflicts so much with other vacancy filling statutes that it takes precedence. In that case, the city would follow the new law.

The city manager form of government adds another layer of complexity. The legislature recodified the city manager form of government statutes in the same legislation as the new governing body vacancy filling process. While the legislature retained the city manager form of government, it repealed K.S.A. 12-1036d, which provided the governing body vacancy filling process for that form of government. Because the legislature repealed this statute, cities with the city manager form of government that were following K.S.A. 12-1036d must abide by the new law.

What should cities do?

The purpose behind L. 2015, ch. 88, sec. 71 is to ensure cities fill governing body vacancies in a timely manner so citizens are properly represented in their communities. The League agrees that this is an important policy concern and advises cities to fill governing body vacancies as soon as possible. Nevertheless, because the application of L. 2015, ch. 88, sec. 71 causes significant confusion, the League recommends every city charter out of the new law. In July, the Office of Revisor of Statutes provided a composite listing of the new, repealed, and amended statutes from the 2015 legislative session. According to the list, the new governing body vacancy

filling process will be in K.S.A. Supp. 12-104a. The League has always believed that cities – following the constitutional home rule authority approved by Kansas voters in 1960 – may charter out of most statutes in Chapter 12, because the enactment is nonuniform. Thus, it is the League’s opinion that cities can and should charter out of this new law. Unless a city desires to put its vacancy-filling process in a charter ordinance, the League recommends cities simply exempt themselves from the law. Below is a sample charter ordinance, which can also be found at www.lkm.org/resources/ordinances/elections.

In summary, while the League believes it is important for every city to fill a governing body vacancy as soon as possible, because of the ongoing confusion of L. 2015, ch. 88, sec. 71, the League recommends every city charter out of the new law.

 *Nicole Proulx Aiken is the Deputy General Counsel for the League of Kansas Municipalities. She can be reached at naiken@lkm.org or (785) 354-9565.*

Sources

1. The legislature also changed the governing body vacancy filling processes established in K.S.A. 12-344 and K.S.A. 2014 Supp. 12-363, which respectively apply only to the Unified Government of Wyandotte County and the Unified Government of Greeley County. (See L. 2015, ch. 88, sec. 72-73)

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE EXEMPTING THE CITY OF _____ FROM THE PROVISIONS OF L. 2015, CHAPTER 88, SECTION 71, RELATING TO THE FILLING OF GOVERNING BODY VACANCIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF _____:

Section 1. The City of _____, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects and does exempt itself and make inapplicable to it L. 2015, Chapter 88, Section 71, relating to the filling of governing body vacancies, which enactment applies to this city, but does not apply uniformly to all cities.

Section 2. This charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 3. This charter ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by the majority of the electors thereon.

Passed by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this ____ day of _____, 2015

Attest: _____
City Clerk

Mayor



Jerry Lovett-Sperling 2015 Quill Award Recipient



Jerry Lovett-Sperling (right), MMC, City Clerk for Lindsborg, receives the 2015 Quill Award from IIMC President Brenda Young.

The International Institute of Municipal Clerks (IIMC) selected Jerry Lovett-Sperling, MMC, City Clerk, Lindsborg, Kansas, as the 2015 Quill Award recipient. The Award was presented during the Institute's 69th Annual Conference in Hartford, Connecticut, on May 18. Lovett-Sperling is the sixth Kansas Clerk to win the Quill.

Initiated at the 1987 IIMC Annual Conference in Fort Worth, Texas, the Award recognizes distinguished IIMC members who have made significant and exemplary contributions to their community, state, or province and IIMC. More importantly, the individual must support the goals and philosophies outlined in IIMC's Code of Ethics. The criteria includes length of service, strength and extent of participation in IIMC, service in teaching fellow Municipal Clerks, involvement with the IIMC-approved training institute or program or other activities that enhances the professionalism of IIMC members. Three past Quill recipients comprise the Award's Committee.

Lovett-Sperling began her career in local government in Lindsborg in 1994. She received her Certified Municipal Clerk designation in 1998 and her Master Municipal Clerk designation in 2007. She has been an integral part of the City Clerks and Municipal Finance Officers Association, serving in many capacities on its Board of Directors, including President. She has worked tirelessly to expand and improve the Association to the professional organization that it is today. She has mentored many clerks, has been active in her own city and community, and served as IIMC Region Seven Director from 2008 to 2011. She is a Fellow in the Athenian Leadership Society.

Founded in 1947, IIMC is a nonprofit association with more than 10,000 members throughout North America and 15 other countries, representing municipalities with populations of 1,000 to more than 8 million. IIMC prepares its membership to meet the challenge of the diverse role of the Municipal Clerk by providing services and continuing educational development opportunities in 45 permanent college and university-based learning centers. IIMC offers Municipal Clerks a Certified Municipal Clerk Program (CMC), a Master Municipal Clerk Academy (MMC) Program and other opportunities to benefit members and the government entities they serve. A 26-member Board of Directors governs IIMC.



League of Kansas Municipalities 2015 Regional Suppers

The League of Kansas Municipalities invites all Kansas city officials to join us for the 2015 Regional Suppers. We hope you will take this opportunity to discuss the upcoming Legislative session that will highlight LKM's 2016 Legislative priorities.

October 21 • Goodland

Shiraz Restaurant
824 US HWY 24
\$16 per person
RSVP by October 16

October 22 • Ulysses

Civic Center
1000 W Patterson
\$16 per person
RSVP by October 16

October 28 • Abilene

Civic Center
(Historic Union Pacific Depot)
201 NW 2nd
\$20 per person
RSVP by October 23

October 29 • Hutchinson

Kansas Cosmosphere
Hutchinson Community College
1100 N Plum St
\$17 per person
RSVP by October 23

November 10 • Olathe

Olathe Community Center
1205 E Kansas City Rd
\$20 per person
RSVP by November 5

November 12 • Ft. Scott

Ellis Fine Arts Center
Ft. Scott Community College
2108 S Horton
\$TBD per person
RSVP by November 6

Registration for all locations will begin at 5:30 p.m. with dinner beginning at 6:00 p.m.

Registration is available online at www.lkm.org/regionalsuppers.

Written cancellations need to be made 72 hours prior to the meeting date, or the participant will be responsible for payment. Cancellations by phone will not be accepted.



2015 Kansas PRIDE Awards

by Jamie Menon

It is often said, many hands make light work! In 2014 and 2015, the volunteers from the 60 Kansas PRIDE communities demonstrated fantastic effort and commitment in community improvement initiatives. A partnership team including K-State Research and Extension, Kansas Department of Commerce, and Kansas PRIDE, Inc. provides support to Kansas PRIDE communities. To enroll, interested volunteers collaborate with local government officials to organize a PRIDE committee. With technical support from the partners, a research-based community planning process based on the Community Capitals is initiated. This includes assessment, goal setting, project implementation, evaluation, and celebration. Kansas PRIDE provides recognition through three major programs: STAR Capital Project awards, Community of Excellence, and Partners in PRIDE. The communities on the following pages received statewide recognition for their work based on one of the seven Community Capitals.



The Community Capitals Framework.

Social Capital

2014 Alton PRIDE Chocolate Festival

For 14 years, Alton has hosted the Chocolate Festival in December. The festival honors the late Russell Stover, who was born just south of Alton, and encourages economic activity in the community. After much planning, PRIDE decided to hold the event in the Community Room, which used to be a part of the grocery store until it was claimed by PRIDE. The PRIDE group meets in January to decide on a date in December and to organize advertising. Though PRIDE has a small budget and a donation from only one business, they put in the planning hours to create a family friendly event to remember year after year. The Chocolate Festival and Alton PRIDE go hand in hand. Businesses in Alton and people from other communities join with Alton residents for a special event before the Christmas rush begins. The festival allows people from the area to showcase their baking skills, take part in fellowship as they enjoy dinner at the local café, and shop at the local Craft Basket. It has grown to include more categories of baked goods and activities such as an ugly sweater contest. The day is a reminder of how small communities can succeed with a venture by all giving of themselves.

2014 Randolph PRIDE Park Bridge to Bridge Generations

The deteriorating bridge in Randolph City Park needed to be replaced. The park is a major draw for the Randolph community and visitors. The bridge provides access from one shelter to the other over a large ravine in the park. Randolph PRIDE made a plan and, with help from the community, rebuilt the bridge. It is now a safe passage for wheelchairs, strollers, and patrons. A fundraiser, a grant, and a group of hard-working youth and adults restored the old bridge. More importantly, friendships and relationships were built in the process.

Human Capital

2014 Lenora PRIDE “Live Well Lenora”

Lenora has not had a health and wellness program recently. When residents visited with others, some remembered a program but had trouble recalling details. It was time to act. Residents made a positive community impact in many ways by offering individuals a way to work with others and form support systems for wellness

and by being a resource for overall health and well-being. Even though the original program and grant funding has come to an end, residents have continued to hold weekly sessions where anyone in the community can come for group exercise and/or learning. “Live Well Lenora” started in an effort to raise awareness for community and individual health and well-being by providing a way for people to move into action. With the help of several organizations, including Kansas PRIDE, residents have been able to offer sessions ranging from chair exercises to Zumba, and from yoga to stress management and nutrition education. Not only was the program a success initially, but residents continue to hold weekly and biweekly sessions.

Financial Capital

Partners in PRIDE Grants

Partners in PRIDE grants are mini grants of up to \$2,000 from Kansas PRIDE, Inc. They are intended to be used by local PRIDE communities to address a need that has been identified through a community planning process and will move the community closer to their long-term goals. To date, 24 awards have been made totaling nearly \$43,100 that is matched dollar for dollar at the local level through cash or in-kind donations, for a total investment in community improvement of more than \$86,000.

In 2014 and 2015, the following communities received Partners in PRIDE grants to support a variety of projects. These projects included basketball court renovations, directional signage, and park expansions. A total of \$7,677 was awarded.

- Rossville, Fall 2014: Awarded \$2,000 for the installation of a frisbee golf course to expand outdoor activities for all age groups.
- Lenora, Spring 2015: Awarded \$1,917.83 for Welcome to Lenora banners.
- Dover, Spring 2015: Awarded \$509 for improvements to their existing basketball courts.
- Grainfield, Spring 2015: Awarded \$1,250 for the purchase of Christmas lighting for their main street.
- Iola, Spring 2015: Awarded \$2,000 for directional signage, building on an existing wayfinding project.
- Lakin, Spring 2015: Awarded \$2,000 for basketball court renovations.

Dane G. Hansen Partnership

2015 ushered in a new partnership with K-State Research and Extension and the Dane G. Hansen Foundation to provide a community vitality specialist to focus on the specific issues and needs that affect northwest Kansas. Nadine Sigle, extension associate for community vitality with K-State Research and Extension, serves 29 counties in northwest Kansas, bound by Highway 81 and Interstate 70. Nadine is hard at work addressing needs, assisting communities, providing resources, and much more. During this time, Nadine's work is specific to northwest Kansas, although in the future all PRIDE communities will benefit from her pilot programs. A current program, First Impressions, is in the works specifically for northwest Kansas communities. First impressions are important as the community works to improve the overall quality of life and develop its sense of place.



Nadine Sigle



Placing Welcome to Lenora banners.

Built Capital

2014 Bushton PRIDE Welcome Sign

Bushton PRIDE is happy to be associated with creating the new "Welcome to Bushton" sign. Many individuals worked together to create the sign. Two years ago, the city celebrated its 125th



Volunteers put up a fence in Potwin.



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anniversary. Some of the profit from that event contributed to new Christmas decorations, and the remaining funds were set back for a welcome sign. A committee formed to pass around ideas and created a design with additional input from the art class at Central Plains High School. Bushton PRIDE took on the role of completing the project. The new sign features a star and swish, a symbol featured on the Kansas PRIDE logo. The sign is shaped like the state of Kansas, and the star is located at the center of the sign to represent that Bushton is the geographic center of Kansas. The new sign features oil pumping units, symbolizing the importance of the oil industry to both Rice County and Bushton. The sign met the goals created by the sign committee and was created at a cost far below original estimates! There was enough funding to add lighting, which many assumed would have to be completed in a second phase. There was good cooperation among the different groups and some new volunteers who had not been involved in past projects.

2014 Potwin PRIDE Baseball Outfield Fence

Potwin PRIDE Inc. received a Partners in PRIDE grant of \$2,000, which was matched with money from PRIDE, the recreation committee, and in-kind volunteer hours, to put up a chain link fence at the ball field. The Lions Club paid for the rest of the \$9,000 project. Starting in April 2014, 16 volunteers from organizations

and the community spent 188 hours during 11 work sessions to put up the fence. It was ready for the recreation committee softball tournament in August. The new Remington High School softball team used the field this spring.

Cultural Capital

2014 Lenora PRIDE Lenora Jubilee

The Lenora Jubilee has been a huge success for this small, rural community. Not only does it now achieve a higher attendance than years past, but it has become a regional event. Lenora PRIDE partners with the Lenora Jubilee committee to make our community's annual festival, the Lenora Jubilee, a success. Through this collaboration and the help of many volunteers, PRIDE assists in bringing attendees to our event by providing entertainment where families can gather and interact. This allows the community a chance to showcase Lenora and our unique heritage. Though it is be a small, rural community, Lenora is able to work together to create a successful event.

Political Capital

Kansas PRIDE communities sign a resolution of support with a local unit of government, such as the city council or county commission. This encourages communication and leveraging of

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resources of time and money. Every PRIDE volunteer organization knows successful community change requires collaboration. Sometimes there is an outstanding volunteer, elected body, business, or organization without whom the community efforts could not happen. The PRIDE Community Partner Award recognizes outstanding supporters of community improvement.

2014 PRIDE Community Partner Awards

Deanna Roach, Alton PRIDE

Jerry Huff, Bushton PRIDE

Loren Korte, Humboldt PRIDE

Donna Houser, Iola CITF/PRIDE

Janie Dunstan, Randolph PRIDE

Lenora Public Library, Lenora PRIDE

Week of PRIDE

In the spring of 2015, the Kansas PRIDE, Inc. Board of Directors announced that Week of PRIDE would replace Day of PRIDE as the Kansas PRIDE volunteer event. Day of PRIDE was an educational and networking event. Week of PRIDE is a call to action for PRIDE communities to improve their towns during the last week of May. Nearly a third of the PRIDE communities took part in the event.

Communities and the projects they completed during Week of PRIDE

- Alton: Cleaned the three city parks, the community room, and the library. They also made space for their PRIDE signs along Highway 24.
- Ashland: Purchased a picnic table for the Friends of the Ashland Little House and an Oklahoma redbud tree for the city park with funds received in memory of Jim and Kathie Harper.
- Delia: Painted the community bandstand.
- Dover: Updated the outdoor facilities at the Dover Community Center.
- Glasco: Beautified Main Street and cleaned up the community.
- Grainfield: Cruise, Shoes, and BBQs.
- Humboldt: Built River Park by historic March Arch Bridge.
- Iola: Promoted the new disc golf course and the local CITF/PRIDE group at the local farmers market.
- Lakin: Raised funds for a basketball court in City Park.
- Lecompton: Picked up trash in the community.
- Lenora: Celebrated Memorial Day and beautified Main Street.
- Lucas: Hosted a hog roast fundraiser with Lucas Area Community Theater and a retirement reception for Elmer and Karlene Svaty.
- McFarland: Painted picnic tables.

- McPherson: Worked with Central Kansas Conservancy to add benches along the Meadowlark Trail.

- Olsburg: Modernized the city park.

- Potwin: Worked on the Plant a Row for the Hungry garden.

- Randolph: Cleaned up the park for the Independence Day celebration.

- Rozel: Completed the community fitness center.

- Silver Lake: Cleaned up community.

 *Jaime Menon is with K-State Research and Extension Kansas PRIDE Program. She can be reached at jmenon@ksu.edu. All photos for this article were provided by PRIDE.*



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SOMERS APPOINTS LKM NOMINATING COMMITTEE

League President Terry Somers, Mayor for the City of Mount Hope, has appointed a seven member committee to serve as the 2015 League Nominating Committee. These appointments were confirmed by the League Governing Body at its September meeting in Salina. The Committee will be chaired by John Deardoff, League Past President and City Manager from Hutchinson. 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.

The League 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. The League 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 League Bylaws charges the Nominating Committee with submitting a written report at least 24 hours before the start of the annual business meeting of the organization. This year's business meeting, including elections, will be held Monday, October 12, during the League Annual Conference.

2015 NOMINATING COMMITTEE MEMBERS

John Deardoff
City Manager
125 E. Avenue B., PO Box 1567
Hutchinson, KS 67504
Johnd@hutchgov.com

Annette Fairbanks
Commissioner
204 W. 11th, PO Box 59
Goodland, KS 67735
annette.fairbanks@cityofgoodland.org

Henry Schwaller
Commissioner
1507 Main, PO Box 490
Hays, KS 67601
hschwaller4@yahoo.com

Joyce Warshaw
Mayor
806 2nd Ave., PO Box 880
Dodge City, KS 67801
Jmwarshaw@hotmail.com

Carol Eddington
City Clerk
703 5th, PO Box 210
Oswego, KS 67356
ceddington@oswegoks.com

Andy Huckaba
Councilmember
12350 W. 87th St., PO Box 14888
Lenexa, KS 66285
ahuckaba@lenexa.com

Kathy Sexton
City Manager
611 Mulberry, Suite 300
Derby, KS 67037
kathysexton@derbyweb.com

GUIDELINES FOR LEAGUE GOVERNING BODY SELECTION

Pursuant to Article 4, Section 3 of the League Bylaws, the Governing Body has established the following guidelines for League Governing Body and Officer Elections:

Section 1. Primary Considerations. The overall strength of the individual candidates for the League 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 the League, 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 League 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.

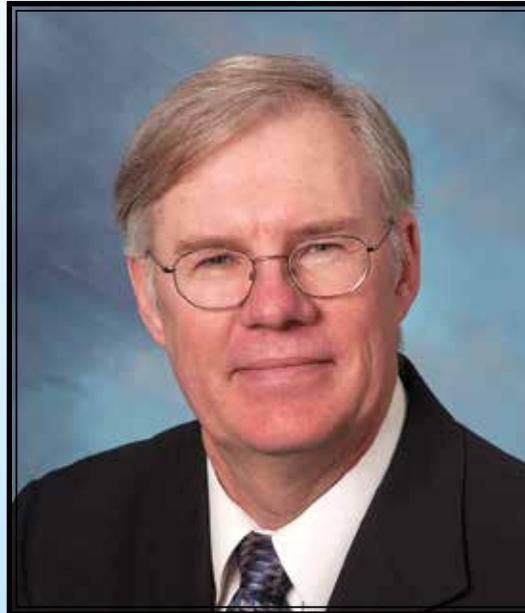
Section 2. Officer Candidates. A) President. In keeping with long-standing League tradition, the Vice President ascends to the position of President. This policy enables the Vice President to participate on the League Executive Committee for a year before leading the organization. **B) Vice President.** Candidates for Vice President should be evaluated primarily based upon the length of term in office, past services to the League, potential leadership contributions, and their willingness to serve the organization. Other considerations include: 1) at least one year of prior service on the League Governing Body; 2) alternation between large and small cities; and 3) geographic diversity.



Intergovernmental Leadership Awards



Representative Blaine Finch



Representative Don Schroeder

For outstanding leadership in working with local governments, the League of Kansas Municipalities is proud in 2015 to honor two Kansas State Representatives with the Intergovernmental Leadership Award. Initiated in 1995, this award honors those who support cooperation between and among the various levels of government. Recipients of this award have demonstrated in both word and deed an understanding that public servants at all levels serve the same citizens and should work together to provide the best service possible.

Representative Blaine Finch

Representative Blaine Finch was first elected from Ottawa to the Kansas House of Representatives in 2012. He represents the cities of Lyndon, Ottawa, Pomona, Vassar, and Williamsburg in the 59th House District.

Halfway through his second term, Rep. Finch serves on the Corrections & Juvenile Justice, Judiciary, Utilities & Telecommunications Committees. He was elected chairman of the House Republican Freshman Caucus in 2013.

During undergraduate studies at Ottawa University, Rep. Finch served as a city commissioner and as the mayor of the City of Ottawa. He also interned for then-state representative Ralph Tanner, and served as an aide to the House Education Committee.

Rep. Finch earned his Juris Doctor in 2002 from Washburn University. From 2003 to 2006, he served as the Franklin County

Counselor, assisting the Commission in establishing the County Administrator and Human Resources Departments.

His law practice focuses on municipal law, business transactions, estate planning, and real estate law. Rep. Finch is currently the city attorney for the cities of Ottawa, Princeton, and Lane. He has also served as an adjunct and instructor at Ottawa University.

He lives in Ottawa with his fiancée, Haley Anderson. Together they are the proud parents of their daughter, Brodie.

Representative Don Schroeder

Representative Don Schroeder, first elected to the Kansas House of Representatives in 2006, hails from Hesston. The 74th House District, which he represents, includes the cities of Burns, Burrton, Florence, Goessel, Halstead, Hesston, Hillsboro, Moundridge, Newton, Peabody, Sedgwick, and Walton.

For 30 years, Rep. Schroeder oversaw a production agriculture operation, primarily focused on irrigated row crops. Not surprisingly, given this background, he serves as the vice chair of the Agriculture & Natural Resources Budget Committee. He also is a member of Agriculture & Natural Resources and Utilities & Telecommunications Committees.

Rep. Schroeder has provided significant public service at the local level in Kansas. He has served both on the local school board in Inman, and also as a county commissioner in McPherson County. He received his undergraduate degree in business administration from Tabor College, and then obtained a graduate degree in public administration from Wichita State University.

Don and his wife, Jan, have two children and four grandchildren. Jan is an acute care nurse practitioner in Newton.

Strong Voices for Cities

During their time in the legislature, Representatives Finch and Schroeder have been strong defenders of local control for Kansas communities. This past year, for instance, both spoke multiple times on the House floor opposing legislation that would have virtually ended unilateral annexation authority for Kansas cities.

In an environment that has become increasingly hostile to local government, their support of cities stands out in the legislature. Both of these gentlemen make time to sit down and talk about issues with both the League and the cities in their district, whether at the Capitol or at home in their districts. They also consistently have attended League Regional Suppers, connecting with cities when the legislature is not in session.

Both Rep. Schroeder and Rep. Finch have willingly stepped to the forefront on many issues, some of which were not the most popular. They have spoken both on the floor of the House, as well as privately with their colleagues, adding reasonable voices and solutions to the debates surrounding local government.

The State of Kansas is fortunate to have these two legislators in public service, and the League congratulates them on receiving our 2015 Intergovernmental Leadership Award.

INTERGOVERNMENTAL LEADERSHIP AWARD PAST RECIPIENTS

- | | |
|---|-------------------------------------|
| 1995 Representative Carl Dean Holmes
Senator Audrey Langworthy | 2003 Congressman Jerry Moran |
| 1996 Senator Dick Bond
Senator Bud Burke
Senator Nancy Landon Kassebaum
Senator Mark Parkinson | 2004 Senator Babara Allen |
| 1997 Governor Bill Graves
Representative Bob Tomlinson | 2005 Senator Pete Brungardt |
| 1998 Representative Kent Glasscock | 2006 Representative Ward Loyd |
| 1999 Senator Janice Hardenburger | 2007 Governor Kathleen Sebelius |
| 2000 Senator Ben Vidricksen | 2009 Representative Kevin Yoder |
| 2001 Senator Jim Barone | 2010 Senator Roger Reitz |
| 2002 Representative Doug Gatewood
Representative Gerry Ray | 2011 Representative Thomas J. Sloan |
| | 2013 Representative Larry Campbell |

Best Practices

by Michael Koss

Adjusting to Changes to the City Manager Plan Act

This year, the state legislature passed H.B. 2104, which moved city elections from the spring to the fall. One aspect of the legislation that has received less attention than the timing change is the repeal and recodification of the City Manager Plan Act statutes. (K.S.A. 12-1001 *et seq.*) This article analyzes the history of those statutes, the effect of their recodification, and provides guidance to cities that have adopted the Act.

History: The Old City Manager Plan Act

Prior to this session, Kansas laws contained three basic variations of the city manager plan: the commission-manager (K.S.A. 12-1001 *et seq.*), council-manager (K.S.A. 12-1029 *et seq.*), and mayor-council-manager (K.S.A. 12-1021 *et seq.*). These statutes, also known as the City Manager Plan Act (CMPA), were examples of local option statutes. For these types of statutes, if a majority of the qualified electors of a city vote to adopt the statutory provisions, the city government becomes subject to their rules.¹ The rules for the structure of the government in each city adopting the CMPA varied based on the city's population.² Today, there are 55 Kansas cities that have adopted these statutes (hereafter, "adopting cities"). Once adopted, the only way to opt out of the CMPA was by holding an election on the question of abandonment.

The CMPA statutes were enacted about forty years before Kansas cities were granted Constitutional Home Rule, when municipalities were only authorized to use forms of government in state statutes. After Constitutional Home Rule was adopted by Kansas voters, because the CMPA was part of nonuniform enactment, many adopting cities began altering the statutory provisions controlling their form of government. For example, in Overland Park, citizens had adopted the CMPA prior to Constitutional Home Rule, and the Act required that the governing body for cities of its size consist of a mayor, two councilmembers elected by the city as a whole, and four councilmembers elected by districts.³ Once Constitutional Home Rule came into effect, Overland Park passed a number of charter ordinances relating to its governing body's composition, finally settling on a mayor elected by the city as a whole and twelve council members elected by wards. Alternatively, other cities continued to use the CMPA's statutory provisions, and chose not to pass charter ordinances altering them. For example, in Salina, the only reference the city has to the composition of its governing body is in City Code Section 2-36, which states that, "[t]he electors of the city adopted the city manager plan of government on February 1, 1921." K.S.A. 12-1005d, which was part of the old CMPA, required adopting cities that attained a population of more than 18,000 but less than 65,000 in 1933⁴ to be governed by a board of five commissioners. Because Salina met those qualifications, and never chartered out of K.S.A.

12-1005d, they have had a five member commission for over eighty years. The difference between Overland Park and Salina illustrates the distinguishing characteristic between the two major categories of adopting cities – those that exercised Home Rule authority to opt out of the CMPA's provisions, and those that continued using a majority of its provisions.

Why Repeal the Old City Manager Plan Act?

The legislature's decision to repeal the CMPA this session had nothing to do with the actual substance of those statutes. The Act was repealed because it contained numerous election provisions that were incompatible with the initial goal of moving city elections to the fall. In the first draft of the bill, the CMPA was going to be replaced with statutes authorizing any city to adopt any form of government via ordinance. However, many city managers and city attorneys interpreted this as authorizing a simple majority of governing body members to abandon the city manager form of government. Previously, the CMPA could only be abandoned by citizen election, and many felt the will of the residents in adopting cities should be protected. Therefore, the League introduced an amendment for this purpose, and that amendment was part of the bill that was eventually passed by the legislature.

The Substance and Implications of the Recodified City Manager Plan Act

The League amendment accomplished its primary goals of retaining a version of the CMPA, maintaining the continued operation of the city manager form of government in adopting cities, and requiring that abandonment of the CMPA be accomplished by election rather than a simple ordinance.⁵ Therefore, cities like Salina that have adopted a form of government requiring them to have five commissioners continue to operate under the new CMPA statutes, and maintain their five commissioner governing body. Cities like Overland Park, that have passed charter ordinances relating to the composition of their governing body, continue to operate under those charter ordinances.

Very few of the operational provisions that existed in the old CMPA (e.g. how to fill governing body vacancies, meeting rules, etc.) were replaced in the new statutes.⁶ The League has always believed that, where there was a conflict between the CMPA provisions and the statutes for the city's class and form (e.g. number of elected officials), the CMPA provisions prevailed; but where the CMPA was silent (e.g. special meeting rules), the statutory provisions corresponding to the city's class and form controlled. However, in the new CMPA, L. 2015, ch. 88, sec. 11(b) requires cities to establish governmental rules by a majority vote of the

governing body.⁷ Most adopting cities should not worry about this issue, since the vast majority have already passed charter ordinances establishing their own rules. However, adopting cities that have not passed charter ordinances relating to specific form of government rules that were addressed in the old Act, no longer have statutory provisions controlling these issues. Therefore, it is the League's opinion that the rules in these cities are either established by the statutory provisions corresponding to the city's class and form, or the rules must be established by a majority vote of the governing body. Below are some of the issues addressed in the old CMPA, that are not addressed or are changed in the new CMPA, and that should be reviewed by adopting cities.

- 1. Number of offices.** As discussed, the existing structure of the governing body in adopting cities remains in place because it is part of the "form of government" adopted via election. In adopting cities, the governing body's composition continues until changed by charter ordinance or election. However, adopting cities that have not addressed their governing body's make-up with charter ordinances should consider affirming their council or commission's composition with a simple ordinance.⁸ This will provide clarity to elected officials, staff, and citizens.
- 2. Governing body vacancies.** Because governing body vacancies are not part of city's "form of government," adopting cities do not necessarily continue to use the rules contained in the old CMPA statutes. Vacancy filling is now either controlled by the rules for their city's class and form, a charter ordinance addressing the issue, or cities can establish their own rules by a majority vote of the governing body. However, to add complexity to the issue, L. 2015, ch. 88, sec. 71 states that, if the city does not have a governing body vacancy filling process, a majority of the entire governing body is responsible for filling those vacancies. If those vacancies remain unfilled after 60 days, the city is required to hold a special election for the vacant office. For more information on this issue, see this month's Legal Forum on page 232.
- 3. Terms of office and wards.** Several sections of H.B. 2104 require cities to establish their governing body member's terms of office by ordinance.⁹ Cities must pass an ordinance outlining these terms, and any necessary transitions that need to take place to comply with the Act.¹⁰ L. 2015, ch. 88, sec. 9(c)(3) also authorizes cities to establish by ordinance governing body elections by ward or district, and adopting cities that use wards should outline their ward system in an ordinance. Adopting cities do not need to include these provisions if they already have ordinances or charter ordinances establishing ward or district elections.
- 4. Powers of the mayor.** The CMPA statutes addressing the powers of the mayor were replaced by L. 2015, ch. 88, sec.

11(a), which states that, "[t]he governing body shall establish by ordinance the qualifications, oath and powers and duties and terms of office of the governing body." Since there are no rules regarding mayoral powers within the new CMPA, adopting cities should either pass an ordinance affirming that the statutes for their class and form of city control the issue, or pass an ordinance by a majority vote of the entire governing body that includes provisions for mayoral powers.

- 5. Meetings.** Since cities are already required to establish by ordinance when their regular meetings are held, the repeal of the old CMPA statutes should not affect regular meeting rules. However, H.B. 2104 also repealed the special meeting requirements in the CMPA, and a number of adopting cities relied on those rules. Therefore, those cities should either pass an ordinance affirming that the statutes for their class and form of city control special meeting rules, or consider passing an ordinance by a majority vote of the entire governing body that includes rules for calling special meetings.
- 6. City Manager position.** Despite the recodified CMPA's silence on many of the aforementioned issues, it does address the selection, powers, and responsibilities of the city manager.¹¹ In addition, L. 2015, ch. 88, sec. 9(c)(4) authorizes the governing body to supplement and clarify these statutory provisions.

Resources for Cities

The analysis and guidance in this article only applies to cities that have adopted the CMPA. These cities should also consider that, like the old CMPA, the new CMPA statutes will be placed in a nonuniform enactment, so their provisions can be chartered out and/or amended. The League has developed two model ordinances to help adopting cities adjust to the changes to the CMPA – one for cities that have chartered out of many of old Act's provisions (e.g. Overland Park), and one for cities that have not (e.g. Salina). Both of those ordinances, and a flow chart explaining which cities should adopt which ordinance, can be found at <http://www.lkm.org/resources/ordinances/elections>. The League is also considering introducing legislation next session to recodify some of the core parts of the old CMPA that were not included in the new CMPA statutes, and to clarify the continued operation of certain provisions. As always, if you have any questions about this issue, please contact your city attorney or the League.

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

KANSAS GOVERNMENT

Manhattan

Rabies Cases Rise in Kansas

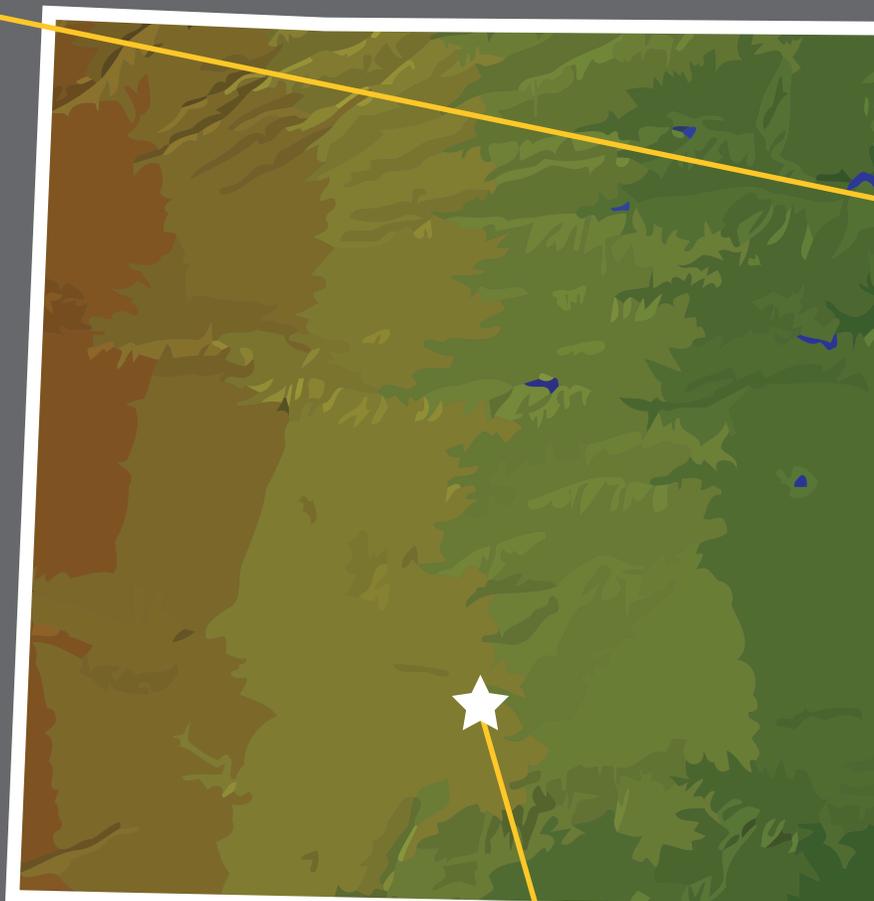
The Kansas Department of Agriculture's Division of Animal Health has identified an increased number of rabies cases reported in Kansas this year. As of June 30, there have been 69 cases of rabies confirmed in Kansas for 2015.

Rabies is a preventable disease that is deadly and can infect humans. To prevent the impact of the disease, it is important to vaccinate all animals that have regular human contact. This includes pets such as dogs, cats, ferrets, horses, and any livestock that have human contact or are of high value.

In addition to vaccination, it is important to watch for signs of rabies such as changes in animal behavior. Common signs of rabies include wild animals acting unafraid of people, calm animals acting aggressive and hostile, inability to swallow, increased salivation, seizures, and paralysis.

If you notice any animals exhibiting signs of rabies, keep your distance and contact animal control. In the case an animal has been exposed to rabies, contact your veterinarian for advice.

For additional information about animal health, visit <http://agriculture.ks.gov/animalhealth>



Dodge City

Dodge City Library Receives Grant

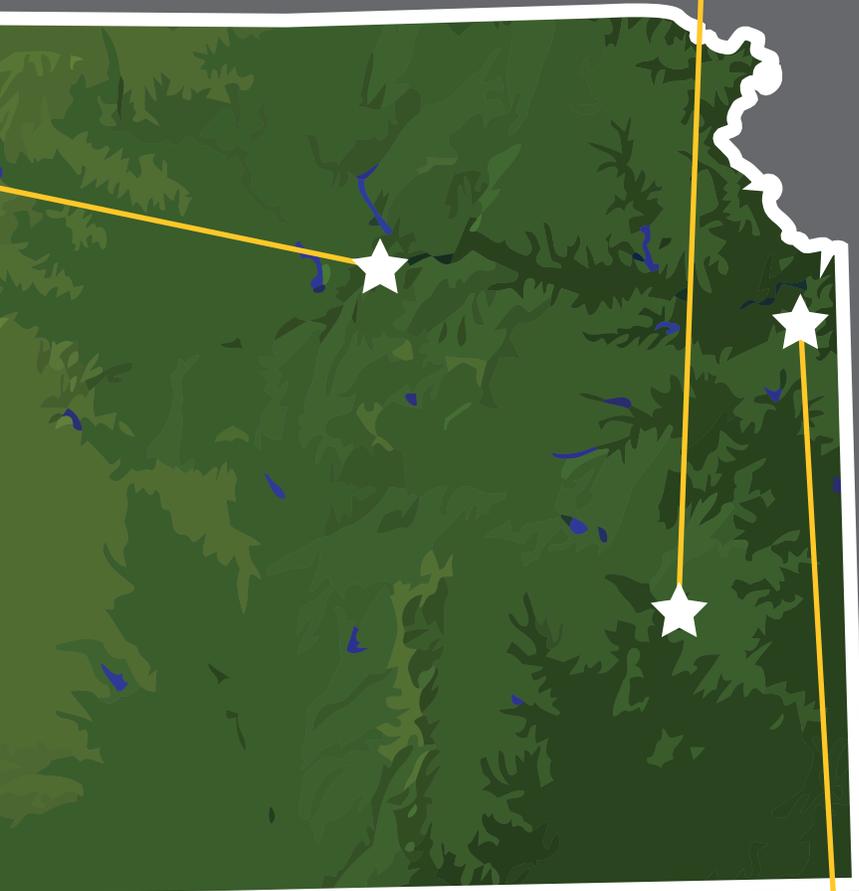
The Dodge City Public Library, in partnership with the Kansas Humanities Council, has received a \$10,000 grant for projects exploring local stories of Latino history and culture.

The Dodge City Globe (<http://bit.ly/1H2yhUo>) reports the library has received the, "Latino Americans: 500 Years of History," grant as part of the American Library Association's initiative to explore the history and experiences of Latinos in the U.S.

According to the Association, more than 200 organizations around the country have received funding for this initiative.

Submit stories for the
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to andrey@lkm.org

GOVERNMENT NEWS



Iola

Residential Lead Cleanups Start in Iola

EPA began testing residential soil in Iola for lead contamination in 2006. Approximately 1,500 properties were tested by the time the first sampling concluded in 2007. In 2013, EPA returned to Iola to test residential properties that were not tested in 2006-2007.

A total of approximately 2,500 residential properties at the site have now been tested. EPA sent individual letters to owners of properties sampled in 2013, informing them of specific soil sampling results for their properties, and providing further information about the upcoming start of cleanup activity.

As with previous soil remediation that EPA performed at the Iola site during the 2006-2007 effort, all future remediation work will be completed at no cost to property owners. Property owners will be notified individually so that EPA and its contractors can make specific arrangements to remove contaminated soil and replace it with new soil.

In May 2013, the Former United Zinc and Associated Smelters Superfund Site was placed on EPA's National Priority List, making it eligible for significant long-term response funding authorized by Congress under the Superfund program.

Shawnee

Shawnee Honored For Its Treatment of Military Employees

The challenges of five years of military duty in Kosovo, Afghanistan, and Iraq were made easier for veteran firefighter Doug Simms, thanks to his hometown of Shawnee. The City of Shawnee supported Simms and his family by providing a reintegration program to assist him in civilian life when he returned home.

"Shawnee has been wonderful to me and my family," said Simms, a 22-year firefighter who served 24 years in the Army Reserves.

For the past several years, Simms has nominated Shawnee for the Secretary of Defense Employer Support Freedom Award, the highest honor given to employers for exceptional support of Guard and Reserve employees. The city won the award this year.

For more information, visit tinyurl.com/nnk5m3h



**Mayor
Mike Boehm**
City of Lenexa

League Past President

What is your position and what are your typical duties?

I am the Mayor for the City of Lenexa. Typically, I conduct city council meetings and represent the city in various meetings, festivals, and boards.

What is your favorite thing about Kansas?

My favorite thing about Kansas is the friendly, rational, educated citizenry.

Please share a little personal information about yourself.

I am a native Kansan. My family arrived in Johnson County in the mid-1860's. I graduated from the Olathe School System and continued my education and graduated from the University of Kansas.

I have been a Commerce Bank Officer since 1985, celebrating 30 years this September.

What is your favorite thing about your community?

My favorite thing about Lenexa is that it maintains the feeling of a small town (i.e. citizens, business community, and government collaborate to move the city forward), with the amenities of a large metropolitan area.

What made you want to join city government?

I have a desire to shape the future of the Lenexa community.

Is this your first time on a statewide board?

No, I've been on League of Kansas Municipalities Board (2003 – present), and served as Vice President (2005) and President (2006); Kansas Chamber of Commerce Board (2003-2005); Kansas Advisory Council on Intergovernmental Relations (2002 – 2005), serving as Vice Chairman (2004), and was appointed by Governor Bill Graves as Chairman in 2005.



**Nicole Proulx
Aiken**

League Staff

What is your position and what do you do?

I am deputy general counsel. I answer legal inquiries, conduct trainings, edit municipal publications like the Standard Traffic Ordinance and Uniform Public Offense Code, and lobby.

A little bit of information about you.

I am married to my husband, Edwin. We have two daughters: Finley, 4, and Stella, 2. We live in Lawrence and try to enjoy everything the city has to offer. Most of our weekends are spent at the farmers' market, library, or a local park.

Have you always lived in Kansas?

No, I grew up in Omaha. I moved to Kansas to attend Benedictine College in Atchison. After college, I lived in the Minneapolis/St. Paul area for four years, but quickly realized I did not like winters with 75 inches of snow and days when temperatures did not get above zero. I moved back to Kansas and lived in Merriam for a year. I then moved to Lawrence to attend law school. I met my husband in Lawrence and have lived there since.

What is your favorite scenic part of Kansas?

The drive through the Flint Hills is always beautiful. Also, several of us at the League visited Monument Rocks before a regional supper. It is not something you expect to find in Kansas and it is worth the drive.

How long have you been with the League?

I have worked at the League for five years.



Nikki Harrison
League Staff

What is your position and what do you do?

I am the Member Services Coordinator. I provide administrative support for members and staff; maintain the Leagues affiliate listservs, membership requests, and assist with website updates; provide administrative and on-site support for trainings and conferences; maintain, design and distribute the League's Directory of Kansas Public Officials; organize and facilitate the Youth Education program; and handle the administrative process for the League's LEAPS program.

What is your favorite thing about Kansas?

The barbeque.

Have you always lived in Kansas?

I have lived in Kansas all of my adult life. I have two children and two grandchildren. In my spare time I make jewelry.

What is your favorite scenic part of Kansas?

I enjoy the golden wheat fields before harvest and of course the endless fields of sunflowers.

How long have you been with the League?

I have been with the League for five years.

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City Administrator

The City of Fredonia (pop. 2,482, budget \$10.8 mil., 33 FTE) is seeking a progressive, collaborative professional with strong financial management skills and a dedication to quality service as the next City Administrator. The former City Administrator, after serving for 8 years, is leaving to take a city administrator position at a substantially larger community in the Southeast.

The City operates under a three member Commission form of government with the city administrator responsible for the day-to-day operations including the management of electrical and water distribution systems, wastewater utilities, solid waste disposal and recycling services, police, fire, airport, and public works. The City also operates a library and hospital through separate government appointed boards.

The Governing Body is looking for candidates who has a history of professionalism and willingness to become actively engaged within the community. Applicants must have a bachelor's degree in related field, although an MPA is preferred. Candidates should also have at least four years of local government experience, grant writing skills, and an ability to create a budget that reflects the values of the governing body.

Competitive salary DOQ and an excellent benefit package is offered. Interested candidates should submit cover letter, resume, salary history, and list of six references to City Administrator Search Committee, 100 North 15th Street, Fredonia, KS 66736. Electronic submittals are strongly encouraged via e-mail to canderson@fredoniaks.org. Position will remain open until filled.

Assistant City Attorney II 115-101

The City of Overland Park has an Assistant City Attorney II position available in the City's Law Department. Responsibilities: Assists the City Attorney in providing legal counsel and support to the City staff, elected officials and others. Duties include, but are not limited to appearing in court on behalf of the City, negotiating and preparing contracts, providing legal advice to City staff, elected officials and others, drafting ordinances, resolutions, administrative policies and other legal documents and other related

duties as assigned by the City Attorney. Requirements: Juris Doctor Degree from an accredited law school and membership in the bars of the Kansas State Courts, the Federal District Court for the District of Kansas and the U.S. Court of Appeals, Tenth Circuit. Three to four years of legal work in municipal government, or an equivalent level of experience. Experience related to the municipal public works function will be a consideration. No City residency requirement. Must successfully pass a background check, drug screen, and physical examination. 8:00 a.m.-5:00 p.m., Mon-Fri., with regularly scheduled evening public meetings at least once each month. \$5,358-\$6,697/mo. Open until filled. Apply online, attach a resume, cover letter and view your online application at www.opkansas.org. If unable to apply online, visit the HR Office between 1:00 p.m.-4:00 p.m., M-F.

City of Overland Park
Human Resources Dept.
8500 Santa Fe Dr.
Overland Park, KS 66212
EO/M/F/D/V

City Clerk

The City of Garden Plain is seeking to fill the position of City Clerk. Under the direction of the Mayor and Personnel Administrator, the City Clerk performs all duties and discharges responsibilities as defined by the Kansas State Statutes and City Ordinance; in addition, maintains records of all activities producing monies for the City; completes all administrative reports; is the official custodian of municipal documents and is responsible for various financial records; handles confidential documents; and performs other duties as assigned. The City Clerk is responsible for payroll, human resources and City communications and accounts payable. The City Clerk will cross train in the area of Utility Billing and Municipal Court operations. Two to Four years of municipal experience is required. Master City Clerk Certification is preferred but not mandatory. Employee must successfully complete Master City Clerk Certification within four years. A thorough knowledge of computers, database systems, and spreadsheets, and a working knowledge of mathematics are required. The employee must be able to operate a multitude of office equipment. An ability to read and interpret

budget documents, financial reports and other written instructions. Benefit package included. Salary depends on qualifications. Submit application on HREpartners.com.

City Engineer

The City of Basehor is searching for a professional, team oriented and focused City Engineer. Teamwork and partnership of the Governing Body, Staff and citizens empowers Basehor to continue its development as a top-quality community second to none. We are very proud of our past achievements and working together we look forward to a promising future.

This position is responsible for engineering in public works and municipal projects, developing engineering plans, specifications and cost estimates, coordinating with engineering firms, and supervising contractors on city projects. The City Engineer should possess excellent reasoning, communication, supervisory, and public relations skills. This position will also provide responsible and complex professional support on issues relating to City Planning, Zoning, Land Use, Building Codes and City Codes.

This position will enforce codes related to the construction, repair and maintenance of buildings, structures and properties; enforce all applicable codes, ordinances and regulations related to site plan, zoning and land use within the City. The City Engineer may perform field inspections of properties to ensure compliance with applicable codes, and review, issue and inspect permit applications for code compliance.

Job Requirements

Immediate Supervisor: City Administrator

Department: Planning and Zoning

FLSA Classification: Exempt

Status Classification: Full-time (40 hrs. per week, flexible w/ some weekends and evenings)

Education: Degree from an accredited College or University with major course work in Planning, Architecture, Civil Engineering, Construction Technology or a related field or any combination of experience and training that would provide the required knowledge and abilities. A current Kansas Professional Engineering License is required.

Out-of-Town Travel: Required to attend out-of-town training and meetings.

Compensation: Starting \$68,000 BOQ

Position open until filled. Please submit application and resume to Lloyd Martley, Chief of Police/City Administrator at 2620 N. 155th, Basehor, Ks 66007 or e-mail to chief@basehorpolice.org.

Municipal Judge

The City of Olathe is recruiting a Municipal Judge to preside over all Municipal Court proceedings. The City's court is the second largest municipal court in Johnson County, KS with an average of 25 dockets per week. Responsibilities: Conducts courtroom proceedings of persons charged with violating municipal ordinances. Arraigns accused persons, advises persons of charges pending against them and their constitutional rights. Hears and determines violations and assesses penalties. Commits persons to jail, assesses fines and determines diversion/probation/parole status. Sets bonds, hears motions and writes legal decisions. Requirements: Minimum of five years' experience as a trial attorney. Admitted to practice law and registered with the Clerk of the Kansas Supreme Court in accordance with Supreme Court Rule 208. Criminal background check for Alert/NCIC certification required. Must successfully pass a supplemental background check, pre-employment physical, and drug screen. \$98,499-\$154,062/annually. View complete position profile and apply online at: <http://www.olatheks.org/HR/Life>.

Successful candidate will need to become an Olathe resident.

Neighborhood Services Superintendent

(Public Works Department)

Duties of this full-time position include performance of complex supervisory, administrative and professional work in planning, organizing, directing and supervising the Neighborhood Services Division, primarily comprised of building and environmental code enforcement.

Thorough knowledge of operational characteristics, services and activities of a building inspection or code enforcement program as well as thorough knowledge of practices and techniques of building construction and code inspection; specifically structural engineering, plumbing, mechanical, electrical, building and nuisance codes; safety standards and methods of building construction for

commercial, industrial and residential buildings required.

Thorough knowledge of pertinent federal, state and local laws, codes and regulations as applied to environmental code and building inspection and ability to establish and maintain effective working relationships with those contacted in the course of work including City and other government officials, community groups and the general public essential. Five years of increasingly responsible experience in building inspection and code enforcement including three years of supervisory or administrative responsibility and Bachelor Degree in engineering, construction science, architecture or a closely related field desired. Candidate must possess a valid driver's license with a safe driving record as determined by the employer.

The successful applicant must pass post-offer, pre-employment drug/alcohol screens along with physical capacity profile and background checks. Pay Range: \$49899.20/annualized (entry) - \$67516.80/annualized (maximum).

The City of Arkansas City provides an excellent benefits package including family health and dental insurance, life insurance and KPERS retirement benefits.

Please apply through Kansas HRPartners at www.hrepartners.com

Applications accepted until position is filled.

EOE/ADA

Public Works Director

The City of Shawnee, Kansas (population 64,680) is seeking a Public Works Director. The position is vacant due to retirement; the former Director served the City for 30 years. The Public Works Department includes 42 full time employees and a management team staff of Deputy Public Works Director, Assistant Public Works Director, Stormwater Manager and Field Operations Manager. This team, in partnership with the Development Services Department staff, has been pursuing APWA Accreditation with the site visit scheduled for late October. The Public Works Department has a 2016 budget of \$9,301,2745. The City's 2016 General Fund Budget is \$47,767,930. The total budgeted investment for Public Works operations and infrastructure improvements for 2016 is \$21,676,354. The Department is responsible for ensuring that all infrastructure of the City is

maintained in a safe and attractive manner and that maintenance is accomplished in the most efficient and cost effective way possible. This responsibility encompasses the City's 780 lane miles of streets, 172 miles of stormwater pipes, 62 signalized intersections, eight large public buildings, and a fleet of 99 vehicles and equipment. The successful candidate will hold a Bachelor's Degree from an accredited college or university with major course work in engineering, construction, public administration, or a closely related field. A Master's Degree is preferred. A minimum of ten (10) years of increasingly responsible experience in a public works position is required with five (5) years of progressively responsible experience in executive management of a public organization. The hiring salary for the position is \$110,000 - \$130,000 dependent upon qualifications and experience. Outstanding benefits. More information about this opportunity can be found at:

<http://tinyurl.com/q5tbtol>

Public Works Superintendent

The City of Edgerton, KS is recruiting for the Public Works Superintendent. The Public Works Superintendent reports to the City Administrator. This employee manages and supervises all aspects of public works personnel related to the management/maintenance of the City's streets, alleys, curbs, gutters; street sweeping, ice and snow control on public streets; management of the city's fleet of vehicles and equipment; sign program; city facilities including buildings and grounds; stormwater infrastructure maintenance including culverts, ditches, pipes, etc.; city bridges and guardrails; and maintenance of the City's dams.

For more information, visit the city's website at <http://www.edgertonks.org/contact/contact-employment.aspx>. To apply for the Public Works Superintendent, please submit an employment application to the City Administrator at 404 East Nelson (PO Box 255), Edgerton, KS 66021. Open until filled. Salary DOQ. First review of applications will be the week of October 12, 2015.

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Sources from Best Practices, page 244

1. Cities could call for an election to adopt the CMPA either by having the governing body pass a resolution or by citizen petition.
2. Some of these form of government rules included the city manager's authority and responsibilities; the number of elected officials, their terms, their salaries, and whether the elections were by district; how governing body vacancies were filled; the powers of the mayor; meeting rules; the powers of the governing body and its members; and the responsibilities of administrative departments.
3. K.S.A. 12-1036b (repealed 2015).
4. Salina's population in 1930 was 20,155.
5. The League's amendment included language stating that cities continue to operate under their current form of government if established at an election, and that all existing ordinances and charter ordinances relating to a city's form of government remain in effect until amended or repealed. According to Black's Law Dictionary (9th ed. 2009), "form" is defined as "[t]he outer shape or structure of something," so the phrase, "form of government," ostensibly implicates the composition of the governing body. For all cities that have adopted the CMPA, L. 2015, ch. 88, sec. 12 requires that abandonment of the form of government be accomplished via an election.
6. Instead, L. 2015, ch. 88, sec. 9(c) and sec. 11(a) state that governing bodies shall establish by ordinance the qualifications, oath, powers, duties, and terms of office of the governing body; the election by ward or district of members of the governing body; the administrative departments of the city; and other matters deemed appropriate by the governing body.
7. The term "governing body" includes the mayor.
8. Since the CMPA statutes outlining the governing body composition for adopting cities have been repealed, the only statutory reference that exists are the statutes that correspond to the city's form and class. To avoid confusion, cities should pass an ordinance affirming that the existing governing body make-up, not other statutory provisions, determine the current structure of the governing body.
9. L. 2015, ch. 88, sec. 7(c); L. 2015, ch. 88, sec. 9(c)(2).
10. The League has created several sample ordinances and charter ordinances to assist cities with this requirement, which can be found at <http://www.lkm.org/resources/ordinances/elections>. Also included in these sample ordinances are optional sections to establish wards.
11. L. 2015, ch. 88, sec. 11 requires that the governing body (which includes the mayor) appoint a city manager to be responsible for the administration and affairs of the city; affirms the at-will nature of the position, stating that the city manager serves at the pleasure of the governing body; and outlines several city manager responsibilities, including that all laws and ordinances be enforced by the position, that the manager appoint and remove all heads of departments and all subordinate officers and employees of the city, and that all appointments made by the manager be based on merit and fitness alone. Notably absent in the new CMPA is language from the old statutes stating that no member of the governing body shall directly interfere with the conduct of any department, except at the express direction of the governing body.

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Clerk of the Year nomination information from page 231

To be eligible for the award, nominees must: (1) be a current city clerk or finance officer in Kansas, who has held the position for at least three years; (2) be a member of CCMFOA of Kansas for at least three years; and (3) have attained the status of CMC or have received the Government Finance Officers Association (GFOA) Certificate of Achievement in Financial Reporting. Nominations may be submitted by fellow city clerks, mayors, governing body members, city managers/administrators, or fellow employees.

A five-member panel of judges reviews all nominations and rates candidates on a point system. The selection committee consists of two prior year recipients of the award, the Missouri City Clerks/Finance Officers Association President, the Illinois City Clerks Association President, and a representative of the League of Kansas Municipalities, as assigned by the Executive Director of the League.

Nominations for the 2016 Mildred Vance City Clerk/Finance Officer of the Year Award will be accepted through December 31, 2015, and can be sent to David Bryant, City Clerk, City of Lenexa, 12350 W. 87th Pkwy., PO Box 14888, Lenexa, KS 66285. Email dbryant@lenexa.com or fax to 913-477-7569. For further information, contact David at 913-477-7500.

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Americus Fall Festival

October 2 - 3

Friday evening is family night in the park with activities and food, ending with a movie in the park. On Saturday there will be a 30 mile bicycle ride, pancake breakfast, parade, BBQ contest, photo contest, pie baking contest, vintage baseball game, along with many activities, food, and vendors in the park. The festival will end with a dance on the courts in the city park sponsored by the Americus Volunteer Fire Department.
(620) 443-5655

Wilson Oktoberfest & Chili Cook Off

October 3

Oktoberfest: 11 a.m. Chili Cook Off (public judging from 4-5 p.m.) and Horseshoe Tournament
(785) 658-2272 | www.wilsonkansas.com

Lansing Autumn in the Grove

October 10

“Autumn in the Grove” is held the second Saturday in October. The event takes place in Kelly Grove Park (located at Gilman Road and Main Street / K-7) and gives local organizations an opportunity to raise funds and share information about their groups.
www.lansing.ks.us/index.aspx?NID=414

Mound City Sugar Mound Arts & Crafts Festival

October 10 - 11

Approximately 500 craft and food vendors come from across the US every year to sell handmade crafts. The parade begins on Saturday at 10:00 a.m. on Main Street

from 3rd to 9th Street. Shuttle buses will be running from Main Street and the high school to the festival. Free shuttle due to limited parking at the Linn County Fairgrounds.

(913) 795-3003 | <http://www.sugarmoundartsandcrafts.com/>

Bel Aire Fall Festival

October 10

Come to Bel Aire Recreation Center (5251 E 48th St North) on October 10th from 10 a.m. to 2 p.m. There will be a car show, vendor fair, food, and fun for the whole family.

(316) 744-2451 | www.belaireks.gov

Leavenworth Haunted Havens Spooky Games & Movie Night

October 24

Join us at Havens Park in Leavenworth, Kansas, for a spooky night of trunk or treating, games, activities, music and food, all on Ottawa Street. Then take a hayride up the lighted trail to the movie site, and enjoy bounce house fun, face painting, music, and more food! Bring your blankets and snuggle up for the movie showing on a 40-foot inflatable screen. Trunk-or-Treat, games, music, and movie ticket sales on Ottawa Street: 5:30-6:30 p.m. Hayride up to the spooky movie begins: 6 p.m. Movie showing: 7:15 p.m. Fees: \$5 per person (3 and under free).

(913) 651-2203 | www.lvks.org

Tonganoxie Spooktacular

October 31

As a safe alternative to trick-or-treating, downtown streets of Tonganoxie are

reserved for pedestrians only for the biggest candy grab in Kansas. Vendors open their doors to thousands of visiting costumed children and parents. The experience includes the Hauntatorium, a fun mystery maze.

(913) 845-8780 | <http://www.tonganoxie.org/residents/major-community-events#section-3>

Leavenworth Mayor's Holiday Tree Lighting & Holiday Bazaar

November 20

The public is cordially invited to attend the annual Mayor's Holiday Tree Lighting at Haymarket Square on Friday, November 20. Food and gift vendors will be available at 4 p.m. The Holiday Parade will begin at approximately 5:30 p.m., and the Tree Lighting will be held immediately following the parade. Entertainment will be provided.

(913) 651-2203 | www.lvks.org

Douglass Frontier Christmas Around Town Festival

November 21

2015 Frontier Christmas Around Town - by way of history of the event. This Arts, Crafts, and Gifts Fair is a part of Douglass' annual festival.

(316) 747-2109 | cityofdouglassks.com/news.php?pageid=33

See and submit City
Events at LKM.org/events.

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