Inside:
Flint Hills Discovery Center Opens
2012 Legislative Update
The Origins of Home Rule
Hardman & Howell Benefits focuses 100% of their time helping clients manage their employee benefit plans including group insurance, voluntary plans, communication, technology solutions and HR assistance. These solutions have a positive impact on the lives of their clients. Their success is attributed to their ability to discover the specific and unique challenges of each client.

For years, we tried to manage employee benefits ourselves. We hired Hardman & Howell to help us. They provide great advice and saved us money.

In Memory of Representative Bob Bethell

Mini-Boom Comes to Stockton

Flint Hills Discovery Center Opens

2012 Legislative Update

The Origins of Home Rule

Mayor Brewer Appointed to Search Committee

Governmental Ethics Commission Releases New PSA

Opinion

About the Cover:

Blue Earth Plaza shown in the foreground and the Flint Hills Discovery Center shown behind. See related article, beginning on page 177. Photo by Rob Mikinski of Bowman, Bowman, Novick, Inc. who designed the landscape architecture of the new center.
4 - Independence Day
20 - MLA: Neighborhood Building, Webinar
21 - MLA: Neighborhood Building, Webinar

August
10 - MLA: KOMA/KORA, Garden City
11 - MLA: KOMA/KORA, Abilene
24 - KMIT Board of Trustees Meeting, Lindsburg

September
3 - Labor Day
7 - LKM Governing Body Meeting, Kansas City
7 - MLA: Preparing for Retirement, Webinar
8 - MLA: Preparing for Retirement, Webinar

October
6-8 LKM Annual Conference, Topeka
7 - LKM Governing Body Meeting, Topeka
7 - KMIT Annual Meeting, Topeka
23 - Regional Supper, Liberal
24 - Regional Supper, WaKeeney
30 - Regional Supper, Kansas City

Obituaries

Vincent L. Bogart, 90, died March 26, 2012. Bogart served on the Wichita City Commission, and as Mayor in 1964. From 1972 to 1974 and again in 1976, he was the special assistant to the Attorney General for the State of Kansas. He served on the local, state, and national bar associations. In addition, he served under Governor Sebelius as Judge of the Workers Compensation Court.

The Honorable Wesley E. Brown, 104, died January 23, 2012. Brown served as a federal district judge for nearly five decades. Among his awards were the 1998 Kansas Bar Association's Philip H. Lewis Medal of Distinction, the 2000 Wichita Bar Association's Lifetime Achievement Award, the 2002 Judicial Council of the Tenth Circuit's Lifetime Achievement Award, the 2007 Wichita Crime Commission Criminal Justice Professional of the Year Award, the 2008 Kansas Bar Foundation's Robert K. Weary Award, and the 2008 Wichita State Alumni Association's Award of Distinction.

William Caldwell, 80, died March 3, 2012, at Midland Hospice Care. Caldwell spent four years in Sterling, Kansas, serving on the City Commission, as Mayor, and as a member of the Chamber of Commerce. He also worked 41 years for the Abilene, Topeka & Santa Fe Railroad.

Richard J. Massieon, 65, died March 22, 2012, at his home in Seneca. Massieon served 29 years as Seneca City Attorney and 8 years as Osage City Attorney. He was a member of the Kansas Bar Association and served as President of the Nemaha County Bar Association, Treasurer of the Northeast Kansas Bar Association, and was on the 22nd Judicial Bar-Bench Committee.

T

The Native Americans were the first to use the area for hunting and summer camps. The Colorado River, which flows from the east having passed through the broad valley along the south fork of the Solomon River. Cattlemen and their families were drawn to the grassland that grew between the bluffs along the river. The area that had once provided a home for buffalo was supporting an increasing population of pioneers.

In 1872, the City of Stockton, originally known as Stocktown, was chartered at what is now the intersection of Highways 183 and 24 and was incorporated in 1880. An early leader in the area, it found its population swelling throughout the middle part of the 19th Century. However, as has happened to many cities in rural Kansas, there was a downturn in population and business.

Recently business and construction has gone the other way, taking an upturn as there has been a mini-explosion of growth in the Stockton area. The center of the development in the city is the new medical clinic located on Highway 24 in the downtown area, the clinic is a modern, state-of-the-art facility staffed by two doctors and a physician’s assistant. The million dollar project was funded almost entirely through donations and tax credits with very little public money used.

“This is one of Rooks County’s largest donor supported projects,” explained Kathy Ramsay, Director of the Rooks County Health Foundation. “It offers a rural facility where family medical care is available. The new clinic was made possible through the generosity of citizens of Stockton along with those throughout Rooks County and the surrounding area. Without their tremendous support, it would not have been possible.”

The seed for the clinic was planted by a small group of representatives from the Rooks County Health Foundation, the City of Stockton, local physicians, and Rooks County. One of the driving forces behind the construction of the clinic was Genny Robben-Rahjes, APRN. “I have worked in this community for decades and am proud of what has been accomplished,” said Robben-Rahjes. “The new clinic was much needed and I am so proud of what has been accomplished.”

Bainter Construction has been building senior apartments for 10 years and currently operates complexes in the cities of Hoxie, Hill City, and Smith Center. Each apartment is 1,330 sq. ft. in size, has handicapped accessible bathrooms, a laundry area, storage space, and individual heating and cooling. Electricity, water, trash pick-up, and a noon-meal each weekday are all included in the rental cost.

“It’s a great project for our community,” said Mayor Kim Thomas. “We truly appreciate the belief Mr. Bainter has shown in the community by building this wonderful facility. When he is done, we will have a beautiful complex where there once was an open grass lot.”

A badly needed update has brought another construction project to the area. The Stockton sewer plant is an antiquated facility that has outlived its project lifespan by 20 years. Thanks to the Kansas Department of Health and Environment (KDHE), the City was able to secure a loan with a 40% forgiveness included in the loan. The project is going to feature a lagoon system which after holding the water for a period of time, will send the effluent to the golf course located south of town.

“KDHE was all for the idea of sending the water from the lagoons to the golf course for them to use for irrigation,” said Jon Voss, Superintendent of the sewer and water departments. “They saw it as an opportunity to use the water twice,” Voss added. “Through the cooperation of KDHE and the Department of Water Resources, it appears we will have an agreement which will be in place for many years. It will be beneficial to both parties.”

The project is initially estimated to cost $4 million. The effluent will be pumped from the sewer plant to land south of the city where the lagoons will be located. From there, it will be pumped another six miles to the golf course and deposited into the ponds at the course. Bids for the lagoons are projected to be let in May with construction to begin summer 2012.

Another area of concern for Stockton is its water department infrastructure, which has been addressed through recent efforts. The finishing touches on a water project that the City has been working on for the past couple of years is in the works. The original scope of work was for new underground water lines to replace antique, cast iron, and steel pipes. Because of the bid coming in lower than original estimates, additional work was added to the project. The City has been able to clean up wells that had been neglected for a number of years, put in pitless adapters at the well sites, add a telemetry system at the water plant, and do much needed repairs on the interior of the water tower.

The project is being funded through a loan and grant with the U.S. Department of Agriculture (USDA) and a loan with the Community Development Block Grant program. A previous USDA loan for the City’s water plant was combined with the water line project loan through USDA, which reduced the loan payments for the City.

Another City project that added a boost to area contractors was an energy grant awarded through the State Energy Office. The grant paid for 60% of improvements with the City picking up the rest of the cost. Improvements made at the Solomon Valley Manor, a City owned nursing home; insulation at city hall; new lighting and thermostats at city hall, nursing home, library, water plant, and electric plant; and new insulated garage doors at the police department.

“All our improvements will save the City a lot of money in upcoming years,” said Mayor Thomas. “Things like lighting and new thermostats make a huge difference in energy savings, but it isn’t something a commission usually has the money for in their budget.”

All the work in the energy project was done by area contractors and was headed up through the general contractor, Kuhlmann Construction of Stockton.

In addition to the area construction connected to the municipality, there are also three new businesses coming into the community. A new attorney, and his family are moving to the community and he is renovating an old building on Main Street. The attorney is originally from Stockton and he, his family, and practice will be a welcome addition.

A new auto parts store has just been constructed along Highway 183 and another great new business, and a bakery will be opening along Main Street. The bakery is currently located on the south end of town and is in combination with a restaurant, but the owners have decided to separate the two businesses and put the bakery downtown.

A final improvement for the area is the recent completion of a new county airport. The 5,000 ft. concrete runway is located about halfway between the cities of Stockton and Plainville. It is the first new airport built in the state for a number of years and the runway will be long enough to allow jets to land. The airport will have a fuel station and a private hangar area with two hangars already starting construction.

The airport opened in April and was funded with a 90% grant through the Federal Aviation Administration. In addition to private aircraft, the new airport will be a benefit for the local medical facilities, allowing specialists to fly in and critical need patients to be taken to larger hospitals in the state.

Keith Schlaegel is the City Manager for the City of Stockton. He can be reached at cosmgr@ruraltel.net or (785) 425-6703.
Kansas Sites Nominated for National Register

Ten Kansas sites are nominated for the National Register of Historic Places. The nominations will be sent to the Keeper of the National Register for consideration. Below is a complete list of the nominations and a complete description can be found at [http://www.kansasmuseumlink.com/tour/displayTourDetails.do?ID=21180&form=html].

- Arvonia School – Arvonia Township, Osage County
- Calvinistic Methodist Church – Arvonia Township, Osage County
- Congregational Church – Osawatomie, Miami County
- Soldiers’ Monument – Osawatomie, Miami County
- David R. Gordon House – Abilene, Dickinson County
- Riverside Park – Oswego, Labette County
- Battin Apartments Historic District – Wichita, Sedgwick County
- Cudahy Packing Plant – Wichita, Sedgwick County
- Amos Gish Building – El Dorado, Butler County
- Norden Bombsite Storage Vaults – Pratt Army Airfield, Pratt County

New Restroom Lures Hundreds

Hundreds of people gathered in the central Kansas city of Lucas on Saturday, June 2, 2012 for the grand opening of the City’s quirky new public restroom, the culmination of a four-year effort to make a bathroom stop something of an experience.

The rectangular men’s and women’s building at the City’s new Bowl Plaza is shaped like a toilet tank, and the oval-painted entrance resembles an upraised toilet seat lid. The Salina Journal reported. The walkway to and from the restrooms is shaped like an unfailing toilet paper roll.

The day long Bowl Plaza Grand Opening included a toilet seat toss and Tabular Olympus with empty toilet paper rolls. Lucas, a city of about 400 residents, 65 miles northwest of Salina.

Residents of Lucas and visitors from as far away as Pennsylvania and Washington, D.C., gathered on the street leading from the Lucas Community Theater to Bowl Plaza.

Kansas Communities Receive Grants

Five Kansas communities will receive more than $21 million in grants for community health centers from the new health care law. Grants from the Affordable Care Act will help build and expand health centers, create jobs, and expand access to an additional 86,000 patients nationwide.

Health and Human Services Secretary Kathleen Sebelius announced $21,689,730 in grants awarded to community health centers in Pittsburg, Junction City, Hutchinson, Salina, and Hutchinson from the Affordable Care Act will help build and expand health centers, create jobs, and expand access to an additional 86,000 patients nationwide.

The rectangular men’s and women’s building at the City’s new Bowl Plaza is shaped like a toilet tank, and the oval-painted entrance resembles an upraised toilet seat lid. The Salina Journal reported. The walkway to and from the restrooms is shaped like an unfailing toilet paper roll.

The day long Bowl Plaza Grand Opening included a toilet seat toss and Tabular Olympus with empty toilet paper rolls. Lucas, a city of about 400 residents, 65 miles northwest of Salina.

Residents of Lucas and visitors from as far away as Pennsylvania and Washington, D.C., gathered on the street leading from the Lucas Community Theater to Bowl Plaza.

The Discovery Center is the cornerstone of Manhattan’s $200 million downtown redevelopment project that began in 2002 and has evolved over the last decade. In 2006, the City received an award of $50 million in Sales Tax and Revenue (STAR) Bonds from the State of Kansas to support the South End Downtown Redevelopment Entertainment Area. The area includes a Hilton Garden Inn hotel, 30,000 sq. ft. conference center, a 400-stall public parking garage, and a one-acre public park—Blue Earth Plaza. Additional hotel and mixed-use residential and commercial development is anticipated for the remaining vacant areas in the South End. The STAR Bonds are also backed by sales taxes generated in the North End Downtown Redevelopment Area, a mixed residential and commercial corridor with anchor tenants including Best Buy, Hy-Vee, Longhorn Steakhouse, Olive Garden, Petco, and Dick’s Sporting Goods. However, no STAR bond proceeds were expended in the North End.

The Discovery Center was the attraction component of the STAR Bond application. A committee of 28 citizens served on an Attractions Committee that developed the initial concept. The Committee held numerous public brainstorming sessions to determine what Manhattan could market as a multi-state attraction. People quickly settled on the unique ecosystem of the Flint Hills and Manhattan’s important relationship with the region as its largest urban center. Former Mayor Bruce Snead explains that, “[i]t’s better to build on local strengths and resources than to create something new. The Discovery Center is built on something we already have and know and need to preserve.”

After the STAR Bond application was approved, the City issued a Request for Proposals (RFP) and hired a museum consulting team led by Verner Johnson & Associates (VJA) of Boston, Massachusetts, and Hilferty & Associates of Athens, Ohio. The consultants worked with a citizen steering committee to develop a comprehensive master plan of the facility with initial design and exhibit concepts and proposed operating and capital budgets. There was still a lot of skepticism in the community about whether or not the facility...
more information about what this could be for the community.

Following the master planning process, VJI was selected as the architect for the building. The firm met the challenge of designing an iconic building to reflect the nature of the Flint Hills and make a strong initial impression for visitors due to its central location at a main entrance to the community. The facility houses over 10,000 sq. ft. of dynamic interactive exhibits, an immersive multi-media experience, classrooms, gardens, gift store, and a temporary exhibit gallery. The building is made of local limestone, layered in striated patterns that are reminiscent of the hills themselves. The stone façade is complemented by a glass cylinder lobby tower, with interior balcony overlooks at the second and third floors. The entire exhibit areas of the first and second floors are situated beneath terraced green roofs with undulating limestone retaining walls and extensive native plantings. The third floor roof terrace is an ideal location for educational programming and private events.

The internal structure of the building was designed with the ecosystem in mind using criteria from the Leadership in Energy and Environmental Design (LEED) certification program of the U.S. Green Building Council. The Discovery Center is anticipated to receive LEED Gold certification, which would make it only the second LEED Gold building in Manhattan. Some of the LEED components include a geothermal heating and cooling system, energy efficient lighting, and eco-friendly construction materials, with over 85% of the building’s materials and labor coming from within a 50-mile radius of the site.

Hilferty also stayed with the project as the exhibit design firm. Exhibits range from the images and information written for adults and younger visitors, to mechanical interactive exhibits and audio-visual components, as well as dynamic play areas for smaller children to laugh and learn. There are over 1,200 graphic images in the exhibits that capture the magic of the prairie landscape and cultural history of the people of the region. A Technical Committee of 24 scholars in relevant subject areas assisted Hilferty in crafting and reviewing the exhibits content. These specialists volunteered their time and knowledge to ensure that the Discovery Center tells an authentic and accurate story. Former Mayor James Sherow, a faculty member in the History Department at Kansas State University, served on the Technical Committee and stated, “[it] is important that so many K-State faculty and others shaped the stories that are represented throughout the exhibits. We present a lot of information, and it all has to be current research.”

Utilizing a thorough review process, McCownGordon Construction of Kansas City, Missouri, was selected as the Construction Manager at-Risk for the project. McCown worked early with the architects to value engineer the project before final construction documents were produced or the Guaranteed Maximum Price (GMP) was set. This coordination contributed to a project that was built on time and under budget. The $24.5 million project was completed with $18 million in STAR Bonds that were used to construct the building. The remaining $6.5 million of exhibit costs are being funded through General Obligation Bonds of the City of Manhattan. The Flint Hills Discovery Center Foundation, a private, 501(c)3 non-profit entity, is coordinating a capital campaign to raise private funds to help offset the public obligation for the exhibits. The Center’s annual operating budget is supported by hotel/motel guest tax revenues and self-generated revenues such as admissions and gift store sales.

City Manager Ron Fehr recognized early that applying the Construction Manager at-Risk strategy to the exhibits could create efficiencies. “I saw early on the level of attention that McCown was bringing to the process, so we expanded their scope to the management of exhibits fabrication and installations as well,” Fehr stated. This high level of integration among the building, the building systems, and the exhibits helped maximize the funds available for the project. Certain elements that had previously been removed from the project due to budget limitations, including completion of the temporary exhibits gallery and the lobby terrazo flooring, were reinstated due to savings identified through the value engineering process.

The purpose of the Flint Hills Discovery Center is to educate visitors of all ages about the fragile ecosystem of the Flint Hills, to inspire them to celebrate and explore it, and to help them become better stewards of the last stand of the tallgrass prairie. To that end, the exhibits are supplemented by dynamic programming and outreach activities led by interpreters and docent volunteers. “We have worked to develop a truly regional tourism project,” Bruce Snead, former Mayor and President of the Flint Hills Discovery Center Foundation said, “The Discovery Center will serve as a portal to the entire region by providing information on other attractions such as Fort Riley, Alma, Emporia, and Cottonwood Falls.” The facility will also serve as a prominentattractor for statewide, national, and international tourism destinations.

Placing the importance of the Discovery Center into a global context, Sherow stated, “It is one of the most endangered ecosystems on the face of the planet… If we learn how to sustain a human-grass relationship that gave rise to the tallgrass prairies, then we’ve learned how to sustain a living ecosystem. If we learn how to do that, perhaps we can also extend that lesson to the earth itself.”

Flint Hills Discovery Center ribbon cutting.

Photo: Former Mayor Jim Sherow welcomes guests to the grand opening of the Flint Hills Discovery Center. Seated in the background are Governor Sam Brownback, City Manager Ron Fehr, and former Mayor and President of the Flint Hills Discovery Center Foundation Bruce Snead.

All photos provided by the City of Manhattan.
New Opportunities for Disabled Kansans

Kansas Governor Sam Brownback signed into law legislation aimed at creating job opportunities for Kansans with disabilities. House Bill 2453 (formerly HB 2442 and SB 444) will establish preferences to award state contracts to certified businesses if their bids are no more than 10% higher than the most competitive bid. Businesses would be certified by the Kansas Department of Administration to ensure they meet the following criteria:

- Do business primarily in Kansas.
- Employ at least 20% of full-time employees in Kansas that are individuals with disabilities.
- Contribute at least 75% of the total health insurance premium cost for all employees.

Kansas Lieutenant Governor Jeff Colyer led the Brownback Administration’s efforts to gain legislative approval for the bill. "The policies in HB 2453 will build paths to independence for persons with disabilities that do not exist today," Colyer said.

Kansas Launches High-Profile PSAs

The Kansas Government Journal • June 2012

Read Kansas Read, a summer reading program launched by Governor Sam Brownback, the Kansas State Board of Education, and the State Library of Kansas, released a series of new television and radio public service announcements.

Governor Brownback said the announcements will feature some high-profile Kansans, including University of Kansas Head Men’s Basketball Coach Bill Self, Wichita State’s Head Baseball Coach Gene Stephenson, Pittsburg State University Head Football Coach Tim Beck, and others.

“The goal of the program is to keep Kansas children reading over the summer,” Governor Brownback said. “These new advertisements are designed to catch the eye of young Kansans and to raise awareness that their local heroes are reading during the summer, and they should too.”

The group of advertisements include coaches and players from a number of Kansas Regents Universities. The Kansas Association of Broadcasters (KAB) has partnered with the program to help distribute and air the PSAs. KDMW

Kansas Supports Small Business

Thumbtack.com, in partnership with the Kaufman Foundation released new data showing that small business owners ranked Kansas among the top 10 easiest states nationwide for starting a small business. The website that links freelancers and small businesses with people needing services, released its “Small Business Survey” that reviews data gathered from an extensive, nationwide group of small business owners, freelancers, and entrepreneurs in order to rank the best places in the country to do business.

Some findings for Kansas include:

- Kansas earned an “A” grade in two categories where it achieved top rankings: No. 5 best publicized networking programs nationwide and No. 9 easiest state for starting a small business.
- Women-owned small businesses in Kansas felt significant support by the state. Female entrepreneurs were 28% more likely than male entrepreneurs to rate Kansas as “supportive” or “very supportive” of small business.
- Metro Kansas City is the state’s stand-out region, receiving No. 1 rankings for 4 out of the 17 categories rated by small businesses. Small businesses rated eastern Kansas as being the state’s No. 1 lowest-cost region for hiring a new employee.
- Thumbtack surveyed 6,022 small businesses across the United States. The survey asked questions about thefriendliness of states towards small business and about small business finances.
- The full survey can be found at www.thumbtack.com/ks/ and includes the full set of rankings, quotes from Kansas small businesses, regional comparisons within states, and Census data comparing Kansas’ key demographics against those of other states.

When we traveled throughout Kansas listening to Kansans’ ideas on Medicaid reform, one consistent theme was the need for more work opportunities for persons with disabilities.

Issues involving reapportionment, Kansas Public Employees Retirement System (KPERS), and tax policy dominated the debate. Election-year politics combined with these difficult issues to make compromise and agreement nearly an impossible task.

While there will be some changes with regard to the future of KPERS (see discussion below), there were few bills passed during this session that will have a direct impact on local governments. The most dramatic debate concerning local governments had to do with an attempt by some in the business community to expand the machinery and equipment property tax exemption. In response to two particular reapproprials of large industry facilities, a bill was introduced that, in the opinion of local government officials, would have expanded the definition of property that is considered exempt under the definition of machinery and equipment. Despite a fierce attack by the business community, cities and counties were able to stop this legislation from going forward at this time. Because the reapproprials in question are still being litigated, this issue will likely be on the table again in the future.

Also in the area of taxes, there were several attempts at reinstating some form of a property tax lid. Most often, these attempts were tied to an exchange of sorts where cities and counties would receive some Local Ad Valorem Tax Reduction (LAVTR) funds. However, those entities that utilized those funds would be limited in their budget decisions going forward. There was a lot of confusion surrounding this legislation as the language of the bills did not match the budget process making it very difficult to interpret exactly what was intended. At the end of the day, there was not a tax lid passed and there was no money appropriated to LAVTR. Look for both of these tax issues to be up for consideration again in the next session.

As everyone is aware, 2012 is an election year with all 125 seats in the Kansas House and all 40 seats in the Kansas Senate on the ballot. No matter how the elections go, it is clear that there will be significant changes in the make-up of the Kansas Legislature when it goes back into session in January, 2013. It is very important that local government officials follow the happenings in the Topeka. Decisions that are made during the legislative session will have an impact on your communities for years to come. Make sure you are signed up for the League News for weekly updates during the session and periodic updates throughout the rest of the year. Contact Amanda Schuster at aschuster@lkm.org to sign up for this electronic publication.

It is also very important for city officials to participate in the LKM policy process. This organization has a very open process for determining their policy positions. All policies are vetted through our policy committees and ultimately adopted by our Convention of Voting Delegates at the LKM Annual Conference. Anyone who is a city official in Kansas may serve on an LKM Policy Committee. For a complete description of the LKM policy process, see page 185, or go to our website at www.lkm.org.

The following is a summary of key legislation of municipal interest that was passed during the 2012 Legislative Session. For a complete copy of any of these bills, go to http://www.legislature.kansas.gov/billsearch/12/measures/reports/laws.htm.

General Local Government

Publication of Ordinances (HB 2166). Throughout the 2011 interim, LKM worked with the Kansas Press Association to reach agreement on ordinance publication. That agreement is contained in HB 2166 and includes the following key elements:

- Regular Ordinances. This legislation applies only to regular ordinances. Charter ordinances must still be published in their entirety for two consecutive weeks pursuant to Article 12, § 5 of the Kansas Constitution. This bill does not address other required publications and notices. This bill also does not address the issue of selecting the official city newspaper. For information on selecting the official city newspaper, see K.S.A. 12-1651 (cities of the 2nd and 3rd class) and K.S.A. 64-101 (cities of the 1st class).
• **Alternative Process.** The process spelled out in HB 2106 is an alternative to full publication designed to save publication costs. Cities may choose to continue publishing ordinances in their entirety if they wish to do so.

• **Summary Required.** A summary of the ordinance must be published. The summary must identify that it is a “summary.” The summary must be certified by the city attorney that it is legally accurate and sufficient. The summary contains the city’s official website address where a reproduction of the original ordinance is available for a minimum of one week. If the ordinance is subject to veto, the summary must contain a statement to that effect. The idea is to publish a summary brief with the “peanut” of the bill and directions as to how an individual could get a copy of the entire ordinance. An example follows:

**Ordinance No. 352 Summary**

On June 20, 2012, the City of Happy Valley, Kansas, adopted Ordinance No. 352, amending Ordinance No. 241, in order to increase dog registration fees from $5 to $10. A complete copy of this ordinance is available at www.HappyValley.gov or at city hall, 300 SW Main St. This summary certified by Joe Smith, City Attorney.

• **Online Publication.** The original ordinance must appear on the city’s website for at least one week. We recommend that cities simply scan the original copy of the ordinance and put it on their website. We also recommend a button on the front of the website that says “newly adopted ordinances” in order to make it easy for individuals to find the ordinance.

• **Copies.** Complete copies of ordinances adopted under this process must be provided free of charge.

This procedure becomes effective July 1, 2012. It is our sincere hope that this new process will save taxpayer dollars while providing enhanced access to information for the citizens of our communities.

**Alcoholic Liquor (HB 2689).** This legislation made a number of changes with regard to the alcoholic liquor laws of the state. First, it provides for a “public venue” lic for an arena with at least 4,000 permanent seat and at least two private suites. The bill also extends the possible time frame for a special event permit to 30 days. HB 2689 defines a microdistillery and provides for their licensure. The bill allows farm wineries to sell for consumption without a drinking establishment license. It also allows retailers and manufacturers to provide free samples on-premise while microdistilleries can provide samples on-premise or at a licensed special event. Finally, the prior state law prohibiting “happy hour” and “ladies night” has been repealed.

**Contractors’ Licenses (HB 2666).** The bill amends the state law as it applies to contractors that require the licensing of plumbers, electricians, or mechanical heating, ventilation and air conditioning contractors, you are now required to verify the validity of the documentation of minimum experience required before issuing the certificate.

**Kansas Ordinance Records Act (HB 2427 and HB 2569).** HB 2427 adds a new exemption to protect records that contain the home address for law enforcement officers and other court personnel. HB 2569 extends for an additional five years, the exemptions that were to expire on Jan. 1, 2012.

**Scrap Metal Dealers (HB 2470).** This bill amends the scrap metal law to remove wires or cables owned by a telephone, cable, electric, water, or other utility provider that has had the sheathing removed from the list of items that scrap metal deals are prohibited from purchasing. Further, the bill clarifies the application of the renewal fees. Initial registration fees can be $100 - $400 and renewal fees can be $25 – $50.

**Dissolution of Treece (HB 2412).** LKM supported this legislation to provide for the dissolution of the City of Treece. The residents of Treece have been relocated by the Environmental Protection Agency and there were not enough citizens remaining to go through the traditional dissolution process. This legislation accomplishes that dissolution, but does not have an impact on any other cities.

**Amusement Rides (SB 356).** This bill removes home-owned amusement rides from the definition of “amusement ride” for the purpose of state regulation. A city or county that regulates amusement rides can choose to use the state definition and exempt home-owned amusement rides or can continue to regulate home-owned amusement rides pursuant to home rule authority.

**Home Loan Deposit Program (SB 40).** The Kansas Housing Loan Deposit program through July 2015 for licensed school members. It also directs a percentage of Expanded Lottery Act Revenue Funds (ELARF) to KPERS’ unfunded liability.

**Converting a School District Recreation Commission (SB 207).** New Section 2 of SB 207 authorizes the conversion of a school district recreation commission into a city recreation system in certain circumstances.

**State Festivals (HB 2563).** The City of Wellington has been designated the home of the official Kansas Wheat Festival. And, the City of Clyde has been designated the home of the official Kansas Watermelon Festival.

**Public Employees**

**KPERs Overhaul (HB 2333).** The primary changes to the Kansas Public Employee Retirement System are included in HB 2333. The following is the summary of the changes provided by KPERs:

- Sub House Bill 2333 creates a tier 3 retirement plan for new hires. It also includes benefit changes similar to those proposed last year for current members and employer contribution increases. Changes are necessary to make KPERS more sustainable and to pay promised benefits long-term.

**Most Significant Changes.** The changes that will most help the current funding shortfall is higher employer contributions. Employer contributions will increase in stages through 2013, with the final increase scheduled for January 2014 (calendar year 2014 for local employers) until they reach the actuarially required rate. This will mean more than $500 million in additional funding from employers over the next 10 years, bringing the 10-year total to almost $10 billion.

**Tier 1 Changes.** Tier 1 changes are not exactly straightforward. Changes will come in stages and may involve you making a choice in 2013, if the IRS approves. If the IRS doesn’t provide approval, the contribution and multiplier increases to the right will automatically take place.

**Tier 1 Changes (members hired July 1, 2009+).** Tier 2 members will lose their COLA, but will have a higher multiplier for all service.

**Tier 2 Current**

<table>
<thead>
<tr>
<th>6% Contributions</th>
<th>4% contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have cost-of-living adjustment (COLA)</td>
<td>Increase to 1.75% multiplier</td>
</tr>
</tbody>
</table>

**Tier 1 Now**

<table>
<thead>
<tr>
<th>5% Contributions</th>
<th>4% contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase to 5% multiplier</td>
<td>Increase to 4% contributions</td>
</tr>
</tbody>
</table>

**Tier 2 New**

<table>
<thead>
<tr>
<th>6% Contributions</th>
<th>4% contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase to 1.85% multiplier</td>
<td>Continue with 6% contributions</td>
</tr>
</tbody>
</table>

**Without IRS approval for an election, contributions, and multiplier will automatically increase.**

**Tier 1 Changes (Jan 2014)**

<table>
<thead>
<tr>
<th>4% contributions</th>
<th>3% contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase to 4% contributions</td>
<td>Increase to 3% contributions</td>
</tr>
</tbody>
</table>

**Tier 1 Changes (Jan 2015+)**

<table>
<thead>
<tr>
<th>4% contributions</th>
<th>3% contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continue with 4% contributions</td>
<td>Continue with 3% contributions</td>
</tr>
</tbody>
</table>

**Finance and Taxation**

**Military Housing (HB 2769).** This bill, which is retroactive to tax year 2011, clarifies that all housing on a U.S. military installation is exempt from property tax.

**Reservoir Improvement Districts (HB 2695).** This legislation directs the Kansas Department of Transportation to organize a discussion “with the public and all interested stakeholders” regarding the feasibility of continuing to rely on the motor fuel tax as the primary mechanism for funding the state’s highway system and as the major contributor of state aid to local government transportation budgets. The report shall be delivered to the Governor and the Legislature by January 1, 2014.

**Bonded Debt Limits (HB 2420).** The bonded debt provisions for the City of Junction City that were set to expire on June 30, 2015, have been extended to June 30, 2020.

**STAR Bonds (HB 2382).** The STAR Bonds Financing Act, which was set to expire on July 1, 2012, has been extended to July 1, 2017. The method for calculating the maximum state interest rate was altered as well.

**Abandoned Commercial Property (SB 207).** K.S.A. 12-1750 has been amended to authorize cities to repair or remove unsafe or dangerous commercial real estate if it has been abandoned. Abandoned commercial real estate is defined as that property for which the taxes are delinquent for the preceding two years and which has a blighting influence on surrounding properties.

**Motor Vehicles**

**Weight Limitations for Truck Beds (SB 298).** K.S.A. 8-1901 has been amended to specify weight limits for truck beds as 60,000 pounds for trucks with three axles and 40,000 pounds for trucks with two axles.

**DUI (SB 60).** This legislation is a follow-up to the overhaul of the DUI laws in 2011. There are a variety of changes throughout the DUI laws, but there are two components of particular interest.

**Health Insurance for Firefighters (SB 250).** If a city, county, or township pays for the premium for any health plan for its firefighters, then the local government must pay the COBRA premiums for up to 18 months for a surviving spouse and children. Under this new legislation, it is a crime for an individual who has a test refusal or conviction for DUI on or after July 1, 2001 (and that person was at least 18 at the time), to refuse to submit to such test. The 2012 Standard Traffic Ordinance Codifies these changes.

**Water**

**Reservoir Improvement Districts (HB 2685).** Modeled on the Watershed District Act, this legislation authorizes the creation of Reservoir Improvement Districts. It establishes a procedure for the creation of the district and election of a board of directors.
Since our founding in 1910, advocating on behalf of the cities in Kansas has been a core function of the League of Kansas Municipalities (LKM). Our positions on key issues are guided by the Statement of Municipal Policy which is amended and adopted annually by the Convention of Voting Delegates. Decisions about positions on specific pieces of legislation are made by the elected LKM Governing Body.

Participation by member cities is critical to our ultimate success as an advocate for municipal interests. All city officials from LKM member cities are invited to participate on a policy committee. All LKM member cities may designate voting delegates to participate in the Convention of Voting Delegates. All city officials are asked to contact legislators about key issues that are important to your community.

Steps in the LKM policy process include:

• Policy Committees. Each year in August, the LKM Policy Committees meet to review the Statement of Municipal Policy. There are three committees that are focused in specific areas: Finance & Taxation, Police, Public Employees, and Utilities & Environment. Following the meetings of each of those committees, the Legislative Policy Committee reviews the recommendations of the three specific committees and the remainder of the Statement. The amended Statement is approved by the LKM Legislative Policy Committee and forwarded to the Governing Body for consideration. To participate on an LKM Policy Committee, go to http://www.lkm.org/legislative/policycommittees/ or contact Anna DeBusk at adebusk@lkm.org or (785) 354-9565.

• LKM Governing Body. At its meeting in September, the LKM Governing Body considers the amended Statement of Municipal Policy that was created by and made necessary by the Policy Committees. Joint Policy Committee Meeting. On the first day of the LKM Annual Conference, all four policy committees come together to review the amended Statement of Municipal Policy. All city officials are invited to participate in this meeting. Following discussions and any amendments, the Statement is then forwarded to the LKM Governing Body once again for consideration.

• LKM Governing Body. On Sunday at the LKM Annual Conference, the LKM Governing Body considers the Statement one final time and provides an opportunity for individuals to discuss specific issues with the Governing Body. The Governing Body then forwards the Statement to the Convention of Voting Delegates for consideration.

• Convention of Voting Delegates. All LKM member cities are entitled to have voting delegates participate in the Convention of Voting Delegates. The Convention is held on Monday of the LKM Annual Conference. Pursuant to the rules adopted by the convention, no new matters relating to the official policy of LKM may be introduced during the Convention of Voting Delegates. The LKM Governing Body, or already contained in the proposed Statement of Municipal Policy, can be considered without a 2/3 vote of those delegates voting. City officials can seek changes in the Statement of Municipal Policy at any step in the process until it is adopted by the Convention of voting delegates.

• Regional Sponsors. Following the adoption of the Statement of Municipal Policy, LKM hosts a series of regional sponsors around the state. All city officials and state legislators (and candidates) are invited to participate in these dinners to discuss the upcoming session and the priorities identified by city officials. Dates and locations for the 2012 Regional Sponsors are as follows:

  **Nov. 7 – Neodesha**
  **Nov. 8 – Minneapolis**
  **Nov. 20 – Wichita**
  **Nov. 21 – Kansas City**
  **Nov. 23 – Topeka**
  **Nov. 28 – Emporia**
  **Dec. 1 – Manhattan**
  **Dec. 6 – Kansas City**
  **Dec. 8 – Lawrence**
  **Dec. 10 – Junction City**
  **Dec. 11 – Parsons**
  **Dec. 13 – Hays**
  **Dec. 18 – St. Mary’s**
  **Dec. 19 – Lebanon**

**Voter Identification (SB 129).** Based on the law that was passed last year, voters in Kansas are now required to show a photo identification when they cast a vote. In addition, beginning January 1, 2013, persons registering to vote for the first time in Kansas will be required to provide proof of citizenship. SB 129 clarifies that an identification card issued by an Indian tribe is sufficient to prove one’s identity when voting. The bill also allows for a picture or any other type of identification for anyone 17 years of age or older, when needed for registering to vote or for the purpose of voting if the applicant lacks an allowable photo identification.

**Reapportionment.** During the 99-day legislative session, lawmakers were unable to reach agreement on the state election redistricting.ks.gov/_Plans/district_court.html. Following the adoption of redistricting plans for state and federal elections, the LKM Governing Body considers the Statement one final time and provides an opportunity for individuals to discuss specific issues with the Governing Body. The Governing Body then forwards the Statement to the Convention of Voting Delegates for consideration.

• Policy Committees. Each year in August, the LKM Policy Committees meet to review the Statement of Municipal Policy. There are three committees that are focused in specific areas: Finance & Taxation, Police, Public Employees, and Utilities & Environment. Following the meetings of each of those committees, the Legislative Policy Committee reviews the recommendations of the three specific committees and the remainder of the Statement. The amended Statement is approved by the LKM Legislative Policy Committee and forwarded to the Governing Body for consideration. To participate on an LKM Policy Committee, go to http://www.lkm.org/legislative/policycommittees/ or contact Anna DeBusk at adebusk@lkm.org or (785) 354-9565.

• LKM Governing Body. At its meeting in September, the LKM Governing Body considers the amended Statement of Municipal Policy that was created by and made necessary by the Policy Committees.

**Joint Policy Committee Meeting.** On the first day of the LKM Annual Conference, all four policy committees come together to review the amended Statement of Municipal Policy. All city officials are invited to participate in this meeting. Following discussions and any amendments, the Statement is then forwarded to the LKM Governing Body once again for consideration.

• LKM Governing Body. On Sunday at the LKM Annual Conference, the LKM Governing Body considers the Statement one final time and provides an opportunity for individuals to discuss specific issues with the Governing Body. The Governing Body then forwards the Statement to the Convention of Voting Delegates for consideration.

• Convention of Voting Delegates. All LKM member cities are entitled to have voting delegates participate in the Convention of Voting Delegates. The Convention is held on Monday of the LKM Annual Conference. Pursuant to the rules adopted by the convention, no new matters relating to the official policy of LKM may be introduced during the Convention of Voting Delegates. The LKM Governing Body, or already contained in the proposed Statement of Municipal Policy, can be considered without a 2/3 vote of those delegates voting. City officials can seek changes in the Statement of Municipal Policy at any step in the process until it is adopted by the Convention of voting delegates.

• Regional Sponsors. Following the adoption of the Statement of Municipal Policy, LKM hosts a series of regional sponsors around the state. All city officials and state legislators (and candidates) are invited to participate in these dinners to discuss the upcoming session and the priorities identified by city officials. Dates and locations for the 2012 Regional Sponsors are as follows:

  **Oct. 22 – Liberal**
  **Oct. 30 – Kansas City**
  **Nov. 7 – Neodesha**
  **Nov. 20 – Wichita**
  **Nov. 21 – Kansas City**
  **Nov. 23 – Topeka**
  **Nov. 28 – Emporia**
  **Nov. 29 – St. Mary’s**
  **Dec. 1 – Manhattan**
  **Dec. 6 – Kansas City**
  **Dec. 8 – Lawrence**
  **Dec. 10 – Junction City**
  **Dec. 11 – Parsons**
  **Dec. 13 – Hays**
  **Dec. 18 – St. Mary’s**
  **Dec. 19 – Lebanon**

**City Hall Day.** Early in the legislative session each year, LKM hosts a City Hall Day in Topeka. This is an ideal time for city officials to come to Topeka to discuss key issues with their representatives, and the LKM Policy Committees meet again to discuss specific legislation that is being considered. The next City Hall Day will be February 6, 2013.

**League News.** Weekly during the legislative session (and more often, if necessary), LKM publishes an electronic newsletter to keep city officials up-to-date regarding the Kansas Legislature. Through this publication and periodic Legislative Alerts, city officials are asked to make legislative contacts on key issues. To sign up to receive the League’s monthly contact Amanda Schuster at schuster@lkm.org or (785) 354-9565.

**Legislative Summary.** At the conclusion of each session, LKM provides a complete wrap-up of the session and law changes of municipal interest. This is usually found in the June edition of the Kansas Government Journal.
The Origins of Constitutional Home Rule

Editor's Note:
For more than 50 years, Kansas cities have operated under the authority granted by the Constitutional Home Rule Amendment (KAN. CONST., ARTICLE 12, § 5). The following is an excerpt of a letter sent by former League Executive Director Allen E. Pritchard discussing the League's advocacy role in the establishment of Home Rule.

April 25, 2011

Mr. Don Moler,
Executive Director
League of Kansas Municipalities
300 S.W. 8th Street
Topeka KS 66603-3951

Dear Don:

Mary Mosher sent me a copy of the 100th Anniversary issue of Kansas Government Journal (KGJ). Congratulations to you and your staff for putting together a wonderful overview of the development of the League and the environment in which it grew. The array of pictures of the Presidents gives substance to the leadership of outstanding citizens who have contributed to the fine reputation of city governments in Kansas and of the League.

As I turn 90 next month, I am inclined to want to add some detail to the KGJ history of League events and contributions. It is not my intention to gather personal credits or to be critical but simply to fill in some details that may be of interest to you and future historians. So here I go:

I was recruited personally by John Stutz to replace him when he retired. At the time I was Executive Director of the Ohio League and had previously served in a similar position with the Colorado League and as Assistant Director of the Wisconsin League. I started in Kansas in mid-1955. At that time, the Kansas League had the largest budget and the largest staff of any League in the country. It was an honor and a challenge to replace John who had a great national reputation.

The League I inherited occupied two floors of the Capitol Federal Building. Most of that space was used to house row after row of old wooden file cabinets containing a file for every city, county, and school district in the state. At least two full time staff sorted clippings from clipping services and filed them in the proper community file. Significant news items were passed on to the Executive Director to decide which should be reported in the KGJ. This was a significant component of the "research service." The major component was the excellent work of Albert Martin and his staff in providing legal counseling and codification services to city attorneys. Otherwise, "Research" was a misnomer. The League did not have anyone on staff capable of performing research. The annual convention and frequent meetings with constituent city and county organizations and ad hoc groups encouraged the exchange of ideas and practices. KGJ provided a regular statewide overview of events and trends in local governments that proved useful to local and state officials. For the most part, these were the functions the League performed for cities. The counties used the so-called research services, some legal counseling, and help with the KOC annual convention. School boards had a part-time secretary of their own. They subscribed to KGJ.

It became very clear to me in early meetings with city constituent groups and the Board that the weak part of the League program was legislative advocacy. John had been very successful in advocating for the League and KGJ but not for the members. If you look at pages 296 and 297 of the Anniversary issue of KGJ, you get the flavor of that activity. During the legislative session before I arrived, John had sold the legislature on providing what he hoped would be an annual grant of $25,000 to the League for "research" purposes. When the next legislature convened two city attorney/senators came to see me to determine if we wanted to renew that grant. They said it would be a tough fight to continue the funding but they would try to push it through if we wanted them to. I told them not to forget it. It seemed to me to be impossible to press issues in the legislature for our members while pleading for funds to finance the advocate. It turned out to improve our standing with the Legislative Research staff to look anew into what could be done. We decided to recommend a Constitutional Amendment that, in their view, let cities run wild imposing taxes. But, we didn’t want individual legislators dictating a tax rate to individual cities. This was a regular procedure to be research like “Super Majority”.

The draft staff proposed tried to accomplish several objectives: First, to give cities a broad grant of power to act on local issues where no state statute existed. Second, to limit the states’ ability to intervene in local matters by requiring that the state could only control or override city actions by a law that applied equally to all cities. Third, to reserve to the legislature the authority to divide cities into four classes for the purpose of permitting or prohibiting the levying of specific taxes, but any such action had to apply uniformly to all cities in the class. Fourth, to set up a procedure by which cities could choose by charter ordinance not to be governed by a non-state statute and substitute a local ordinance. These procedures were designed to strengthen representative government as that some issue would not come up that required uniform response from all jurisdictions. Then, there was the problem of what to do about local taxes. Historically, cities had been required to get legislative approval for their property tax rate. This was one of the justifications for classes of cities and four legislative committees.... It did not seem likely that the legislature and some local special interests would support a Constitutional Amendment that, in their view, let cities run wild imposing taxes. But, we didn’t want individual legislators dictating a tax rate to individual cities. This was a regular procedure to be research like “Super Majority”.

The League proposed that the Governor and some legislators had the frustration of the League’s advocacy role in the establishment of Home Rule.
History of Home Rule

-1959- In 1959, the Kansas Legislature passed the legislation that placed the issue of Constitutional Home Rule for Kansas cities on the ballot.

-1960- On November 8, 1960, the voters of Kansas approved Constitutional Home Rule.

-1961- July 1, 1961, the amendment granting Constitutional Home Rule became effective.

Policy election season has arrived, and with impending elections come some cautionary public policy considerations. These include city policies, policies for city employees and officials, and policies for candidates. When, elections for both state and local offices are emotionally charged in communities and it is important to understand the limitations on political activity so the rules are not inadvertently violated.

The first consideration is compliance with K.S.A. 25-4169a, this statute began by only applying to cities of the first class, but was amended twice in the 2008 Legislative Session to expand the application to all cities. Specifically, this statute states:

No officer or employee of... any municipality, shall use or authorize the use of public funds or public vehicles, machinery, equipment or supplies of any such governmental agency or the time of any officer or employee of any such governmental agency; for which the officer or employee is compensated by such governmental agency, to expressly advocate the nomination, election or defeat of a clearly identified candidate to state office or local office.

Election policies, are to organize and express their position on the issue, hopefully without the courts that the broad grant of power to cities should be liberally determined, that had never been done before. But, they agreed.

The four committees met in the gallery of the House. Albert and I were present. One of the chairman introduced me and said I would present a new uniform special assessment statute that could be used by all cities. I said about four words when one committee member interrupted to ask who drafted the bill. I responded Albert Martin. Someone else moved the bill reported out. It was seconded and passed by a unanimous voice vote.

They went on to pass the House and Senate with no problem.

The action was a real tribute to the integrity of the League and most importantly, Albert Martin. It also bolstered our confidence in presenting the Home Rule proposal in the next session.

After the legislature approved the Special Assessment Bill and Bill 1796, the Special Assessment Bill and the Assessment Amendment, I called a joint meeting of the four committees. (As far as we could determine, that had never been done before). But, they agreed. The four committees met in the gallery of the House. Albert and I were present. One of the chairman introduced me and said I would present a new uniform special assessment statute that could be used by all cities. I said about four words when one committee member interrupted to ask who drafted the bill. I responded Albert Martin. Someone else moved the bill reported out. It was seconded and passed by a unanimous voice vote.

They went on to pass the House and Senate with no problem.

The action was a real tribute to the integrity of the League and most importantly, Albert Martin. It also bolstered our confidence in presenting the Home Rule proposal in the next session.

After the legislature approved the Special Assessment Bill and Bill 1796, the Special Assessment Bill and the Assessment Amendment, I called a joint meeting of the four committees. (As far as we could determine, that had never been done before). But, they agreed. The four committees met in the gallery of the House. Albert and I were present. One of the chairman introduced me and said I would present a new uniform special assessment statute that could be used by all cities. I said about four words when one committee member interrupted to ask who drafted the bill. I responded Albert Martin. Someone else moved the bill reported out. It was seconded and passed by a unanimous voice vote.

They went on to pass the House and Senate with no problem.

The action was a real tribute to the integrity of the League and most importantly, Albert Martin. It also bolstered our confidence in presenting the Home Rule proposal in the next session.
Cities and Colleges Partner to Create Jobs

After four years of recession, our economy is still struggling to rebound. In May, the unemployment rate ticked up from 8.1% to 8.2%, the first time since November 2008 that this rate has risen during an economic recovery. Many experts believe the increase isn’t a result of temporary stagnation, but the consequence of a fundamental change in the country’s economy.

Large corporations, although flush with profits, aren’t hiring new employees. Their choice not to take on more workers is partially due to economic uncertainty, but a more important reason is the efficiency gains made while dealing with tight budgets. Because technological innovations have allowed companies to achieve pre-recession productivity with diminished labor costs, investors justifiably demand that companies not sacrifice profits by hiring unnecessary workers. A similar phenomenon has occurred in the public sector. Many citizens have demanded tax relief during these difficult economic times, forcing smaller public workforces to achieve what larger staffs accomplished in the past. This trimming of public budgets has caused the public sector to lose 706,000 jobs since April 2009. (http://www.nytimes.com/2012/06/20/business/public-workers-face-continued-layoffs-and-tax-relief.html?_r=3&pagewanted=1&smid=tw-share)

Without the hiring support of large corporations and governments, policymakers are searching for new ways to support the American labor market. Many have put their faith in entrepreneurs, since small businesses have accounted for 5% more job creation than big companies during the recession. Unfortunately, starting a small business is a risky activity, with only 5% surviving after 5 years. Because the risks are so high, many potential business owners sit on the sidelines, not wanting to gamble their own resources. However, because of their job creation potential, policymakers aren’t giving up on finding ways to support this risk taking. One promising strategy that has emerged is utilizing the potential of community colleges to spur economic activity, with only 5% surviving after 5 years. Because the risks are so high, many potential business owners sit on the sidelines, not wanting to gamble their own resources. However, because of their job creation potential, policymakers aren’t giving up on finding ways to support this risk taking. One promising strategy that has emerged is utilizing the potential of community colleges to spur economic activity.

In recognition of the potential of community colleges to spur economic growth, President Obama and Governor Brownback have both recently implemented programs to support these institutions. This support is due in large part to their ability to adapt to the changing needs of students and industry, as well as to changing economic conditions. Community colleges need to focus more on small skills they need for new careers, increasing the productivity of the local workforce. By increasing the productivity of the local workforce, community colleges create more earnings within their communities, which can generate additional tax revenue. However, several community colleges are going a step further than just training students or “re-skilling” existing workforces—some are taking a direct role in job creation, partnering with cities to form “incubators” for small businesses.

An incubator is a site where entrepreneurial tenants share resources, develop products, or services, and identify markets. The goal is to foster infant companies by giving them collaborative office space, legal guidance, and access to professional mentors. Community colleges enter the picture because one of the most important features of successful start-up programs is advice from mentors with experience on how to take a new idea and create a company. Community college mentors are often staffed with faculty who’ve experienced real-world success, making them great resources for providing this counsel. Unsurprisingly, the most successful start-up programs have occurred in communities that have a relationship with a major university, where these mentors are able to interface with experts in their respective field, and access the latest technology and ideas. Many universities will in turn allow access to equipment and student assistants.

Independence, Kansas is one community that has decided to team up with a community college to facilitate small business development. In 2009, the City of Independence had a brainstorming session, and decided they wanted a business incubator. The next year, Independence Community College (ICC) entered into an agreement with the City, the Montgomery County Action Council, and other economic development groups to form the community-based Independence Business Resource Center (IBRC). The IBRC’s main goal was to aid and educate new businesses or grow existing businesses within the community with mentoring programs.

The formation of Independence’s incubator took a great deal of planning and hard work. Shortly after its formation, the IBRC received a grant to purchase and renovate two vacant, distressed buildings. After the renovations were complete, the buildings were used as retail incubator space, where ICC staff mentored entrepreneurs on how to run their businesses. Clients were asked to develop a business plan, implement a financial tracking system, work with their mentor, and demonstrate how their business would succeed. If they accomplished these tasks, they were rewarded with rent incentives at the incubator site. The sites are for sale, and if sold, the profits will be used to renovate other downtown buildings and expand the incubator program.

Because of the successes of groups like the IBRC, community incubator projects are starting to receive national attention. On May 31, the Kansas City-based Kauffman Foundation established a $1 million capital fund to replicate the success of a similar community college’s business mentoring program. The grant program was inspired by Lorain County Community College, which has succeeded in fostering high-growth startups and spurred regional economic growth in a depressed area of Ohio. Thom Ruhe, Kauffman Foundation Vice President of Entrepreneurship, says the program “has had a tremendous and positive impact on the entrepreneurial ecosystem of [the region],” and believes it is a model for how similar community colleges can, with the right resources, be at the center of local entrepreneur-led growth. (http://www.prweb.com/releases/2012/5/prweb9559330.htm)

The strength of capitalism and the American economy has always been the potential for reinvention. By partnering with community colleges, cities are generating their own small business incubators and bringing about a new era of entrepreneurial job creation. Kansas has its own outstanding group of community colleges that can help cities in Kansas facilitate this new economic era and re-employ a frustrated workforce. For information on which of our state’s 19 community colleges services your region, visit http://www.kcde.org/Default.aspx?TabId=1967.

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

Mayor Brewer Appointed to NLC Search Committee

Wichita Mayor and National League of Municipalities Past President Carl Brewer has been appointed to the National League of Cities (NLC) Executive Director Search Committee.

The NLC recently announced that Executive Director Don Borut will be retiring at the end of 2012. A nine-member committee has been formed to carry out the search for a new Executive Director for the NLC.

Committee members include:
• Carl Brewer, Mayor, Wichita, Kansas, NLC Board Member
• Marie Lopez Rogers, Mayor, Avondale, Arizona, NLC First Vice President
• Chris Coleman, Mayor, St. Paul, Minnesota, NLC Second Vice President
• Bernita Sims, Council Member, High Point, North Carolina, NLC Board Member
• Debbie Quinn, Council Member, Fairhope, Alabama, Advisory Council Chair
• Matthew Greller, Executive Director, Indiana Association of Cities and Towns
• Christopher McKenzie, Executive Director, League of California Cities
• Michael Sittig, Executive Director, Florida League of Cities

The NLC officers and Executive Search Committee will go through a process to select the best candidate. The NLC hopes to introduce the new NLC Executive Director to the membership at their next Congress of Cities Conference in Boston in late November, 2012.
...in Southeast Kansas

Some months ago, Baxter Springs City Clerk Donna Wixon asked me to come to a short meeting with the staff there, mostly with my KMHT hat on. Following a busy late-summer and spring, mid-June was going to be my first opportunity. And, I needed to meet up with a couple of others in nearby cities, so on a warm and windy Tuesday, I left the homeport at mid-day for a jaunt to the southeast.

The first stop on my short over-nighter was in Columbus. I first met Mayor Marie Nappel a couple of years ago, at the League’s Mayors Conference and Leadership Summit (which was in Lawrence that time around). Then, and several times since, she invited me to stop by her city. Hey, two years goes by quickly! I spent a couple of delightful hours in Columbus, first in Marie’s office at City Hall (including saying hi to City Clerk Janice Blanett and her office staff), and then on a short car tour of the city. Mayor Marie told me all about how the city is really getting fired up about its image and about community and economic development, which includes strong and active partnerships with the local chamber and with a new group of community activists known as the Columbus Crusaders. A development plan has been completed, and projects are lined up to be done. A very aggressive plan, I might add. The highlight of our tour was, no-doubt, an up-close look at and in the Maple UnCommon Hotel and Gallery (www.mapleuncommonhotel.com), owned and operated by about the most dynamic duo you will ever meet, Mel and Laura Lowry-Green. The hotel is located just off the square on Maple Street, in an old three-story I.C. Penney store (you would recognize the model if you have visited many small towns in Kansas). What a FABULOUS job they have done. There are seven rooms, including two large suites which actually utilize the space of the front display windows…VERY cool! Mel and Laura are known for their travel (and if you have visited many small towns in Kansas). What a FABULOUS job they have done. There are seven rooms, including two large suites which actually utilize the space of the front display windows…VERY cool! Mel and Laura live on the third floor. Local artists display in the lobby. Laura operates a catering service out of the hotel and also fixes breakfast every day. Each room has a big TV and high-speed Internet. The couple’s community activities go way beyond the hotel, and they have also recently purchased an 1872 building in their historical town in the early-morning hours of November 15, 1959; the book was finally finished and published (following the April 14, 1965 execution hangings of Richard Hickock and Perry Smith in 1966). As a young teenager in Kansas at the time of the murders, Voss has been very familiar with the story virtually his whole life (as have I…I vividly remember hearing about the crime during my seventh grade year at Haysville Junior High). Voss’ 2011 work, Truman Capote and the legacy of In Cold Blood, is a literary and historical analysis of Capote’s book and of all the various directly-related books and movies to come along since, including nearly the film In Cold Blood (1967). It is a tour de force, which Philip Seymour Hoffman won an academy award, for his portrayal of Capote, in 2005. Voss explores many issues and subtexts which have come about as a direct result of the book, including (but not limited to): whether or not a new literary genre (the “non-fiction novel”) was “invented” by Capote; the personal relationship between Capote and Perry Smith; Capote’s close “insider” friendships with key investigators and others, and how they played into his work—often aided by his assistant, Nelle Harper Lee (whose own rather-famous novel, To Kill a Mockingbird, the only book she ever wrote, by the way, came out just after the murders occurred); the book’s effect on capital punishment (George York and George Latham were hanged two months after Hickock and Smith; there have been no executions in Kansas since then); and many other really interesting things. The book is an intellectual examination of a very important (for many reasons) literary effort. I found it to be challenging and very worthwhile reading, though perhaps not for the casual reader; it is not a novel, and does not read as one.

The next morning, I did my gig in Baxter Spring. It was fun. About 25 city staffers paid attention to me quite well and I was impressed with them for that) as I shared a small bit of knowledge about safety and KMIT with them. And, afterwards, I got a chance to chat with a while with safety coordinator (and cemetery and streets supervisor) Jim Morton, and then Donna, after the training session. Thanks for inviting me to Baxter Springs, Donna; I always enjoy my time in beautiful and historic Baxter Springs. On my way out of town, I drove by the Baxter Springs Little League Museum (I was told there might be some Mickey Mantle stuff there), but, alas, it was not open; next time…

My book recommendation this month is yet another look at Truman Capote and his famous tome about a Kansas tragedy now over 50 years past. Ralph F. Voss is a native Kansan (Plainville), and a retired professor of English from the University of Alabama. Capote starting researching and writing, In Cold Blood shortly after the Herb Clutter family (of four) was shotgun-murdered in their rural Holcomb home in the early-morning hours of November 15, 1959; the book was finally finished and published (following the April 14, 1965 execution hangings of Richard Hickock and Perry Smith in 1966). As a young teenager in Kansas at the time of the murders, Voss has been very familiar with the story virtually his whole life (as have I…I vividly remember hearing about the crime during my seventh grade year at Haysville Junior High). Voss’ 2011 work, Truman Capote and the legacy of In Cold Blood, is a literary and historical analysis of Capote’s book and of all the various directly-related books and movies to come along since, including nearly the film In Cold Blood (1967). It is a tour de force, which Philip Seymour Hoffman won an academy award, for his portrayal of Capote, in 2005. Voss explores many issues and subtexts which have come about as a direct result of the book, including (but not limited to): whether or not a new literary genre (the “non-fiction novel”) was “invented” by Capote; the personal relationship between Capote and Perry Smith; Capote’s close “insider” friendships with key investigators and others, and how they played into his work—often aided by his assistant, Nelle Harper Lee (whose own rather-famous novel, To Kill a Mockingbird, the only book she ever wrote, by the way, came out just after the murders occurred); the book’s effect on capital punishment (George York and George Latham were hanged two months after Hickock and Smith; there have been no executions in Kansas since then); and many other really interesting things. The book is an intellectual examination of a very important (for many reasons) literary effort. I found it to be challenging and very worthwhile reading, though perhaps not for the casual reader; it is not a novel, and does not read as one.
Assistant City Administrator
The City of Tonganoxie seeks a public administration professional for the Assistant City Administrator position. Tonganoxie lies 15 minutes west of Kansas City and boasts high quality of life, spectacular scenery, superb education, and major metropolitan conveniences. Under the direction of the City Administrator, this position provides senior administrative and business support for all municipal operations. Position may represent the City Administrator in his absence.

Applicant must have completed a minimum of a Bachelor’s degree in public administration, business administration, accounting, or related field plus four (4) years of progressively responsible experience or a Master’s degree with at least three (3) years of experience. Prefer experience in local government and in the State of Kansas.

Send application, resume, and three (3) professional references to the City Administrator, City of Tonganoxie, 321 S. Delaware, P.O. Box 326, Tonganoxie, Kansas 66086. See www.tonganoxie.org. Salary begins at $4,515 monthly and final salary commensurate with qualifications. Application deadline: close of business July 15, 2012. Residency preferred within six months.

City Clerk
The City of Tonganoxie, Kansas, is accepting applications for the position of City Clerk. This position performs highly responsible administrative work as required by state statute (KSA 13-518) for maintaining the public records, taking oaths of office, preparing the agendas for the city council, and providing a wide range of public information to elected officials, appointed bodies, public, and staff.

Requirements: A high school diploma and four (4) years of progressively responsible administrative experience or an equivalent combination of higher education plus experience. Prefer Bachelor’s degree and knowledge of city clerk duties in Kansas. Residency preferred within six months.

Send application and resume in care of the City Administrator, City of Tonganoxie, 321 S. Delaware, P.O. Box 326, Tonganoxie, Kansas 66086. Applications are available online at www.tonganoxie.org. Salary range: $3,118 to $4,298 per month. Application deadline: close of business July 15, 2012.

City of Edwardsville, Illinois
The City of Edwardsville, Illinois, is accepting applications for the position of Financial Analyst. The City of Edwardsville is a thriving growing community located in western St. Clair County, Illinois, 15 minutes west of St. Louis, Missouri. The ideal candidate will have a Bachelor’s degree in accounting, or related field plus four (4) years of progressively responsible experience or a Master’s degree with at least three (3) years of experience. Prefer experience in local government and in the State of Illinois.

Applications will be received until August 14, 2012. Residency preferred within six months.

Wastewater Superintendent
The City of Hays, Kansas, population 20,000 and home of Fort Hays State University, is accepting resumes for the position of Wastewater Superintendent. For more information about Hays, please visit www.haysusa.net. The Wastewater Superintendent is an exempt employee and is responsible for supervising subordinate personnel and managing the operation of the Wastewater Plant. The Wastewater plant is an Activated Sludge Treatment facility and is listed as a Class 4 plant. The ideal candidate will have a strong background in wastewater utility operations, 5 years experience in a similar or related position in a supervisory role, and excellent organizational, administrative and communication skills. Applicants are required to have a college degree or have equivalent experience in a related field. A current KDHE Class 3 Wastewater certification is required and with the ability to get a Class 4 certification in a reasonable time. Within six months, a Kansas Commercial Driver’s License (CDL), Class B with tanker and airbrakes endorsement is needed. For more information about the job visit www.haysusa.net. Salary hiring range: $47,820-$77,940 plus excellent benefits.

Applications will be received until August 3, 2012, and candidates chosen for interviews will be interviewed in mid to late August. Send a letter of introduction, a resume, and at least three work related references to: Richard Bockeckman Barton County Counselor/Administrator 1400 Main Street Great Bend, Kansas 67530 Barton County is an EO.
For a number of years, Topeka has had a farmers’ market. The market, as with many events of this type, has grown considerably and is now quite an event for those people who want to buy locally grown produce and other goods that are produced within the greater Topeka community.

The location for the farmers’ market in Topeka has moved ever so slightly over the years. It originated in the large parking lot directly south of the Docking State Office building in downtown Topeka. It stayed on that location until a couple of years ago when it moved across the street to the parking lot directly South of the Kansas Judicial Center. It is open every Saturday morning from 7:30 a.m. until noon from April through November. As a matter of course, wife Judy and I participate by attending on a regular basis. We have several things that we usually seek when at the farmers’ market. Our old standby is sweet corn which I can prepare while sitting in the parking lot. Another thing we look for is okra, which I was unable to find as it is still a little too early in the season. We also like to assemble each bouquet as a custom order for each person who inquired. The market, as with many events of this type, has grown considerably and is now a sight to behold. I spent some time standing there watching him do it. He was a true artist when it came to putting together a flower bouquet. This gentleman took his time and selected the flowers for his bouquets. The flowers were beautiful, ingeniously assembled, and worth every penny of the $10 price.

This past weekend, while I was on my weekly search for sweet corn, tomatoes, and okra, which I was unable to find as it is still a little too early in the season, I came upon a flower arrangement that I have never seen before. It was fascinating to watch the way the proprietors of this booth operated. The location for the farmers’ market in Topeka has moved ever so slightly over the years. It originated in the large parking lot directly south of the Docking State Office building in downtown Topeka. It stayed on that location until a couple of years ago when it moved across the street to the parking lot directly South of the Kansas Judicial Center. It is open every Saturday morning from 7:30 a.m. until noon from April through November. As a matter of course, wife Judy and I participate by attending on a regular basis. We have several things that we usually seek when at the farmers’ market. Our old standby is sweet corn which I can prepare while sitting in the parking lot. Another thing we look for is okra, which I was unable to find as it is still a little too early in the season. We also like to assemble each bouquet as a custom order for each person who inquired. The market, as with many events of this type, has grown considerably and is now a sight to behold. I spent some time standing there watching him do it. He was a true artist when it came to putting together a flower bouquet. This gentleman took his time and selected the flowers for his bouquets. The flowers were beautiful, ingeniously assembled, and worth every penny of the $10 price.

The attraction to the flower arrangement was that the flowers were beautiful, ingeniously assembled, and worth every penny of the $10 price. I have been concerned, it’s about as good as it gets for a natural food delicacy. They had a great product, and the price of $10 was certainly inexpensive enough, but I was never able to get to the front of the line because the bouquets were being made up while the people stood and watched, and therein was the entire problem. It took this artistic gentleman about five minutes to complete the entire operation for a single bouquet. I would stand there and watch people walk up to admire the flowers and the bouquets that were being assembled, clearly wanting to purchase something, and turn and walk away without purchasing anything simply because there was no product there for them to purchase. This is, in fact, exactly what happened to me. I saw this booth when I first arrived at the farmers’ market, stood and watched for perhaps 10 minutes, and then decided I would go get my sweet corn and tomatoes and continue my search for okra and come back and pick up the flowers as I was getting ready to leave, figuring that the crowd would have been taken care of by the time I came back. When I returned shortly thereafter, much to my dismay I found that not only had the crowd not gotten smaller, but it had in fact increased by a factor of two. So I decided to wait to get a flower bouquet for Judy. After 20 minutes, I was still in line behind three other people, and I became totally disillusioned when the next lady in line said she wanted multiple bouquets for herself. It then became clear that I was going to be late for my next appointment, so I shucked my head and headed to my car.

In a nutshell, the couple had a great product. Certainly, the bouquets were beautiful, ingeniously assembled, and worth every penny of the $10 price. It then became clear that having civic events, such as farmers’ markets, gives people a chance to come together to see old friends and to make new ones. It is important to have events that allow for the community to gather so as to strengthen community bonds and to cement a love of the community and its civic life.

For a number of years, Topeka has had a farmers’ market. The market, as with many events of this type, has grown considerably and is now quite an event for those people who want to buy locally grown produce and other goods that are produced within the greater Topeka community.

The location for the farmers’ market in Topeka has moved ever so slightly over the years. It originated in the large parking lot directly south of the Docking State Office building in downtown Topeka. It stayed on that location until a couple of years ago when it moved across the street to the parking lot directly South of the Kansas Judicial Center. It is open every Saturday morning from 7:30 a.m. until noon from April through November. As a matter of course, wife Judy and I participate by attending on a regular basis. We have several things that we usually seek when at the farmers’ market. Our old standby is sweet corn which I can prepare while sitting in the parking lot. Another thing we look for is okra, which I was unable to find as it is still a little too early in the season. We also like to assemble each bouquet as a custom order for each person who inquired. The market, as with many events of this type, has grown considerably and is now a sight to behold. I spent some time standing there watching him do it. He was a true artist when it came to putting together a flower bouquet. This gentleman took his time and selected the flowers for his bouquets. The flowers were beautiful, ingeniously assembled, and worth every penny of the $10 price.
• Traffic Signs
• Roll-Up Construction Signs
• Sign Stands & Work Zone Safety
• Pedestrian Safety Signs
• Custom Street Name Signs
• Sign Posts & Hardware