

Kansas

GOVERNMENT JOURNAL

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Inside:

A Tale of Two Cities

Bel Aire Breaks Ground on Project

LKM Staff Members Retire



Dion Avello

Mayor - City of Derby



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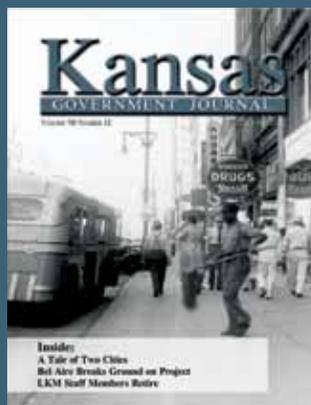
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About the Cover: Dockum Drugstore in Wichita was the site for the first sustained sit-in of the Civil Rights Movement. See feature article, *A Tale of Two Cities*, beginning on page 370. Photo provided by the Kansas State Historical Society.

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The mission of the League shall be to unify, strengthen, and advocate for the interests of Kansas municipalities to advance the general welfare and promote the quality of life of the people who live within our cities.

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January

- 1 - New Year's Day
- 14 - Legislature Reconvenes
- 21- Martin Luther King Jr. Birthday

February

- 6 - City Hall Day, Topeka
- 7 - LKM Governing Body Meeting, Topeka
- 14 - Valentine's Day
- 18 - President's Day

Obituaries

Patricia M. Brouner, 80, died October 13, 2012, at Kansas Medical Center. Brouner was a Sedgwick Councilmember and served on numerous organizations over her entire life with distinction. This includes, state president of Kansas Womens Day Club (KWDC), American Legion Auxillary, ALA LeFemme's 8and40, senior aging representative, CASA board treasurer, and a girl scout leader and regional representative.

The Honorable Richard D. Greene, 62, died October 7, 2012. Greene was in private practice for 28 years with Wichita-based Morris, Laing, Evans, Brock, and Kennedy. In 2003, he was appointed to the Kansas Court of Appeals by Governor Kathleen Sebelius. He was made Chief Judge by the state Supreme Court in January 2011. Richard had a long history of community, church, and charitable involvement. He served as volunteer judge for Youth Entrepreneurs Kansas, and is a member of the Emeritus Council of Project Concern International where he served as Chairman of the Board from 1992-94.

Betty Jane Hamilton, 85, died October 30, 2012, at the Lawrence Presbyterian Manor. Hamilton managed the Duckwalls variety store in Greensburg for 18 years while serving on the Chamber of Commerce and the City Council. Hamilton was the first and only female to serve as Mayor of Greensburg. She retired from public service after serving as Mayor for six years. Hamilton moved from Greensburg after the May 4, 2007, EF5 tornado destroyed much of the City. She lived in Cheney for three years before moving to Lawrence.

Gary R. Hathaway, 70, of Ulysses, died October 17 at Via Christi Regional Medical Center in Wichita. He graduated from Southwestern College in Winfield with a bachelor's degree in business, and attended Washburn University School of Law graduating in 1969 with a juris doctorate. Hathaway established a law practice in Ulysses in 1970 and served as Grant County Attorney and Ulysses City Attorney.

Keith D. Hoffman, 62, of Abilene, died August 11 at his home. He graduated with a law degree from Washburn University School of Law. He served as Dickinson County Attorney for 15 years and spent an additional 14 years in private practice.

The Honorable Francis G. Holthaus (Fritz), 91, died November 4, 2012. Fritz was elected District Magistrate Judge from 1970 until retirement in 1986. He and his wife co-owned Seneca Skateland and later the Seneca Motel. Fritz was Past President of the Chamber of Commerce, Golf Club, Rotary, American Legion, Lion's Club, and a member of the Knights of Columbus. He worked to secure the original Seneca swimming pool and golf course.



Garden City School Named Finalist in Contest

Buffalo Jones Elementary School in Garden City is 1 of 10 schools in the nation chosen as a finalist for a \$45,000 Healthy School Makeover grant (www.healthyschoolmakeover.com).

To participate, third grade teacher Kerri Steelman put together a video and submitted it to the 2012 Healthy School Makeover Contest, in which the \$45,000 prize will translate into fitness programming and equipment for the school.

"I spent a couple of weeks collecting video footage of people in the community, school employees, and different people who have worked with the students and families in the Buffalo Jones community and talked to them about what \$45,000 worth of fitness equipment could do for our students, and after that, Casey put together the video and did all the editing and we got it in," Steelman said, referring to Casey Wise, head of USD 457's instructional technology department.

"I interviewed Mrs. Solis, the principal, and she talked about how we could use the grant to really change things and reduce obesity

and educate our community here at Buffalo Jones. Dr. Atha, Garden City Public School Superintendent talked about how we're moving toward the Common Core Curriculum, and that includes a health component, so we really are trying to focus a lot of our education on health," Steelman said. "And we ended up featuring the whole school where all the kids are screaming, 'We want a healthy school makeover' There's also one really cute part of it where the kids are doing some muscle poses."

On November 14, 2012, the top 10 videos were determined by a voting process and selected to go through to the next phase, which is a judging process that took place from November 14 to December 10, 2012.

The school had two weeks to get as many votes as they could to make the finals. The winner of the \$45,000 prize was announced on December 10, 2012.

Kansas City Chosen as Fellowship Partner

Code for America (CfA) announced that Kansas City, Kansas and Kansas City, Missouri have been selected as partner cities in its 2013 fellowship. The CfA application was a joint effort between the two cities, spearheaded by the offices of Mayor Joe Reardon of the Unified Government of Wyandotte County and Kansas City, Kansas and Mayor Sly James of Kansas City, Missouri.

Kansas City was one of 9 communities chosen from a pool of 30 applicants.

CfA is a San Francisco-based nonprofit that aims to help cities use the web to increase efficiency, transparency, and citizen participation. For its fellowship program, CfA recruits top tech talent to spend a year building civic software designed to help cities cut costs, work smarter, and engage more with their citizens.

Among the benefits CfA touts for partner cities are a web application designed to solve one of the city's core problems, built

at a fee "dramatically less than commercial vendors, at a higher quality." The program also includes hands-on training in agile development methodology for the partner city's staff, access to a network of industry leaders, and the opportunity to collaborate with other cities.

Cities that applied to be partners in CfA's third-year fellowship program were asked to identify problem areas that would challenge the CfA fellows and make a significant impact on the cities.

More specifically, the plans for CfA will take a regional approach working with both Kansas City governments to find ways for local municipal agencies to invest in ideas and innovation, acting as entrepreneurs themselves, to develop self-sustaining programs. The Fellowship will also help both governments identify web-based solutions to engage and partner with local entrepreneurs as the new knowledge economy continues to evolve.

Topeka ARTSConnect Awards Grants

ARTSConnect Topeka has distributed \$20,000 in performing arts grants to a dozen local nonprofit organizations.

The funding came through a grant to ARTSConnect from the Topeka Community Foundation, ARTSConnect said in a news release.

Receiving funding were:

- Aaron Douglas Art Fair
- Ad Astra Theatre Ensemble
- Grace Cathedral's Great Spaces Music & Arts Series
- Kansas Children's Discovery Center
- Performing Arts for Children
- Sunflower Music Festival
- TARC Inc.
- Topeka Civic Theatre & Academy
- Topeka Community Concert Association

- Topeka Festival Singers
- Topeka Performing Arts Center
- Topeka Symphony Society

The release didn't specify how much each entity received to support "performing arts activities in the community, which are innovative, unique, and offer benefit to the entire community."

"These organizations represent the remarkable level of diversity of creativity present in Topeka," said Sarah Carkhuff Fizell, Executive Director of ARTSConnect. "We hope that these grants will offer an opportunity for a greater level of participation in the performing arts across our community."

Carkhuff Fizell said the grant program not only celebrates performing arts in Topeka, it also "represents the return of ARTSConnect to the realm of community granting, which will require a considerable fundraising effort in the coming months."

KANSAS CERTIFIED PUBLIC MANAGER PROGRAM TURNS 25

by Alecia Gray

On November 16, 2012, in the Kansas Statehouse, 71 public servants from across the state graduated from the Kansas Certified Public Manager (CPM) program. In doing so, they join a group of roughly 1,400 graduates of the Kansas program, which is managed by the KU Public Management Center (PMC) in Topeka. The 2012 graduates represent city, county, state, federal, and quasi-governmental agencies, bringing with them a diverse range of professional backgrounds and levels of leadership.

As Certified Public Manager graduates, these leaders are recognized with a national emblem of management excellence. In addition, the Kansas CPM program is widely regarded as one of the best of the 41 national and international CPM programs.

The CPM program is a nationally-accredited management program and certification in which participants develop and strengthen their management skills through competency-based curriculum. Class topics include budgeting, strategic planning, coaching, business writing, communication, and process improvement. The program offers a valuable and unique opportunity by filling a training gap for staff members with significant technical expertise who seek to further their knowledge of current management practices.

Jon Quinday, the Chief of Police for Russell, is currently serving as Acting City Manager, and he is one of the 2012 Kansas CPM graduates. He had this to say about the CPM program, "Of all the professional training I've received in the past 25 years, CPM is the most valuable in terms of the information presented, the quality of instructors, and the lessons I've been able to put to use immediately. It puts public officials in the best position to deal with daily management activities as well as planning for the future."

In 2013, the Kansas CPM program will celebrate 20 years by welcoming an ever-increasing diversity of public servants. The Kansas CPM program was established in 1993 in the Department of Administration of the State in partnership with the KU Public Management Center, and initially most participants were from state



Russell Interim City Manager Jon Quinday is presented his graduation certificate by Terri Callahan & Charles Jones. Photo by Alecia Gray.

government. In 2003, the program's coordination transitioned to being solely managed by the PMC who began branching out to include local government staff in the training.

Brenda Chance, City Clerk, City of Phillipsburg, Kansas and Current President of the League of Kansas Municipalities, recently spoke with the PMC about her CPM experience. "When I went through CPM [in 2010], I had been City Clerk since 1987. As we went through the course, I took each lesson as an opportunity to evaluate the how and why of what we were doing in our office and discuss it with co-workers. This led to positive changes in the way we communicate in the office as well as allowing us to make improvements in some procedures."

Chance continued, "To be able to meet people from various walks of public service life and have discussions about what we do was a great opportunity. The chance to see an issue through another person's eyes was a learning experience. Overall, the instructors and the course have provided me with another avenue of resources that help me through the everyday work of public service, whether it be personnel issues, budget problems, or encouraging me to think out of the box for unique solutions."

To enhance the participants' learning and to ensure that the investment in CPM offers a return to sponsoring organizations, participants complete capstone projects. They develop their projects in collaboration with their supervisors and primarily focus



Kansas Public Management Staff. Back row (left to right): Jonathan Morris, Noel Rasor, Alecia Gray, Marcia Maurer. Front row (left to right): Terri Callahan, Charles Jones. Photo by Alecia Gray.

on process improvement, cost savings, or revenue generation. For many, this capstone requirement offers the structure to develop and/or implement an important departmental project which they have not been able to prioritize because of the day-to-day demands from more urgent tasks. For others, it offers a chance to create a new innovation which will significantly contribute to the betterment of the organization.

Each year, the top capstone project is determined by the Kansas CPM program director, Terri Callahan, and members of the Kansas Society of Certified Public Managers. The winner is given the George C. Askew award by the American Academy of Certified Public Managers. This award is designed to recognize exceptional projects that are innovative, demonstrate an improvement in quality within the work unit as a result of the project, show cost savings or increased revenues as a result of its implementation, are outstanding reflections of CPM principles, and contribute to the organization and work unit in a significant way.

During her graduation speech, Callahan reflected on this year's capstone projects. "As I listened to your capstone presentations, it struck me that all of you have a vision, a new idea, a new way of doing business, and a new approach to providing services. Your capstone projects reflect the purpose, passion, and perseverance each of you bring to public service and the people you serve. Thank you for that dedication!"

The KU Public Management Center is now accepting registrations for the 2013 CPM program which will be offered in the Kansas City area, Topeka, and Southwest Kansas (rotating between Dodge City, Garden City, and Liberal). Participants meet in the classroom two days per month for one year, starting in January. The program offers a blended learning approach of traditional classroom instruction, online learning, and outside assignments to meet 300 hours of structured learning. This approach helps agencies save on travel costs while preserving the peer-to-peer networking most valued by participants.

Noel Rasor, Assistant Director of the KU PMC, notes that "[t]he capstone projects and the enhanced management skills generally result in cost savings or efficiency gains that more than pay for the cost of the program. While it can seem crazy to commit to having someone out of the office for two days each month in an environment where everyone's workload has grown, we hear again and again from our participants that the time away to focus on



Graduates from the 2012 Topeka class. Photo by Alecia Gray.

learning and growth is actually beneficial in helping them keep afloat amid the increased demands."

For more information about the program, visit www.kupmc.org or contact Terri Callahan at tcallahan@ku.edu or (785) 296-2353.

 Alecia Gray is the Advancement Coordinator for the Kansas CPM Program. She can be reached at agray@ku.edu or (785) 296-2353.

RECENT ASKEW AWARD WINNERS

Chuck Hampton, Registered Nurse Specialist, Kansas Neurological Institute

- 2011 CPM Graduate
- Capstone project: "Medicare Part B / DME at Kansas Neurological Institute (KNI)"

Agamani Sen, Chief Design Engineer, Douglas County Public Works

- 2010 CPM Graduate
- Capstone project: "Increasing the Number of Design-Build Projects for Douglas County Public Works"

Steve Hewitt, City Administrator, City of Greensburg

- 2009 CPM Graduate
- Capstone project: "Rebuilding Greensburg's Economy"

Kent Seyfried, Solid Waste Manager, City of Olathe Municipal Services

- 2008 CPM Graduate
- Capstone project: "Increasing Recycling Participation and Diversion of Solid Waste"



Governor Discusses Future of Kansas Water

More than 500 attendees with diverse water interests joined Kansas Governor Sam Brownback at the first Governor's Conference on the Future of Water in Kansas, October 30, 2012. The main conference topics included:

- New ideas to conserve and extend the Ogallala Aquifer
- An evaluation of Kansas' water infrastructure
- Opportunities to improve Kansas' water quality
- Meeting water demands for energy and agriculture

Day one of the conference highlighted the latest policy and developments of water issues in Kansas. Speakers included Governor

Brownback, Dr. William Blomquist, author of *Embracing Watershed Politics*, and Lieutenant General Thomas P. Bostick, Commanding General of the U.S. Army Corps of Engineers. Senator Pat Roberts also shared remarks. The afternoon session consisted of panel presentations with a town hall format.

Day two highlighted the latest research developments of water issues in Kansas, involving many researchers, geologists, and water planners for the state. Speakers included Dr. Frank Ward, New Mexico State University, and Dr. Bill Golden, Kansas State University who will spoke on the economics and value of our water resources.

Kansas Schools Receive Challenge Awards

The Confidence in Kansas Public Education Task Force has identified 70 schools in 46 Kansas public school districts as recipients of the 2012 Challenge Awards. The Challenge Awards are designed to recognize Kansas schools that are making a significant difference in student achievement despite facing significant challenges in school population.

Certificates of Merit were presented to the Kansas school districts at a special ceremony on November 14 at Junction City Middle School. The certificates recognize performance on state assessments in reading and/or mathematics that exceeds normal expectations based on the socio-economic status and sample size of those taking the test.

Data gathered through the Quality Performance Accreditation (QPA) process has shown that the greatest achievement gap occurs in schools

with a high percentage of students qualifying for free or reduced-price lunches. The schools receiving the Challenge Award have managed to post state assessment scores above what would normally be expected among those serving disadvantaged populations.

"The Challenge Awards recognize schools that provide tangible proof of the long-held contention that all children can learn," said Charles Volland, chairman of the Confidence in Kansas Public Education Task Force. "These schools are to be commended for overcoming the very real challenges that poverty poses to education."

A list of the schools that received a 2012 Challenge Award is available at <http://www.ksde.org/Default.aspx?tabid=36&ctl=Details&mid=1030&ItemID=639>.

Kansas Unveils Enhanced Forensics Lab

Local, state, and federal law enforcement officials were on hand to unveil a new satellite computer forensics laboratory at the Kansas Bureau of Investigation's Topeka headquarters.

While nearly every criminal investigation now involves some form of digital evidence, officials said the new lab will meet the increased demand from agencies across Kansas. Examiners staffing the lab will be trained to handle most types of digital evidence, including computers, cellphones, tablets, GPS, and loose media.

The Topeka Satellite Regional Computer Forensics Laboratory is the first satellite lab affiliated with the Heart of America Regional Computer Forensics Laboratory, which opened in 2003 in Kansas City.

While the lab initially will be operated with FBI assistance, within three to five years it will transition into full State control as a KBI lab.

KBI Director Kirk Thompson said the State had an obvious need to enhance its digital forensic capacity. With the advent of the new forensics lab, the cybercrimes lab will expand from 3 to 10 examiners — 5 for the KBI and 5 for the Regional Computer Forensics Laboratory satellite. Of the second group of five, three will be KBI staff members, one will be a Topeka Police Department employee, and one will be a Shawnee County Sheriff's Office employee detailed from the Kansas City lab.

Governor Announces Weight-loss Challenge

Governor Sam Brownback is excited to announce a statewide Weight Loss Challenge for the 2013 legislative session. Participants will compete against the Governor's team to lose the highest percentage of body weight. Companies, municipalities, counties, and other non-State organizations are encouraged to compete by offering prizes for their own employees. Recognizing that obesity has become an epidemic across the country, the Governor wants to encourage Kansans to be physically active and eat well through a fun and competitive contest.

The Governor is challenging Kansas companies and local governments to get involved by participating in the weight loss challenge and offering prizes to incentivize their own employees. The State will provide the necessary weight loss tracking website and printable materials for those who want to join. Teams will be able to sign up at www.weightloss.ks.gov.

The Weight Loss Challenge will run from January 15 through May 15, 2013, to coincide with the Legislative Session. This is a team weight loss competition. The Governor will have a team of five people, and he will challenge other teams of five.

Companies and local governments may structure their winning prizes as they see fit. The Governor is making prizes available to participating state employees. The first place team will receive \$5,000; the second place team will receive \$2,500; and all other teams that beat the Governor's team will be entered to win additional prize money.

Once the competition has kicked off in January, the Governor plans to hold a press briefing every other week to update the State on weight lost to-date and team standings. The final results press briefing will take place in mid-May.

SAVE THE DATE

CITY HALL DAY

FEBRUARY 6, 2013

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

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

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

A TALE OF TWO CITIES: Manhattan's and Wichita's African American Communities

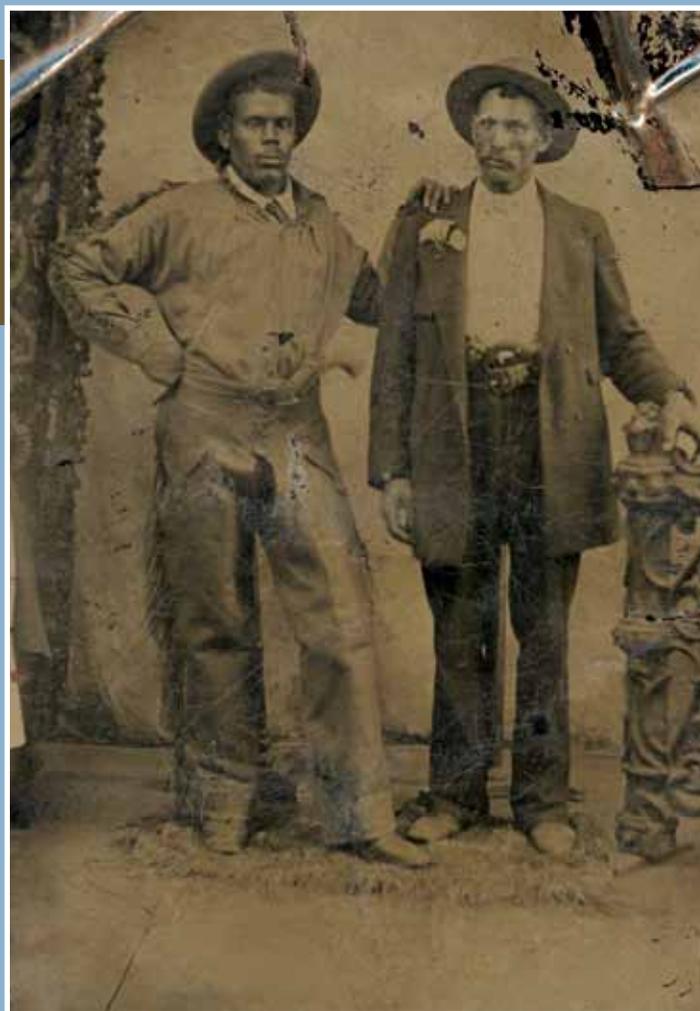
It was the best of times, it was the worst of times,
it was the age of wisdom, it was the age of foolishness,
it was the epoch of belief, it was the epoch of incredulity,
it was the season of Light, it was the season of Darkness,
it was the spring of hope, it was the winter of despair . . .

by Deon Wolfenbarger

Although Dickens' famous opening lines in *A Tale of Two Cities* were written about London and Paris around the period of the French Revolution, they could easily apply to the African American communities within Manhattan and Wichita in the late 19th and early 20th Centuries. Denied access to the full community, African Americans were forced to live in segregated sections of both cities and attend separate schools. However, in response to (or perhaps in spite of) this segregation, vibrant communities sprang up within both cities where blacks owned businesses, organized social groups, sponsored recreational activities, and controlled and owned their individual churches.

Although these two communities share some similar histories, there were a few key differences as well, starting with the very establishment of the two towns. Manhattan was founded by abolitionists from the New England Emigrant Aid Company in 1855, yet there were no African Americans among the earliest residents. It was not until the Kansas Agricultural Census of 1865 that any African Americans were documented as living in Manhattan, and even then their numbers totaled nine. On the other hand, African Americans were a part of Wichita's earliest pioneer history. An African American was one of the earliest non-native Americans to settle in the area. Furthermore, between Buffalo Soldiers making trips to the area and the cattle drovers in the 1870s (nearly a third of which were either African Americans or Hispanics), many blacks eventually decided to settle in Wichita. Historian Craig Miner believed that, at least in the early decades of Wichita's settlement, the pioneer atmosphere of the new town welcomed African Americans for what they could add to the growing community, a sort of "live and let live" attitude. That attitude would soon change, however.

After the Civil War, the black population in both Manhattan and Wichita grew at a more substantial rate. By 1870 there were 65 African Americans living in Manhattan, nearly 6% of the city's residents. However, the greatest growth, both in numbers and percentage of the overall population of Manhattan, occurred in 1879 during the mass migration of blacks from the South to Kansas after the end of Reconstruction as part of the "Great Exodus." Many rode steamboats up the Mississippi to St. Louis, and then



Studio portrait of cowboys

west toward Kansas City. When the latter town stopped accepting the new emigrants, they continued on to Wyandotte, Kansas. By the time the steamboat Durfee arrived there on April 21, 1879, however, that community was overwhelmed with "Exodusters," and residents quickly raised money to transport nearly the entire group to Manhattan a few days later.

In response to this influx of new citizens, the town leaders of Manhattan voted on a resolution welcoming the former slaves to town, and raised money and food for relief. Other African Americans from former slave states continued to come to the town over the next few months, so that by the 1880 Census the percentage of African Americans living in Manhattan swelled to 14% of the population. As a relatively small town, however, this translated to only 289 people. Although the number of Exodusters may have been greater in other Kansas towns and counties, Manhattan continued to have one of the higher percentages of black residents in the state in the decades through 1900. This translated to some rare political power and significant historical milestones,



A World War II-era recreation center dance, Junction City



Children play shuffleboard, Wichita, 1940s

which were unfortunately forgotten in later years. An African American served on the school board, city council, and the police force. Kansas State University (then Kansas State Agricultural College) celebrated the graduation of the first black male student in 1899, George Washington Owens, followed by the first female African American to graduate in 1901, Minnie Howell Champe. However, due to the overall small number of African Americans in Manhattan, business opportunities were much more limited. With the population holding at around 300, there wasn't a pressing need to establish separate stores, undertakers, and entertainment venues compared to Wichita and Topeka.

The reaction to the arrival of Exodusters in Wichita was quite different, although initially the prospects for new settlers looked promising. The City started a subscription list in April 1879 to raise money for the Exodusters, with even the Mayor pledging funds. Shortly thereafter, though, Marshall Murdock, editor of the *Wichita Eagle*, took a strong and prejudiced stance against the emigrants. Building on fears of a yellow fever outbreak, Murdock spread a rumor in July 1879 that Topeka had shipped 50 "contaminated" blacks to Wichita. The City Council called an emergency meeting and passed a quarantine ordinance. Fourteen new arrivals were found and shipped back to Topeka, leading other Kansas newspapers to ridicule the attitudes of Wichita. So while the Exodus movement produced a growth in the numbers of African Americans from former slave states in other parts of Kansas, Wichita did not experience a significant increase in the percentage of blacks moving to town as a result of this migration.

Instead, most new African American residents moved to Wichita for the job opportunities resulting from the city's real estate boom of the 1880s, with the black population growing from around 5,000 in 1880 to nearly 24,000 by 1890. However, even though their numbers continued to steadily increase from 1890 through the next half century, the percentage of Wichita's African American population remained around five percent through 1950. Manhattan's African American population, on the other hand, stayed relatively steady in numbers through 1950. Since the overall population was growing, the percentage of African Americans in Manhattan shrank through the mid-20th century, starting at nine percent in 1900 and down to three percent by 1950.

After 1900 the nation's prevailing attitudes towards discrimination and laws supporting segregation, coupled with

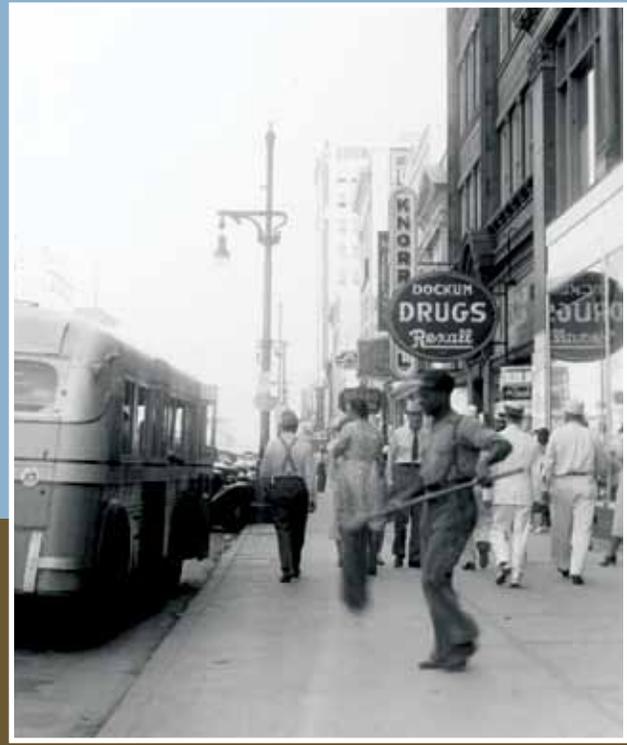
the relatively low percentage of African Americans in both cities, blacks in Manhattan and Wichita held little political power. However, the number of blacks living in Wichita continued to grow during this 50-year span, from around 24,000 in 1900 to nearly 170,000 in 1950 (contrasting with the 300 to 500 African Americans in Manhattan during the same period).

Denied access to white-owned businesses and recreational opportunities in Wichita, African Americans organized numerous businesses and social organizations. In 1922-1923 a local black-owned publishing company printed a *Negro Year Book 1923* listing more than 100 African American businesses. Black professionals in Wichita included doctors, lawyers, and a veterinarian. Over the years, several black newspapers were also published in Wichita. On the other hand, Manhattan's small black population could not support many separate businesses. Furthermore, the lack of any black newspapers in Manhattan unfortunately hinders research of African American history in that community, as white newspapers rarely covered events involving blacks. The rare black-owned businesses in Manhattan typically included small lunchrooms and personal service enterprises, such as barber and beauty shops. There were no black professionals living in Manhattan during the first half of the 20th Century; the only jobs available to college-educated African Americans were teaching at Douglass elementary school.

In spite of these contrasts, the African American communities in both of these cities had common features, most unfortunately related to segregation. Blacks in both cities were restricted to living in segregated sections of the community. However, the population mixes in the two communities differed: Wichita's black neighborhoods were almost completely comprised of African Americans, while due to the small numbers of blacks in Manhattan, the black part of that town also housed white and Hispanic families. As a result of the solid concentration of black housing in Wichita, that city was ranked as one of the most segregated in the nation in the 1950s and 1960s. Although the mixture of population in Manhattan may have given the appearance of its being less segregated, the fact is blacks could not live outside of the unwritten boundaries in either city due to restrictive real estate practices. Agents "steered" prospective homeowners to certain parts of town; banks and lending agencies refused loans; and, real estate covenants prevented blacks from moving into many subdivisions.



Children receive music instruction, Wichita



Dockum Drugstore, Wichita

Both cities segregated elementary-age students in defiance of an 1879 Kansas law, which stated that only cities of the first class were allowed to operate separate schools for the races. In Wichita black parents fought the first attempts to segregate students in the early 20th Century. Previously students were taught together in the same classrooms, but beginning in 1906 black students were taught in separate classrooms at Park Elementary School. In 1913 four new elementary schools were opened for Wichita's African American elementary students: Frederick Douglass, Eighteenth Street, Grand, and L'Ouverture. Students in both cities attended integrated junior and senior high schools, but in Wichita the segregated residential patterns effectively resulted in segregated junior high schools.

In Manhattan black students were taught in separate elementary classrooms by 1884, shortly after the arrival of new residents from the South; discussions for a separate black school began in earnest in 1903. Years later the school district would claim that a separate black school was built at the "request" of black parents. However, there are no documents supporting this claim, although there was an editorial written by the district's African American teacher in support of a separate school. It nonetheless appears that the school district was well along in its plans for a separate school by the time parents were made aware of the action. In spite of their protests, the Douglas School (initially spelled incorrectly) was opened in 1904, although revealing the split in the African American community, the school board's only black member, Randall Keele, voted to approve the separate school. Although the African American schools in Manhattan and Wichita were clearly not equal in services to the white schools, they nonetheless were well constructed and were far away better equipped than black schools in southern states. They also provided role models in the form of the African American teachers and principals, and many black residents of Wichita and Manhattan have fond memories of their school days.

While separate schools were forced upon African American residents in Manhattan and Wichita, separate churches evolved to become the single most significant institution in both cities. Black churches served not only as the heart of religious life, but cultural, social, and civic life as well. Nationally, these churches were among the first institutions organized and owned by blacks. They were not only free to express themselves in the church, but they also were among the few places where African Americans served in positions of authority. Churches sponsored choirs, fellowship and charitable groups, educational classes, and literary societies. Continuing their importance to the African American community into the civil rights era, churches played crucial roles in the movement, not only by providing locations for meetings but by sponsoring or participating in the numerous race relations studies, committees, and workshops on race relations. Churches were often the first areas of cooperation between the races in both cities, with white and black members visiting each other's congregations. The significance of these institutions is reflected in the National Register of Historic Places, albeit belatedly in comparison to white-owned historic resources. The Calvary Baptist Church in Wichita was listed October 28, 1998, and two historically black churches in Manhattan are currently under consideration for listing.

While the issues of segregation and discrimination were clear in both cities, the approaches used during the Civil Rights Movement differed, again likely due to the vast differences in population numbers. Local efforts in Civil Rights not only began earlier in Wichita, but were more activist-oriented than Manhattan. Wichita was also the site of a nationally significant and pivotal event in the nation's Civil Rights movement—the Dockum Drugstore sit-ins. Conceived and carried out by the local youth chapter of the NAACP, students in Wichita conducted the nation's first successful sustained sit-in, preceding the sit-in in Greensboro by nearly two years.



Farner House, Wichita

*All photos printed provided by the
Kansas State Historical Society.*

In Manhattan the earliest efforts in civil rights originated on campus. Although the numbers of college students at Kansas State University prior to World War II were few, after the war the University made significant strides in ending segregation, starting first with athletics. In 1948 Harold Robinson, a Manhattan native and grandson of Randall Keele, was the first black football scholarship athlete in the Big Seven Conference. Earl Woods, another Manhattan native and late father of Tiger Woods, broke another conference color barrier in 1951 as the first black baseball player. The University began hiring black professors in the 1960s, and brought back football notable Veryl Switzer in 1969 to help recruit black students. Residents of Manhattan's black neighborhood, on the other hand, did not begin to organize until the early 1960s. Although the neighborhood had always suffered from a lack of services and poor infrastructure, when a city street lighting project was proposed to end right at the traditional boundaries of the black neighborhood, the residents had had enough. They organized to protest the city's plans, and from this group emerged several important leaders in civil rights, including James Butler, who later served as President of the Kansas chapter of the NAACP as well as Chairman of the Kansas Civil Rights Commission.

In studying the historic African American resources in Manhattan and Wichita, one unfortunate similarity between the two cities is the extensive demolition of historic black resources. Since African Americans were restricted to living and working in sections of the cities considered "less desirable," African American properties were among the first to be demolished under urban renewal projects. Consequently, African American built resources in both Wichita and Manhattan are considered rare property types. This rarity should be taken into account when evaluating the eligibility for registration, and is especially true when evaluating the integrity—more specifically in the area of materials. Although

it is often considered an important aspect of eligibility, materials should be given less weight in these circumstances, especially when evaluating residential buildings. Unlike other populations in similar economic situations, African Americans were barred from moving to certain parts of either city through the 1970s. Furthermore, restrictive banking practices often made it difficult to relocate even within the same neighborhood. As a result, black home owners typically "improved" and altered their existing houses. The application of secondary siding materials, for example, is a common alteration to African American residences. Although these buildings should be considered on a case-by-case basis, the rarity of this entire group of resources suggests that these buildings are at least worthy of a second look. If the historic resident would be able to recognize the property in its present condition, then non-original siding should not deter a property from listing.

 *Deon Wolfenbarger is a Preservation Consultant for the Kansas Historical Society. He can be reached at deon@threegables.net. This article was reprinted with permission from Kansas Preservation, Volume 34, Number 1.*

This article is based on research conducted for Certified Local Government grant projects for Manhattan and Wichita. For both cities, a National Register multiple property documentation form and two individual National Register nominations were prepared. The lead consultant for the Wichita African American project was Deon Wolfenbarger of Three Gables Preservation, with Barbara Hammond providing additional research. Deon Wolfenbarger of Three Gables Preservation was also the lead consultant for Manhattan's project, with Kerry Davis of Preservation Solutions LLC and Barbara Hammond assisting with research.

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Subordinate Bodies and the Kansas Open Meetings Act

City officials understand that the Kansas Open Meetings Act (KOMA), K.S.A. 75-4317 *et seq.*, covers all meetings of the governing body. Questions are arising more frequently, however, when determining which subordinate bodies are covered by the Act. From time-to-time it is useful to look back at KOMA to get a refresher on the details of just how the Act works. KOMA was enacted in 1972 and the language provisions have been clarified by the courts and Attorney General opinions over the past 40 years. In the area of subordinate groups, the opinions may sometimes seem inconsistent in their result, at least as to which groups are covered by KOMA. Each opinion, however, analyzes the nuances of such groups, including their function, formation, and funding, to reach individual conclusions as to the applicability of KOMA. Cities should err on the side of considering their subordinate groups subject to KOMA.

First, the KOMA states, “[A]ll meetings for the conduct of the affairs of, and the transaction of business by, all legislative and administrative bodies and agencies of the state and political and taxing subdivisions thereof, including boards, commissions, authorities, councils, committees, subcommittees and other subordinate groups thereof, receiving or expending and supported in whole or in part by public funds shall be open to the public and no binding action by such bodies shall be by secret ballot.” K.S.A. 75-4318(a). So, as stated above, there is no question that meetings of the governing body of every city are covered by the provisions of KOMA. The question is determining which subordinate bodies are also covered.

The two questions then that must be answered are whether the body is a legislative or administrative body and whether or not the body receives or expends public funds. The first question, being legislative or administrative, basically means that the body must be acting in a governmental capacity. For example, many cities have council or commission committees that address various aspects of the city operation, like public safety or streets. These committees typically make recommendations to the governing body. There is no question that these committees would be subject to KOMA, because they are acting in a governmental capacity. Sometimes the committees may be short term, such as one appointed by the mayor to make recommendations on what to do with the old school that is now owned by the city, or a citizen committee formed to decide whether to build a new swimming pool. Those committees would be covered.

Note that nowhere in the statute is there a limitation or requirement about how many governing body members may be on these subordinate bodies before the KOMA applies. The rule is directed toward the subordinate body, not the governing body. These are meetings of the subordinate body, not governing body meetings. Thus, the body itself is subject to KOMA no matter how many governing body members are on the body, and notice must

be given of its meetings, pursuant to the statute. While the statute only requires that notice be given to anyone requesting to receive notice of the meetings, it is good practice to give as wide notice as possible. In addition, notice does not mean that there is any newspaper publication requirement. The newspaper may publish such notice, but it is not required.

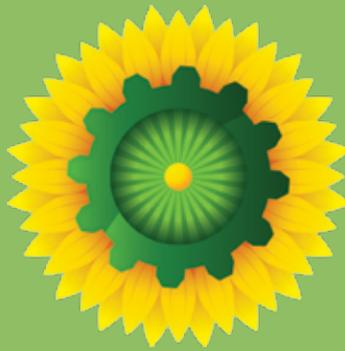
Another issue that has arisen lately is how formal the appointment process for the committee or subordinate group needs to be before KOMA applies. While there are no court cases or Attorney General opinions on this particular question, a simple rule of thumb should be applied. If the body is performing any type of function regarding city business, the body should be considered subject to KOMA. Thus, even if the group was not appointed officially, but acts in an advisory capacity to the governing body and is recognized by the governing body as a subordinate group, it should comply with KOMA. It is much more within the spirit and intent of the law to assume that all such groups associated with the city are subject to KOMA. It is very easy to provide notice and move forward, rather than to look for ways to have such meetings be closed to the public.

The second requirement, “receiving or expending and supported in whole or in part by public funds,” is a fairly easy provision to analyze. The courts have set forth a two part test. The first question to be answered is whether the entity itself receives or expends public funds. If the answer is yes, the body is covered by KOMA. The second question, if the first is no, is whether the parent group of the entity receives or expends public funds. *Murray v. Palmgren*, 231 Kan. 524 (1982); *Memorial Hospital Association, Inc. v. Knutson*, 239 Kan. 663 (1986). In *Murray*, 231 Kan. ¶9, the Kansas Supreme Court specifically stated, “So long as the parent state or local body meets the public funding test, all subordinate groups are automatically covered by the Kansas Open Meetings Act regardless of the degree or existence of public funding.” The *Murray* Court further stated that the KOMA should be broadly construed in favor of providing the public the greatest degree of open government.

Thus, several key points are worth remembering. First, a subordinate group of the city performing tasks having to do with the business of the city is going to be covered by KOMA, with all of the requirements for notice and holding open meetings needing to be met. Second, it does not matter how many governing body members are on such bodies. The body in and of itself is subject to KOMA. Finally, because the city receives public funds, it does not matter whether the subordinate body receives any financial support from the city. The body would still be covered by KOMA.

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

Bel Aire Breaks Ground on



First Phase of Sunflower COMMERCE PARK

Bel Aire / Kansas

by Ty Lasher

In early 2000, the City of Bel Aire took a bold step and purchased roughly 2,000 acres of land to allow for expansion, control its own growth, and provide opportunities for new development. Slightly over 800 acres was designated for industrial/commercial use. Early growth was primarily residential and development overall slowed down significantly after 2008 when the economy began to decline. In 2011, the Governing Body took action to improve the marketability of the industrial acreage by hiring TranSystems and Law Kingdon to create a master plan for an 800 acre industrial park with rail access.

Jeff Best with Law Kingdon and Jeff Lackey with TranSystems worked with the community, City leaders, and staff to create the master plan that was approved by the City Council in early 2012.

On November 5, 2012 Bel Aire city leaders and partners officially broke ground on Phase 1 of Sunflower Commerce Park. The city is developing the first 155 acres of the 800-acre industrial park as “shovel-ready” for companies to begin building. Roads and utilities are under construction to be completed by the end of 2012. Environmental studies have been completed with lots ready for construction.

The first tenant, Century Manufacturing, purchased 3 acres in July of 2012 and is constructing a 36,000 square-foot building to house its growing manufacturing, warehousing and office space needs. According to Jim Laubach of Century Manufacturing, the new building is expected to open in January of 2013.

“This is a great day for Bel Aire, and we are excited to be moving forward with shovel-ready land in our community and in Sedgwick County,” said Mayor Harold Smith on the day of the groundbreaking. “We know how important speed is to companies in today’s competitive world, and we are ready to meet their needs. Bel Aire is open for business.”

The entire 800 acres is designed for a variety of sizes with the potential for a 100-acre lot, if needed. There are a number of phases with lot sizes from 3 acres to 100 acres, some with rail access. All have great access to paved roads, state highways, the Kansas Turnpike, and federal routes. Sedgwick County partnered with the City to install two miles of paved streets surrounding the site.

Running through the tract is a Union Pacific industrial line which is ready for more use. Bel Aire is currently designing a rail siding on the north side with a spur possible on the south side.

Bel Aire worked with TranSystems and Schwab Eaton on master planning and infrastructure planning including engineering, soil surveys, geotechnical assessment reporting, the first phase environmental assessment and more. Utilities, including electrical and gas lines plus water and sewer lines, will be in place ready to connect with tenants.

“Sedgwick County provides infrastructure throughout the County, and we are pleased to work closely with Bel Aire on this particular project,” said Sedgwick County Commissioner Dave Unruh, “Bel Aire has expanded the usability of this great property and planned for a business-friendly community. They are laying the groundwork for economic growth which in turn improves the County’s economy.”

Located between Webb and Greenwich roads and 53rd and 45th streets, Sunflower Commerce Park has transportation access that many companies desire, including connections to U.S. Highway 254 and Kansas Highway 96 and close to Interstates 35, 135 and 235 interchanges. The site is also adjacent to the Jabara Airport campus.

“There are so many selling points, including the proximity to the National Institute of Aviation Research and the National Center for Aviation Training,” Mayor Smith said. “We look forward to working with companies to meet businesses’ needs.”

As the first tenant, Century Manufacturing employs about 30 people, and the company anticipates growing to 50 in two years.

“Bel Aire has been great to work with,” Owner Jim Laubach said. “Their speed of response and business-friendly attitude has been incredible. We closed on the land in July and will be ready to open January 1.”

“We want business and we will work with companies on what they need, including assessing what local and state incentives are available for qualified projects,” Mayor Smith said.

Mayor Smith also said, “We worked closely with the community to gather their input on what they wanted to see in an industrial park and have conveyance and design standards. Our target industries are those such as composites, research and development, associated applied technologies, medical technologies, warehousing – really a wide range that fit our community and bring jobs. This is Bel Aire’s contribution to the economic development initiatives in the Wichita metro.”



Bel Aire city leaders and project partners break ground on Phase 1 of Sunflower Commerce Park. Photo submitted by the City of Bel Aire.

In addition, the Greater Wichita Economic Development Coalition (GWEDC) that is responsible for economic development activities which recruit or expand primary jobs welcomed the news.

“This is a great addition to our current listing of industrial sites in our Wichita area. We applaud Bel Aire for this additional asset that we will utilize in marketing our region for economic development prospects,” said Interim GWEDC President Suzie Ahlstrand. “We consistently hear from site selectors and prospective companies that Wichita lacks in shovel ready sites with rail access. Bel Aire stepped up to meet the need for companies looking for sites with sizable acreage and we look forward to showcasing the Sunflower

Commerce Park in our real estate marketing database.” Marlin Penner of John T. Arnold and Associates is representing the property for Bel Aire.

Bel Aire is a city with a population nearing 7,000 in Sedgwick County, Kansas. For more information, visit www.belaireks.gov or www.sunflowercommercepark.com.

☀️ *Ty Lasher is the City Manager of Bel Aire. He can be reached at tlasher@belaireks.gov or (316) 744-2451.*



Aerial view of Phase 1 of the project. Photo submitted by the City of Bel Aire.

Jacquot Retires from LKM

On December 31, 2012, Sandy Jacquot will be retiring from her position as Director of Law/General Counsel for the League of Kansas Municipalities. In her 13 years of service to the cities of Kansas, Sandy has proven to be an invaluable part of the League's team, serving as Director for the legal department. In addition to supervising the legal staff and codification program, she has answered literally thousands of legal inquiries for city officials around the state. Many of those officials call and ask for her by name because her advice is so valued and trusted.

Sandy has also been an important part of the League's educational and training program. Her training sessions are always among those ranked highest. Her straightforward and clear style of presentation is consistently praised by attendees. As the Executive Secretary for the City Attorneys Association of Kansas (CAAK), Sandy has put together outstanding Continuing Legal Education programs for the organization. The CAAK recently honored Sandy for her dedication to the profession with a series of proclamations and personal remembrances.

As a member of the League legislative team, Sandy has served as an important advocate for cities in the State Capitol. A staunch supporter of Constitutional Home Rule, Sandy was always active on the critical issues facing cities during each legislative session.

Sandy Jacquot has spent her entire professional career in public service. After receiving her M.S. from Emporia State University, Sandy served as a school psychologist in the Topeka Public Schools. She then shifted gears and attended Washburn Law School where she finished sixth in her class. Following law school, she clerked for the Kansas Court of Appeals and for the Honorable Dale E. Saffels of the United States District Court.

Upon conclusion of her clerkships, Sandy was selected as Assistant County Counselor for Shawnee County. One year later, she was appointed Shawnee County Counselor where she served until October of 1999 when she took the position at the League.

Although Sandy is officially retiring from her place of employment, she has plans to stay active and involved in her community of Lecompton. Sandy has been instrumental in the recent development of a PRIDE group in Lecompton and she is excited to have even more time to spend working to benefit this historic community.

We at the League will miss Sandy's expertise and work ethic. But most of all, we will miss her friendship and her shared passion for the cities of Kansas.



On December 13th, LKM honored Sandy Jacquot with a retirement dinner and a gift of a collage photo of all 627 cities in the state. Photo by Jay Bachman.

Moler Elected to NLC Board of Directors



League Executive Director, Don Moler, was elected to serve on the National League of Cities (NLC) Board of Directors. The election was part of the business meeting on December 1 at the annual Congress of Cities conference in Boston. The NLC Board includes representatives from all across the country and is charged with directing the nationwide association of cities.

Moler has worked for the League of Kansas Municipalities since 1985 and has served as League Executive Director since 1999. This is the second time that Moler has been chosen to serve on the NLC Board of Directors. He previously served in this capacity from 2002-2004. He also continues to serve as the Chair of the NLC Legal Advisory Committee.

Prior to graduating from the University of Kansas School of Law in 1985, Moler earned a Masters in Public Administration from the University of Illinois. He also has both a Bachelors and a Masters degree in Political Science from Eastern Illinois University.

The National League of Cities is the oldest and largest national organization representing municipal governments throughout the United States. Its mission is to strengthen and promote cities as centers of opportunity, leadership, and governance. Working in partnership with the 49 state municipal leagues, the National League of Cities serves as a resource to and an advocate for the more than 19,000 cities, villages, and towns it represents.



2013 CURRICULUM IS NOW AVAILABLE ONLINE

The League of Kansas Municipalities (LKM) is proud to present its 2013 Municipal Leadership Academy (MLA), a continuing education program designed for both elected and appointed city officials. We invite you to join us for valuable learning, discussion, and networking opportunities. Visit <http://www.lkm.org/training/mla/schedule.php> for a complete schedule of topics and locations.



HOT TOPICS

From time to time, LKM will be implementing "Hot Topics" based on timely issues of interest to cities. These Hot Topics will be hour long webinars, moderated by an LKM staff member. Advance notice of Hot Topics will be sent out via League News Alerts, and will include log-in information, when timely topics present themselves. Each Hot Topic will qualify a participant to earn one elective credit hour toward the MLA program.



Reducing Health Care Costs with Wellness Initiatives

Beginning in 2014, the Patient Protection and Affordable Care Act (PPACA or the Act) will require cities with more than 50 full-time equivalent (FTE) employees to pay a penalty if they do not offer health insurance to all of their full-time workers.¹ To avoid the penalty, the plans must cover at least 60% of the actuarial value of the cost of benefits² and each individual employee's premium must not exceed 9.5% of their household income.³ In addition, unless the city has grandfathered in an existing plan, the plan must cover additional benefits like preventative services and essential health benefits. If the city's plan does not meet the coverage standards, employees may receive tax credits to purchase insurance on their own through the state insurance exchange and the city will either have to pay \$3,000 per employee receiving the tax credit, or pay \$2,000 per employee excluding the first 30 workers (whichever is less).⁴

In Kansas, approximately 75 cities will be subject to penalties if they do not meet the PPACA's coverage requirements.⁵ However, burdensome health care expenses are nothing new to these municipalities; they, along with many other cities, have been dealing with substantial health care costs for some time. Group health insurance can already account for up to 15% of local government spending, and the cost of insuring public employees has increased 52% in recent years.⁶ Unfortunately, there are no easy answers to reigning in employee health care costs. As stated by Reggie White, regional vice president of Cigna Government and Education, which provides health coverage to the public and private sectors, "[t]he only true solution to rising medical costs is improving employees' health."⁷

Congress recognized the importance of improving employee health when they included the Wellness Grant program in the PPACA. This five-year, \$200 million grant program will be available to cities with less than 100 employees that did not provide a wellness program prior to March 23, 2010.⁸ The program must be available to all employees, include initiatives that encourage health education, preventive screenings, and health risk assessments, create mechanisms to maximize employee participation and engagement, seek to change unhealthy behaviors, and include policies to encourage healthy lifestyles.⁹

There are large benefits for cities that pursue wellness programs. Research has shown that for every dollar spent on them, medical costs fall about \$3.27 and absentee day costs fall by about \$2.73.¹⁰ Over the last several years, dozens of cities in Kansas have implemented their own, resulting in impressive savings. Recently the City of Olathe calculated \$350,982 in reduced costs after just over a year of their programs' existence.¹¹

Workplace wellness is also being encouraged by the Governor's office. On November 29, Governor Brownback invited Kansas municipalities to fight obesity by promoting team weight-loss competitions to run concurrent with the Governor's Weight Loss Challenge. Obesity, which is associated with congestive heart failure, diabetes and cancer, increased from 15% to 30.1% in Kansas adults from 1995 to 2010. The Governor hopes the challenges will

help reverse this trend by inspiring healthy living across the state. Cities are encouraged to offer prizes to the teams of employees who lose the most weight over a four-month period starting January 15, 2013.¹² For registration, promotional flyers, health tips, and suggested rules, visit <http://www.weightloss.ks.gov/index.htm>.

The Governor's challenge and wellness programs encourage healthier and happier employees, create a more productive staff, and ultimately save taxpayers money. As PPACA provisions take effect and medical costs continue to rise, city leaders should strongly consider implementing similar initiatives to lessen the burden of employee health insurance on municipal budgets.

 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.

¹PPACA §4980H(c) (2010). (FTEs are those who average 30 or more hours per week, calculated by summing the hours of full and part-time employees. The number of full-time employees excludes those full-time seasonal employees who work for less than 120 days during the year. The hours worked by part-time employees are included in the calculation of a large employer, on a monthly basis, by taking their total number of monthly hours worked divided by 120. There is no penalty for not offering coverage to part-time employees.)

²PPACA §1401(c)(2)(C)(ii) (2010). (if the city's plan pays's 60% of the employees health care expenses, the enrollees pay the other 40% through some combination of deductibles, co-pays, and coinsurance).

³PPACA §1401(c)(2)(C)(i)(II) (2010). (an example is if a municipality employs a city clerk who is single and is paid \$35,000 per year, the clerk cannot have a monthly premium exceeding \$277.08 or the city must pay the penalty).

⁴The Kaiser Family Foundation. (2012, Jan.). Explaining Health Care Reform: How will the Affordable Care Act affect small businesses and their employees? Retrieved from <http://www.kff.org/healthreform/upload/8275.pdf>.

⁵Estimate based on the FTE/resident average in the 2011 League of Kansas Municipalities Salary Survey.

⁶Scott, Dylan. (2012, Sept. 19). How Can States and Cities Create a Healthy Public Workforce? *Governing*. Retrieved Dec. 12, 2012, from <http://www.governing.com/news/local/gov-how-can-states-and-cities-create-a-healthy-workforce.html>.

⁷Scott, Dylan. (2012, Oct. 9). Local Governments Prepare for Health Law's Employer Requirements. *Governing*. Retrieved Dec. 12, 2012, from <http://www.governing.com/news/local/gov-local-governments-prepare-for-health-reforms-employer-requirements.html>.

⁸PPACA §10408 (2010).

⁹PPACA §10408 (2010).

¹⁰Baicker, K., Cutler, D., and Song, Z. (2010). Workplace wellness programs can generate savings. *Health Affairs*, 29(2), 304-311. Retrieved from <http://nrs.harvard.edu/urn-3:HUL.InstRepos:5345879>.

¹¹Dickey, Anita. Olathe Works Well. *City of Olathe, Kansas*. Retrieved Dec. 12, 2012 from <http://www.olatheks.org/files/hr/Overview%20of%20Program%204-7-11.pdf>.

¹²Governor's Weight Loss Challenge, at <http://www.weightloss.ks.gov/>.

Osenbaugh Retires from LKM Continues as KMIT Pool Administrator

Don Osenbaugh was born in Hutchinson, and raised in Hutchinson and Haysville—where he learned the fine arts of peeling spuds and scrubbing worn-out tile floors at Ossie’s Drive Inn. He graduated from Campus High School in 1965.

Don met Sue Henkels while both were attending Sacred Heart College, in Wichita (now Newman University) in 1967. Sue and Don were married in Waterloo, Iowa in 1969.

While working at jobs ranging from selling retail hardware to gas-pumping and flat-fixing to school-building painting, Don eventually graduated from WSU with a BA in US History in 1970.

Following graduation, Don went back to work at the hardware store, and then did an stint of unsuccessful insurance selling, before starting a “career” in the court system; first position: juvenile jailer on the 8th floor of the Sedgwick County Courthouse.

After leaving the court system, as Director of Juvenile Services (and following positions including Juvenile Probation Officer and Chief Juvenile Probation Officer). In 1982, Don went back to school at WSU to finish his MPA.

Don’s internship at the City of Wichita Water Department and a one-year stint with a local non-profit preceded the Osenbaugh

family moving to Halstead in early 1985, where Don became City Administrator, a position he held for 12 years.

Don became Director of Finance in Derby in early 1997, and the family moved to Derby, to the same house in which it still resides.

Don accepted his current position with the LKM in early 2001, and started work with the League on February 28.

Don and Sue raised two children: Brek and Morgen; and now have three granddaughters: Maddison, Marley, and Lennin.



Photo and biography provided by Don Osenbaugh.

LKM would like to thank Don Osenbaugh for his 11 years of service to the League and for his guidance of the Kansas Municipal Insurance Trust (KMIT). LKM and KMIT are transitioning to a new relationship whereby KMIT operates as a more independent entity. LKM and KMIT have signed a Memorandum of Understanding that continues to ensure a strong working relationship between the two organizations. While he will no longer be employed by LKM, Don Osenbaugh will continue as the Pool Administrator for KMIT.



Don Osenbaugh addresses the audience at his retirement dinner. Photo by Jay Bachman.

2013 LKM OPERATING BUDGET

As approved by the League Governing Body in Kansas City on September 7, 2012

REVENUES	2012 Budget	2013 Budget
General Operations		
Dues and Research	800,000	805,000
Rent Receipts	154,000	154,000
E-911 Administration Fee	-	-
Kansas Government Journal	137,000	110,000
Publications and Advertising	145,000	145,000
Conference and Service Awards	330,000	330,000
Transfer In—from Reserves	-	-
Interest Earned and Other	6,000	6,000
Sub Total - General Operations	1,572,000	1,550,000
Special Programs		
Ordinance Codification	27,000	27,000
Personnel Programs	17,000	20,000
KMIT	230,000	70,000
Workshops and Seminars	60,000	65,000
Affiliate Services and Other Programs	45,000	46,000
Sub Total - Special Programs	379,000	228,000
TOTAL REVENUES	1,951,000	1,778,000
EXPENSES		
Personnel Services		
Staff Salaries	890,000	765,000
Staff Benefits	275,000	240,000
Professional Memberships	20,000	15,000
Training and Travel	40,000	35,000
Sub Total - Personnel Services	1,225,000	1,055,000
Contractual Services		
Building Maintenance	54,000	54,000
Equipment Related	61,000	59,000
Publications and Printing	70,000	38,000
Kansas Government Journal	80,000	90,000
General Overhead	30,000	30,000
Conference and Service Awards	280,000	277,500
Meeting Expense	40,000	20,000
Sub Total - Contractual Services	615,000	568,500
Commodities		
Office Supplies and Paper	35,000	30,000
Books, Software, and Subscriptions	20,000	15,000
Utilities, Telephone, and Postage	46,000	49,000
Sub Total - Commodities	101,000	94,000
Capital Outlay		
Equipment Purchases	25,000	17,500
Building Improvements	-	-
Sub Total - Capital Outlay	25,000	17,500
Special Programs/Projects		
Personnel Programs	4,000	5,500
KMIT	24,000	-
Workshops and Seminars	25,000	22,500
Affiliate Services and Other Programs	30,000	15,000
Sub Total - Special Programs	83,000	43,000
Transfer Out-to General Operating Reserve Fund		
TOTAL EXPENSES	2,049,000	1,778,000



...To Retirement?

Well, kinda...

Sandy Jacquot and I were given an extremely nice (and tasteful) retirement dinner last week, in honor of both our tenures at the LKM. I have been with the League since early 2001; Sandy started in 1999. The very special gift each of us received (in lieu of a gold watch) was an enlarged and wonderfully-framed picture of the montage of scenes from the 626 cities in Kansas which was on the cover of the 100th Anniversary League calendar. VERY cool.

The only people still with the League who were there when I came are Anna DeBusk (Anna's title is Executive Secretary; she is the longest-tenured League staffer, and has served something over thirty years...though she still looks young enough to be my daughter); Sandy, Deputy Director Kim Winn and, of course, the boss, Don Moler.

Don took a real chance when he hired me. Not so much on ME (I am pretty-sure he knew I wouldn't blow anything up), but on what he and I agreed I would be doing...namely, officing primarily out of my home in Derby, and commuting to the Topeka office now and then. Over the years, my commutes to Topeka became less frequent, as my time out on the road became more necessary, especially as KMIT "grew up" over that decade of time. He trusted me, and let me do my thing, and I will be forever grateful to him for doing that.

Larry Baer joined us on the League staff in September 2001. Larry and I have known each other since January 1, 1985, when he and I both formally began our runs with the City of Halstead on the very same day; he as the contracted city attorney; me as city administrator. Sue and I have known Larry and Vicki, and each other's kids (and now grandkids), for all these years. It was nice that both couples could see each other at the retirement affair (my dialysis-RN-wife Sue has not had many opportunities to travel to League stuff with me; she took the night off last week).

Over the years, MANY League staffers have come and gone. Those who comprise the current staff team of the LKM are all VERY good. My trusty assistant (co-conspirator?) Deanna Furman, will be leaving the League at the end of the year, and will, thankfully, continue as my partner-in-crime, also working with the KMIT pool (as an employee of IMA).

So, I am moving on, but will still be in many of your cities on occasion, and, most definitely, not really "retired."

Being at the leading edge of the Baby Boom, I realize that many of my friends and yours will be retiring soon. And, it seems to me that many are going out on the same day as Sandy and I. I would like to mention some of those. Mac Manning and Phil Alexander were both at our dinner, and both are retiring on December 31 (well, actually KPERs makes you say January 1). A native of Atchison, Mac has served cities in Illinois, Arizona, and a number in Kansas; he is retiring as City Administrator/Clerk in Peabody. Mac and I

have known each other for about 30 years. Phil is retiring as City Attorney in Derby. He has worked for Derby for about 16 years (I think that is close), 4 of those as a fellow-employee of mine. He also worked for the cities of Hutchinson and Wichita, and is a native of Hutch (as am I).

Jim Werries is retiring in Newton. Jim was EMS Director when we worked close to each other while I was in Halstead for 12 years. He retired from KP&F some years ago, and came back to work at the City of Newton in HR. Wayne Henneke (a native of Minnesota) has spent the last 15 years or so working for the City of Great Bend, and "retires" this month as City Clerk/Director of Finance (although he has agreed to work on a regular, part time basis for an indefinite period of time), and Sharon Nietzsche (whom I only know via email) is retiring from the City of Turon, after 16 years there.

Longtime "good guy" mayors Ken Bernard (Lansing) and Clausie Smith (Bonner Springs) are also retiring from public life. Their cities, and Kansas, will miss these wonderful leaders. They are both among the very best.

I know there are more who are retiring from our cities right now (I know I must be leaving out people), and MANY more will be retiring very soon. A HUGE changeover is just starting. Which means, we all need to work hard to help the next wave get going and keep going. We "oldies" are on the way out, and there are a LOT of us in this batch. Let's all vow to work together to bring along and support the incoming public servants. They will have their hands full.

In my very first column, back in the early spring of 2001, I remarked that my inspiration for this monthly writing came from some On The Road "heroes" of mine, namely Jack Kerouac (who wrote *On The Road* on one continuous roll of paper), Charles Kuralt (who did an "On The Road" piece for the CBS Sunday Morning show for years), and Willie Nelson (who seems to be "On The Road...Again" forever). Each of them, in their own way, added a great deal to my understanding of life, and helped me in some way discover who I am. My goal throughout the 12 years that I wrote my own "On The Road" stories was to illuminate (ruminate on?) things (people, places, books, music, restaurants, ideas, etc.) that I felt were interesting and/or important, and to show us all how wonderful are the cities and people in Kansas. I learned much more than I have taught. I feel lucky to have been given the chance to do this. Thank you.

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

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Chief of Police

The City of Onaga, Kansas is seeking a community oriented professional to serve as Chief of Police. Onaga is located in Northeast Kansas with a population of 700. This full-time position prioritizes, assigns, hires, terminates, disciplines, and evaluates the work of other employees in the police department and directs the programs and activities of the department. Enforces the city environmental code, supervises the city's animal control officer and serves as the City's chief public officer. Ability to plan, organize, prioritize, coordinate, assign, and evaluate the work of police officers and other staff. Ability to prepare detailed and accurate reports, communicate effectively, both orally and in writing. Ability to deal courteously and authoritatively with the public.

Minimum Requirements: At least 3 years work experience as a commissioned Kansas law enforcement officer and at least 1 year of supervisory experience. Possess an excellent work history and attendance record. Possession of a valid Kansas driver's license, excellent driving record is required and submit to an extensive background check. Must provide current Kansas law enforcement certification from the Kansas Law Enforcement Training Center. City residency preferred. Salary will be based on education and experience. The City of Onaga offers a competitive benefit package. Applicants should send cover letter, resume, salary history and three professional references to City of Onaga, PO Box 298, Onaga KS. 66521. Application deadline: January 31, 2013. EOE

City Clerk

The City of Lyons is seeking a professional individual for the position of City Clerk. This is an administrative position with oversight responsibilities for the daily operation of the city. Applications will be received until such time the position is filled. Residency: The City Clerk is required to live within the corporate city limits of Lyons beginning no later than one year after initial appointment to such position. Education: Minimum requirement of two-year Associate's degree

but prefer Bachelor's degree in Accounting, Business Administration or Management, Public Administration, or related field. Experience: Successful applicant will have worked in an office environment, have good understanding of computers and technology, have supervisory/management experience with excellent technical skills in accounting, budgeting, budget analysis, financial reporting, and financial management. Applicant must possess excellent communication skills and strong interpersonal skills; have budget, finance, and management experience, basic understanding of city government, adapt well to change, have positive attitude, be proactive, self-directed, and enjoy serving the citizens of Lyons. Duties: Includes preparing the city's annual budget, maintaining adherence to state budget laws, supervising city personnel, preparing payroll, assisting citizens, maintaining fiscal, legal, and other public records, monitoring financial condition, preparing reports, and other duties. Benefits: Public service EOE work environment, Kansas Public Employees Retirement System (KPERS), health/prescription/dental/eye/life and disability insurance, vacation and sick leave. Salary dependant upon qualifications. For confidential consideration, please mail or e-mail your resume (jsweet@lyonsks.org), including salary history, to: City of Lyons Attn: John Sweet, City Administrator PO Box 808 Lyons, KS 67554

City Marshall/Code Enforcement Officer

The City of Quinter is seeking applications for the position of City Marshall / Code Enforcement Officer. Under administrative direction Of the City Administrator, the City Marshal / Code Enforcement Officer performs duties in the Protection of life and property, and the preservation of order within the City of Quinter, Kansas. Patrol duties include enforcing traffic laws, investigation of crimes, accidents, and providing public assistance. The City Marshal will be required to work rotating shifts, some Holidays, weekends, and

special events. This full time position begins in January of 2013. Call Ericka in Quinter City Hall for complete job description 785-754-3821. The City of Quinter is an Equal Opportunity Employer

Director of Finance & Budget

The City of Pittsburg Kansas is seeking qualified candidates for the Director of Finance and Budget. This position manages key finance operations and works with the City Manager to produce the City's budget, debt, investment and tax programs. This position directs the City's strategic financial planning and analysis, which includes budget preparation, capital improvement plan, financial forecasts and long-range financial planning.

A Bachelor's degree in Accounting, Finance, Business Administration or related field and five to seven years of experience managing government financial operations and activities is desired. Qualified candidates will have knowledge of municipal finance, accounting and budget preparation. Candidates must be able to manage all aspects of municipal finance and communicate effectively.

More information about the Finance and Budget Department and the City of Pittsburg can be found at www.pittks.org. Send application/resume to HR@pittks.org. The City of Pittsburg is an Equal Opportunity Employer.

Finance Director

Finance Director for \$55M public entity risk retention pool; entry salary range \$113K-\$125K DOE/DOQ, exceptional benefits. Responsible for all aspects of the finance function, including annual budgeting, strategic planning, controllership, financial performance management and analysis, consolidation, cash management, and audit. Must have a Bachelor's degree in accounting, finance or related field from an accredited college or university, and at least 5 years of progressively responsible experience, including supervisory experience. Apply immediately on-line, combined cover letter and resume into one document for upload,



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Contact MPR Human Resources: Kevin Parr, 816.292.7532, kevin@mprisk.org, fax 816.292.7599.

Police Chief/EMS Director

The City of Minneapolis, KS is seeking a community oriented, energetic professional to serve in a dual role as the Police Chief and Emergency Medical Services Director. Minneapolis is located in north central Kansas with a population of 2,045. Under the supervision of the City Administrator, the Chief of Police/EMS Director plans and directs the activities of the Police and Emergency Medical Services Departments. The employee is responsible for the enforcement of laws and ordinances and the protection of life and property in the City of Minneapolis. Additionally, this employee is responsible for providing superior pre-hospital medical care to the citizens and visitors of our community and area of jurisdiction. This employee has internal control in the administration of the departments and for the development and administration of a complete program of public law and emergency medical services.

Essential Duties: Responsible for serving and protecting the public through the enforcement of all federal, state and local laws and ordinances and providing superior quality emergency care. Plans, directs, inspects, evaluates and exercises supervision over the personnel of both the Police and Emergency Medical Services Departments. Assist in the preparation of budget estimates and controls expenditures of all departmental funds. Prepares work schedules for both departments. Formulates and enforces departmental rules and regulations. Directs the investigation of major criminal offences and cooperates with state and federal officials in the apprehension of wanted individuals. Schedules training for departmental personnel. Coordinates law enforcement and medical services effort with other federal, state and county agencies.

Minimum Requirements: More than five years of law enforcement, emergency

medical services and supervisory experience is required. Employee is expected to have acquired the necessary information and skills to perform the job well after one year in the position. High school diploma or G.E.D. required with an Associate's degree in Emergency Medicine, Criminal Justice degree preferred. Requires graduation from a law enforcement training center (K.L.E.T.C.) certification and 40 hours of continuing education annually. Requires Kansas certification as an Emergency Medical Technician or higher and annual continuing education required for level of certification. In place of the above requirements, the applicant may possess any combination of relevant education and experience that would demonstrate the individual's knowledge, skill and ability to perform the essential duties listed on the job description. Residency requirements apply. Salary will be commensurate with education and experience. The City of Minneapolis offers an excellent benefits package.

Applicants should send cover letter, resume, salary history, and three professional references to Barry Hodges, City Administrator, City of Minneapolis, 218 N. Rock, Minneapolis, Kansas 67467, or email to citympls@eaglecom.net. Applications received until position is filled.

Utilities Superintendent

The City of Topeka, KS is seeking qualified candidates for a Utilities Superintendent. Reporting to the Director of Public Works, this position is responsible for the overall operations of the Water, Water Pollution Control utilities and the Utilities Customer Services and Utilities Business Services sections and directs and supervises the primary manager of each area. Primary functions are to lead the management staff in organizing, staffing, planning, and operations control of the Utilities divisions to ensure efficient, effective coordination and delivery of services and directs the establishment and implementation of divisional goals, objectives, strategies, actions plans, milestones, performance measures, and targets. Prepares and monitors annual operating budget and capital improvement budget of the sections

of the division, including approval of all expenditures.

Minimum qualifications include graduation from an accredited four year college or university with a degree in civil engineering or closely related field along with five (5) years of experience with utilities (water, storm water, sewer) with demonstrated progressive increase in responsibilities. Successful candidate will have the knowledge and ability to apply industry recognized best management techniques and practices, interpret and apply the provisions of labor agreements, City Code and City Personnel Rules and Regulations, prepare technical communications directed to governmental agencies, City Administration and the public, and knowledge of Federal and State statutes, City ordinances, City Code and rules and regulations that impact the department. Entry annual salary: \$67.5K to \$92.5K, DOQ

City of Topeka electronic employment application required. Application and position description available online at www.topeka.org/employment. EOE

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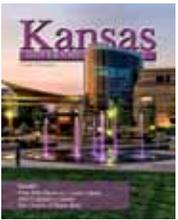
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Traditions



Well, it was the Saturday after Thanksgiving and that is the day that the Christmas decorations go up in the Moler household. Just for the record, it has been going on for 27 years in our household, not that anyone is counting.

The division of labor is pretty well specified and wife Judy arranges virtually all the interior decorations, excluding the tree which is an extended family event. I am in charge of the outside decorations which consist of a variety of colorful lights and other festive items (decorated tumbleweeds) which adorn both the front and backyard of our house. As has been the case in recent years, we were joined in this endeavor by middle son Marc, and his wife Julie, who helped us start putting the decorations up this year — Julie assisting Judy on the inside, with Marc working on the outside decorations with me. Now, just like when I was a boy, I hang lights from the eaves around the front of the house. In recent years we have upgraded to the new LED, long lasting, low energy usage lights. While I am stringing the lights, which inevitably requires the use of a ladder, Marc is working on putting the lights on the various shrubs and bushes which line the front of the house. Now as with all good projects, I always try and double up what I am doing so that I am not wasting time, nor am I wasting all of those journeys climbing up and down the old ladder. As an aside, I recently loaned said ladder to youngest son Seth. He returned it believing that it was essentially a machine of death as it is a pretty wobbly old wooden ladder and roughly 60 years old. But, as it was the only ladder available at the time, I used it this year, but it may well have been its final Christmas outing.

Anyway, back to the story. I am hanging the eve lights while Marc is working on the bushes below, and this tends to create some distinct challenges. The challenges are twofold. First of all, there is the issue of me working over him and occasionally having one of us getting in each other's way. The larger challenge, however, is that Marc races ahead with his project, and then I come along behind. Now this would not normally seem to be a problem except that I am doubling up on my work productivity (as I mentioned above), and by that I mean I am also cleaning out the gutters and removing the dead leaves and other debris that have accumulated there over the late summer and fall.

Now this is a problem because Marc, as he has been instructed by me over the years, dutifully removes all of the dead leaves that have accumulated on top of our bushes so that the lights will show up nicely, and there will not be any distracting dead leaves in, on, or around those bushes. So when I start tossing the dead leaves out of the rain gutters inevitably a few of them, (Marc would say a lot of them), flutter down and land on the bushes he has just cleaned and put new lights on for the season. Typically, after getting the hanging lights up, I will come along behind Marc and pick up the loose leaves, commenting the entire time about how he seems to have missed a number of leaves and twigs that probably should

have been removed in the first place. For reasons that one can only guess at, I find the situation much more humorous than he does. I guess that is just the difference between age and experience, and youth.

In doing our annual traditional light extravaganza, it reminded me that there are many things that we do over and over again, and sometimes we get smarter about the way we do them, and sometimes we don't. In this particular case, we have gotten it down to a fine science as far as the timing is concerned, so that it really doesn't take but a few hours to get all of the Christmas decorations up on the outside of the house. What you will find that after doing this for many years is that there are certain ways to do it and there certain things to avoid. The question is always the same: are there better ways to do it, better lights to use, or simply an improved lighting scheme that would make it look better, be more aesthetically pleasing, and at the same time make it easier to put up the display in the first place?

The same sort of questions should be asked by those of us in local government as we do those things that are being done repetitiously, year after year. Is there a better way to do it, and if so, how? Is there a way to save money while doing the job? Will changing what we are installing, or doing it on an rotational basis, make it more cost effective down the line? It is very easy to fall into the rut of simply doing things the same way year after year, just because we have always done them that way. This reminds me of the law of ruts as told by Judy's mom Eva Grace Enos: "A rut, even though it's a rut, is a safe place to be."

It is sometimes difficult to identify issues when you are used to doing things a specific way, with a specific skill set, and using certain types of equipment. It is true that we can become complacent unless we are always willing to analyze and evaluate what we are doing and how we are doing it. Which reminds me of the time, many years ago when as a youth I was a house painter, and was in business with my two best friends, Ed and Mike Pence. In the summers, we would paint people's houses and other miscellaneous types of painting jobs. I will never forget the time that we were asked to paint the floor of a Dodge dealer's shop area. We dutifully painted the floor and at the end of the project it looked great. What was hilarious, at least to us, was that the dealer thought we had done such a great job on the floor, that he then wanted us to paint the walls. Well, folks, of course the order should have been walls first, floor last, rather than the other way around. You learn these things after doing certain projects. Some are intuitive, while others take a little bit of trial and error.

I would urge you to look at the various systems you have in place, and the procedures you are using to implement them, to see if there is a better way, piece of equipment, or approach that can be taken which will give you the most bang for the city's buck, and which will keep everyone as safe and happy as possible. I would also like to wish everyone a wonderful holiday season and a very prosperous new year.

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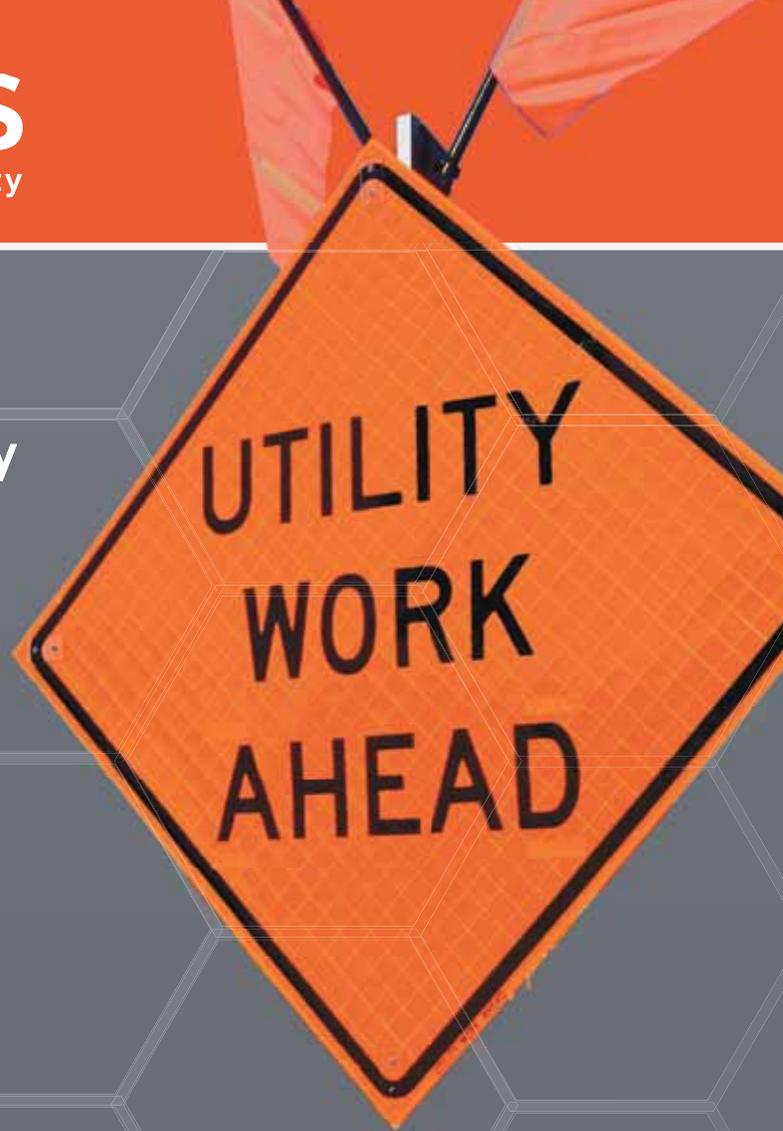
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