

Kansas

GOVERNMENT JOURNAL

VOLUME 99-NUMBER 7

JULY 2013

overland park
convention
center

Inside:

From Research to Reality

The Importance of Civic Engagement

LKM Annual Conference

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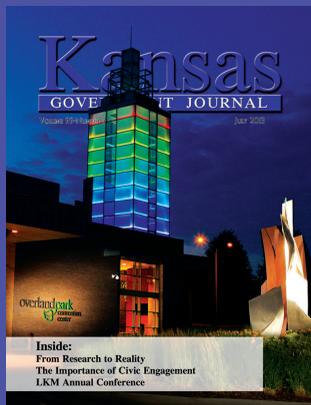
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Overland Park
Convention Center where
the LKM 2013 Annual
Conference will be held.
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Erin Kurtz.

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

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August

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

September

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

October

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

Obituaries

Kenneth Dean Lunt, age 81, long time Division Manager for K.G. & E. / Westar Energy and former Mayor of Fort Scott, died Tuesday, July 30, at his home following a lengthy illness. He was born Nov. 28, 1932, in Wichita, Kansas, the son of Dewane W. Lunt and Geneva B. Herrington Lunt. He graduated from North High School in Wichita. He served in the Marine Corps from June of 1952—June of 1955. He served as a Scout Sniper with the 5th Marines during the Korean War. He was in two major Korean War Battles: "Vegas" and "Carson Hills."

Jane Skahan Neff-Brain died on May 3, 2013, after a nine year battle of ovarian cancer. Jane was born on February 2, 1955, in Kansas City, Missouri and lived her childhood and teen years in Prairie Village, Kansas. She attended St. Ann grade school and Shawnee Mission East High School. Jane was in the second class of women to attend the University of Notre Dame. She spent her sophomore year of college studying in Angers, France. After receiving her degree from Notre Dame, she attended law school at the University of Kansas. Jane enjoyed a twenty-eight year career as a city attorney for the City of Overland Park.

Harry LeRoy Welch of Springfield, Missouri, died July 5, 2013. Harry was born to Harry and Margaret Welch on October 4, 1919, in Paola, Kansas. At age 17, he trained and served with the 114th Kansas Cavalry while attending Arma (Kansas) High School. Harry served in the U.S. Army from 1936-1967 and held the rank of Captain. He served in World War II, Korea and Vietnam. Harry served on the Olathe (Kansas) City Council for four years and was elected Mayor of Olathe in 1972. During his term he organized nationally recognized two week furloughs for Vietnam Servicemen, paid for through public donations.



The E. A. Mosher Excellence in Local Government Award is presented annually to an elected city official who has not only demonstrated outstanding service to his or her own city, but has also shown an active commitment to strong local government and service to the League of Kansas Municipalities (LKM). Named in honor of E. A. Mosher, League Director from 1960 to 1991, this award is designed to honor excellence and leadership at the highest level.

Nominees for the E. A. Mosher Excellence in Local Government Award must meet the following qualifications:

- Must be an elected official from an LKM member city;
- Must have held elective office for a minimum of four years;
- Must have nomination in at the close of nominations on August 23, 2013;
- Must demonstrate contributions that have had a significant impact on the quality of life of the citizens of his or her city;
- Must demonstrate contributions in promoting positive intergovernmental relationships; and
- Must show involvement with LKM.

Guidelines for the selection of the 2013 award winner are as follows:

- Nominations will not be accepted after 5:00 p.m. on August 23, 2013;
- Nominations may be made by any elected or appointed official of an LKM city;
- The Awards Committee of the LKM Governing Body will select the award recipient;
- The decision of the Awards Committee will be final; and
- The winner's name will be kept confidential until the presentation at the LKM Annual Conference in Topeka.

For a nomination form, go to <http://www.lkm.org/misc/Excellence-in-Local-Government-Nom-form-2013.pdf>, or contact Kim Winn at (785) 354-9565 or kwinn@lkm.org.



National League of Cities

Interested in Serving on the NLC Board?

The LKM Awards Committee is charged with reviewing applicants who seek the endorsement of LKM with regard to a position on the National League of Cities Board of Directors. If you are interested in being considered for endorsement, please send a cover letter and resume to Kim Winn at kwinn@lkm.org

or 300 SW 8th Ave., Topeka, KS 66603, (785) 354-9565 by 5:00 p.m. on Friday, August 23, 2013. The Awards Committee will review all requests for endorsement and make a recommendation to the LKM Governing Body for final action.

LKM GOVERNING BODY NOMINATIONS

LKM encourages officials from all member cities to participate in our organization and to consider serving on the Governing Body. Being part of the Governing Body is an excellent way to shape the future development of your organization. LKM welcomes officials from both large and small cities, from all regions of Kansas, to nominate their colleagues or even themselves for Governing Body positions. See the guidelines for selection below.

Article 4 of the LKM Bylaws charges the Nominating Committee with submitting a written report at least 24 hours prior

to the start of the annual business meeting of the organization. This year's business meeting, including elections, will be held Monday, October 14, during the LKM Annual Conference at the Sheraton Overland Park.

In order to facilitate the process, we ask that all nominations be received by Friday, September 7 at 5:00 p.m. to the League of Kansas Municipalities, 300 SW 8th Ave., Topeka, KS 66603. **You can also go online and submit your form electronically at www.lkm.org.**



Brownback Names Kansas Secretary of Administration

Kansas Governor Sam Brownback has appointed a former utility executive to be the new secretary of the Department of Administration.

Brownback named Jim Clark, a former vice president of Kansas Gas Service, to lead the Department of Administration, which oversees purchasing, upkeep of state office buildings, and computer and phone services for state agencies.

Clark was also a former vice president for Topeka-based Westar Energy Inc. He replaces Interim Secretary Mark McGivern who had filled the post since January when Dennis Taylor left the agency to become the Executive Director of the Kansas Lottery.

Clark is a certified public accountant with a degree from Regis University in Denver. He serves as the chairman of the Ethics Committee of the Kansas Society of Certified Public Accountants.

Kansas Awarded Nearly \$161K To Digitize Old Papers

The Kansas State Historical Society (KSHS) has received a grant of nearly \$161,000 to convert 100,000 pages of old Kansas newspapers into a digital format.

The Wichita Eagle reports (<http://bit.ly/13wBBkJ>) that it's the second grant to the state society from the National Endowment for the Humanities in nearly three years. In 2010, the KSHS received nearly \$210,000 to digitize nearly that same number of pages from old Kansas newspapers.

The newspapers are from 1854 to 1922. Pages are now online through the Library of Congress, allowing anyone with Internet access to view them. The Library of Congress and the National Endowment are working to digitize copies of 19th-century newspapers from 32 states.

KDOT Announces Road Safety Poster Contest

Kansas kids are encouraged to enter artwork for a statewide poster contest focusing on Put the Brakes on Fatalities Day, a nationwide effort to increase roadway safety and reduce all traffic fatalities, the Kansas Department of Transportation said.

The contest is for children ages 5 to 13. Three statewide winners will receive family packages at the Great Wolf Lodge and \$50 gas cards from QuikTrip Corporation, according to a news release.

Eighteen total regional winners in the six regions and age groups — ages 5 to 7, ages 8 to 10 and ages 11 to 13 — will each receive a bicycle and a helmet donated by Safe Kids Kansas.

All entries must be postmarked by Friday, September 20, and should be mailed to: AAA Kansas, Public Affairs, 3545 S.W. 6th St., Topeka, KS, 66606.

The back of the 8 ½ by 11-inch paper entry must be the child's full name, age at time of entry, mailing address, county, a parent's name, and a contact phone number.

For more information, visit KDOT's website at www.ksdot.org.

Department of Labor Launches KanSERVE

The Kansas Department of Labor launched a new online jobs resource for veterans; Skills, Education and Resources for Veteran Employment, KanSERVE as part of an overall effort by Governor Sam Brownback to provide resources to veterans in Kansas.

KanSERVE will assist veterans in finding available jobs and training in Kansas using only their Military Occupational Specialty (MOS) code. With this code, the civilian job search narrows down the results to each person's specific skill set.

"We are ready to serve our veterans in a small way after they have served each of us in the military. We want to simplify their job search as they transition to civilian life," Karin Brownlee, Kansas Secretary of Labor, said. "This website connects several information points to provide veterans with possible job training opportunities and job openings."

This new resource will be included in a website being developed by the Kansas Commission on Veterans Affairs to provide a one-stop location for a variety of services for veterans.

Search results are pulled from the Department's large network of online job postings and training programs throughout Kansas. KanSERVE is currently available at <http://klic.dol.ks.gov>. Some of the information provided to veterans after entering their MOS code includes:

- List of related civilian occupations
- Civilian job openings that correspond to the MOS code
- Occupation descriptions of job duties
- Jobs data
- Supply and demand data
- Kansas training programs
- Job openings by employer
- Annual/hourly wage information
- Ten year employment projections of the provided occupations
- Industries that employ the largest number of occupations

Photo of the 1931 Bonner Springs City Band. Photo provided by Clausie Smith.



BONNER SPRINGS CITY BAND by Clausie Smith

For many area residents, summer officially starts on the first Thursday in June when the Bonner Springs City Band begins its concert season. The unique band program provides a real slice of Americana complete with a variety of music, drawings for prizes, and an ice cream social. Concerts are held every Thursday night in June and July. The final concert is during the Tiblow Days celebration in August.

Bonner Springs has had a community band for more than a century. The band is sponsored by the City and is administered by an eight member commission appointed by the Mayor and approved by the City Council.

"The Bonner Springs City Band is a community supported recreational and teaching band," Don Wheeler, Chairperson of the Band Commission said. "Our band has been a big part of our community for about 100 years."

The importance of the Commission and its leadership was emphasized in 2011 when long-time director Larry Berg died of a heart attack the week prior to the start of the season. Berg, who was largely responsible for the band's growth had been in charge for more than 30 years. The Commission decided to honor his memory and to continue the season. They quickly moved to hire Bill Turley, Bonner Springs High School band director and Aaron Hall, Patton Junior High band director, to fill the void. The season was sad, but successful.

The band is very popular in the area with a total of 110 members and from 60 to 80 performing any Thursday night. Band members range in age from 13 to 80. It is truly a varied membership. "Our band is unique in that we allow anyone who can play a band instrument and has completed the seventh grade to participate," Turley said. "This allows our band to function as a teaching ensemble and also renews our membership with young people. Many of the municipal bands in the state are difficult to perform with because they have a restricted roster that is only open to semi-professionals and professionals. We have many members who have performed in the band for 20 years or more. Our main motivation is to have fun while we play our instruments and to perform for the community."

The concerts are held in the bandstand at Kelly Murphy Park, a specially built facility that can seat 120 musicians. The weekly ice cream socials are held in a nearby pavilion. The ice cream socials serve as fund-raisers for local churches and organizations. The weekly audience averages from 200 to 300 people.

Dana Wright, Vice Chairperson of the Commission, agreed that it is important to allow everyone to participate. "If it wasn't that way some band members wouldn't have a chance," he said.

"We try to create a real community atmosphere at each performance," Turley said. "To do so, we have announcers who interact with the audience, tell jokes, and do a weekly drawing," he added. One of the unique facets of the program is that the announcers are former Mayor Clausie Smith and present Mayor, Jeff Harrington. Smith was the announcer for 30 years and when he had to miss a season due to illness, Harrington volunteered to step in and now they work together. "We make a good team," Smith said. "We both have a lot of fun."

Smith added that the band is an important tool in economic development bringing persons from a dozen surrounding towns to Bonner Springs.

"We help to provide the identity of Bonner Springs," Turley added. "Bonner Springs has a definite community feel. We provide a hometown concert that is accessible to the community. Seniors are bused to the event from the senior center. Many attendees walk to the park."

The band rehearses from 7 to 8 p.m. at the high school band room and then goes to the park for the 8:30 p.m. concert which normally lasts an hour. Band members receive a \$2 certificate redeemable at the local Dairy Queen each time they participate.

"Our main motivation is to have fun," Turley added. And, the band is extremely popular in the community and will continue. Plans are already under way for the 2014 season.

 Clausie Smith is the former Mayor of Bonner Springs. He can be reached at clausies@aol.com.

Photo of the 2011 Bonner Springs City Band. Photo provided by Rita Hoag.



From Research to Reality: In Lawrence, higher education and local government have come together to expand the community's economic opportunities.

By Megan Gilliland

Nestled amongst the picturesque scenery of the University of Kansas' West Campus, sits a quiet success story that houses companies working to develop business and technologies at the forefront of science and industry. The Bioscience and Technology Business Center (BTBC) opened in August of 2010 in Lawrence and quickly became an integral part of the City of Lawrence and Douglas County's economic development program. It has been a tremendous success for the University and the community alike.

The BTBC incubator system provides tenant companies with state-of-the-art wet lab and office space, access to KU and KU Medical Center resources and expertise, and business support services such as capital-raising and consulting services from incubator staff. Tenants include KU startups, emerging and mid-sized firms, and Fortune 500 companies. Since launching in 2010 with the Main Facility, the BTBC system has expanded to include three additional buildings totaling 70,000 sq. ft. of space — making it the largest incubator network in the Midwest. The BTBC system is now home to 29 companies in Lawrence and Kansas City, Kansas.

Less than three years after opening its doors, the BTBC at the University of Kansas took the next step in its ongoing economic development success story—a \$10 million, 30,000 square-foot expansion which will have space available for new tenants in the summer of 2014. Once complete, the expanded BTBC Main Facility will have space for 18-24 multi-staged tenant companies. Phase II will include office space earmarked for KU's Center for Technology Commercialization, as well as space designed to accommodate the special needs of virtual companies

“The BTBC is already more successful than we dreamed it would be,” said BTBC Executive Chairman LaVerne Epp. “We always planned to add more space, but we didn't think we'd need to until 2015. The market demand is there now, so we're moving forward ahead of schedule.”

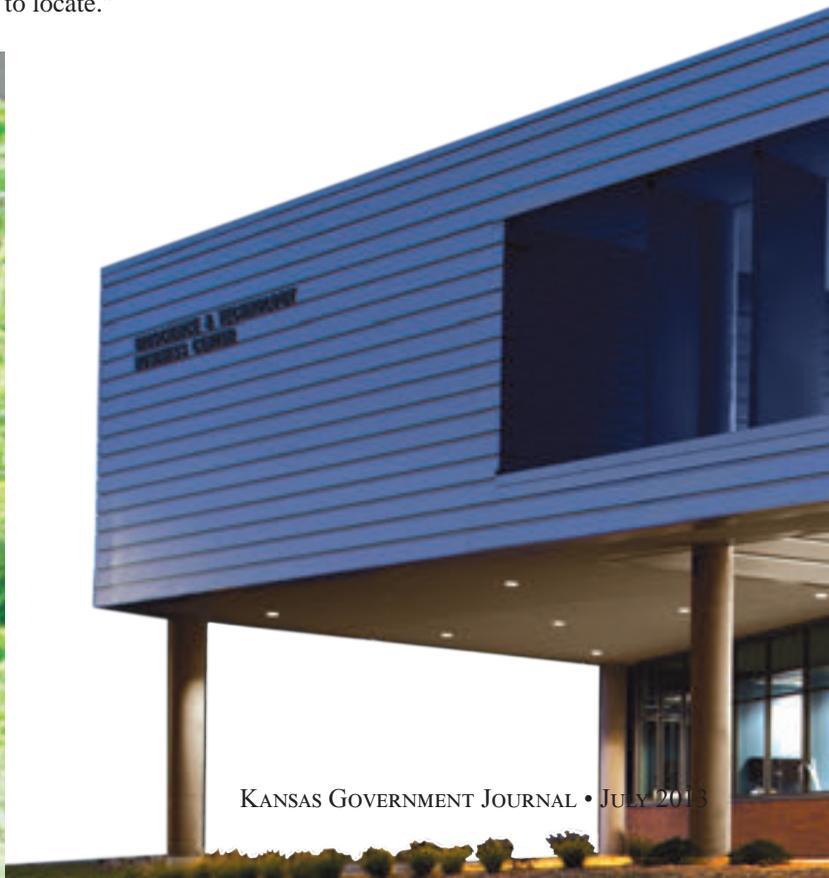
The main facility is located across the street from the highest concentration of life science and technology labs in the state, as well as KU's nationally prominent School of Pharmacy. Relocating the KU Center for Technology Commercialization (KUCTC) to the BTBC brings it closer to many of KU's most innovative bioscience researchers.

“The mission of the BTBC remains ‘Transforming Ideas into Commerce,’” said Epp. “We are raising the profile of Lawrence and KU nationwide and creating high-quality jobs in Kansas. The BTBC is fulfilling its mission and exceeding all expectations.”

Funding for the expansion was provided by KU Endowment, the KU Center for Research, Inc., the City of Lawrence, Douglas County, and the Lawrence business community. The \$7.25 million first phase of the main facility was funded by these organizations and the Kansas Bioscience Authority.

“KU's mission is to lift students and society by educating leaders, building healthy communities and making discoveries that change the world,” said KU Chancellor Bernadette Gray-Little. “That includes growing the economy and creating a more prosperous Kansas, and the BTBC is a crucial part of that mission. Now more than ever, KU is creating new companies, jobs, products and cures, and making Lawrence an attractive location for companies to locate.”

Michael Dever, the Mayor of Lawrence speaking at the groundbreaking event for the BTBC expansion facility. Photo by Chuck France.





Work being done inside a BTBC lab.
Photo provided by Megan Gilliland

BTBC Phase II Expansion groundbreaking on June 14, 2013. Photo by Chuck France with the University of Kansas.



The BTBC at KU is the largest company-creation and business attraction and development incubator in Kansas. At all locations combined, the BTBC has 29 tenant companies with more than 100 employees.

“Our community is incredibly proud to have the University of Kansas as a partner in our economic development strategy,” said Mayor Michael Dever. “Lawrence benefits from the University’s presence and we share common goals, which include job creation. The BTBC is an excellent example of leveraging funding to create an incredibly successful program which has exceeded our expectations and continues to bring high-quality jobs to Lawrence.”

Because of its proximity to the KU campuses, the BTBC offers tenants several unique resources, including access to KU’s intellectual property, world-class researchers, specialized

equipment and labs, and students and graduates. It also provides business expertise (planning, talent management, education, capital acquisition, market validation and research, growth strategy, governance) to startup and early-stage companies that wouldn’t have access to it otherwise.

For more information on the BTBC, visit <http://www.btbcu.com/>.

 Megan Gilliland is the Communications Manager for the City of Lawrence. She can be reached at mgilliland@lawrenceks.org.

Expansion Facts

- 30,000 sq. ft. of new office and lab space
- 51,000 sq. ft. of space once the project is complete
- Room for 18-24 tenant companies in the expanded facility
- \$10 million total cost
- Construction scheduled for completion by summer 2014

Expansion Partners

- City of Lawrence
- Douglas County
- KU Endowment
- The University of Kansas
- Lawrence Chamber of Commerce
- Mechanical/Electrical Engineer: Hoss & Brown Engineers
- Civil Engineer: Professional Engineering Consultants, P.A.

BTBC building. Photo provided by Megan Gilliland.



Finishing the Fight

American Cancer Society Working to Save More Lives Faster

by Jill Sittenauer

Photo by Elmira College

One hundred years ago, the American Cancer Society began the fight of a lifetime. Now it's time to finish it. Today, two out of three people diagnosed with cancer will survive at least five years. The Society wants to make it three out of three.

To save more lives faster, the Society is focusing its efforts in several key areas:

Founding Ground Breaking Research

- Continue to ensure lifesaving cancer research gets funded and lead the way to find cancer's causes and cures. Whether it's medications to help people live longer and better or the most promising screening tests, the Society has been part of nearly every major cancer breakthrough in recent history, contributing to a 20% decline in cancer death rates in the United States since 1991 and a 50% drop in smoking rates.

- Conduct an historic research study called the Cancer Prevention Study-3 (CPS-3) that will help us understand how to prevent cancer and save lives. The goal is to enroll at least 300,000 adults from various racial/ethnic backgrounds from across the United States by the end of this year.

Helping Patients and Their Caregivers Fight Cancer

- Continue to help people everywhere fight cancer, connecting millions of patients a year to answers, support, places to stay when traveling for treatment, and more.

- Expand programs that break down barriers to completing treatment, one of which is transportation. The Society is working with Road To Recovery® volunteers and community partners such as civic groups, businesses, and faith-based organizations to become part of the local solution by providing free rides to treatment.

- Assist patients in overcoming the other major barrier to treatment—lodging for those that must travel far from home for treatment. The Society's Hope Lodge® network across the country, including Kansas City, helps provide a no-cost home away from home. Hope Lodge is a safe, nurturing environment that is designed specifically to meet the needs of cancer patients and their families.

- Help people navigate the cancer experience. The Society's Web site and 1-800 number are available 24/7. Study after study has shown Americans consider the Society one of the most trusted, reliable sources of cancer information. Through our 1-800 hotline and our patient navigators, we help people navigate the myriad information and services at critical times after they have been diagnosed. Patients say the American Cancer Society helps them think when they are too sick to think for themselves.

- Connect patients to others who have "been there." Online or in communities through programs like Reach To Recovery®, the Society puts patients in touch with others who understand.

Saving Lives Through Cancer Prevention

- Advocate for policies to protect people from the two biggest cancer killers — tobacco and obesity — and to increase federal research funding and improve access to quality health care to get screened, get treated, and triumph over the disease.

- Continue to issue the most up to date, science-based screening guidelines, so doctors can encourage patients to get screened and, therefore, have prevented or detected cancer early.

- Educate people on how to take steps to reduce their risk of cancer, as well as the benefits and challenges with current screening options, through cancer.org and 1-800-227-2345.

Honoring Survivors and Remembering Those Lost

- Offer the American Cancer Society's signature event—Relay For Life—in communities across the United States, where cancer survivors, those lost to the disease, and caregivers are honored and remembered.

- Relay For Life also gives teams of co-workers, students, church groups, family, and friends the opportunity to make a difference in the fight against cancer by raising funds to support the Society's efforts.

- As the Society marks its 100th birthday in 2013, nearly 14 million Americans who have had cancer (and countless

more who have avoided it) will celebrate more birthdays this year. It's time to finish the fight against cancer. To find out how you can help, go to cancer.org/fight. For cancer information, call the Society anytime, day or night, at 1-800-227-2345.

The American Cancer Society looks forward to being part of the League of Kansas Municipalities' annual conference in October in Overland Park. The Society will present two breakout sessions:

- Relay For Life in Your Community
- How to Encourage Your Community to Be Healthy

The Society will also present a special General Session with an inspirational message from a Kansas cancer survivor. For more information, see the conference registration information mailed with this issue or go to www.LKM.org

 *Jill Sittenauer is the Regional Communications Director High Plains Division for the American Cancer Society, Inc. She can be reached at jill.sittenauer@cancer.org*



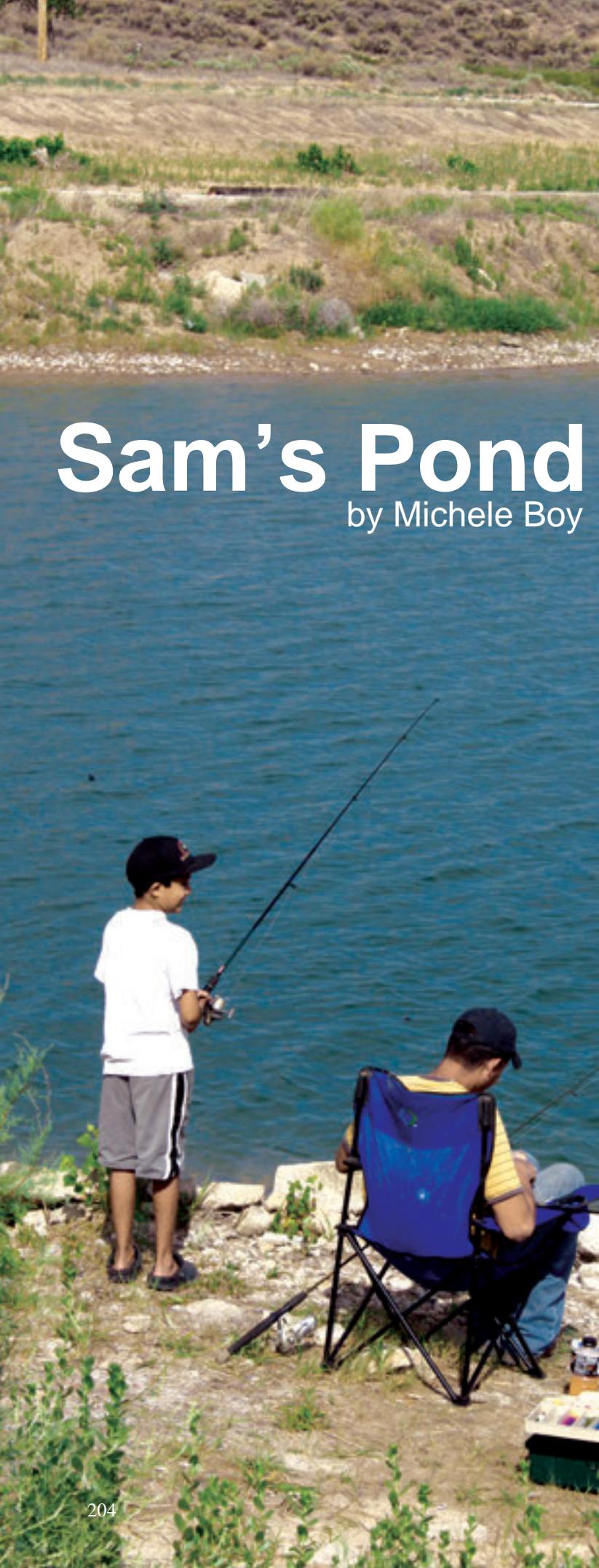
Photo provided by Jill Sittenauer.



Photo provided by Jill Sittenauer.



Photo by Relay Federal Way

A large photograph of a pond with a boy fishing and a man sitting in a chair. The boy is standing on the left, wearing a white t-shirt and grey shorts, holding a fishing rod. The man is sitting in a blue folding chair on the right, wearing a yellow shirt and a dark cap. The pond is in the foreground, and the background shows a grassy bank and a blue sky.

Sam's Pond

by Michele Boy

The town of Syracuse has always had lots of recreation available to its citizens as well as tourists. Want to take in a movie? Go bowling or play a couple rounds of golf? How about going to the beach or fishing?

Living in the dry, high plains of southwest Kansas can leave many desperately missing recreational water sources. The Arkansas (Ar- Kansas) river has helped pacify that with canoeing, wildlife viewing, tanking, and tubing. However, since the river is dry and there are severe drought conditions, those are not options.

Enter Sam's Pond. Wow, what a delight! Yes, fishing, swimming, and boating are all available at the always improving Sam's Pond, a true oasis in Hamilton County. Approximately one mile south of Syracuse next to the Syracuse Sand Dunes park, you can find quiet fishing nooks as well as loud, playful swimming.

Our small rural community of Syracuse, Kansas has much to offer in the way of recreation. We have a population of 1,800 people and we offer a movie theatre, bowling alley, swimming pool, sand dunes park, playgrounds, and golf course. We have annual festivals such as the Cruisin' into Summer Car Show, the Hamilton County Fair, ranch rodeos, and the Syracuse Classic and Antique Fly-In. And, Sam's Pond adds so much more.

The pond offers fishing, boating, and swimming. With a new handicap fishing ramp, restrooms, a pavilion for picnics, camping spots, and Syracuse beach right next to the sand dunes park, you would be hard pressed to find so much in a small community. Add to that, friendly people, and I doubt you could ask for more.

Sam's pond began as a sand pit. For approximately 25 years, Tarbet Ready-Mix & Construction Company mined sand from the area. After their move across the highway, they donated the pit to the City of Syracuse. Through a verbal agreement, their only request was to name the pond after Samuel Van Wort who passed in 1992.

Sam was a longtime Tarbet employee who first mined the sand from the pit a mile south of Syracuse. He was also the first to stock the pond on his own with channel catfish.

Photos provided by Michele Boy.



In 2009, four trout stamps were sold in Hamilton County. In 2011, 112 stamps were sold. For the past two years, licensing fees from the Kansas Dept of Wildlife and Parks (KDWP) helps us stock the pond with 2,500 trout.

A grant from KDWP added a restroom. Then a designated swimming area, locally named Syracuse beach, has been chained off. No lifeguard on duty signs make people aware to swim at your own risk.

The Syracuse community has invested in the pond as well. A pavilion and picnic tables were donated by the Syracuse Rotary Club in honor of their late president Mike Hawkins. And a new handicap fishing ramp was added recently thanks to the memorial donations from the families of Bob Englert and Dick Cheatum. Rails will be installed soon.

Eight camping spots have power hookups and water. Showers are available as well. Mayor Joe Stephens is proud of this retreat. "We are the only pond in 50 miles of here."

Sam's Pond board member Kenny Bay is enthralled with what the pond has become. "We used to drive 90 miles to Elkhart to go fishing and other people in the community were feeling the same way. So I thought, how about we get this pond where we could do some real fishing."

Bay adds, "It's fantastic. It used to be that only some of the few really good fishermen could catch fish. With the State's help, it is a win/win for us. Now, most of the regulars are catching fish too!"

On any given day, you will find a nice crowd of people floating, swimming, fishing, kids playing in the sand, packing lunches, and visiting. On special occasions the area is packed. The fourth of July was a fun filled evening of fireworks and community gathered around the pond.

Future plans include paddleboat rentals, another fishing/viewing pier, and boat ramp access.

 Michele Boy is a Council Member for the City of Syracuse. She can be reached at micheleaboy@gmail.com



City-Initiated Judicial Tax Foreclosure Sale.

Who Knew?

by Nathan Law

It started out like any other nuisance property abatement. As a new administrator, in a new city, I was tasked with helping keep the City of Kiowa clean and appealing. We all understand how difficult it is being new to a community, but add to that the duty of enforcing policies that are never well liked, and it is sometimes just enough to send blood pressure to dangerous levels. This time was no different, except that I was hoping to lessen the image of nuisance code enforcement, or at least spread the occurrences out a bit.

At some point during the initial nuisance enforcement process—identification of properties—there was made mention that Kiowa would have fewer nuisance properties if the county would hold a tax sale. Not being from this area, I checked into the comment and found that, indeed, it had been about 9 or 10 years since the last actual county-wide tax sale. Without leaning on assumptions, I turned to the Kansas Statutes to see what I could find in way of a city's ability to encourage a county tax sale. Lo and behold, there just so happens to be statutory language (K.S.A. 79-2801(c)) stating:

If the board of county commissioners fails to initiate proceedings for a judicial tax foreclosure sale on property located within the corporate limits of a city and if the taxes on such property have remained delinquent for at least three years after such property first becomes eligible for sale by the county at a judicial tax foreclosure sale...the governing body of the city in which such property is located may initiate a judicial tax foreclosure sale on such property.

Properties become eligible for a county to sell when they become delinquent and following notification to the general public that the property, if not paid for, will be sold to the county and then placed for sale by the county after each property's unique redemption period (one to three years – see K.S.A. 79-2401a). If the sale to the county occurs on average one-and-a-half years following the initial tax statement, then the city would have the ability to initiate a tax foreclosure sale on properties meeting the \$10,000 threshold within the city limits, after five years total delinquency.

Because we all know that legal interpretation is not necessarily a job for managers and administrators, Kiowa City Attorney, Laurel McClellan—former Harper County Attorney and now independent legal practitioner—was provided the statutory reference to ensure the modest interpretation was, in fact, correct. The interpretation was correct. A quick check with the County Treasurer provided the initial list of delinquent properties, taxes, date of delinquency, and legal and physical property locations. With that information, the city council was briefed on the issue and asked to direct staff that if, upon request, the county government is unable to conduct a

county-wide tax foreclosure sale, then, cost considerations aside, the City of Kiowa will take action to initiate a judicial tax foreclosure sale for all qualifying properties within the corporate limits of the city. After confirmation from Barber County Commissioners that they have no authority to direct the County Attorney to conduct a sale, and having received their notice that the nearest county-wide sale would not be initiated for at least another nine months, Mr. McClellan drafted the appropriate resolution for council to approve, initiating a local tax sale.



The first step was for Mr. McClellan to seek abstract information on delinquent properties.

Cue the Jeopardy music:

Fast forward more than nine months to when the abstract work is finally presented to the City by the only abstractor in the county. Why nine months? Because of the large amount of deed and abstract requests from oil leasing companies trying to snatch up mineral leases for the anticipated oil boom in south central Kansas. Once

received, abstract information was quickly used by McClellan to file a petition in district court for a judicial tax foreclosure sale. Following the court filing, McClellan ordered Notice of Petition published in the city newspaper for all owners, heirs, assigns, etc., that they are required to plead in county court the said petition on or before an established date, for which failure would result in judgment and decree entered in due course upon said petition. Following such date, the court would pass judgment allowing the City to sell.

Following the publications of the Notice of Petition, Mr. McClellan served legal notices as required by law. Certain entities, such as the federal government, have lengthier non-responsive timeframes for legal service. McClellan hired assistance out of Wichita to serve legal notification to a government representative. Waiting the required amount of time, judgment was sought and given by the District Court of Barber County, allowing for a City of Kiowa Judicial Tax Foreclosure Sale of all properties with unpaid delinquent taxes within 15 days after the third publication of the judgment. Part of the judgment included an Order of Sale being sent from the Clerk of the District Court to the Sheriff of Barber County, directing the Sheriff to set a date and time for sale. The Sheriff established a date and time, to occur not sooner than 15 days following the third publication of the judgment.

At last, the sale:

May 24th of 2013, the Barber County Sheriff, on the steps of the county courthouse, sold properties pursuant to the authority granted under K.S.A. 79-2801, *et seq.* Of 17 properties on the original delinquent taxes list, and of 16 that received abstract work, the

final list of properties presented at the sale included 8 properties that failed to redeem. This indicates a 50% “voluntary” redemption prior to the tax sale. The City received \$2,762.50 of delinquent taxes from redemptions between the judgment and the actual sale; total city and county taxes paid is estimated at \$25,640.16. Based on the outstanding 8 properties and their delinquent taxes, all taxing entities realized a loss of \$63,351.26 in taxes, interest & fees. The idealistic silver lining is that this process has hopefully placed properties in the hands of someone willing to take action on them, or at least pay future taxes.

Advice to others:

If there are other cities that accept the unfortunate task of undertaking a city-initiated tax foreclosure sale, I have one simple tip to, hopefully, help the process run more smoothly: as with most things in life—communicate! Communicate with commissioners, register of deeds, court clerk, treasurer, appraiser, city council/ commission, etc. Make sure everyone knows what is happening and when. Each of these offices or individuals has a part and responsibility before, during, and/or after this process, and it is important that everyone stays up to date. Follow the “no surprises” rule, and there will be little argument when the dust settles. There will always be emotions with the forceful exchange of property, but there is little arguing with policy followed to the letter of the law.

 *Nathan Law is the City Administrator for the City of Kiowa and can be reached at administrator@sctelcom.net.*

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Former Kansas School Put on Historic Register

The National Park Service has added a former elementary school in Kansas City, Kansas, that's long been used as a community center to the National Register of Historic Places.

The Kansas State Historical Society says the former Franklin Elementary School building is now one of about 1,300 Kansas sites on the national list of historically significant properties.

The Park Service added the school in the Argentine section of Kansas City, Kansas, to the register last month.

The school opened in 1898, with four teachers and students in first through eighth grade. In 1910, the school was expanded to add six new classrooms.

The school closed in 1973, a victim of declining enrollment. However, a nonprofit community group later purchased the building for a center.

Oakland Receives Grant Money, Planners Hear Community Suggestions

Topeka residents in the Oakland Neighborhood are excited that federal dollars are being invested into their community to make improvements.

The requests of most of the residents were focused on specific areas.

Because of an application put in by the Oakland Neighborhood Improvement Association, the City of Topeka chose the area to receive grant money to make improvements to the area.

Thursday evening's meeting at Sacred Heart Church was to go over the neighborhood plan that was created in 2004, the neighborhood's achievements since then, and to decide what future improvements to make with the money based on what the community needs. The grant, given by the Stages of Resource Targeting, or SORT, will address housing and infrastructure, two of the main issues people want fixed.

Since 2004, through Empowerment Grants given by Housing and Neighborhood Development, the community has seen a list of changes:

- *Streetscape improvements (sidewalk and curb)
- *The old Burlington Northern Santa Fe office building was converted into a senior housing complex
- *Park improvements
- *Oakland Community Center marquee
- *Chase and State street schools are connected
- *Murals on buildings as enhancements to the neighborhood identity

Neighborhood planners Dan Warner and Susan Gelvin went over those points, and showed graphs of which areas need the most improvement.

Below is some of the data the planners collected to help put into perspective what areas need the most improvement:

- *Out of 1,465 acres of land, 40% is single-family residential.
- *There are slightly more home-owners than renters.
- *Out of 2,484 properties, 513 have intermediate deficiencies and 383 are in deteriorating conditions
- *The median appraised property values of 2013 for a single-family home is \$56,765
 - Multi-Family \$315,744
 - Two-Family \$67,091
- *Properties in the interior streets need more maintenance than properties in exterior streets

President of the Oakland NIA Frank Aguilar said the sidewalks are the number one issue, and that people think the money should be focused on walk area.

"The next thing is improvement of rental homes," Aguilar said. "Some of these homes these people live in are really bad."

Some at the meeting expressed concern with houses violating codes and code inspectors not doing anything about it. The sentiment was shared with the number of vacant houses in the area.

The community is invited to join a steering committee to decide the target areas and what needs to be done. The committee will meet five times over the next ten weeks.

For more information on what was announced at the meeting, contact Susan Gelvin at 785-368-3005 or email at sgelvin@topeka.org.

Lenexa Engineer Honored

Adam Stodola has been named the 2013 Engineer of the Year by the Kansas Society of Professional Engineers. The award recognizes Stodola's service to the organization and the profession.

Stodola is a highway engineer for George Butler Associates Inc. in Lenexa. He joined the company in 2005 and works in the

highways and streets group, which provides planning and design for highway, interchange, and roadway projects.

LKM 2013 Annual Conference

Hotel Accommodations & Reservation Procedures

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RESERVATION PROCEDURES:

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

SPECIAL NOTE:

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

LEAGUE OF KANSAS MUNICIPALITIES



2013 Changes to the UPOC and STO, part 2

Last month, this column reviewed changes to the Standard Traffic Ordinance. This month, we are reviewing changes to the Uniform Public Offense Code (UPOC).

The UPOC continues to exclude certain felony level offenses for which the Legislature had previously given municipal courts jurisdiction to prosecute. These include domestic battery, theft, giving of a worthless check and possession of marijuana. They have been omitted because of concerns about sentencing issues and the costs to the city to prosecute. If a city wishes to prosecute felony level offenses, it should adopt a separate ordinance.

Sections changed in the UPOC include the following.

Section 1.1	Definitions.
Section 4.3	Selling Sexual Relations.
Section 4.4	Promoting Prostitution. (deleted)
Section 4.5	Buying Sexual Relations.
Section 6.1	Theft.
Section 6.5	Criminal Deprivation of Property.
Section 6.7	Criminal Trespass.
Section 7.2	Interference With a Law Enforcement Officer.
Section 7.5	Falsely Reporting an Offense. (deleted)
Section 10.1	Criminal Use of Weapons.
Section 10.1.1	Criminal Carrying of a Weapon.
Section 10.5	Unlawful Discharge of a Firearm.
Section 10.15	Operating a Vessel Under the Influence of Intoxicating Liquor or Drugs; Penalties.

Sexual Offenses and the UPOC: State law regarding prostitution and sexual exploitation of children underwent a significant revision in 2013. These changes include changing the terms “prostitution” to “selling sexual relations”, “promoting prostitution” to “promoting the sale of sexual relations” and “patronizing a prostitute” to “buying sexual relations”. The underlying definitions have also been changed to reflect both the change in the terms and, in some cases, an expansion in the acts considered to constitute the offense. UPOC §§ 4.3 and 4.5 have been changed to be consistent with state law changes.

The most significant change is in the penalty provisions in section 4.5. It has been elevated from a class C to a class A violation

and a felony for second and subsequent convictions. In addition to any other sentence and/or fine imposed, a person convicted under section 4.5 shall be fined an additional \$2,500. The additional fine collected pursuant to this section is to be remitted to the state and credited to the human trafficking victim assistance fund.

UPOC § 4.4 (Promoting Prostitution/Promoting the Sale of Sexual Relations) is deleted because the offense has been elevated to a felony.

Theft; Deprivation of Property: UPOC § 6.1, Theft, has been changed to make the theft of a firearm a felony, regardless of value. Additionally, 6.1 now provides that theft of property of less than \$1,000 from three separate mercantile establishments within a period of 72 hours as part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct is a felony. Section 6.5, Criminal Deprivation of Property, has also been amended to reflect that criminal deprivation of a firearm is a felony, regardless of the value of the firearm.

Trespass: Section 6.7(a)(1)(B), regarding posting of property, is amended to permit posting in accordance with K.S.A. 32-1013, in addition to any other manner reasonably likely to come to the notice of the intruder.

Interfering with LEO: Section 7.2, Interference with a Law Enforcement Officer, has been rewritten to include “law enforcement agency”. It now also includes section 7.5 language regarding falsely reporting an offense. Therefore, section 7.5 has been deleted.

Weapons and Firearms: All references to knives have been deleted from UPOC §§ 10.1 and 10.1.1 to be consistent with state law changes on the subject of criminal use and carrying of weapons. In addition, language has been added to 10.1 to make the transporting of a firearm in an occupied vehicle, unless unloaded and fully encased in a container, criminal use of a weapon. This reinstates language that had previously been included in the UPOC but was omitted when the criminal code was recodified in 2012. Section 10.5, Unlawful Discharge of Firearms, has been rewritten. It contains a new definition and a new list of exceptions. The unlawful discharge of a firearm remains a class B violation.

Boating Under the Influence: The time frame for obtaining a breath or blood test has been expanded from two hours to three hours in section 10.15. Subsection (b), regarding “habitual user” has been removed. Some other minor changes have also been made resulting in the need to renumber or reletter some subsections.

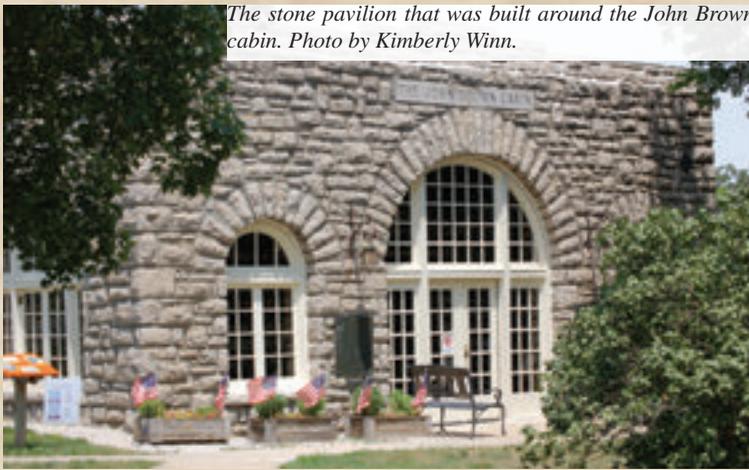
 Larry R. Baer is Legal Counsel for the League of Kansas Municipalities. He can be reached at lbaer@lkm.org or (785) 354-9565.

DID YOU KNOW?

by Kimberly Winn

Did you know that the Adair Cabin in Osawatometie still stands as a reminder of the turbulent beginnings of the Civil War? Reverend Samuel Adair and his wife, Florella, were peaceful abolitionists who came to Kansas and settled near Osawatometie, an abolitionist community and a center of conflict during "Bleeding Kansas."

The stone pavilion that was built around the John Brown cabin. Photo by Kimberly Winn.



John Brown cabin before stone pavilion was constructed around it. Photo from Kansas Historical Society.



The Adair Cabin was a station on the Underground Railroad and Florella's half brother, John Brown, used this cabin as his headquarters. The cabin survived the Battle of Osawatometie where John Brown and 30 free-state defenders fought 250 proslavery militia in 1856.

Today, the log cabin stands inside the museum at the John Brown Museum State Historic site. The site is operated in partnership with the City of Osawatometie and daily tours are available. For more information, visit the museum's Facebook page at <http://tinyurl.com/knq8gul>

"Tragic Prelude" painting by John Steuart Curry. Photo from Library of Congress.





Harnessing Big Data

Governments are beginning to investigate more innovative ways to address the public's needs. And one of the most promising is what many refer to as "big data." Early use of data mostly involved "open data" initiatives, where governments found existing data sets and released them for public use. These releases resulted in many positive societal effects. For example, in the 1980's the government published huge amounts of GIS data, which helped start the \$90 billion GPS industry, created millions of jobs, and gave us applications like Google Maps.¹ Posting government data is also a good strategy to increase transparency. Cities like Kansas City, Missouri have posted hundreds of data sets online, including departmental budgets, crime and pothole maps, and dangerous building scores.² This not only saves municipalities the time and cost of answering open records requests, but provides valuable information that private firms, nonprofits, and universities can use to deliver services and conduct research.

Governments are now beginning to move beyond open data into big data initiatives. Big data projects involve two steps, the first being the compilation of data into a uniform system. As the State of Indiana discovered, it requires a substantial commitment to overcome the difficulty of records being siloed in different agencies that use multiple systems. To consolidate that state's data into a single environment, state employees had to go through a time-consuming process that required determining which information was potentially useful and setting up a single data center for several branches of government.³ Some municipalities like the City of Lenexa, Kansas are getting a head start on data compilation by designing systems that automate centralization. Lenexa provides its citizens with a self-created 311 App that automatically sends their complaints to an internal database that can then be accessed by city employees. By prioritizing consolidation, Lenexa has made examining their data exponentially easier.⁴

The final step for using big data is extracting useful information from the compiled records. This can be difficult, but there have been some notable successes. One is the City of Buffalo, New York's Operation Clean Sweep program. For this initiative, officials go to different neighborhoods providing essential information about how to access available government, employment, and health care services. They also bring along teams to seal vacant homes, trim overgrown trees, mow lots, remove debris and graffiti, replace and repair street signs, and fill potholes. Neighborhoods are selected based on data collected by the City's 311 Call and Resolution Center, which shows the parts of the community that need the most attention. In 2012, the Clean Sweep Task Force conducted 27 sweeps and addressed issues at approximately 5,400 properties. Oswaldo Mestre, Jr., Director of Buffalo's Division of Citizen Services said the "program would not be offered to this level without the 311 data integration."⁵

Cities are also using data analysis to measure employee performance. For example, a couple years ago state officials in Kentucky were returning more than 300 inaccurate inmate fingerprints to the City of Louisville each month. Staff thought the software was incorrectly processing the fingerprints, but after looking at the shifts with the highest return rates, they realized that its employees had not received formal training in fingerprinting. The City decided to have at least

one trained technician present for every shift, resulting in 95% drop in the return rate. Louisville's success is a great example of how big data can be used to improve workplace performance.⁶

In Kansas, the Department of Wildlife and Parks (KDWP) has used data analytics to increase revenue. In 2009, this fee-based agency was facing budget shortfalls and needed to find new ways to generate revenue from hunting and angling licenses. The Department implemented SAS software to help make sense of 1.4 million records on file, which Chief of Fisheries Doug Nygren described as "just pieces of paper in a filing cabinet." The analysis uncovered an enormous pool of potential customers that the Department was missing each year. They discovered that youth had the fewest fishing licenses of any demographic, and designed a special \$40 youth license that's good until age 21. Thanks to these efforts, in three years the State's licensed anglers increased by 3,000 and Kansas collected \$3.8 million more in licensing fees.⁷

Ninety percent of the world's data has been created in just the last two years, and cities are only beginning to skim the surface of its potential.⁸ Local governments are now collecting data from sources like Twitter feeds and municipal tree inventories, and using it to predict code violations, create better road systems, and even control rat populations. We're still in the early stages of big data, but as its use increases, cities will likely see their operations continue to improve.

i Eggers, W., Hamill, R., and Ali, A. (2013, July 24). Data as the new currency. *Deloitte Review*, 13. Retrieved from <http://dupress.com/articles/data-as-the-new-currency/>.

ii <https://data.kcmo.org/browse?limitTo=datasets&utf8=%E2%9C%93&page=2>

iii Fiorenza, P. (2013, June 10). Big data insights from Indiana CIO Paul Baltzell [Web log post]. Retrieved July 24, 2013, from <http://www.govloop.com/profiles/blogs/big-data-insights-from-indiana-cio-paul-baltzell>.

iv Lenexa EST Develops Award-Winning "Lenexa 311" Free Service App. (2012). *Lenexa.com*. Retrieved July 19, 2013, from <http://www.lenexa.com/LenexaNews/Lenexa%20EST%20Develops%20Award-Winning%20Lenexa%20311%20Free%20Service%20App.html>.

v Napier, J.R. (2013, June 6). Buffalo Uses 311 Data to "Sweep" Neighborhoods. *GovTech.com*. Retrieved July 20, 2013 from http://www.govtech.com/technology/Buffalo-Uses-311-Data-to-Sweep-Neighborhoods.html?utm_source=twitterfeed&utm_medium=twitter.

vi Goldsmith, S. (2013, June 21). How Louisville is Using a Stat Program to Transform the Culture of Governance. *Governing.com*. Retrieved July 21, 2013 from <http://www.governing.com/blogs/bfc/col-efficiency-louisville-louiestat-performance-metrics-improvement-transform-government-culture.html>.

vii Danna, N. (2011, April 15). Kansas Hunts for New Fishing Revenue With Data Analytics. *GovTech.com*. Retrieved July 22, 2013 from <http://www.govtech.com/budget-finance/Kansas-Fishing-Revenue-Data-Analytics.html>.

viii <http://www-01.ibm.com/software/data/bigdata/>

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The Importance of Civic Engagement

Part 1: The Time for Transparency Is Now

By Kevin Lahner, ICMA-CM

Editors Note: This two part article appeared originally in *Public Management Magazine*

As this article was being written, the nation had just endured another negative political campaign cycle. An estimated \$6 billion is mostly negative advertising designed to drum up fear and anger against one side or the other was spent during the 2012 political campaigns.

Congress's approval rating was 21% in October 2012, and the President was thrilled to see his approval rating reach 50%. Similar, though slightly better, statistics can be found when rating the functions of state government bodies.

In this context, it is clear that Americans in general are fed up with the current political climate. The data is available through frequent public polling and media reports. Article after article cites the current political environment in Washington as a drag on our national economy. Unfortunately, many of us are seeing this anger directed at national political leaders trickle down to local political climates.

Political activists from both sides of the spectrum see the opportunity to influence decisions at a local level to demonstrate their political principles to their friends and neighbors. Tea Party Republicans are running for city and county boards demanding more fiscal responsibility, cuts in benefits, and reduced regulations. Labor activists running locally are seeking exactly the opposite. In this highly cynical and politically charged environment, it can make managing a city or county extremely difficult.

Many of us are seeing increases in public information requests, more political grandstanding at council meetings, conspiratorial letters to the editor, and inflammatory Facebook and blog posts. Some of this comes with the territory of the profession, but managers throughout the country are reporting these types of activities coming at a frenetic pace and with more vitriol than ever before.

Time for a New Approach

It is tempting to take the "duck and cover" approach when faced with this type of climate: Simply let the politicians fight it out and dutifully implement the policy decisions enacted by this new breed of political leaders. This may, however, be just the opportunity to do the opposite.

Instead of trying to duck the local political meltdown, managers may be best served by diving into discussions; opening up their organizations to inspections; and providing clear, concise, and understandable information to the residents they serve. In accordance with ICMA's code of ethics, we should not endorse one side or the other; however we can, and I would argue we should, use every tool possible to demonstrate our values to residents and other stakeholders.

As the public increasingly distrusts our national leaders, it is the perfect time to build trust with the local community and re-establish the value that we in the profession bring to communities.

Engage in Social Media

There are several ways to promote community engagement with a focus on transparency. Cities and counties throughout the country are leveraging new technologies to inform, educate, and bring new voices into the policy discussions. While there is still some hand-wringing about opening the door for criticism and providing forums for skeptics on a local Facebook page, if your local government is not leveraging these new tools, you are missing a huge opportunity.

Yes, there is some risk involved, but the long-term benefits of education, information sharing, and the opportunity to connect with residents who would never set foot inside a city hall or county building clearly outweigh the risk.

"If you are not doing this yourself someone is going to do it for you," says Andy Pedersen, a vice president of ICMA (International City/County Management Association) and village administrator, Bayside, Wisconsin.

As Pedersen points out, you can help shape and control the message about your community, or you can leave it up to the others who will start their own blogs, Facebook pages, and Twitter accounts

Photo by Flickr user Jason A. Howie.



to discuss the actions your community takes. It is important to note here, that rolling out these tools does take careful thought and should be driven by the policies and direction of elected officials.

Managing a Facebook page can tie up some resources, and take some time by staff to manage. It would, for example, be important that a posting from a resident providing a pointed criticism or misinformation be responded to quickly online and with the appropriate amount of tact. Sometimes, these things cannot be left up to techno-wizards.

Encourage Resident Involvement

In addition to leveraging technology, communities need to devote more time to opening up their operations and seeking input from their residents about policy choices, resource allocations, and revenue constraints. These efforts include such things as budget workshops, town hall meetings on planning issues, and citizen academies.

While the resources and time involved can be steep, the payback in terms of outreach, information gathering, and local perspective can be enormous. Recently the city I manage implemented a citizen budget partner's workshop program, where local residents not affiliated with any existing boards or commissions received an orientation and a series of budget presentations highlighting policy choices.

The feedback we received was enlightening for council members and many of the items shared at these meetings were incorporated into our budget and newly adopted strategic plan. At one meeting, one of the participants said: "I came in very skeptical of how this government was run. I am leaving amazed at how you guys do what you do." It took considerable willpower to keep the staff members in the room from standing up and cheering.

Again, careful thought must be put into how these sessions are constructed and implemented. Research shows that for most constituent groups, these meetings are the most successful if held in the evenings, if food is served, and if time limits are adhered to by the participants and staff.

It is also important to note residents do not want to feel like they are being steered into certain decisions nor do they appreciate meetings designed specifically with the predetermined end result in mind. This is sometimes difficult to do, especially if you think a particular outcome is the right way to go.

In most successful workshops and interactions, elected officials, city managers, and staff members check their egos at the door. As the Davenport Institute's Pete Petersen recently described at an ICMA conference workshop, one extremely important element of these types of workshops is that the staff and elected officials are listening and learning, not standing in front of the room holding court and answering questions.

More Tools for Transparency

Other successful transparency tools that are emerging in local governments include such things as performance dashboards, good examples of which can be found in places like Williamsburg, Virginia and Grafton, Wisconsin. The most important thing that these types of dashboards do is answer the age-old question, "What am I getting for my tax dollar?"

Data presented in an understandable and visually pleasing way goes a long way to answering this value question. It also provides clear and concise information for the local media, which can sometimes lead to a positive story about what a manager is doing

with resources or how the most recent cuts in state aid are being handled. Compared with the doom-and-gloom scenarios presented in late 2012 regarding the nations "fiscal cliff," the contrasts can be striking.

Going further, the City of Austin, Texas, posts an "Online e-Checkbook" that details nearly every expenditure the City makes. The system also allows residents to start online discussions on particular expenditures or departmental spending. Doug Matthews, Chief Communications Director for Austin, indicated that as one might expect the City's department directors did worry somewhat that pushing all their financial data out to the public would up the City to public criticism.

"As we are pushing more and more open data, that is one of the worries," Matthews says. "However, what we said was if you are doing things right, there shouldn't be an issue there."

The Austin experience has certainly been more positive than negative; members of the public actually identified gaps in data and informed city staff. It also leads to increased trust and confidence in city operations.

Plan Your Transparency Program

Some might be tempted to jump in with both feet and throw up a Facebook page and start tweeting away and call it a transparency program. Some careful thought and consideration, however, should be taken into account when it comes to these items. Here are six things to keep in mind:

1. Formulate a transparency plan based upon your available resources and the risk tolerance of your organization.
2. Make sure the governing body sets the tone for transparency initiatives and policies.
3. Develop a realistic budget for these activities.
4. Make sure your leadership team is on board and ready to contribute to the program.
5. Assign the right person to lead your transparency initiative.
6. Commit to the program as part of your long-term management plan.

Starting down the path to greater government transparency can be difficult. Organizations and governing bodies have different levels of risk tolerance, and it is important to not get in front of elected officials. It may also take some time and effort by the manager to formulate cogent arguments about why moving in this direction is a good thing.

Department heads also can sometimes get nervous about opening up their operations to outside examination and scrutiny. These factors, however, should not stop us as managers from taking this opportunity to demonstrate our value and hopefully re-establish trust in our local levels of government.

 *Kevin Lahner, ICMA-CM, is the City Administrator in Burlington, Wisconsin. He can be reached at klahner@burlington-wi.gov*

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The Importance of Civic Engagement

Part 2: 6 Practical Reminders for Leading Policy Implementation

By Matthew Fairholm and Taylor Gronau

It is good to remind ourselves that local government administrators are often put into a difficult position when councils, elected officials, residents, and courts interact during the making and implementing of local public policy. Our common forms of local government give definitive decision making to elected executives and legislators.

Residents are involved through the voting, referenda, or initiative processes as well as increasingly through interactions with the courts. Public administrators, however, find themselves squarely in the middle of these activities of democracy without any formal standing to make final public policy decisions. While their influence is real and powerful during the process of policy making, it is in reality only persuasive, not definitive.

At the end of the day, recognizing the integration of the legislative, executive, judicial, and residential elements of local policy making, and how public administrators interact with those elements, will improve the content as well as the process of making collective decisions in local contexts. Managers who commit to that collective process will be more successful in bringing communities together and navigating the demands of direct democracy efforts.

Policy making at the local level has become even more complicated with the increasing use of direct-democracy mechanisms (i.e., initiatives, referendums, recalls) where residents inject themselves personally, rather than through their elected representatives into the policy process. The courts, too, have never been absent from the policy process, but they have begun to play a more active role in local activities.

Managers must know how to recognize the causes and interests at play within potential conflicts and be able to encourage, design, and implement processes and relationships that resolve the conflicts without jeopardizing efficient, productive, and equitable delivery of services.

These issues are highlighted by the difficulties surrounding the paving of a short stretch of road in a small rural city. The case illustrates how residents, legislators, professional administrators, neighbors, and judges interact to influence the course taken by local government.

From this case, we glean lessons on the many actors involved in policy making and how managers may be able to exert appropriate and more effective influence.

Different Players, Different Interests

Among the items prioritized for city action and implementation was the improvement of a previously unpaved, unimproved half-mile section of road connecting a city truck route with a county throughway. The city council, city management, and local courts interacted in conjunction with direct resident policy involvement that included meetings, referenda, special elections, and court cases.

The combination of road location, state regulations, engineering requirements, and aesthetic concerns caused the cost of the improvement project to be relatively high. Some people were concerned about the cost, the need to condemn portions of a bluff with beautiful vistas of the surrounding area owned by private residents, and potential lighting pollution and other aesthetic considerations. Controversy, complaints, and conflict emerged.

The plan for the road dated back 40 years; however, little formal documentation existed regarding these plans, which caused the courts to eventually play a key role. Thirty years ago, the City and State cooperated in the design, engineering, and financing of the road.

Other priorities then became more important and this particular stretch of road was left on the plans but placed on the back burner, forgotten by many. When the time came to finally build the road, the City Council approved the funding and contracted for construction in what it believed were administrative actions.

The City, however, had changed during this 40-year period. Political and professional management were different and a general feeling of distrust, stagnation, and tension developed over time in the city.

Relatively little had been done to involve or inform the public regarding the project's implementation. Discussions in council and planning commission meetings and few local news articles on the street project amounted to the entire public-information campaign.

When the project started to take shape and landowners finally realized that some of their bluff property would be needed for the road improvement right-of-way, residents began to question the project. Although concerns about property rights and lighting pollution fueled some of the complaints, other concerns—whether real or imagined—about how the City hindered and discouraged resident involvement were the real fuel that kept the issue burning.

Residents filed their first referendum to stop the road improvement project, citing lighting pollution as the main reason. The vote never came to pass as the city attorney decided that the reason for circulating the light issue had previously been resolved by administrative action, which was the addition of an add-alternate for lighting (a change to the original plans that costs more but in this case would resolve concerns). Such action cannot, by law, be referred. The decision also cited that time already had expired to file a petition.

After the referendum was denied, the Council, upon advice from city management staff, approved the decision to condemn areas designated as road right-of-ways. Residents, however, circulated another petition to halt the project citing particular concerns with the condemnation procedures. The petition was filed, accepted, and the City scheduled an election regarding the condemnation procedures. The vote, however, was delayed by another court action.

Residents took the Council's decision not to accept the first referendum to court. A subsequent ruling directed the City to hold a special election to vote on whether or not the alternate decision made by the City should be approved.

Residents eventually voted on both issues brought by the two referendum petitions. The results validated the City's decisions and plans, and the road was finally paved. The courts remained involved in the process to oversee a mediation process between the City and local landowners.

Mistrust, poor relationships, and tension continue to characterize the political environment to this day. All told, the project took 40 years from conception to completion, with the last 4 years delayed by various resident-initiated elections and court actions.

Lessons Learned

Local government managers often find themselves faced with complex policy implementation projects that are further complicated by previous decisions of resident commissions, elected officials, direct-democracy efforts, and courts that are contrary to decisions of professional management.

Harmonizing efficiency with democracy becomes a real balancing act for administrators, especially at the local level. Did the project in this example need to take as long as it did? Did it need to be as contentious as it was? Here are six lessons learned that begin to help answer these questions.

1. No matter how efficient we may wish government to be, it isn't.

Managers need to remember that no matter how much emphasis the profession and the public places on our efficient running of government, our system is inevitably inefficient as the three branches of government interact. Although they are a part of the executive branch, public administrators must recognize their pivotal position in balancing the multiple interests and power sources at play so that something gets done in the running of the day-to-day activities of local government. Efficiency is the field's mantra; inefficiency is the system's legacy.

2. Professional planning is no substitute for a self-interested or aggrieved public.

Although public administrators pride themselves on professional planning skills, those skills become less important when residents see themselves harmed by those plans and call their elected representative.

Hiding behind strategic plans and professionally prepared budgets is not useful when councilmembers are up in arms due to a riled public. Astute managers, however, will involve the public in creative and substantive ways in the planning process to alleviate potential hindrances to implementation.

3. No matter how right a city's decision may be, it may still be wrong.

While professional planning and rational decision making is a mainstay in public administration, the public interest is not bound by it.

As active players in the world of governance, residents are not held to the same rational standards as bureaucrats. Perhaps, neither are players in the other three branches, with the possible exception of the judiciary.

Despite the fact that decisions make good sense, save money, meet the need, save time, even fulfill certain community standards, public decisions are political decisions. Local administrators must become accustomed to the political context in which decisions are made; rationality is not enough.

4. Sometimes the minority rules in local government.

Our system of checks and balances between branches and our tradition of civic engagement is designed to protect minority interests. At least, that is how it is supposed to work. Two main issues arise for local administrators.

Photo by Flickr user CMH-90.





First, they must create processes that allow minority interests to surface even in the face of powerful political majorities. Second, they need to realize that sometimes political majorities aren't powerful at all. Rather, the community clout is held by only a few.

The majority of political clout isn't always in the hand of the numerical majority. The small-city case discussed in this article is a prime example of how minority interests can suspend community decisions.

5. When push comes to shove, the judicial branch usually shoves the hardest.

Since the days of U.S. Chief Justice John Marshall, the courts have been able to flex their collective muscle in deciding issues in the public interest. Increasingly, local administrators need to understand the dynamics of legal recourse to community policy making.

The case illustrates how the courts can create a community standard about policy decision making, even though the legislative or executive branches believe they are acting appropriately (and legally). By declaring some issues as referable rather than administrative in nature, the court influenced the course of policy making and implementation.

A natural reluctance to push things in the courts due to constraints of time, money, and political will may give the courts significant impact on local policy making. As residents become more aware of options to influence policy that involve courts, administrators need to create processes that involve residents and decrease the chance of courts getting involved at all.

6. If you think you have involved the public enough, you haven't.

The most crucial lesson is that managers must involve the public in their day-to-day activities and that whatever involvement they promote is not enough. Managers

must not only involve the public, but also remind them frequently of their previous involvement, keeping the public moving forward on respective projects.

As discussions of social capital, direct democracy, and civic engagement increase in the public sphere, public administration must take its role in facilitating public discourse seriously. It may become the critical component of public administration in the future as it balances the branches of government and the citizenry in the policy-making and implementation processes.

At the end of the day, recognizing the integration of the legislative, executive, judicial, and residential elements of local policy making, and how public administrators interact with those elements will improve the contexts as well as the process of making collective decisions in local contexts. Is there a formula for ensuring policy responsiveness and policy acceptance?

Perhaps a partial answer for managers is to recognize that the job requires of them a firm grounding in the foundations of our constitutional system and recognition of the inevitable political context of their jobs.

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City Attorney

The City of Gardner is seeking Requests for Proposals for the position of City Attorney. This position is appointed by the Mayor with consent of the City Council. Gardner is a Mayor-Council form of government with a full-time City Administrator. The City Attorney serves at the will of the Governing Body. The City Attorney must be a licensed, practicing attorney in the State of Kansas. The City Attorney may be associated with a firm, but one individual will be identified for this position and will be accountable for the scope of services. For full posting information, please visit: <http://gardnerkansas.gov>

City Clerk

The City of Oswego, Kansas is seeking qualified applicants for the position of City Clerk. This is an administrative position with oversight responsibilities for the daily operation of the city. The City Clerk is responsible for payroll, accounts payables, accounts receivables, minutes of the City Council, personnel records, purchasing, records retention, financial accounting, budget preparation and monitoring of financial condition as well as numerous other duties as needed. Applicant must have supervisory/management experience, excellent communication skills, adapt well to change, have positive attitude, be proactive, self-directed and enjoy serving the citizens of Oswego. Applicant may be required to work closely with the mayor and council and appointed boards and committees of the city as needed and on special projects. Salary will be based on qualifications and experience. An application and complete job description are available at City Hall, 703 Fifth Street, Oswego KS 67356, at www.oswegokansas.com or call 620-795-4433. Applications must be received by September 3, 2013. Submit cover letter, resume and 3 references to City Clerk, P O Box 210, Oswego, Kansas 67356, or e-mail tocpeine@oswegoks.com.

City Manager

The City of Burkburnett, Texas, is

seeking a new City Manager. The City has a population of over 10,800, is located in North Texas, and is just 10 minutes from Wichita Falls, 40 minutes from Lawton, Oklahoma, and two hours from Dallas or Oklahoma City.

Burkburnett is a home-rule municipality with a Council-Manager form of government. The City Commission consists of a Mayor and six Commissioners, elected at large and serving staggered two-year terms with a limit of five consecutive terms. Appointed by the City Commission, the City Manager is the chief administrative officer of the City and is responsible for directing all administrative operations of the City. The City Manager oversees a budget of \$11.4 million and a workforce of 72 full time and 6 part time employees. Departments that report directly to the City Manager include Police, Fire (Volunteer), Public Works, Parks & Cemetery, Library, Finance/Human Resources, City Clerk, and Economic To view a complete position profile and online application instructions, visit: www.governmentresource.com/pages/CurrentSearches

For more information on this position, please contact: Chester Nolen, Senior Vice President Strategic Government Resources Chester@GovernmentResource.com

City Manager

The City of College Station, Texas, is seeking a new City Manager. The City has a population of nearly 100,000, is located in Central Texas, and is within a three-hour drive of Austin, Dallas, Houston, and San Antonio.

College Station is a Home Rule city with a Council-Manager form of government. The City Council consists of a Mayor and six City Council members, elected at large and serving staggered three-year terms. The City Council appoints the City Manager who serves as the chief administrative officer and oversees the day-to-day operations of the organization. College Station has more than 900 employees and the fiscal year 2013 budget is approximately \$253 million.

Bachelor's Degree in public administration, business administration or a related field and 8-10 years of progressively responsible experience as a city manager or assistant city manager in a community with similar characteristics is required. Master's Degree preferred. Experience with special districts including municipal management districts, tax increment reinvestment zones, and mixed-use zoning districts is desired. Experience in the private sector is a plus, as is professional experience in Texas.

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For more information on this position, please contact: Tom Muehlenbeck, Senior Vice President Strategic Government Resources Tom@GovernmentResource.com

Comptroller

The McPherson, Kansas Board of Public Utilities (BPU) is seeking qualified candidates for the position of Comptroller. Bachelor degree in accounting with a current CPA license is required. Complete job posting and contact information may be viewed at www.mcpbpu.com Applications will be accepted thru August 30, 2013

County Auditor

Johnson County in Olathe, Kansas is seeking applicants for County Auditor. Johnson County, with an operating budget of \$842.7 million and Aaa/AAA bond rating, is one of the nation's premier counties, providing comprehensive services to citizens in its role as a leading organization in the KC metropolitan area.

The position serves as Principal Officer of the Audit Services Division, reporting to the Board of County Commissioners. The County Auditor is a key participant in divisional and organizational strategic planning and provides internal guidance to departments/agencies of the County.

For information and to apply, visit <http://hr.jocogov.org/jobs-available>. Closes 8/23/2013.

Development Director.

Bachelor's Degree in public administration, business administration or a related field and five or more years of stable and progressively responsible experience in local government. Master's Degree preferred. An extensive track record of success in city management may substitute for educational credentials. Previous City Manager experience is desired, but experience as a senior executive in a comparable or larger city will be considered. Direct experience in economic development initiatives, financial management, and human resources is preferred.

Director of Public Works

City of Atchison, KS, pop. 11,021, located 40 miles NW of Kansas City is accepting resumes for the position of Director of Public Works. The City has a \$19M budget and 107 employees. Appointed by the City Manager, the Director of Public Works is an exempt employee and provides leadership, planning, scheduling and supervision of street, solid waste, fleet maint., parks and watershed dams to the organization. The ideal candidate will have a strong background in public works administration, excellent organization, administrative and communication skills, with more than 5 years experience in a similar or related position. Master's degree preferred or an equivalent combination of training and experience. More details can be found at www.cityofatchison.com. Annual salary range: \$54,517-\$75,358. Apply by sending resume, cover letter, salary history, and five professional references to Lori Moore, Director of Human Resources, City Hall, 515 Kansas Ave., Atchison, KS 66002, 913-367-5507. EOE/AA Resume review will begin 8-9-13. Position open until filled.

Questions or billing contact: Lori Moore, 913-367-5507 or lorim@cityofatchison.com

Executive Assistant (Spring Hill City Hall)

Under the direction of the City Administrator, performs highly responsible, confidential, complex clerical, technical and administrative support functions of broad scope for the City Administrator, Mayor, City Clerk and Administrative Services/Finance Director. Thorough knowledge of advanced secretarial and office management practices and procedures. Ability to work in a rapid pace work environment, handle multiple priorities and projects to meet deadlines. Ability to communicate effectively, verbally and in writing with managers, employees,

City officials and the general public. Above average computer and customer service skills required and experience working in a City municipality a plus. This is a full time position with regular hours from 8 am to 5 pm M-F, salary based on experience. Applicants may apply in person or by mail, submit applications to: Keith Thomas, City of Spring Hill, 401 N Madison, P.O. Box 424, Spring Hill, KS 66083-0424 or fax to 913-592-5040. EOE

Finance Director

Salary: \$80,267– \$100,334 (DOQ) + excellent benefits. Minimum Qualifications: Bachelor's Degree in finance, accounting, or a closely related field; and 5 years of continuous and progressively responsible experience in local government finance, accounting, or budgeting; and valid driver's license at time of application. This position reports directly to the City Manager and directs and coordinates the varied functions of the Finance Department. This position performs a variety of complex supervisory, professional, and technical accounting and finance functions in maintaining the financial records and systems of the City; is responsible for the planning, developing, and maintaining the accounting and budgetary processes for the City to include the City's operating and capital budgets; and is responsible for the oversight of all financial operations, including accounts payable, payroll purchasing, cash and investment management, and financial reporting. Interested applicants may apply in confidence by sending a cover letter, resume, 3 references and completed City employment application to Lona Lanter, HR Director, 100 N. 5th Street, Leavenworth KS 66048. Deadline for submission of applications is August 30, 2013. For a detailed position description and City application, please visit the City's website at www.lvks.org and click on employment opportunities. EOE/AA.

Fire Chief

Salary: \$74,446– \$93,058 (DOQ) + excellent benefits. Minimum Qualifications: Bachelor's Degree or 120 hours of undergraduate credited college course hours with major course work in fire science, public administration, or a closely related field; and minimum of 10 years of firefighting experience, in an organized fire department of comparable size, to include progressively responsible command or supervisory experience with a minimum experience of 5 years of command, administrative and supervisory responsibility as a Fire

Suppression/Shift Captain, Battalion Chief or above; and must possess a valid state driver's license without record of suspension or revocation in any state at time of application. This position reports directly to the City Manager and plans, directs and reviews the activities and operations of the City of Leavenworth Fire Department including fire suppression, prevention, technical services and administration in order to prevent or minimize the loss of life and property by fire. Interested applicants may apply in confidence by sending a cover letter, resume, 3 references and completed City employment application to Lona Lanter, HR Director, 100 N. 5th Street, Leavenworth KS 66048. Deadline for submission of applications is August 30, 2013. For a detailed position description and City application, please visit the City's website at www.lvks.org and click on employment opportunities. EOE/AA.

Police Chief

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

Public Safety Director

Nevada, IA (pop. 6798) is seeking a Public Safety Director; managing both Police and Fire Departments. ILEA, FEMA Incident Command Certification, and Fire Instructor 1 Certification within a year. 7 years police w/ 3 years supervisory experience required. Competitive salary, paid vacation and health insurance benefits. Job detail and application can be found at www.cityofnevadaiaowa.org. Submit cover letter, application, resume, and salary requirements to City Administrator, PO Box 530 Nevada, IA 50201 by September 6, 2013.



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Moler's Musings

200th
by Don Moler

Public Service



Earlier this month, wife Judy and I found ourselves with some free time and ended up in Springfield, Illinois after the conclusion of my 40th high school reunion. Judy's family has a deep and rich history in that community which is not only the capitol of the great State of Illinois but also the final resting place of President Abraham Lincoln. It is perhaps fitting that we were visiting the Lincoln Presidential Library and Museum in the very month in which there were remembrances of the 150th anniversary of the seminal battle of the civil war, Gettysburg, and of the immortal Gettysburg Address which was presented by President Abraham Lincoln.

The Gettysburg Address, which is enshrined as one of the great speeches of all time, ran less than 300 words. As an interesting aside, President Lincoln wasn't even the featured speaker that day at Gettysburg. The featured speaker was Edward Everett, a great orator of his time, and his speech at Gettysburg ran over two hours. He spoke before the President, and the official photographer for the event was still setting up his equipment when the President concluded his brief remarks and sat back down. Thus, no photographs exist of this speech which has resonated through the ages. The new Lincoln library and museum, which was opened in April of 2005, is simply a wonderful place to experience and learn about the Lincoln presidency and the civil war.

Abraham Lincoln, as many of you will probably know, engaged in a series of historic debates while running for Senate against Stephen Douglas. There were seven of the Lincoln-Douglas debates, as they became known, which took place all over the State of Illinois in the late summer and early fall of 1858. Of the seven debates that were held, one of them was held on September 18, 1858, in my hometown of Charleston, Illinois. Growing up in Illinois one experiences numerous encounters with the Lincoln legacy, and thus the state slogan: "Land of Lincoln." So, my interest and love of Abraham Lincoln dates back to my childhood.

As it turns out, Judy, whose maiden name is Enos, has family ties to various colorful and important historic figures throughout the history of this country. In this instance, the interesting connection is that her forebears were prominent citizens of Springfield, Illinois, and were friends of the Lincolns. There is a park, a street, and an elementary school named after them. It is noted in the book *Following in Lincoln's Footsteps* by Ralph Gary that "on December 13, 1860 Lincoln attended the wedding of his friend, the honorable O.M. Hatch, Illinois Secretary of State, to Miss Enos at the Enos house at the Northwest corner of 7th and Enterprise." The central figure in the story I am about to relate is Salome Paddock (Enos). She was married to the first Pascal Paul Enos and her son was Zimri Enos. She is known in the literature as Mrs. Pascal P. Enos. According to the book *Past and Present of the City of Springfield and Sangamon County Illinois*, by Joseph Wallace, published in 1904, it is written that: "Mr. Enos gave to the county

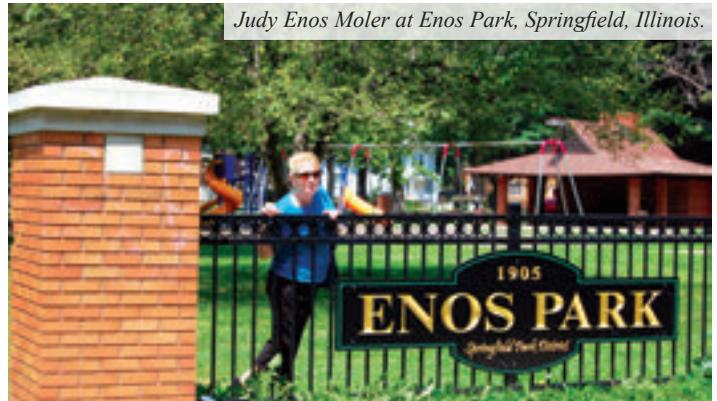
of Sangamon property which today is worth three million dollars, part of which is the three blocks fronting the east, west and south sides of the public square. When the state capitol was moved to Springfield in 1837, Mrs. Enos gave to the city, so that the city could donate to the state for the erection of the capitol building, the present public square. Mrs. Enos and children gave the ground on which to erect the Chicago & Alton depot. They also gave the large tract of land now embraced in the grounds of the Lutheran College. In donations of property and efforts to promote the growth and welfare of the city, the family easily rank facile princeps." (editors note: Latin for "easily first") Mrs. Enos also donated the land on which Lincoln's tomb is now located. Perfect examples of public service rendered by private individuals.

What this brings to mind, in all of these derivations, is the importance and calling to public service. We find in looking at Gettysburg that thousands gave their lives for a public cause they believed in. Somewhere between 46,000 and 51,000 soldiers from both armies were casualties in the three day battle at Gettysburg—July 1 to July 3, 1863. Certainly the calling of those individuals to their public service cannot be overstated given their sacrifice on those three bloody days in July 150 years ago this month.

Also, when thinking about Abraham Lincoln, his public service, and the ultimate sacrifice that he made for this country while carrying out his duties as President, cannot be underestimated. The simple fact of the matter is that public service, in all of its forms, remains one of the highest callings one can undertake. While public service is denigrated by those who don't really understand the purpose for or need of public service, it remains a simple truth that finding a communal good is necessary and positive to allow a society to grow and thrive. People serve in public service because they believe in what they are doing, and because they believe they are doing something for the greater public good.

One only has to look around at the communities of Kansas, and across this great country, to see what everyday public servants are doing to make the lives of the citizens in their communities better. While public service, especially in an age of 24/7 news cycles, instantaneous commentary, and hidden online bloggers, can make public service challenging, I would suggest that public service remains a high and important calling. I would like to congratulate all of you on your service, and would urge you to remain strong and positive as you move forward doing the people's work.

Judy Enos Moler at Enos Park, Springfield, Illinois.



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“WHY STUDY
THE STARS?
they all look
THE SAME TO ME.”

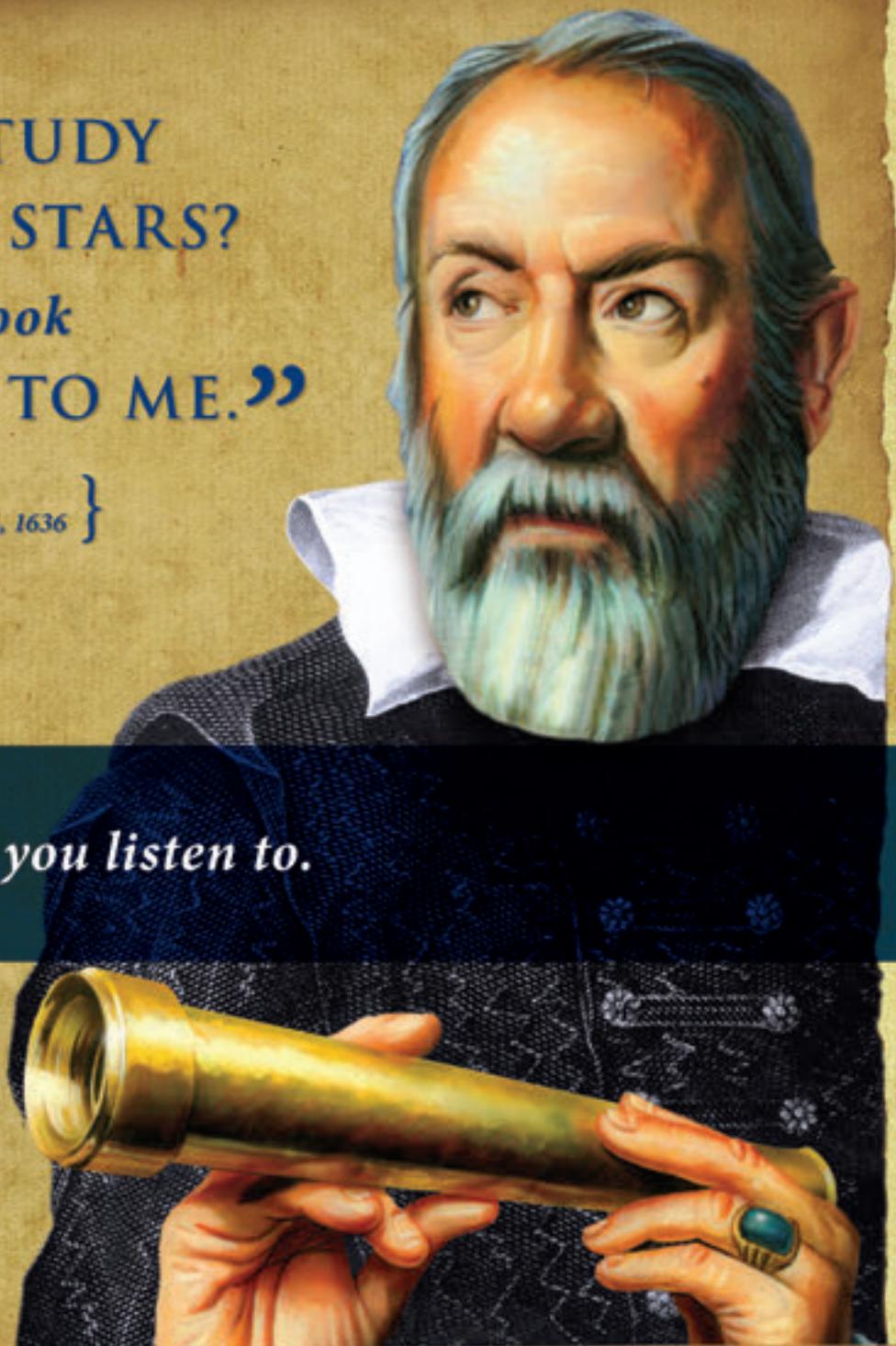
{ *Apprentice to
Galileo Galilei, 1636* }

It matters who you listen to.


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The choice of a lawyer is an important decision and should not be based solely on advertisements.