

# Kansas

GOVERNMENT JOURNAL

VOLUME 99-NUMBER 9

SEPTEMBER 2013



## **Inside:**

**Topeka Mural Project**

**New Iola Playground**

**Old Theatres Fight to Stay Open**

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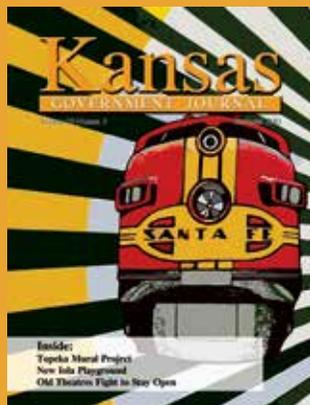
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About the Cover:  
*Part of a Topeka mural project. Original artwork was by Jamie Colon. Read more about the murals on page 264.*

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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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## 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

## November

- 6 - Regional Supper, Beloit
- 7 - Regional Supper, Pittsburg
- 8 - MLA; Civility and Public Service (core), Russell
- 9 - MLA; Civility and Public Service (core), Eureka
- 11 - Veteran's Day
- 20 - Regional Supper, Lenexa
- 21 - Regional Supper, Marion
- 28 - Thanksgiving Day

## Obituaries

**John R. Eyer**, 60, died May 7th in Salina. Eyer served 12 years as a Washington County Attorney and also served as a district magistrate judge for Republic County. He was a member of the Belleville Masonic Lodge No. 129 AF & AM, Kansas Bar Association, Kansas District Magistrate Judges Association, and Belleville Housing Authority; was a former member of the Kansas County Attorneys Association, Kansas Criminal Defense Attorneys Association, and Belleville Public Library Board.

**Douglas Lancaster**, 73, of Overland Park, died May 30th. He graduated from The University of Kansas with a bachelor's degree in business and obtained a juris doctorate from the University of Kansas School of Law.

Lancaster practiced law in Johnson County for 47 years, including serving as president of the Johnson County Bar Association and as a member of its Ethics Committee. In addition, he was a prosecutor for Fairway for 34 years and a member of the Kansas Bar Association.

**Stanley Benton Stewart**, 59, of El Dorado, died at his home on July 25, 2013. He was born March 30, 1954, in Tribune, the son of Benton and Mary Mae Stewart. He graduated from Greeley County High School and Emporia State University (Summa Cum Laude) before earning a Master of Public Administration in Urban Management at the University of Kansas. On July 31, 1976, he married his high school sweetheart, Wanda. In Sterling he became the youngest city manager in Kansas, where he served for three years. After five years in Abilene, he served as City/County Manager of El Dorado for 19 years.

Among numerous posts, Stan served as President of the Kansas Association of City/County Management, which awarded him with the Buford Watson, Jr. Award for Excellence in Public Management in 2001.

# LKM 2013 Annual Conference

## Hotel Accommodations & Reservation Procedures

October 12-14 • Sheraton Hotel & Overland Park Convention Center • Overland Park

### Sheraton Overland Park Hotel\*\*

6100 College Blvd  
Overland Park, KS 66211  
913.234.2100  
Rate: \$137 + tax per night  
Cut-off date: September 21, 2013

\*\*Sheraton requires a non-refundable deposit equal to one night's stay in order to secure reservations.



### ADDITIONAL ACCOMMODATIONS

Chase Suite Hotel  
6300 W 110<sup>th</sup> Street  
Overland Park, KS 66211  
913.491.3333  
\$119 + tax per night  
Cut-off date: 9/13/2013

Courtyard by Marriott  
11001 Woodson Ave  
Overland Park, KS 66211  
913.317.8500  
\$109 + tax per night  
Cut-off date: 9/20/2013

### 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.

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### 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.



## Governor Announces Grants for Crime Reduction

Kansas Governor Sam Brownback announced the grant recipients of the 2014 Federal Edward Byrne Memorial Justice Assistance Grant (JAG) program. Local and statewide criminal justice agencies and support organizations will receive \$2,865,208 for their criminal justice projects.

“Kansas has an impressive network of agencies and organizations committed to making our state a safer place to live, work, and raise a family. JAG funding helps strengthen their partnership for safe communities and enhance the state’s capacity to prevent, solve and control crime,” Governor Brownback said.

The Kansas Criminal Justice Coordinating Council (KCJCC) oversees the criminal justice federal funding made available to Kansas through the U.S. Department of Justice, Office of Justice Programs, and the Bureau of Justice Assistance. The KCJCC includes the Governor, Attorney General, Supreme Court Chief Justice, Corrections Secretary, Superintendent of the Kansas Highway Patrol, Juvenile Justice Authority Commissioner, and Kansas Bureau of Investigation Director.

“These grants will help improve public safety and provide critical assistance to victims of crime,” Attorney General and KCJCC Chair Derek Schmidt said.

Entities eligible for JAG grant awards include units of state and local government, Native American tribes, and nonprofit, community, and faith-based organizations. JAG funds are intended to support:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs

## KDHE to Present Workshop on Brownfields Program

The Kansas Department of Health and Environment (KDHE), with Fort Scott/Bourbon County Riverfront Authority, the City of Chanute, and the City of Ottawa, will host a workshop on Thursday, October 3, to assist communities in redeveloping brownfields properties. This all-day workshop will begin at 9 a.m. in the Alliance Room at the Memorial Building, 101 S. Lincoln in Chanute and will provide information related to the recently awarded federal Brownfields Assessment Coalition Grant. The workshop will also help attendees identify additional state, federal, and other financial and technical resources to address environmental and redevelopment issues for communities.

Brownfields, as defined by the U.S. Environmental Protection Agency (EPA), are “real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential

presence of a hazardous substance, pollutant, or contaminant.” Often it is the perception of contamination that keeps properties from being redeveloped. The mission of the Kansas Brownfields Coalition is to empower coalition communities and other stakeholders involved with economic redevelopment to work as partners in order to redevelop brownfields properties.

Workshop attendees often include local government, community groups, non-profit organizations, real estate developers, commercial real estate brokers, lenders, regional economic development agencies, consultants, and others interested in financial resources for local redevelopment. Attendees will learn how to put brownfields back into use to decrease blight, create jobs, generate additional tax revenue, save municipal cost, and spur economic development in the surrounding area.

## Kansas Sees Increase in Job Vacancies

Job vacancies in Kansas rose 5.5% in the second quarter of 2013 from the same period last year, and state officials say the increase is a sign of an improving economy.

The state Department of Labor reports nearly 38,000 jobs remained vacant during April, May, and June, compared with about 36,000 during the second quarter of 2012.

The state had 2.8 vacancies for every 100 jobs in the second

quarter this year, compared with 2.7% during the same period last year. Labor Secretary Lana Gordon says the slight uptick shows that employers are confident enough to add workers.

The report also says the number of unemployed Kansans for each vacancy was 2.2 in the second quarter, down slightly from 2.5 a year earlier.

## Kansas Wheat Planting Begins, Corn Harvest Continues

Kansas farmers have started planting their winter wheat crop at the same time the state’s corn harvest has barely begun.

The National Agricultural Statistics Service reported that 5% of the state’s winter wheat has now been planted. That’s about the same as last year in mid-September and close to the 6% average.

But the Kansas corn harvest is getting an unusually late start because planting was delayed by wet spring weather.

The report says only 8% of the corn has been harvested, compared with about 50% at the same time last year.

In a normal year, at least 24% of the corn would have been cut by this late in the season.



## Edwin Hale Bideau III (R - 9) 1950 - 2013



**E**dwin Hale Bideau III died on September 5, 2013, in Chanute, Kansas.

He was born in Chanute on October 1, 1950, to Edwin H. Bideau Sr. and Beverly Semon Bideau, the grandson of Edwin H. Bideau and Marie Burris Bideau and Adam and Edna Fairbanks Semon, and the great-grandson of George K. and Jennie Bideau and Frank B. and Elizabeth Burris, all of Chanute.

A fifth-generation Kansan, Ed's family came to the Chanute area as early day pioneers and this family heritage was extremely important to him.

He was raised in Chanute and, after graduating from Chanute High School and Neosho County Community College, attended Washburn University in Topeka where he met his wife Margaret Fritton and received a business degree and then a law degree.

He was the Vice President of the Sigma Phi Epsilon fraternity at Washburn. The day after passing the bar exam, Ed and Margaret moved back to Chanute so he could serve as Assistant Neosho County Attorney and Margaret could start teaching 1st grade at Alcott School.

In 1976 he was elected as County Attorney for Neosho County, a position he served in for 8 years. In 1984, he was elected to the Kansas House of Representatives. He was the Chair of the House Reapportionment Committee and also chaired a subcommittee that produced the very first Division of Assets bill to help protect the elderly.

He temporarily left the legislature after two successful terms to spend more time with his family.

Over the next 25 years, he and his brother David continued to build a successful law practice. He also continued to work for the community as a Deacon and Elder of the First Presbyterian Church, as an Assistant Scoutmaster where he graduated four Eagle Scouts in the same year, and served on various boards such as the Eastern Kansas Oil and Gas Association.

In 2012, he was again elected to the Kansas House of Representatives and served on several committees, including a return to the Judiciary Committee.

In addition to his public accomplishments, he quietly and privately helped countless people in his community, most notably children, persons with disabilities, and those serving in the military. In addition to his business career, Ed had many hobbies and interests. There wasn't a topic in the world he didn't enjoy talking about. He was most actively engaged in farming and ranching life and thoroughly enjoyed teaching his family to shoot, fish, hunt, and farm.

His wife, children, or grandchildren almost always accompanied him in the truck on the way to the farm. He also had a deep love of music, including playing the guitar and banjo for the Tioga Township Dixieland Jazz Band, which he and his father co-founded to preserve the heritage of Dixieland Jazz, and which raised thousands of dollars for local charities.

His family was always Ed's first priority. The most important imprint that he leaves on this earth is reflected in those family members who survive him: his wife Margaret; son Scott Bideau, his wife Shelley and their children Ethan and Chloe; daughter Sarah Cott, her husband Kyle and their children Hannah and Carson; daughter Jennifer Bideau; aunt Betty Bideau Crawford; and brothers David Bideau and Brian Bideau.

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# Topeka Mural Project

by Phil Anderson

A grassroots mural project that is bringing new life to neighborhoods in the capital city has received \$10,000 in funding through the Kansas Creative Arts Industries Commission.

The formal announcement was made Thursday by ARTSConnect Executive Director Sarah Carkhuff Fizell.

The funding, which will include \$10,000 in matching funds — money that already has been committed — brings the total grant amount to \$20,000, ensuring the Topeka Mural Project will continue moving forward.

The Topeka Mural Project is a partnership between ARTSConnect, the Topeka Police Department, Safe Streets, and Downtown Topeka Inc.

“This project is a perfect example of collaboration between public and private entities which will result directly in safer and more beautiful neighborhoods in the short term — and a more economically robust city in the long term,” Fizell said in a prepared statement. “This grant funding is critical to ensuring that the Topeka Mural Project touches all corners of our city.”

“It is our hope that the entire community will embrace this project and that it can become an example of how the people in our city really can make a difference one brush stroke at a time.”

The concept for the Topeka Mural Project was announced in February by police Lieutenant Joe Perry, who said the plan was for murals for areas that had been hit hard by crime, including graffiti.

Borrowing from similar efforts in other cities, the program’s goal was to reduce crime in the neighborhoods while enlisting community pride and ultimately bringing new businesses and growth to the areas.

The first mural was painted in June at N.E. Seward and Lake in Oakland. Local artists came up with the mural designs, and neighborhood residents turned out to help with the painting.

Several local companies, including Lowe’s, donated supplies.

The next mural project is planned for the Avondale East NET Reach Center at 455 S.E. Golf Park Blvd. in the city’s Highland Crest neighborhood.

Partners in this effort include Topeka Unified School District 501, NET Reach–High Crest West, and the Community Resources Council.

“The Topeka Mural Project is an example of an innovative and creative solution to reducing crime and revitalizing neighborhoods,” Perry said. “This grant ensures the long-term success of the project, and we are excited to watch neighbors become friends and our community become an even better place to live.”



photos provided by cjonline.com



Organizers are exploring the possibility of offering microgrants to other organizations interested in creating murals in their neighborhoods. An application process and more information will be forthcoming.

Other sponsoring partners currently include the City of Topeka, Burlington Northern Santa Fe, Lowe's, and Warehouse 414.

Anyone interested in submitting designs for the Avondale East mural project, or in contributing financially, may email Fizell at [sarah@artsconnecttopeka.org](mailto:sarah@artsconnecttopeka.org) or donate online at [www.artsconnecttopeka.org](http://www.artsconnecttopeka.org).

Individual donations and corporate partnerships are being sought.

 *Phil Anderson is a Reporter for the Topeka Capital-Journal. He can be reached at [phil.anderson@cjonline.com](mailto:phil.anderson@cjonline.com). Reprinted with permission from the Topeka Capital-Journal online website [cjonline.com](http://cjonline.com).*



# Inman is Building Community

by Randy Fogg



*Photo of proposed Inman Community Building.  
Photo provided by The Ledger.*

## Inman Council OKs Constructing Community Building

**I**nman is going to get a new community building. Members of the Inman City Council hired Jerrold Toews, of Inman, and Cottonwood Construction to build the proposed building. Fuqua Construction, of Inman, has also been involved with the project. The decision was made during a special meeting Monday, January 28 at the city office.

"It's a positive for Inman," Inman Councilman Jim Toews said. "It can hold decent sized community events."

The new building will be constructed where the shelter house is located, on the west side of the City Park. Work on the new building is expected to start in the spring.

The city's current community building is at 201 N. Locust.

The new community building will be 50 ft. by 80 ft., giving it 4,000 sq. ft. of space.

A key feature of the building will be an open pavilion on the east side of the building. The pavilion will be 20 ft. by 75 ft.

"This will give us a lot of room," Toews said.

The community building should be able to seat 235 people.

A local architect will now complete the final drawings for the project, Toews said.

Officials anticipate the new building will roughly cost the city \$535,000. However, Toews noted there could be changes and possible add-ons to the building that could change the final cost.

This building should benefit local businesses, Toews said. The new building should be large enough to allow Pleasant View Home to host various health care related conferences.

While not having a vote on the issue, Inman Mayor John O'Brien said he supported the idea of a new community building.

"I think it's necessary," O'Brien said.

Toews said the only thing the city will bring from the old building to the new one is the large natural gas grill.

At their last regularly scheduled meeting, council members had

approved a motion to get the architectural plans done and put the project out to bid, and to construct the building if the price was feasible. Toews had missed the meeting, but he had left a written note stating his support to move forward.

Toews said he did not think the City could find another company that could construct the building for a lower amount. He wanted the City to move forward with the project using Cottonwood.

The proposed building should be large enough to serve the city for the next 40 years, Toews said. He added that there was enough space at the park to add on to the building in the future.

Toews said council members expressed an interest in building a covered picnic area in the park in the future to replace the shelter house.

## Inman Officials Give Residents Reminder About Recycling

Recycling efforts have been going well in Inman, and Inman City Clerk Barb Tuxhorn would like to encourage residents to keep recycling.

McPherson Area Solid Waste Utility (MASWU) provided Inman residents with a blue recycling cart when the program started November 16, 2012.

"It's doing well," Tuxhorn said. "It's worth the time."

"They're (MASWU) very happy with how it's going," she added.

Since it started, MASWU staff has estimated that 25 to 30% of Inman's trash has been diverted as recyclables.

"Thank you Inman, for your wonderful response," Tuxhorn said. "Everyone makes a difference."

Previous to MASWU starting its program, the City of Inman had several large containers set up at Elm and Morgan for residents to get rid of recyclable materials. It was staffed a few hours a week.

Curbside recycling allows customers to place their recyclable materials into the blue cart without sorting or bagging, Tuxhorn said.

She noted that the city office still receives calls from residents asking what items can be recycled.

These items - once cleaned and rinsed - are acceptable:

- Newspaper (solid or shredded);
- Magazines;
- Office paper;
- Junk mail;
- Cardboard;
- Paperboard or chipboard (cereal or cake boxes);
- Paper bags;
- Phone books;
- Plastics #1-7 (milk jugs, plastic tubs, beverages or detergent bottles);
- Glass bottles of all colors;
- Aluminum; and
- Steel or tin cans.

Labels can remain, but caps and rings should be removed from bottles, Tuxhorn said. Tin lids should be placed inside smashed container, she added.

Cardboard that will not fit into a resident's blue cart can be placed in the large white roll-off container at the old recycling center at Elm and Morgan. There are also three green recyclable containers at that location for out-of-town residents who want to recycle, Tuxhorn said.

There are several items that cannot be recycled:

- Styrofoam;
- Trash;

- Automotive product bottles;
- Cardboard milk containers;
- Construction or gift wrap paper;
- Drink boxes or pouches;
- Hanging folders;
- PVC pipes;
- Paper plates, cups or towels;
- Kleenex or tissue paper;
- Scrap metal; and
- Window glass or mirrors.

The recyclable carts are picked up every other Friday. Tuxhorn noted that residents should remember to get their carts to the curb before 6 a.m. on pick-up day.

Also, Tuxhorn wanted to remind residents that carts should be at least three feet apart to allow the automated truck room to pick them up.

"Residents are not required to recycle, but it helps protect our environment and avoid landfill costs," Tuxhorn said.

Anyone with questions regarding curbside recycling should contact the City of Inman at (620)585-2122.

 *Randy Fogg is the Editor at The Ledger. He can be reached at [ledg@mtelco.net](mailto:ledg@mtelco.net). Reprinted with permission from the February 7, 2013 and July 4, 2013 issues of The Ledger.*

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# LANSING HISTORICAL MUSEUM AND THE UNIVERSITY OF SAINT MARY RECEIVE NATIONAL ENDOWMENT

by Laura L. Phillippi and Dr. Bryan Le Beau

## CREATED EQUAL: AMERICA'S CIVIL RIGHTS STRUGGLE

These four films illustrate the majesty of the civil rights movement: Millions of ordinary brave Americans rose up, said 'no more,' and changed the nation forever."

—Gwen Ifill

The Abolitionists ❖ Slavery by Another Name  
The Loving Story ❖ Freedom Riders



"Created Equal" is part of the *Bridging Cultures* initiative of the National Endowment for the Humanities, produced in partnership with the Gilder Lehrman Institute of American History to encourage public conversations about the changing meanings of freedom and equality in America.



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For programming resources and ideas for screening these films in your community, go to [www.neh.gov/created-equal](http://www.neh.gov/created-equal)

Civil rights in the United States is an integral part of all levels of government. To commemorate the 150<sup>th</sup> anniversary of the Emancipation Proclamation, a seminal moment in civil rights history, the National Endowment for the Humanities (NEH) launched the initiative *Created Equal: America's Civil Rights Struggle*. This initiative uses the power of documentary films to encourage community discussion of America's civil rights history. The NEH has partnered with the Gilder Lehrman Institute of American History to develop programmatic and support materials for the host sites, which includes the Lansing Historical Museum.

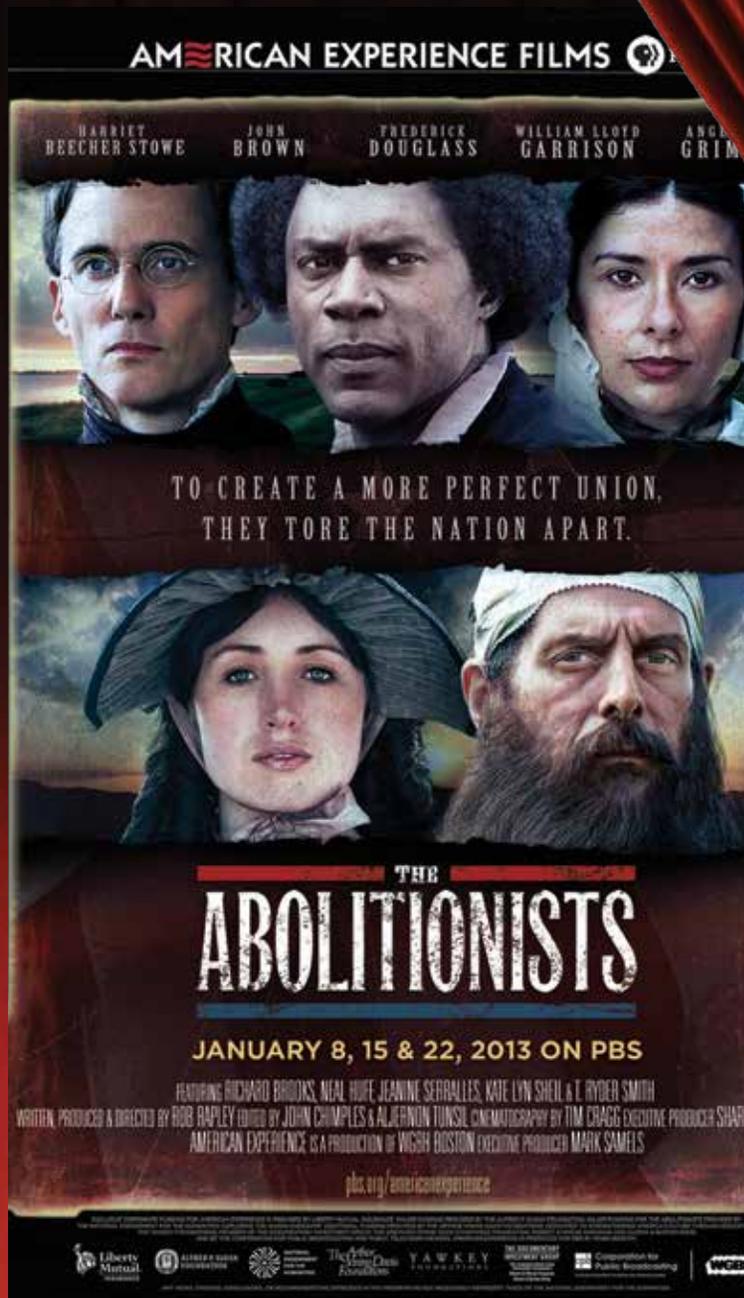
The Lansing Historical Museum is one of 473 institutions across the country chosen to present a set of four films chronicling the history of the civil rights movement and programming stipend. The documentaries—*The Abolitionists*, *Slavery by Another Name*, *Freedom Riders*, and *The Loving Story*—include dramatic scenes of incidents in the nation's 150-year effort to achieve equal rights for all. *Freedom Riders* received an Emmy in 2012, and *The Loving Story* and *The Abolitionists* have been nominated for Emmys in 2013. The award also includes a grant supporting programs to be offered with each documentary showing.

The Lansing Historical Museum (LHM) is partnering with the University of Saint Mary in Leavenworth on this project. Dr. Bryan Le Beau, professor of history and vice president for academic affairs, Dr. Kyle Anthony, assistant professor of history, and Dr. Karenbeth Zacharias, historian and director of the university's Starr Global Studies Institute, will work with the Museum to host each film beginning in March 2014. Dates and time are to be announced.

"As historians, Drs. Anthony and Zacharias and I are committed to the proposition that we need to study the past to understand the present. And nowhere is that more the case than when the past is so relevant, as the history of civil rights is to the state of Kansas," said Dr. Le Beau. "For Kansas, that history dates to the Free State Border Wars of the 19th Century and continues down through the Civil Rights struggle of the 1950s and the landmark *Brown v. Board of Education of Topeka* case. We congratulate the Lansing Historical Museum on their being chosen as a host site for this series and look forward to working with LHM Site Supervisor, Laura Phillippi to bring this story to the residents of the Lansing/Leavenworth area."

✪ Laura L. Phillippi is the Site Supervisor at the Lansing Historical Museum. She can be reached at [lphillippi@sbcglobal.net](mailto:lphillippi@sbcglobal.net). Dr. Bryan Le Beau is the Academic Vice President at the University of Saint Mary. He can be reached at (913)785-6115.

# HISTORICAL MUSEUM & CITY OF SAINT MARY NATIONAL GRANT



*Landscape Structures' rendition of the special needs access playground, which was presented to Iola Kiwanis and MOMs group members after they were awarded a \$25,000 grant.*



## New Iola Playground

By Steven Schwartz

**T**here is a network of support in Allen County — and as the Mothers of Miracles (MOMs) group and Kiwanis found recently — sometimes it just needs to be found.

Iola Kiwanis was awarded the “Make a Difference Through Play” grant through Kiwanis International. The grant provides \$25,000 for playground equipment specifically made for special needs children. They partnered with the MOMs group to acquire the grant, beating out more than 150 Kiwanis groups internationally. They plan to use the funds as a stepping stone toward a goal of \$100,000 to build disabled-access playground equipment for area youth.

The Iola City Council has since voted to make an additional \$25,000 available.

The award came after a hard-pushed voting campaign from the groups, via the Kiwanis website and Facebook.

“The first step in the process came during an Iola City Council meeting where the MOMs group requested permission to use Riverside Park for their Stroll ‘N Roll event, which made an impression on Mike Ford of the Iola Police Department.

He went to his Kiwanis group, urging them to look at the disabled children in Allen County as an avenue for aid. Then, Kiwanis President Shandie Wrench found the grant application. They met with the MOMs for two hours at Allen Community College to get the application completed.

“Once you think about it, that’s \$12,500 per hour. That’s not too bad,” Ford said with a laugh.

Once the application was sent off, it was down to the votes. Out of the 150 Kiwanis groups that applied, the top 15 vote-getters were selected to be examined by a panel. Ford was notified that they were selected for the top 15. They conducted a 30-minute

phone interview with a Kiwanis International representative. They were then notified they had made it to the top 10.

The pressure was on.

Mike was told he would either receive an email (if they weren’t selected) or a phone call (if they were selected).

His phone rang early June 16.

“I was pretty sure we had it then,” Mike said.

“It just shows how tight-knit small communities are,” MOMs member Amy Welch said.

Allen County gathered more votes than many large counties, including Florida’s Miami-Dade County, a population of almost 2.5 million.

Leslie Skahan, another MOMs representative, said they were amazed at the response.

“It was exciting, we were doing something, but I couldn’t help but think, ‘did we really stand a chance?’” Skahan said. “We can move mountains.”

Nancy Ford said she is “pretty sure” her cousins in Norway were voting, their Facebook comments were in Norwegian so she couldn’t give a definite answer. There were votes turned in from across the nation, including Ohio, Illinois, and Florida. Representatives from both groups said people in the community would approach them and tell them they had started gathering votes.

While \$25,000 may not go as far as it once did, Kiwanis and MOMs think it will be the spark for change in the community playgrounds.

Kiwanis International has provided a corporate communications professional who will help to coordinate matched funds from large corporations. The local American Woodsmen chapter has

dedicated \$2,500 to the cause, and Kiwanis is pitching in \$1,500. They hope the City of Iola will dedicate some of their budgeted funds for playground equipment to disabled-access equipment.

"I think we can get the money no matter what," Welch said with confidence.

Berkley Kerr, Superintendent of Parks in Iola, said much of the equipment needs updating and has been around the community for decades.

"Some of the equipment I was playing on when I was a kid," Kerr said. He said he will use advice from the MOMs group to plan out the playground.

Under grant stipulations, construction must be ready to start by Kiwanis One Day, the first weekend in April, 2014.

More funds must be gathered to make any sort of impact on a disabled-access playground. A single disabled swing can cost up to \$600, not including installation and foundation.

Disabled children need a chance to live a normal life, even in such a small aspect as a playground, said Skahan

"You see that separation, and it shouldn't be there," Skahan said.

While disabled-access equipment may be more expensive, it is not exclusive, Mike Ford said. It will give children, disabled or not, a chance to swing, slide or twirl side-by-side in community playgrounds.

 Steven Schwartz is a reporter at the Iola Register. He can be reached at [steven@iolaregister.com](mailto:steven@iolaregister.com). Reprinted with permission from [The Iola Register.com](http://TheIolaRegister.com).

Mothers of Miracles is a group of five local mothers of disabled children, who strive to improve the lives of those with special needs in Allen County.



Photo of the MOMs group and Iola Kiwanis members discussing fundraising efforts. Photo by the Iola Register/Steven Schwartz.

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## Augusta Tackles New Street Signs

There are few issues that trouble local governing bodies as much as state and federal requirements that force changes to policies and infrastructure but provide no funding to accomplish the changes.

Augusta, like every municipality in Kansas, is being forced to update its street signs to meet new Federal Highway Administration reflectivity requirements.

Fortunately, the financial impact of these new requirements won't be as great as early estimates indicated.

"We will save a lot of money by ordering in bulk," said Interim City Manager Josh Shaw. "It is very good deal for us."

The City expected the new signs throughout the city to cost about \$135,000 over the next three years.

But thanks to the discount that ordering the signs in bulk will provide, the actual cost will probably be closer to \$70,000 and will be accomplished in only two years.

The City Council also approved up to \$160,000 for engineering services for the South Ohio Street project. The project would create a three-lane street from the new Kelly and Ohio Intersection south on Ohio to Main Street. The new road would be only a few feet wide than the existing two-lane road. There is currently \$283,000 in the project fund.

The total project is estimated to cost more than \$3 million.

## Lawrence Public Library selected for "Super Wi-Fi" pilot

The Lawrence Public Library has been selected as one of four Kansas libraries to participate in a futuristic wireless Internet pilot program with the national Gigabit Libraries Network.

For four months, participating libraries will test TV White Space technology or "Super Wi-Fi," which delivers Internet bandwidth across the same frequency used on analog televisions.

Streaming Internet over TV White Space allows Wi-Fi access to be beamed further distances to remote locations. Director of the Lawrence Public Library Brad Allen said participating in the

pilot project will give the library an opportunity to explore the possibilities.

"We're always looking for ways to better serve our community," Allen said. "We're curious and excited to find out if this is the real deal."

Topeka and Shawnee County Public Library, Kansas City, Kansas, Public Library and Manhattan Public Library will also participate.

## Girard Cuts Ribbon on Civic Center

There are places in Girard in which several hundred can fit comfortably. There are also rooms in which 10 or so could hold a small get-together. But in between, the city didn't have much to offer. That is, until Thursday, when the city cut the ribbon on its new civic center, located between the historic city square and the

city hall. "This is the mid-level. The Catholic church has a hall for the big things, but we needed something for the in-between," said City Manager Gary Emry. "There are groups that have more than 10-20 people, but don't have 200. This fits that need. Most events in this town fall into the category of under 100 people."

## Eagle Scout Project Spruces Up Osage City

Osage City residents have been noticing that many fire hydrants around town have a new coat of paint. Don Curtis, a Scout in Troop 106, Osage City, has been heading up the recently completed painting project as part of obtaining the rank of Eagle Scout.

Curtis said he organized several crews of volunteers, made up of fellow Scouts, troop leaders and parents, to paint 49 hydrants.

The original goal was to paint 28 hydrants, but with those being completed sooner than expected, and with extra paint, more hydrants were painted. Curtis said the crews started in the downtown area, worked down Sixth Street, then along Seventh Street, and finished with hydrants around Osage City's schools.

## Abilene Considers "Land Banking"

Vacant properties are always a concern for any municipality. This is because vacant properties have the potential of creating additional demands for public services. Vacant properties can become safe havens for vagrants or criminal activity. Properties that are not actively occupied are also likely to become public nuisances when yards and structures are not properly maintained. Eventually, structures can become unsafe as structural integrity is lost over time. For example, an electric wire may short and create the conditions that may make a fire more likely. Because the property is vacant, the conditions can occur without being noticed for long periods of time.

The City of Abilene will soon be in the early stages of discussing a concept that may have some application to this issue. Land banking is a community development tool that allows vacant and abandoned properties to be donated or sold to a quasi-governmental agency. Once the property becomes an asset of the land bank, the land bank can exercise certain legal powers that can make it easier for a property to become productive again. For example, if the property has delinquent taxes the land bank may have the power to forgive such taxes to make it easier to sell.

# DID YOU KNOW?

by Kimberly Winn

Did you know that world-renown bricklayer William Boular was from Atchison?

It's been six decades since William Boular passed away.

But, the City of Atchison in northeastern Kansas has unveiled a statue honoring the deaf double-amputee who became a world-renown bricklayer and featured in "Ripley's Believe It or Not!" He is credited with laying 48,000 paving bricks in a day's time.

Boular, known as "Deafy," was born September 9, 1869. When he was four, Boular was diagnosed with spinal meningitis, leaving him unable to hear or speak.

At 10 he was involved in a railroad accident that severed both his legs. Although he was fitted with artificial legs, he didn't wear them. Instead, he wore a custom-made pair of boots that allowed him to walk on his knees.

For the next half-century, Boular led an active career working as a bricklayer, doing foundry work and as a beekeeper. Many of the bricks he laid on Atchison's streets are still intact and driven over daily.

In 2010, Boular was nominated as one of the most fascinating people in Kansas, competing with the likes of Dwight D. Eisenhower and Atchison's own aviatrix Amelia Earhart for the Kansas Sampler Foundation's 8 Wonders of Kansas series of contests.

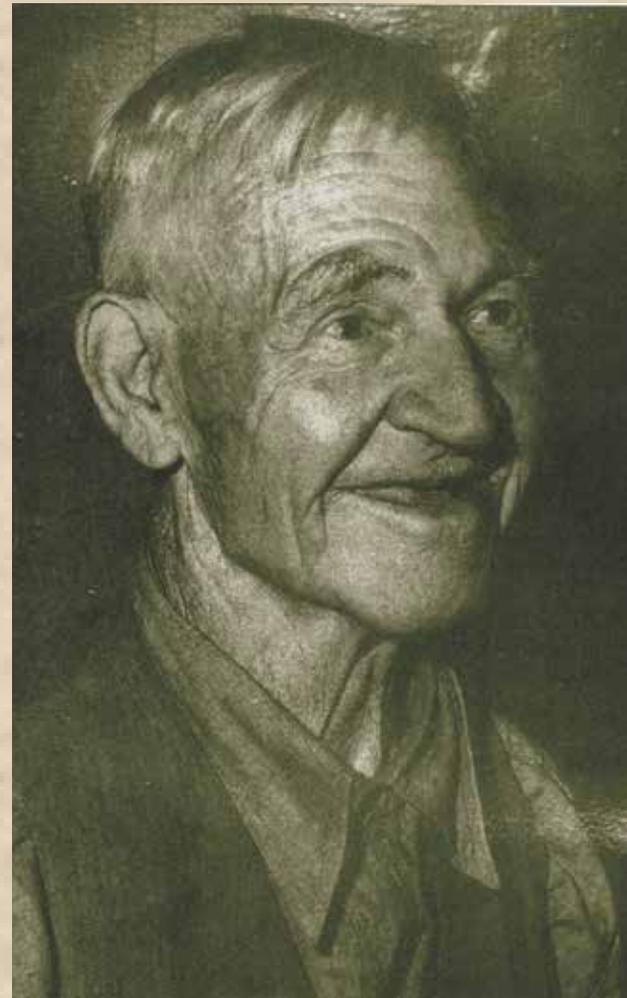
Along with the new sculpture of Boular, Atchison has a display on Boular's life in the Atchison County Historical Society Museum.

The unveiling of the statue is entitled "Lessons from the Master" by artist Aleda Haug. The statue is located in the 400 block of the Mall in Atchison.

According to a press release issued by the Atchison County Historical Society:

"Boular's story is one that inspires to this day and sets an example that any difficulty may be overcome."

Source: *The Wichita Eagle* - <http://tinyurl.com/ph6wra3>



Photos provided by Atchison County Historical Society.





## FAQs: From over the Phone

As summer comes to a close, my creative juices take a break. So this month I am reaching into “bottom desk drawer” and bringing out some reoccurring issues. While I and others have written on these topics before, they are subjects that always seem to pop up during conversations with city officials around the state.

**We have a new councilmember who is also our city superintendent. Is this legal?** Many cities, since the April elections, are facing the question of whether a current employee can also be a councilmember. This question comes up surprisingly often, particularly in smaller cities. In 2000, the Kansas Supreme Court addressed the question of whether a school board member could also be employed as a teacher in the same district. *Unified School District No. 501, Shawnee County, Kansas v. Baker*, 269 Kan. 239 (2000). The Court said that being the employer and the employee made the two positions incompatible. The same reasoning is true for city officials. Under Kansas law, an individual who assumes an incompatible office is deemed to have resigned from the first office. Thus, the councilmember vacates the position as an employee of the city. Note, however, this does not mean that a mayor or councilmember cannot continue to do occasional contract work for the city. An example would be a mayor who owns the only backhoe in the city. The city contracts with the mayor to do what little trenching work the city needs done. That would not be considered employment.

**What is this public purpose doctrine we keep hearing about?** Or, to put it another way, is it proper for the city to spend money to send flowers to a councilmember who is in the hospital, or for a myriad of other purposes? City governing bodies levy taxes to provide a variety of city services. In order for an expenditure of tax dollars to be proper, the governing body must find a public purpose for the expenditure. In other words, the action taken by the governing body should benefit the citizens of the community in some fashion. Some examples that have been held to be public purposes are cash grants awarded to new or expanding businesses, buying and operating the local gas station or grocery store, and using funds to educate citizens about an upcoming vote on a bond issue. This type of question usually arises in the context of economic development and what kinds of incentives are proper to lure businesses to the city.

**I abstained from voting on the motion to award the mowing contract to my neighbor, but the clerk counted me as voting “yes.” Why did she do that?**

On motions, Kansas follows the common law which counts an abstention or refusal to vote as a vote with the majority. On ordinances, however, K.S.A. 12-3002 requires that a majority of all members elect of the council vote in favor of passage, so abstentions do not count. Remember, it is important that governing body members not abstain from voting just because the decision is a hard one or the vote might be unpopular. There are very few circumstances requiring abstention. See the *Governing Body Handbook* published by the League for a discussion of the conflict of interest rules.

**A citizen at the last council meeting said we violated the cash basis law by approving a purchase. What does this law require?**

The cash basis law basically states that no indebtedness can be created against a current fund unless there is money in the fund to pay the debt. This is why the governing body should designate a funding source when approving a purchase of goods or services. For example, the council votes to purchase a new mower and states that the purchase will be paid for from the general fund. There must be money in the general fund at the time the source is designated to pay for the mower. It is not lawful to incur the debt believing the city will have the money by the time the invoice arrives. In addition, multi-year contracts must have a provision allowing cancellation of the contract if the money to pay the contractual obligation is not appropriated. There are certain exceptions to these requirements and the full text of the cash basis law can be found at K.S.A. 10-1101 through K.S.A. 10-1122.

**How do we know how much interest to pay on utility deposits?**

Each year the Kansas Corporation Commission sets the interest rates payable on utility deposits. The rate is available on the KCC website at [http://kcc.ks.gov/pi/interest\\_rate.htm](http://kcc.ks.gov/pi/interest_rate.htm). The 2012 rate was 0.12%. The 2013 rate is 0.18%.

**A citizen came to city hall and requested information on how much the city pays several of our employees. Our employees do not want the information released. Do we have to give out that information?**

Under the Kansas Open Records Act (KORA), the names, positions, salaries, and lengths of service of city employees are open to the public. The rationale is that, as public employees paid with taxpayer dollars, the public has a right to know who is employed in what position and how much money employees are paid. The employee does not have a voice in whether the information is released and the release of this information does not violate any privacy right.

**What are the Standard Traffic Ordinances and the Uniform Public Offense Code and why should we adopt them?**

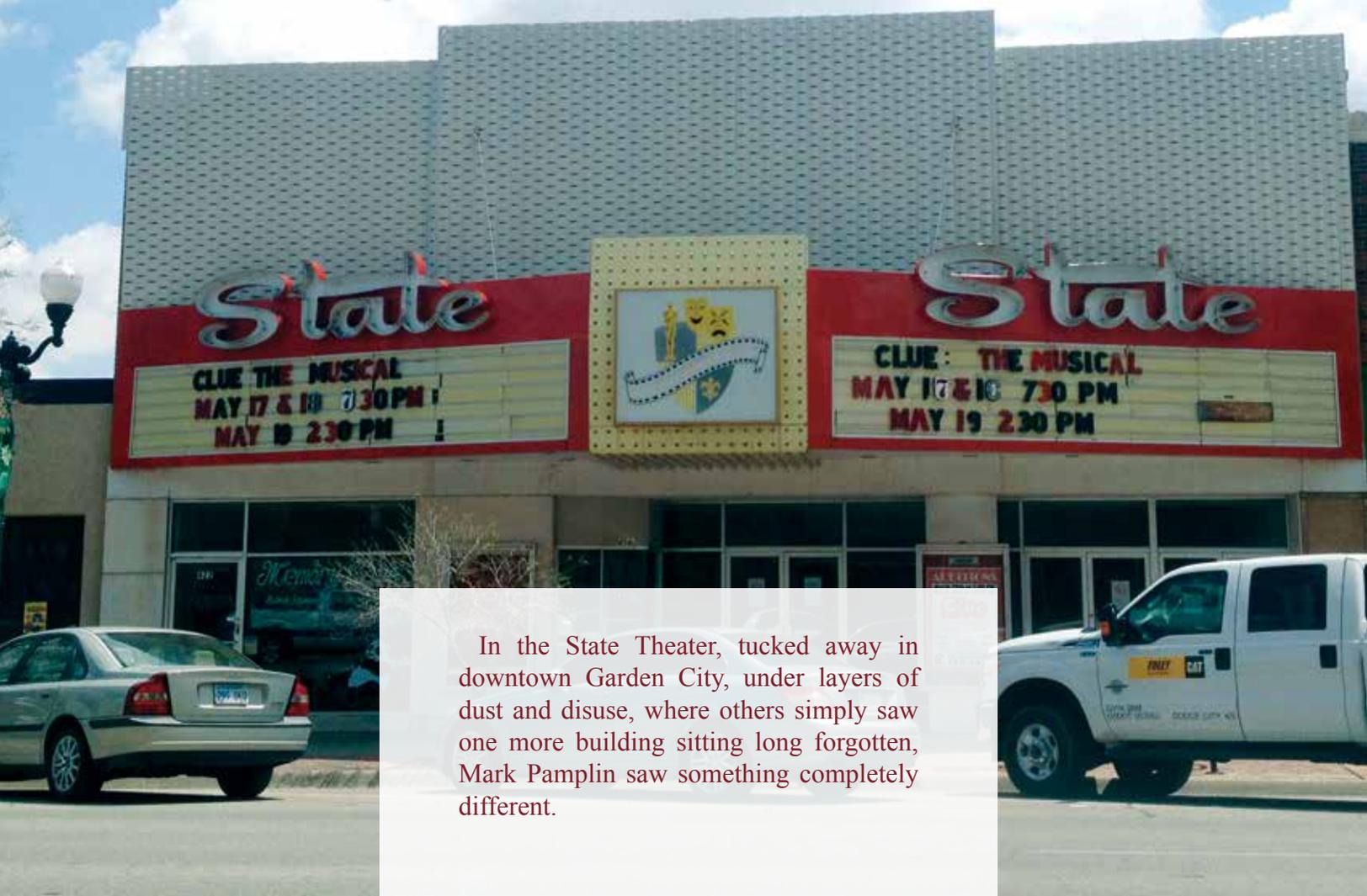
The League publishes booklets that contain standard traffic regulations (STO) and public offenses (UPOC). These incorporate the most recent legislative changes and are in a form that allows cities’ police officers to write tickets or charge offenses that can be prosecuted in municipal court, rather than writing a ticket or charging a defendant with a state law violation that must be prosecuted in district court. Cities typically adopt each publication by reference on a yearly basis to assure they are enforcing the most current versions of the ordinances.

The League has a number of other publications that help answer these and many other questions. A complete list of League publications is posted on our website.

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



## OLD THEATRES FIGHT TO STAY OPEN



In the State Theater, tucked away in downtown Garden City, under layers of dust and disuse, where others simply saw one more building sitting long forgotten, Mark Pamplin saw something completely different.

*Photo by Mark Vierthaler.*



State Theatre photo by Mark Vierthaler.

## Garden City Local Pushes to Revive Cultural Gem in Downtown

by Mark Vierthaler

“I spent 23 years in Los Angeles trying to break into acting,” he said. “I had little success in Hollywood but fell in love with theatre. Eventually, I found myself in a lonely existence where my only happiness was on stage. I had known the State Theater had been closed for a while and always kept tabs on what was happening with it.”

During that time in LA, Pamplin said he finally realized there were three things he really wanted to do:

- Act;
- Run a business;
- Be around family.

“The State fit that bill,” he said. “Finally, I said to myself ‘If you don’t do it now, you never will,’ and I moved back in May of 2011.”

Pamplin’s vision is to transform the State’s current building into a 400 seat theatre-in-the-round. The theatre would be a live playhouse, using local talent to produce 7 to 8 plays and musicals per season, each running 6 weeks, 52 weeks per year.

“We will also produce two yearly children’s shows in the spring and fall plus a Christmas show over the holidays,” he said.

To accomplish this, Pamplin has set himself a challenging goal. He’s aiming for \$3 million to restore the building back to its former glory and to help jumpstart the live theater arts in Garden City.

“Three million is a lofty goal,” he said.

The public reaction in the Finney County area has been overwhelmingly positive, he said, which if all goes well will hopefully translate into donations. Because of the large outlay required for the work needed to be done to the theater, Pamplin has held off any sort of solid timeline.

And while he’s only been back home since 2011, the idea for restoring the state theater has been kicking around his head since at least 1995.

“The idea came to me while working in the theatre I am modeling the State after,” he said. “I thought the concept would work in southwest Kansas and that the population would love it.”

In December 2012, Pamplin brought a proposal to the city commissioners, outlining his hopes and dreams for the theater. The reaction from the Commission was immediate and overwhelming.

“I was just hoping the Commissioners would request a presentation a month later,” he said. “To my surprise they voted on it right then, and it was unanimous.”

To make sure that the project actually gets off the ground and isn’t just a pipe dream, Pamplin has partnered with the Garden City Arts Commission in the fundraising campaign. He said that Laurie Chapman, the Executive Director, is very excited about the partnership.

“She’s not afraid to think big,” he said.

This all similarly ties in to a major undertaking in turning downtown Garden City into a cultural, retail, and local destination.

“A theatre like this would be huge draw into making that happen, expanding a nightlife of the area,” he said. “The cultural impact would really put the arts at the forefront.”

He went on to say that the State Theater wouldn’t just be a playhouse. They hope to bring-in stand up comedy and local concerts. It could bolster restaurants and maybe even hotels from people coming from out of town.

In the meantime, Pamplin is spending the majority of his time focusing with eyes on the end goal.

“The only thing that has seemed to work is staying a steady path and working hard,” he said with a laugh. “That’s when surprising things seem to happen. Honestly, I would love to have a New Year’s opening in 2014 but that’s because I want it to be done as soon as possible so I can get to work putting on shows.”

### THE STATE THEATER’S MISSION:

- To provide quality family entertainment with productions that are uplifting and inspirational, remaining steadfast in our belief that ticket prices for shows produced at The State continue to be affordable.
- To present enjoyable family theatre which has at its core outstanding acting and production values.
- To create a friendly, helpful atmosphere for visitors to the theatre while ensuring that each guest is met with outstanding customer service.
- To provide a creative and nurturing work environment in which ideas may be freely exchanged.
- To offer a premiere training program for actors of all ages which seek to raise the artistic standard for excellence and challenge the performer to achieve their best.
- To establish and sponsor education outreach programs within the community.

 Mark Vierthaler is a contributor for the The Legend. He can be reached at [mark@thelegendmagazine.com](mailto:mark@thelegendmagazine.com). Reprinted with permission from the Summer 2013 issue of The Legend.



## Digital Need Threatens Midway

by Colleen Truelsen

When the Midway Drive-In opened earlier this summer with “The Croods” and “Jack the Giant Slayer” shown in old-school 35 mm film, digital technology will be snapping at its heels.

Unless Midway owners Paul and Anna Dimoush can come up with the \$75,000 to \$100,000 needed for equipment to show today’s digital-released movies, Midway is destined to become another quaint memory after this season.

The Midway is one of just a handful of drive-in theaters still in existence in Kansas. According to a website dedicated to drive-in history, [www.driveinmovie.com](http://www.driveinmovie.com), at the peak of drive-in popularity, circa the 1950s, Kansas had 125 drive-ins.

Today, there are seven.

Aptly named for its location midway between Paola and Osawatotomie, at 29591 W. 327th St., the Midway is a labor of love for its semi-retired owners.

“I worked around people, and I love being around people,” Anna Dimoush said, “So we decided we’d buy it and finally got the thing paid for.”

Dimoush said people tell her she should charge more for admission, but she resists.

“There are too many people on welfare and living month to month,” Dimoush said. “I just can’t do it.”

Admission is \$7 for adults and children 12 and over. Ages 4 to 11 are \$1 and children 3 and under are free.

Movies start when it’s dark on Fridays, Saturdays and Sundays; gates open at 7 p.m.

All drive-in revenue is put back into the theater, she said.

“We don’t make any money,” she said, “It goes back in. My retirement goes here and we also farm.”

But there are those who have decided to take up the cause for raising the tens of thousands of dollars needed for the drive-in to go digital and keep it alive.

Osawatotomie City Councilwoman Tamara Maichel is among them.

“It’s a heritage that I really believe strongly in, it’s family time, it bonds you,” Maichel said. “I knew they had only one year, so I decided to get involved aggressively to help them out.”

Dimoush resisted the idea of fundraising, at first, fearing if the money raised wasn’t enough for the new technology, there would be money in-hand that needed to be returned.

“I don’t want to be responsible for getting people’s money and then not have enough to put it in,” Dimoush said. “If we can’t pay for it, you don’t get it. We’re that kind of people.”

“People want to put jars in businesses, pass the hat,” she continued. “I’m sorry. I don’t do things like that.”

Maichel won her over by setting up a separate Midway digital fund at First Option Bank.

“They (Paul and Anna Dimoush) really want to keep it separated from the Midway Drive-in,” Maichel said. “They are just good, down-home people who really care.”

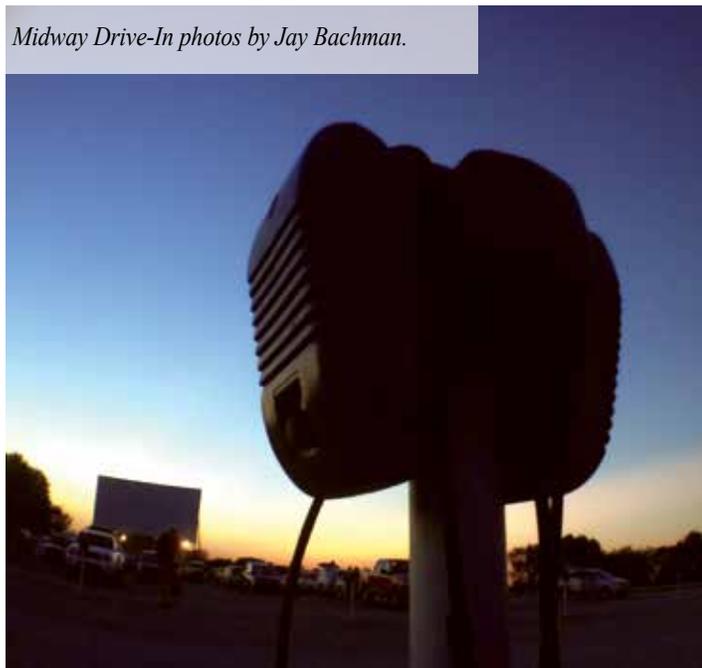
There is a Midway Drive-In Facebook page where supporters exchange ideas for fundraising.

“It was hard to get something going,” Maichel said, “because (Facebook fans) didn’t want to step on and be disrespectful of Paul and Anna’s wishes.”

Maichel said one idea, to sell ice cream and t-shirts in the drive-in concession stand for the digital fund, has the couple’s approval.

Moon’s Hometown Market has set up an ice cream account for the fundraiser, she said, and Donna & Viola’s Shirts, Etc. in Osawatotomie has agreed to let the fundraisers sell t-shirts on consignment.

For more information, go to the Midway Drive-in Facebook page, or call (913) 731-6431.



Midway Drive-In photos by Jay Bachman.

 Colleen Truelsen is the Editor at the Osawatotomie Graphic. She can be reached at [colleen.truelsen@npgco.com](mailto:colleen.truelsen@npgco.com). Reprinted with permission from the the Osawatotomie Graphic online.



## Crowdfunding Civic Projects

It's difficult for Kansas cities to quickly raise money. Our cash basis law prohibits local governments from taking on debt unless the cash is already on hand, which means that if the city hasn't budgeted for a project, it's nearly impossible to secure a loan for it.<sup>1</sup> An exception is issuing bonds, but this often requires expensive attorney's fees and time-consuming elections. These obstacles become a problem when cities need money quickly for upcoming events or to meet deadlines for federal and state matching funds. One solution is soliciting private donations, but traditionally it has been difficult to persuade private citizens or firms to finance purely public projects. However, private fundraising has undergone a dramatic transformation over the last five years, thanks in large part to the emergence of online "crowdfunding."

Crowdfunding is raising many small amounts of money from a large number of people. The practice itself has existed for some time, probably most famously in relation to the Statue of Liberty. In 1885, the statue sat unassembled in a Paris harbor. The U.S. government had been unable to raise \$250,000 for its granite pedestal and the committee tasked with raising the money fell short by more than a third. New York Governor Grover Cleveland rejected the use of city revenues, and Congress couldn't agree on a funding package. Adding to New Yorkers' worries, Baltimore, Boston, San Francisco, and Philadelphia offered to pay for the pedestal in exchange for the statue's relocation. Not wanting another city to steal away this important symbol, renowned publisher Joseph Pulitzer launched a fundraising campaign in his newspaper *The New York World*. The *World* eventually raised \$101,091 from over 160,000 donors, including young children, businessmen, and street cleaners, with nearly 75% of the donations amounting to less than a dollar. This was enough to cover the last \$100,000 to complete the pedestal and buy a gift for the sculptor.<sup>2</sup>

Crowdfunding is at the height of its popularity today because of the internet. It's easy to post a great deal of information about a project on a web page, and donating requires only a few mouse clicks. The best-known crowdfunding site is [Kickstarter.com](http://Kickstarter.com), which has allowed over 4,000,000 individuals to support nearly 50,000 business, art, and technology ventures in exchange for perks associated with the projects. An example is Tim O'Connor's campaign to save a historic theatre he owned in Barrington, Illinois. He offered those who donated free movie passes, on-screen credits and tickets to the renovated theatre's premier. By the time campaign ended, 1,394 backers had donated \$175,395, over \$75,000 more than his original goal.<sup>3</sup> Other successful Kickstarter initiatives include a parklet<sup>4</sup> in Philadelphia, a smartphone watch, and a unique typeface for the City of Chattanooga.

Only recently have city officials and social entrepreneurs experimented with crowdfunding municipal projects. In 2012, the British company [Spacehive.com](http://Spacehive.com) built the first website designed specifically to crowdfund public works initiatives. Later that year, [Citizeninvestor](http://Citizeninvestor) and [Neighbor.ly](http://Neighbor.ly) launched in America with the same purpose. Kansas City-based [Neighbor.ly](http://Neighbor.ly), which only allows cities to submit projects, has already helped raise money for dozens of campaigns across the country. One proposal they're currently working on is sidewalk improvements in the Spring Valley neighborhood of Kansas City, Kansas. The Unified Government of Wyandotte County/Kansas City, Kansas has donated \$100,000 to the cause, and locals

hope to use [Neighbor.ly](http://Neighbor.ly) to raise an additional \$25,000 in tax-deductible donations by offering neighborhood buttons, commemorative bricks, and recognition in media releases. At the time this article went to print, the campaign had already raised over \$10,000 from 20 donors. There will be a presentation on the Spring Valley Sidewalk initiative at the League's Annual Conference in October, and you can learn more about it by visiting <http://neighbor.ly/spring-valley-sidewalks>.

If civic crowdfunding efforts continue to increase in popularity, they may become a permanent part of municipal finance. [Neighbor.ly](http://Neighbor.ly) founder Jase Wilson believes that will happen, since it is a solution to a common market failure. When taxes and borrowing cannot sustain community enriching civic projects, crowdfunding can fill the gap. For example, if a city wants to build a new ballpark, but its taxpayers don't want to bear the entire cost burden, they could use crowdfunding to decrease the public funds necessary for it. The cash raised could also be used to lower the amount needed from a bond issue. This "down payment" would decrease interest rates, causing significant savings over time.<sup>5</sup>

For crowdfunding campaigns to be successful, more is required than simply posting an idea on a website. Many individuals utilize social media, mass e-mailings, and media communications to attract attention to their project. They also build engaging page displays, with videos that create emotional connections between the viewers and the cause. If many viewer's become interested in the cause or the rewards, the campaign has a good chance of succeeding. For high-cost ventures, it's critical to create rewards that make businesses feel like they're earning a return on their donation. If the advertising opportunities are lucrative enough, firms may be willing to give substantial sums of money.<sup>6</sup>

Civic crowdfunding is still a relatively new method of public finance, and some believe it's just an Internet fad. But if the popularity of Kickstarter and continued growth of sites like [Neighbor.ly](http://Neighbor.ly) are signs of things to come, it may be a long-term option for financing municipal projects. City officials should welcome that development, as it provides them with a powerful tool to improve their communities.

 *Michael Koss is the Membership Services Manager for the League of Kansas Municipalities. He can be reached at [mkoss@lkm.org](mailto:mkoss@lkm.org).*

### Endnotes

- 1 K.S.A. § 10-1101 *et seq.*
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- 3 O'Connor, T. (2012, July). Rescue The Historic Catlow Theatre From Extinction. *Kickstarter.com*. Retrieved from <http://www.kickstarter.com/projects/468036259/rescue-the-historic-catlow-theater-from-extinction>
- 4 <http://en.wikipedia.org/wiki/Parklet>
- 5 Knell, N. (2012, August). Being Neighbor.ly in Kansas City: Kickstarter for Local Government? *Govtech.com*. Retrieved from <http://www.govtech.com/budget-finance/Being-Neighborly-in-Kansas-City-Kickstarter-for-Local-Government.html>
- 6 Prive, T. (2012, November 27). What Is Crowdfunding And How Does It Benefit The Economy. *Forbes.com*. Retrieved from <http://www.forbes.com/sites/tanyaprive/2012/11/27/what-is-crowdfunding-and-how-does-it-benefit-the-economy/>



# Seniors Helping Seniors

By Clausie Smith

**Y**es, the Bonner Spring' Seniors Helping Seniors is a unique program. It allows senior citizens to help graduating high school seniors with scholarships while perpetuating the memory of a former director. The result is a well attended and popular community event.

For the past 23 years, the senior citizens have conducted a spaghetti dinner and since 1996 all of the proceeds have been used to finance scholarships for Bonner Springs High School seniors. For a number of years, the moving force was Nancy Jones Johnson, Director of the Senior Center. When she died in 2010, the program was named Seniors Helping Seniors. The awards are now the "Nancy Jones Johnson Memorial Scholarships" and are financed by the annual dinner.

Gloria Ochoa, Center Director, said the scholarship selection process is rigorous and conducted by volunteer senior citizens. She added that the minimum amount of the scholarship was \$800. The goal is to award two or three scholarships annually.

"The dinner involves a lot of work on the part of the group, she said. In all, 30 senior citizens participate on the night of the event. They are involved in preparing the meal, decorating the Sunflower Room of the Community Center, and clearing the tables. There is a major push to sell tickets starting in the spring. Volunteers aren't limited to Senior Center members. John (Jack) Helin, City Manager, took a shift serving spaghetti. There were several volunteers from local churches.

This year's winners—Jason Van Maren and Tessa Newberry—volunteered to help. Both are Bonner Springs grads who are headed for college and wanted to show their appreciation for the scholarships.

Probably the most unique factor is Nancy Jones Johnson's three children, Matt and Mitch Jones and Jenny Anders, are always on hand to help.

For Jenny, it was a real challenge since her second child was born two days after the event. They reflect their mother's love of the senior center.

"Of the many memories I cherish about my mom, one that always stood out was how much she cared for other people and loved her job at the Senior Center," Matt Jones said. "She was always excited to see everyone, find out what's new in their lives, and plan outrageous adventures. In hindsight, I think she relied on the seniors as much as they relied on her; they drew strength from her giving and she drew strength from thier caring."

"With her friends, work, and family, mom always gave 100% and there's nothing she wouldn't do if someone called her in need," he continued.

He added that the family is pleased the tradition has continued. "The fact that the spaghetti dinner is still going strong after 23 years, and three years after her passing, is a testament and commitment both the seniors and mom shared."

"She would be so proud that so many people come together each year to make it a success," he continued. "Her first thought back then was to give to the BSHS seniors. Because that's the kind of woman she was. My family and I are proud to be a part of the spaghetti dinner, because through its continued success not only does it serve a great cause, but it allows her spirit to live on in our hearts."

Ochoa said that it is a very busy and major project for the Senior Center, but one that is extremely popular. "It allows us to continue a long tradition, to continue Nancy's memory and help deserving high school seniors."

 Clausie Smith is the former Mayor of Bonner Springs. He can be reached at [clausies@aol.com](mailto:clausies@aol.com).

# A Phoenix Rises

by Carolyn Applegate

**T**he Phoenix is a bird in Greek mythology that obtains new life by rising from the ashes of its predecessor. In 2001, the Almena Market burned to the ground. The old brick structure was an anchor on Main Street in the small community, providing a very essential service. Owners Jeff and Janette Callaway were dazed by the loss of their business. But like the Phoenix, the Almena Market rose from the ashes and a bigger and better store was rebuilt in the same location.

Callaways originally purchased the store in 1995 from Janette's parents, Bernie and JoAnn Bowen. The store was still in its original building and was bulging at the seams. Jeff had added on to the back of the store and had just opened an inside stairway, providing access to the upstairs of the building, when a fire completely destroyed the business in December, 2001. Their son, Michael, was 10 years old. According to Janette, "It still brings tears to Jeff's eyes to remember Michael sitting in the Almena rural fire truck that Jeff was running during the fire, and then Michael finally falling asleep inside the truck as the fire continued. (Side note: Michael and Jeff are current members of the Almena Rural Fire Department.)

As soon as the decision was made to rebuild the store, things went crazy. The whole community came together and there had to be some kind of record set when the new store opened in less than six months. Our best memory of the rebuild was the trip to South Dakota we took with several people from Almena and we completely dismantled a grocery store going out of business there and brought it all back for our new store. The guys on the trip would throw something in the dumpster only to have one of the ladies rescue it and put in the truck saying "you might need this." It was so much fun. We still have everything we brought back

from that trip!" said Janette. "The old store had the charm of the original building, but in designing the new store we were able to incorporate things we longed for that just wouldn't fit into the old building. It is funny to think about how exciting it was to have a cappuccino machine put in and we were able to add a comfortable dining area for the noon meals," Janette said.

## Business history

Bernie and JoAnn Bowen purchased the business from Eldo and Laverne Graham in 1991. Jeff and Janette bought the store from her parents and ran it until it was sold to Stan and Twylla Cadwalader in 2006. Cadwaladers sold the business back to the Callaways in January, 2013, and they have hired Chris and Mandi (Redeker) Lee as managers. "We were inspired to re-purchase the store because of the sentiment our whole family feels toward it. We kept the decision very low key and when Bernie and JoAnn committed to the idea and told us 'to go for it, we'll be there for you' it was a go. Chris and Mandi 'coming home' from Kearney and now starting their family here continues to inspire us to commit to Almena," says Jeff.

Chris and Mandi graduated from Northern Valley and have lived and worked in Kearney, Nebraska until moving back to manage the store. They have remodeled Chris' grandparents' farmhouse north of Almena and enjoy their horses, cats, and dogs.

They recently revealed they will be having twins in December and their families are thrilled. Chris takes care of the day-to-day operations of the store and is honing his skills as a great meat cutter. Mandi is a great cook and brings her skills to the store, serving lunch during the noon hour. Janette says, "Mandi would probably say the lunch menu is our biggest challenge. She works hard to put together a good meal every day for our customers. We never know what is for lunch the next day, and sometimes until that morning, but there is always something for dessert. Mandi updates our Facebook page as soon as she knows what she is cooking. We have been amazed to see the number of people checking Facebook to check our menu daily. We also use Facebook to show new items in the store such as our garden plants and Traeger grills." Along with the daily lunch menu on Facebook, the staff likes to post fun things, such as: "Mike and Chris' first fishing trip and the Easter Bunny visiting the store."



*Erika Chandler serving lunch to some "rowdy regulars."*



Mandi Lee serving lunch.



Chris Lee, Mike Callaway, and Jeff Callaway grilling hamburgers on the Traeger for lunch.



The staff of Almena Market: (left to right front row) Erika Chandler, Mandi Lee, JoAnn Bowen, Bernie Bowen (back row) Janette Callaway, Jeff Callaway, Chris Lee and Mike Callaway. Photos provided by Norton County Magazine.

## Staff

Along with managers Chris and Mandi Lee, Michael Callaway is another full-time employee. Michael is also a graduate of Northern Valley and quit his job at Almena Agri-Services to help at the store. He opens the store in the morning and is the jack of all trades at the market.

Bernie and JoAnn Bowen are part-time employees. JoAnn has always worked at the store since they bought it from the Grahams. The Bowens knowledge and hard work in every aspect of the grocery business are a huge benefit, not only to the owners but also to the community. Their daughter Janette says, "They enjoy the flexibility of their schedule and we truly enjoy all of the time they can spend at the store." Erika Chandler just graduated from Northern Valley and works whenever her schedule permits until she leaves in August to attend Kansas State University. She is also an avid cook and assists Mandi in the kitchen. The owners say, "There is no task Erika won't do and we love having her as part of the team."

According to Callaway, "The challenges and surprises of the grocery store are every day. We have been working on building inventory and stocking just about anything someone will ask for. It is constant second-guessing and things you think will never sell are the hottest things out the door and vice versa for things you think are something that will sell. It is hard to imagine that there can be so many new items in a grocery store. Six years ago we weren't catering to things like gluten-free diets and peanut allergies and such. Today we are all better educated with food problems and diets like gluten-free diets and peanut allergies and such.

## Family

Jeff and Janette were married in 1987 and have lived in Almena the last 26 years. Two years after they were married, Janette went to work at Almena State Bank. Jeff has worked at Valley Feeds Mill in Long Island for the past seven years. They say their free time is spent with the children.

The Callaways daughter, Lisa, is married to Josh Mussman. The couple resides in Phillipsburg and they enjoy adopting cats and dogs and taking trips with family. Jeff and Janette's son Michael enjoys fishing, hunting, fishing, and did we say fishing?! Michael will be leaving in January to attend Manhattan Area Technical School for Electrical Distribution. He also just earned his Associate of General Studies from Cloud County Community College.

Owner Jeff expresses the philosophy of the Almena Market, "The best thing about owning a business in Norton County is the personal connection to our customers. We know who might have just been in the hospital, just had surgery and shouldn't be lifting a grocery sack and we don't mind making a delivery or carrying out the smallest grocery sack. Being able to care about our customers and serve them personally is very rewarding."

 Carolyn Applegate is the Editor for the Norton County Magazine. She can be reached at [nortoncountymag@gmail.com](mailto:nortoncountymag@gmail.com). Reprinted with permission from the Summer 2013 issue of the Norton County magazine.



# Classified Advertising

## Assistant City Attorney

The City of Lenexa, Kansas is a growing, dynamic and progressive city due in large measure to its commitment to quality growth as a "planned community" in partnership with its citizens. We are currently accepting applications for an Assistant City Attorney. This is a highly responsible and challenging position providing legal advice and assistance on a wide variety of business and legal matters impacting the City.

QUALIFICATIONS include a juris doctorate from an accredited law school and a license to practice law in Kansas. Advanced legal knowledge; the ability to independently manage legal projects; counsel elected officials and management on legal matters; supervise and manage other attorneys and support staff; and research, analyze, and draft legal documents. This is not a prosecution position.

The ideal candidate will have a passion for public service and at least 3 years of legal experience, including municipal, real estate or finance work; a stable work history; excellent verbal, written and analytical skills; strong counseling and negotiating experience; supervision and management experience; and good interpersonal skills. Demonstrated competence in using PC-based applications such as Microsoft Office is required. This is a regular, full time position involving 40+ hours per week including occasional evening and/or weekend hours. Salary \$57,038 – \$90,062 DOQ, with excellent benefit and retirement package.

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## City Administrator

Hiawatha, Kansas (pop. 3,133; \$5.2 million budget; 30 FTE's) is seeking a professional administrator to maintain its high quality of life and strong sense of community. The position reports to an experienced five-person City Commission, and oversees all city departments. Hiawatha is located an hour northwest of the Kansas

City Metropolitan Area on the intersection of US Highway's 36 and 73. It is a hard-working, family-friendly community that has a rich history and growing health and service sectors. Amenities include a state of the art regional health center, excellent school system, and many cultural and recreational attractions. For more information, visit <http://www.cityofhiawatha.org/>.

The ideal applicant will have at least a bachelor's degree in public administration or a related field, and two or more years of management experience. The successful candidate will have proven budgeting and administrative skills, while demonstrating financial accountability, a good work ethic, and strong leadership. Applicants must demonstrate the communication skills necessary to work with elected officials, department heads, and other stakeholders in the community.

Competitive benefits, Salary \$60,000-\$70,000 DOQ. Interested candidates should submit a cover letter, resume, and three work-related references to [LEAPS-Hiawatha@lkm.org](mailto:LEAPS-Hiawatha@lkm.org) or LEAPS-Hiawatha, 300 SW 8th, Topeka, KS 66603. If confidentiality is requested, please note in application materials. Position will remain open until filled. Application review will begin October 7. EOE.

## City Clerk

The City of Ulysses, Kansas is seeking a qualified applicant for the position of City Clerk to oversee the daily office procedures in utilities, maintain ordinances, resolutions, assessments, city property, titles and personnel files. Provide assistance in response to requests from Mayor and Council. Assist City Administrator and City Attorney in maintaining personnel policies. Serve as Public Information Officer, review and sign all checks for the City and other duties as assigned.

Applicant must have supervisory/management experience, excellent communication skills and be self-directed. Certified Municipal Clerk certified is preferred but not required. Salary will be based on qualifications and experience.

Applications and complete job description

are available at City Hall, 115 W. Grant Avenue, Ulysses KS 67880, at [www.cityofulysses.com](http://www.cityofulysses.com) or call 620-356-4600. Applications will be accepted until the position is filled. All offers of employment are conditional upon the successful completion of a post offer physical exam, drug and alcohol screen and background check.

## Finance Director

Independence, MO (Pop.116,800+) the fourth-largest city in Missouri, is seeking qualified candidates for the position of Finance Director. Reporting to the City Manager, the ideal candidate will be experienced in financial reporting and compliance, budget planning and analysis, investment, risk management, and auditing. The City's annual combined funds budget is \$291M. The current director is retiring from a department consistently recognized for its financial reporting and budgeting processes, with 24 employees and a budget of \$335,000. The position requires a bachelor's degree in finance, accounting, or related degree. A master's degree and CPA are preferred. A minimum of 6 years in public or utility sector finance and budgeting, with supervisory experience, is required. Other desired attributes include possessing a team approach, a track record of innovation, and strong working knowledge of technology. Salary range for the position is \$107,500 +/- depending on qualifications; residency required. Excellent benefits include health and life insurance, long-term disability and participation in LAGERS, a state retirement system with five-year vesting. Questions to Art Davis (816) 898-1962. Confidential resume, cover letter, salary history, & 5 work related references to [ArtDavis@ArtDavisGroupLLC.com](mailto:ArtDavis@ArtDavisGroupLLC.com) by 10-11-2013. (EOE)

## Human Resource Manager

The City of Olathe is seeking a Human Resource Manager with proven and extensive experience in human resources leadership and management in a similarly sized local or state government, public agency, or comparable private sector organization.

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- Bachelor's degree from an accredited four-year college or university in Human Resource Management, Public Administration, or related field.
- Five years of broad based, progressively responsible human resources experience in a supervisory or management capacity; or any combination of education, training, and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

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**Police Chief**

The City of Arkansas City, Kansas, (population 12,000) seeks proven and progressive individual to lead the Arkansas City Police Department. The department operates from one central station, has an

operational budget of \$2.6 million and responds to over 10,000 calls annually.

The successful candidate will be an innovative leader with the ability to train and motivate employees, set goals/objectives for the department and ensure the delivery of exceptional police services. Progressive personnel management and public relations experience essential.

Successful experience in law enforcement as well as significant supervisory experience necessary. Kansas Law Enforcement Training Center (KLETC) certification (or qualifying reciprocity) required within one year of hire. Successful completion of executive command school such as FBI Academy or Southern Police Institute preferred.

Bachelor degree in Criminal Justice or related field required (Master Degree preferred), minimum of 10 years progressively responsible law enforcement experience, including 5 years increasingly responsible command experience preferred. Equivalent combination of training, experience and education providing the required knowledge, skills and abilities may be considered by the City.

Must possess a valid driver's license with a safe driving record. Must establish residence within the City of Arkansas City limits within six months of hire date. Compensation DOQ. Excellent benefits package including health/dental, paid leave and KP&F. The successful applicant must pass post-offer, pre-employment drug/alcohol screens along with physical capacity profile and background checks.

Applications accepted until position filled. Initial review October 14, 2013.

Apply online at [www.hrepartners.com](http://www.hrepartners.com)

To view Position Profile visit [www.arkcity.org](http://www.arkcity.org)

**Recreation Coordinator**

The City of Edgerton, KS is recruiting for a Recreation Coordinator

The Recreation Coordinator develops, promotes, schedules, and supervises assigned Edgerton Parks and Recreation programs and events. Assists in the publicity of activities to foster involvement for programs; and provides assistance and support to assigned management staff. Oversees maintenance of City parks facilities.

Education and Experience: Equivalent to a Bachelor's degree from an accredited college or university with major course work in Recreation Administration, Leisure

Services, or a related field. Two years of increasingly responsible experience in park and recreation programming including one year of administrative or supervisory experience.

Licenses and Certifications: Valid Driver's License with safe driving record during employment

To apply for the Recreation Coordinator, please complete an Application for Employment available at City Hall at 404 East Nelson, Edgerton, KS 66021 or on our website at [www.edgertonks.org](http://www.edgertonks.org) and submit to the attention of the Administrative Services Director.

**Utilities Superintendent**

The City of Edgerton, KS is recruiting for a Utilities Superintendent

The Utilities Superintendent is a professional and management position and reports to the City Administrator. This employee manages and supervises all aspects of public works personnel related to the management of water and wastewater. Oversees all buildings, streets, equipment, properties, and furnishings. Pay Range: \$52,404 to \$68,364

Education and Experience: An Associate's degree in a related field supplemented by formal specialized college course work in chemistry, biology, environmental science, supervision, plant maintenance and operations, or a related field is desired. Four to seven years of progressively responsible related experience, including supervisory; or, Any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications: Must possess a minimum of a Class B CDL Must possess a Class III Wastewater Operator Certification in the State of Kansas

To apply for the Utilities Superintendent, please submit a cover letter, resume with salary history and at least four references to the Administrative Services Director at 404 East Nelson, Edgerton, KS 66021.



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## The View From My Window



As you know, I have been sitting in the League Executive Director's office here since 1999. For almost as many years, I have had a front row seat for the renovation/restoration of the Kansas State Capitol.

Let's begin with some numbers and facts. The original project, which was begun a mere 12 years ago in December 2001, has had a storied, and shall we say, expensive history. The project officially began when all of the trees on the north side of the Capitol were clear cut so that a \$15 million two-story underground parking garage could be built on the Statehouse grounds. Now, at the outset of this undertaking, the original plan was to do the Capitol renovation, in its entirety, for a total cost of \$135 million with an expected completion date 8 years after the start of the project.

So here we are in September of 2013, and the project is still ongoing. The most recent announcements concerning completion now indicate that perhaps it could occur by the end of the year, but at the very latest early 2014. The most recent cost estimates, however, are not nearly so hopeful. The cost of the project, in the intervening 12 years, has ballooned from the original estimate of \$135 million to the current estimate of \$332 million.

So what have Kansans purchased with that amount of public money? Well, those parts of the Capitol which have already been completed are absolutely beautiful. I expect the rest will be just as nice. We will not only have a beautiful Capitol when it is completed, but also one that is safer and much more environmentally friendly. When the project is finally completed, I would hope that all Kansans will find their way to the State Capitol and take the tour, as it is truly the people's house.

My purpose today is not to comment on the cost, although extremely large, nor the length of time it has taken to get close to completing this project. Rather my focus is what brought us to this point in the first place. The long and the short of it is that the Kansas State Capitol had been let go for decades. By that I mean the maintenance, upkeep, and overall livability of the building had been neglected for many years. A headline in the *Lawrence Journal-World* from March 3, 2008, described the Capitol as "A Fixer-Upper" with a subheading "Capitol Repairs Uncover Classic Features, Cheap Work." The article goes on to note that "[a]fter decades of remodeling, rearranging and below-standard repair jobs, state officials knew in the 1990s they had a major fixer-upper on their hands and started the process of trying to preserve the structure while transforming it into a modern office building."

Anyone who worked in or around the Capitol over the past two or three decades knows that the building had gotten very, very run down. My favorite "improvement" that I had personally witnessed was the additional lighting which had been placed in the main floor rotunda which for years had housed the Capitol visitors center. One day, while over at the Capitol working on behalf of the League and our member cities, I happened to look up and notice the lighting that had been installed. In a nutshell what I saw can

only be described as a "shop light." By this I mean a florescent fixture, with four florescent tubes in it, that would typically grace the inside of a garage or an automobile repair shop. You know the ones I am talking about. They are totally functional, but nothing you would ever put into a space where one cared what it looked like. "Wiring" for this fixture was an orange, heavy-duty outdoor extension cord which ran over to the round rotunda ceiling and then ran half way around the interior of the rotunda ceiling until a plug-in was available.

It is for reasons such as the light fixture above that Kansas find themselves faced with a \$332 million bill for the restoration of the Capitol. Had the building been maintained all along, we wouldn't be facing this bill today. It seems that we continue to move into an era when the lowest cost for construction of public buildings, and their maintenance, is the only way we can go. This is not just the case in buildings, but for all public infrastructure. The failure to maintain existing infrastructure, and the problems that can create, cannot be overemphasized. We need to be willing to expend the funds it takes to properly maintain and upgrade our infrastructure as needed. We should not be waiting until such time as there is a crisis in our public infrastructure for us to finally launch into action in an effort to fix these problems.

The idea of deferred maintenance is not a new one. Deferred maintenance means that the difficulty and economic pain of maintenance of public infrastructure can be put off to another day, and perhaps another governing body or administration. The idea of pushing it off, as the State of Kansas did with the State Capitol building, only serves to create the problem that is now being solved across the street.

As a final thought, the photograph which accompanies this column is not from the Kansas State Capitol. It is rather a sidewalk in Washington, D.C. I took this photograph to serve as sort of a poster child for what I am talking about. The photograph depicts a brick that has been dropped into a historic brick sidewalk as an expedient measure to plug a hole. It is neither the right size nor color. What it indicates is a total lack of dedication to maintaining the public ways of the city. I hope you will all avoid this, and will try and find the resources necessary to adequately maintain your public infrastructure and buildings. Our public expects no less, and we should expect no less of ourselves.



Sidewalk "repair" near Ford's Theatre, Washington, D.C.

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

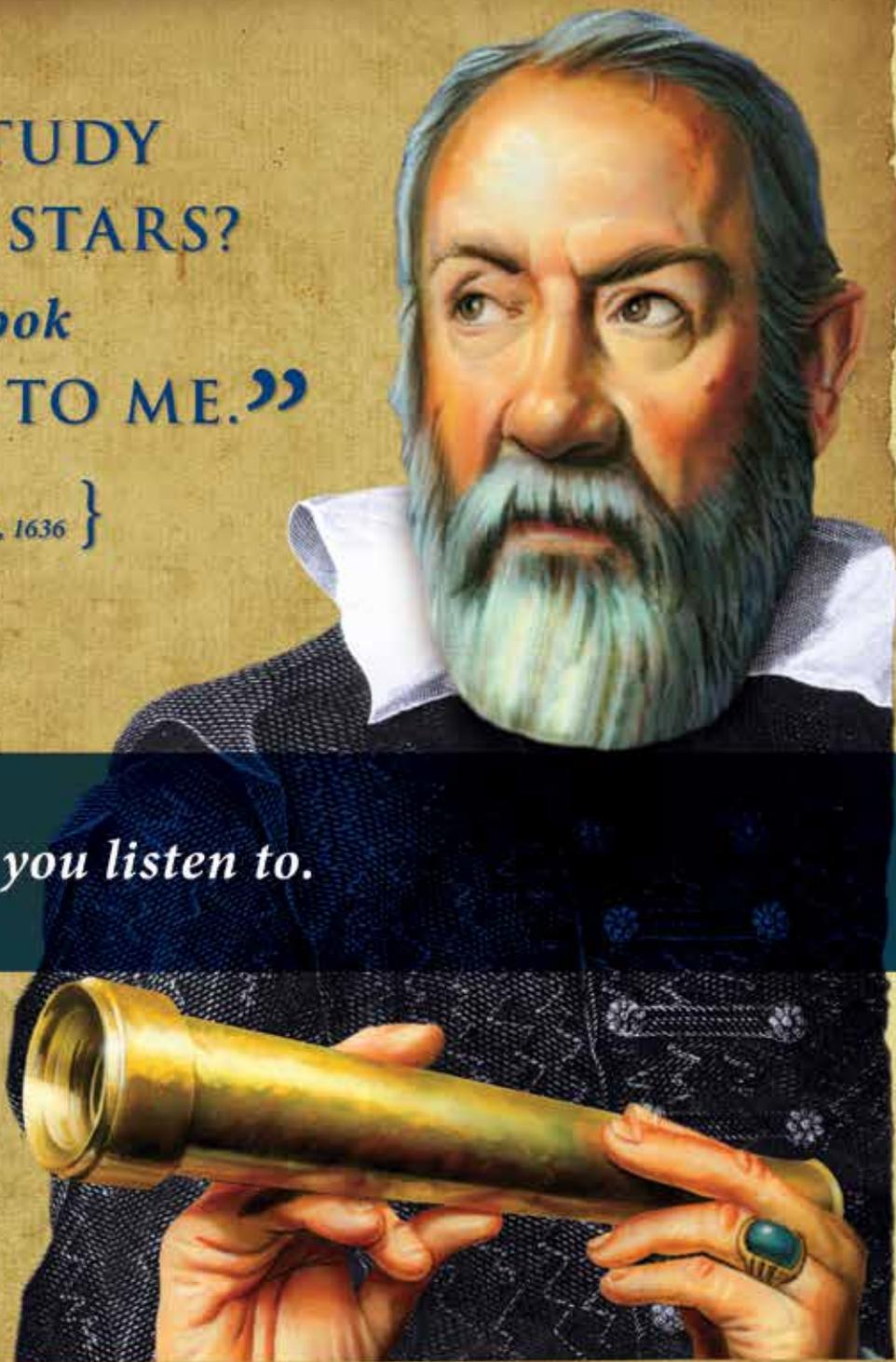
{ *Apprentice to  
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