

Kansas

GOVERNMENT JOURNAL

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OCTOBER 2017

Importance of Infrastructure

Voter Engagement in Kansas

League Annual Conference



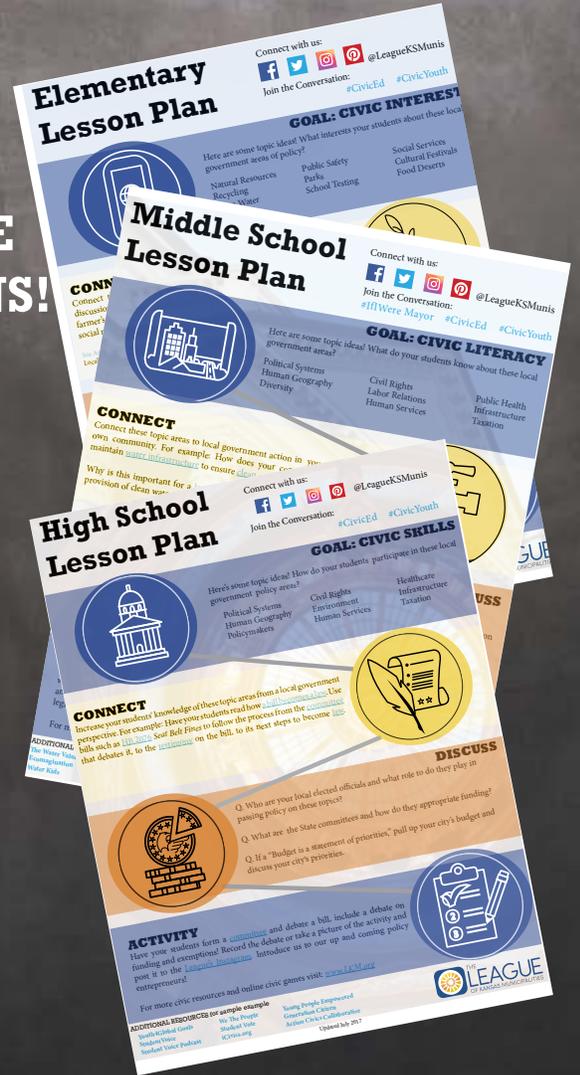
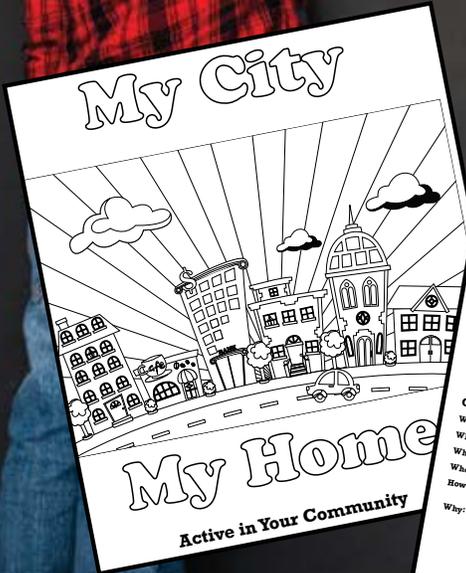
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Civic Resource Guide



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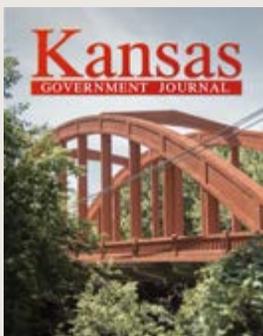
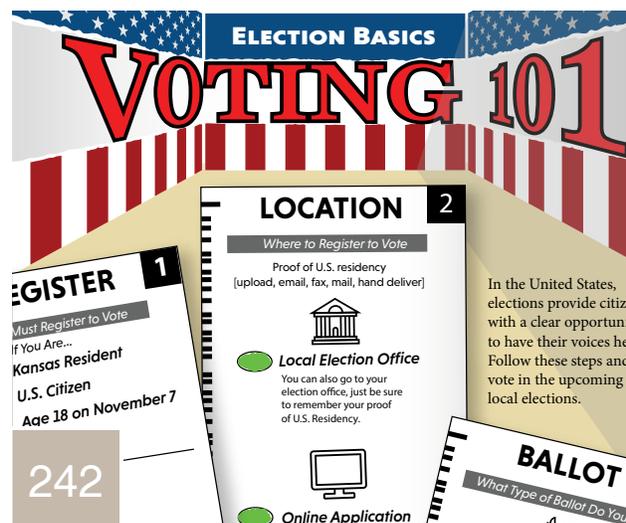
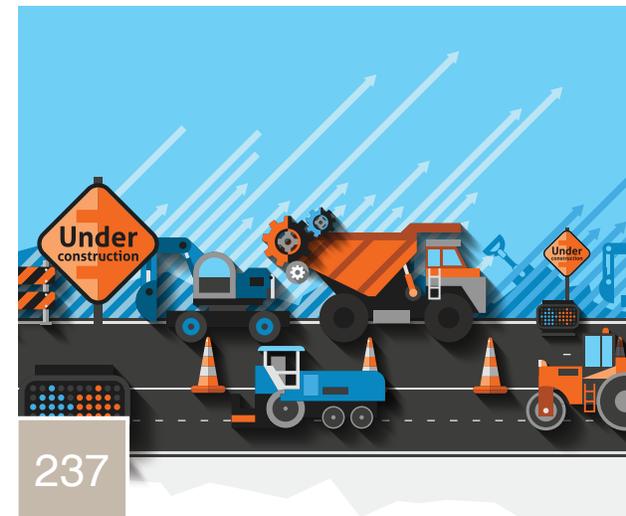
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Our cover this month features the 84-year old National Avenue Bridge in Fort Scott. This bridge underwent an extensive restoration in 2012. In 2013 the National Avenue Bridge project won the American Public Works Association's award for historic restoration for small cities.

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



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2017 League Events Calendar

OCTOBER.....

October 24..... Webinar: Cybersecurity: Simple Steps for Protecting Your Organization
 October 26..... MTI: Hiring Public Safety Officials (Elective), Belle Plaine
 October 27..... MTI: Hiring Public Safety Officials (Elective), Leavenworth

NOVEMBER.....

November 7..... General Election
 November 10..... Veterans Day (Observed)
 November 15-18..... NLC City Summit, Charlotte, NC
 November 23 & 24..... Thanksgiving Holiday, League Offices Closed
 November 30..... MTI: Grant Compliance & Administration (Elective), Tonganoxie

DECEMBER.....

December 1..... MTI: Grant Compliance & Administration (Elective), Girard
 December 22..... Christmas Holiday League Offices Close at Noon
 December 25..... Christmas Holiday League Offices Closed

Visit www.lkm.org/events for MTI and Webinar registration.

Obituaries

Samuel I. Mason, age 84, a native and longtime Judge of Fort Scott, died September 2, 2017. He was born on March 23, 1933, in Fort Scott, the son of Raymond and Florence Wyckoff Mason. He graduated from Fort Scott High School with the class of 1951. He was an avid student attending Fort Scott Community College, Pittsburg State University and the Judicial College of Reno, Nevada. He married Lora E. Dryer on October 30, 1954, in Fort Scott. He worked for the railroad in his early years. At the age of 31, Sam became the youngest District Magistrate Judge in Kansas. He would continue to serve in this capacity until retiring in 1996 after 33 years.

Samuel was active in his community with the Jaycees, Court Appointed Special Advocates, Tri-Valley Board, Southeast Kansas Mental Health, Southeast Kansas Community Action Program, President of the Fort Scott High School Alumni Association, President of Administrative Board of the Methodist Church and program director of SEK Correctional Facility. He was a co-writer of legislation for Meals on Wheels and Transportation in Kansas and President of the Probate Judges Association of Kansas.

He served on the committee that wrote the forums on Conservators and Guardianships of the State of Kansas, interviewed for Secretary of Corrections for Governor Finney, and was Vice-President of the Highway 69 Association. He was a member of the First United Methodist Church and was a Councilmember for the City of Fort Scott.

Survivors include his wife Lora, three daughters, Terri Pence and husband Patrick, Pittsburg, KS; Lizabeth Mason Finley and husband Michael, Altamont, KS; and Samie Kay Payne and husband Thomas, Nixa, MO; and many extended family members.

Director's Foreword

by Erik Sartorius

What a great time we had in Wichita! I loved getting to see so many energetic faces – both old and new – at our conference last month. While putting on such an event takes a ton of energy, I've found that we usually have that energy replenished from our conversations and interactions with members. Thanks to so many of you for your attendance.



For those of you that were not able to attend this year, I wanted to share in my monthly column some of the messages contained in my annual Executive Director's Report. Driving our work is the League's vision: "To be recognized and respected as the resource and voice for cities in Kansas."

At the conference, the League re-launched our youth civic education program. Citizen engagement is a priority for Kansas cities and the best place to start is with our youngest community members.

Led by Chelsea Ren Morton, our management intern from The University of Kansas, we crafted a Civic Learning Path to frame the new program and demonstrate a progression of civic growth. We expanded the program to include interactive lesson plans and a civic resource guide. To increase participation, we created an activity book, changed our "If I Were Mayor" writing contest to align with Kansas Department of Education guidelines and added new social media platforms to capture the interests of high schoolers.

Our program bridges the gap between issues that interest kids and issues that preoccupy adults, thus creating an intergenerational civic dialogue. Please visit our website to download the materials for free. We hope you will encourage kids of all ages to be inspired for public service.

Following up that initiative for civic engagement, we will soon be announcing a collaborative effort with the Women's Foundation and the Kansas State University Extension Service to help cities connect with residents willing to play a role in municipal government.

One of the challenges for members that we frequently hear about is the lack of a "deep bench" for boards, commissions and future governing body participation. We will seek to facilitate the skill development of women and men in our cities so as to increase the pool of potential appointees to boards and commissions. Details will be coming in the near future.

We have dramatically increased our presence on social media. Almost every day, we post about issues affecting cities in general or about events occurring in Kansas cities.

On Facebook, we have more than 11,000 followers. Over 5,000 of them came during the Hometown Showdown competition this year. What is interesting about this figure is that we have not seen a loss of followers since the photo competition. What does that tell us? We're posting content that is interesting to those inside and outside of local government.

With Twitter, we have been able to interact with journalists, elected officials and member cities to help get our message out to a larger audience. Please make sure that you're reaching out to us, or simply tagging us, so we can share information on this fast-changing platform.

I believe our advocacy at the legislature is one of our most important duties to cities. We continue to build and cultivate relationships to keep us a credible voice in the capitol. Beyond the sheer volume of our testimony, we have worked to increase the impact of our testimony. For our action agenda issues, League and city testimony was combined into a single packet, allowing

both legislators and the media to quickly identify testimony from cities.

For the first time that I could recall, we were invited to present informational briefings about the League to legislative audiences. These included all newly-elected senators during their orientation meetings, as well as the House and Senate committees that focus on local government. Rather than speaking to legislative issues, these were opportunities to introduce legislators to cities - both what they do and their relationship with the state. Further, they learned about the League and the services we provide to our members and the legislature.

As I wrap up this month, I would like to recognize the efforts of League staff. The conference, and virtually all other services, advocacy and trainings provided by the League, are due to amazing people who serve you as members of the League staff. I cannot speak highly enough of them.

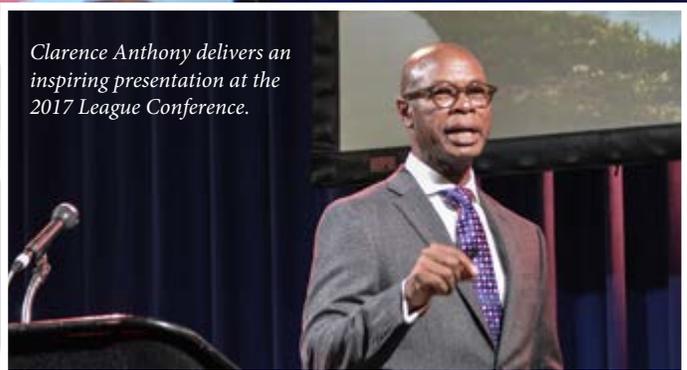
One League staffer in particular epitomizes this "Let's Do It!" approach to member service. Larry Baer, our General Counsel, has been a familiar and friendly face to countless League members over the past 16 years. In early January, Larry will be leaving us for the greener pastures of retirement. He has been a selfless civil servant, a trusted advisor to cities everywhere, a mentor to all of us and just a heck of a guy to have around. On behalf of the entire League family, please join us in wishing Larry nothing but the best in his future!

Thank you for the opportunity to continue to serve you, your cities and the citizens of the great State of Kansas. We look forward to continuing to work together with you!

Any questions? Comments? Please let me know! Contact me at esartorius@lkm.org or (785) 354-9565. 

2017

League Conference Wrap-Up



Clarence Anthony delivers an inspiring presentation at the 2017 League Conference.

Over 400 local government officials – including elected and appointed staff – traveled to Wichita September 16 through 18 to attend the League of Kansas Municipalities Annual Conference. The 2017 conference focused on the theme of resiliency in cities. Over the course of three days, the officials spent time focused on the challenges of governing on many levels – managing fiscal challenges, addressing aging infrastructure, improving citizen engagement, maintaining quality personnel, discussing public policy and the opioid crisis, and strategizing solutions for blight and nuisance issues.

The weekend was filled with educational opportunities for local officials including three Municipal Training Institute classes focused on nuisance abatement, municipal finance and governmental ethics.

National League of Cities CEO and Executive Director Clarence Anthony was the keynote speaker at the conference. In his address to the crowd, Mr. Anthony provided motivational and inspirational reminders why we serve in local governments and how impactful the role of a local leaders is in today’s political climate.

The trade show was successful with nearly 160 vendors attending to showcase their services and products for local government officials and agencies.



Representative Jim Kelly (R-Dist. 11) received the 2017 Intergovernmental Leadership Award (left). Debbie Wendt, retired Herington City Clerk, received Clerk of the Year Award.

The 2018 Statement of Municipal Policy was adopted by the Conference of Voting Delegates along with new Governing Body Leadership (see page 246). The League also presented the Intergovernmental Leadership Award to Rep. Jim Kelly (R-District 11) and the E.A. Mosher Award to the Mayor of Stockton, Kim Thomas.

The social event on Sunday night featured Howl2Go, a dueling piano group that played dozens of songs for the crowd to sing along and enjoy the evening.

Mark your calendars now for October 6-8, 2018 for the League’s Annual Conference in Topeka! Registration and hotel information will be released in summer 2018. 



Thanks to our Conference Sponsors!

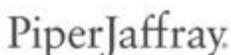
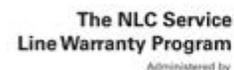
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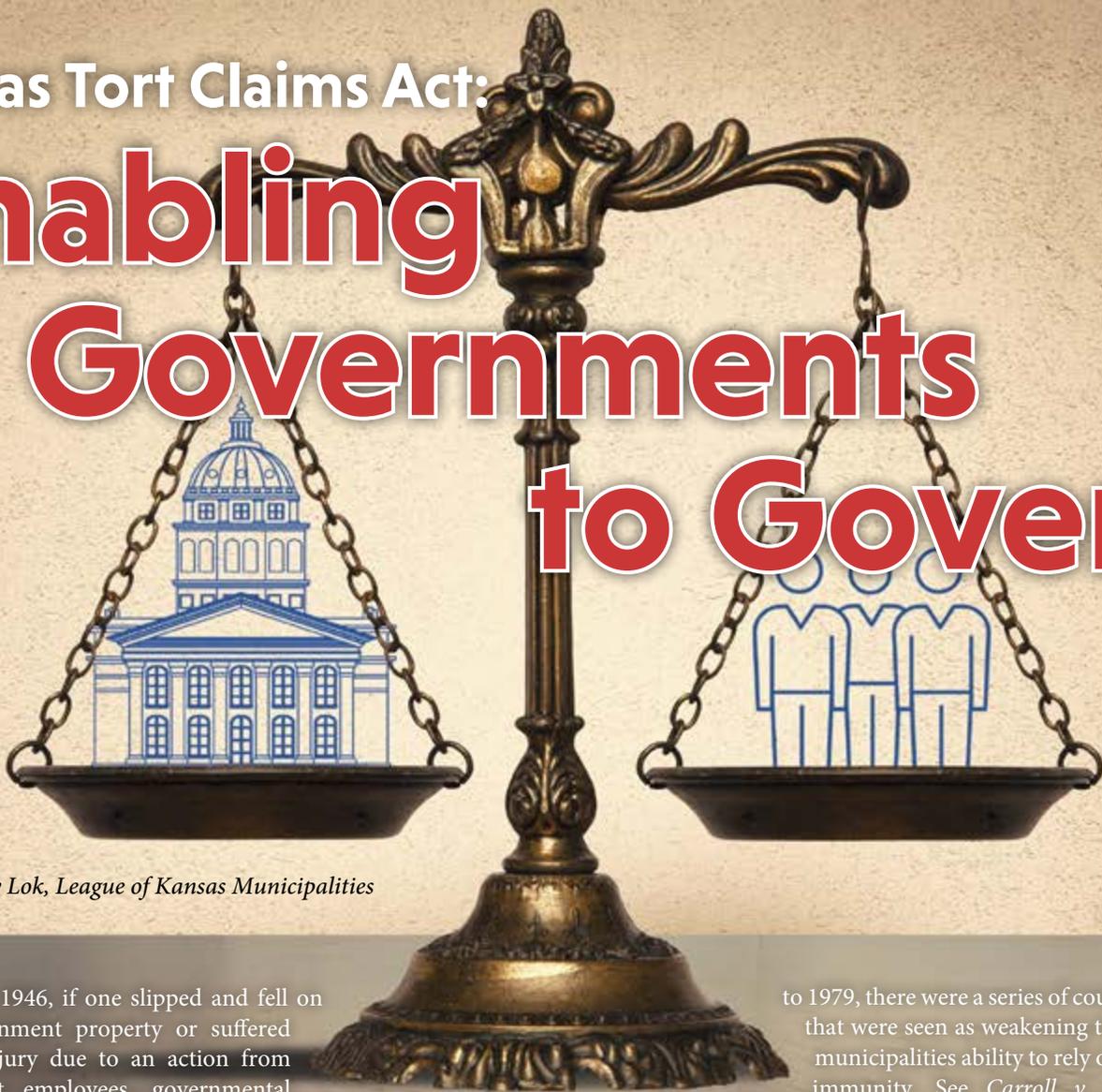


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Kansas Tort Claims Act:

Enabling Governments to Govern



By Johnny Lok, League of Kansas Municipalities

Before 1946, if one slipped and fell on government property or suffered an injury due to an action from government employees, governmental immunity made it difficult to recover.

Government immunity stems from the old English law concept of sovereign immunity, “the king can do no wrong.” In response to this perceived injustice, the federal government passed the Federal Tort Claims Act in which it waived federal sovereign immunity in certain instances. Many states followed suit. Kansas passed the Kansas Tort Claims Act (KTCA) in 1979. For municipalities, it is vital to understand when citizens or entities can bring suit and when the municipality can be held liable. In general, the KTCA allows the government to govern without fear of litigation while still providing an avenue for people to recover from governmental negligence.

Each states’ approach to sovereign immunity is different but there are three main methods: (1) complete waiver of sovereign immunity; (2) limited waivers for specific claims; and (3) a general waiver of immunity with certain exceptions allowing the government to assert immunity. See *Matthiesen, Wickert & Lehrer, State Sovereign Immunity and Tort Liability in All 50 States*, (2017). Kansas falls in the last category and generally waives sovereign immunity except in 24 situations.

Before 1979, Kansas courts held governmental function activities were immune from liability, while proprietary function activities could be subject to suit and liability; however, from 1969

to 1979, there were a series of court decisions that were seen as weakening the state and municipalities ability to rely on sovereign immunity. See *Carroll v. Kittle*, 203 Kan. 841, 457 P.2d 21, (1969); *Gorrell v.*

Parsons, 223 Kan. 645, 576 P.2d 616, (1978). In response to this perceived weakening, in 1979, Kansas adopted a compromise, the Kansas Tort Claims Act, which ultimately waived governmental immunity unless it fell under an exception pursuant to K.S.A. 75-6104. See *Kansas Legislator Briefing Book: Prepared for the 2015 Kansas Legislature*, M-1 (2015).

Overview of the Kansas Tort Claims Act

The KTCA generally covers only acts of negligence. K.S.A. 75-6102(a). There have been unsuccessful instances where plaintiffs tried to include other forms of tort such as trespass, nuisance and malicious prosecution. *Kansas Legislator Briefing Book: Prepared for the 2015 Kansas Legislature*. The KTCA has a cap on damages of \$500,000. K.S.A. 75-6105(a). This monetary cap on damages is waived if the governmental entity has an insurance policy or an arrangement providing coverage of more than \$500,000. K.S.A. 75-6111. Under the KTCA employees include not only any person employed by the state, municipalities or counties, but also persons who are elected and appointed officials, charitable health care providers, some employees or volunteers contracted with certain government entities, and even medical students at the University of Kansas Medical Center. K.S.A. 75-6102(d). Independent contractors are not included with a few exceptions

such as contracted steward and racing judges. K.S.A. 74-8818. Unlike in other states, the KTCA requires plaintiffs to file a notice of claim against municipalities pursuant to K.S.A. 12-105(b); the KTCA does not require the plaintiffs to file a notice of claim against the state government.¹

The current KTCA consists of 24 exceptions in which government entities, and government employees acting within the scope of employment, retain immunity. The five most often used include legislative function, judicial function, enforcement of the law, discretionary function and recreational use. These exceptions are broad and cover the majority of tort claims filed against municipalities.

Legislative Function Exception

If the alleged harm arises from a legislative function action, the municipal or state government cannot be liable. The KTCA defines a legislative function as a function “including, but not limited to, the adoption or failure to adopt any statute, regulation, ordinance or resolution.” K.S.A. 75-6104(a). On the surface, this appears to be a far-reaching, broad affirmative defense for legislative functions of government. For example, a city could not be held liable for failing to enact a ban on smoking in public areas because it is legislative in nature; however, Kansas courts have limited the scope of this exception. In *State ex re. Stephan v. Kansas House of Representatives*, the Supreme Court ruled the legislative function immunity only bars actions dealing with damages. As a result, other litigations such as mandamus actions are still proper for challenging legislative actions. See 236 Kan. 45, 687 P.2d 622, (1984). In *Jackson v. City of Kansas City*, 235 Kan.

278, 680 P.2d 877, (1984), the Supreme Court found the legislative function exception, “is not a blanket exemption of each act of every employee of every state, county or municipal governmental entity simply because the employing governmental entity may exercise legislative powers.” Thus while immunity should protect legislative bodies in order to encourage them to address legislative matters, it is not extended to all actions performed by governmental employees. See *William E. Westerbeke, The Immunity Provisions in the Kansas Tort Claims Act: The First Twenty-Five Years*, 52 Kan. L. Rev. 939.

The limits of the legislative function exception can be illustrated with the following example. A city enacts a 40-mph speed limit on a city street by ordinance. After enacting the speed limit, there is an accident and one of the individuals injured claims if the city had set a slower speed limit, the accident would not have occurred. The city will have immunity because the setting of a speed limit is clearly a legislative function. The city could have liability for damages if, for example, a city employee causes an accident due to texting while driving as part of their employment because the employee’s negligent act of texting while driving is not a legislative function. By limiting this exception to only acts that are legislative in nature, the courts protect legislative functions, but prevent the exception from being an overly broad affirmative defense.

Judicial Function Exception

The KTCA’s judicial function exception protects and provides immunity to the state government, municipalities and their employees performing judicial functions. For example, if a judge denies an individual pretrial bail resulting in the individual

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missing work and eventually losing his job, the individual cannot later hold the judge liable. This exception is often closely tied with the discretionary function exception. The key is whether an act is ministerial. Courts must differentiate ministerial acts from judicial or discretionary acts because ministerial acts are not an exception to the KTCA.

In *Cook v. City of Topeka*, 232 Kan. 334, 654 P.2d 953, (1982), a clerk negligently failed to have a bench warrant withdrawn. As a result, the plaintiff was erroneously arrested. The failure to withdraw the warrant was ruled a ministerial act.

“A ministerial act may be defined to be one which the person performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, without regard to or the exercise of his own judgment upon the propriety of the act being done.” *Id.* at 957.

The Kansas Supreme Court distinguishes judicial function acts from ministerial acts because the former involves the “exercise of judgement, discretion, discernment, and discrimination.” *Id.* at 953, 957. Solely ministerial acts are not an exception to immunity under the KTCA.



Courts must differentiate ministerial acts from judicial or discretionary acts because ministerial acts are not an exception to the KTCA.

Enforcement of a Law Exception

K.S.A. 75-6104(c) protects the executive functions of municipalities, and other government entities, as well as the actions of their employees acting within the scope of employment. It grants immunity for damages resulting from “enforcement of or failure to enforce a law, whether valid or invalid, including, but not limited to, any statute, rule, regulation, ordinance or resolution.” K.S.A. 75-6104(c). For example, a city cannot be liable for negligently failing to enforce a noise ordinance.

This exception draws its inspiration from the Federal Tort Claims Act which provides that the federal government is immune from claims “based upon an act or omission of an employee of the Government, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid.” 28 U.S.C. § 2680(a). The key difference is the KTCA lacks the language “exercising due care.” *Westerbeke*, *supra* at 982.

Kansas courts have limited and defined this exception. In *Lantz v. City of Lawrence*, the Court held:

“The exception in the [KTCA] contained in K.S.A. 1981 Supp. 75-6104(c), exempting governmental entities from liability where damage results from the enforcement of a law, is inapplicable where it is determined by a trier of fact that the actions of city employees giving rise to the lawsuit were outside the purview of the municipal ordinance which allegedly granted authority for such action.” 232 Kan. 492, 657 P.2d 539, (1983).

In *Lantz*, the City of Lawrence enacted an ordinance authorizing the city to cut the weeds if the property owner failed to maintain their property. While enforcing this ordinance, the city used weed trimmers and chainsaws to not only cut weeds but also many trees on the property. The court held the K.S.A. 75-6104(c) exception does not apply to tortious acts outside the purview of the statute, ordinance, regulation or resolution purportedly being enforced. In this case, the city did not act outside of the scope of the weed maintenance ordinance because its employees were acting without malice and within the scope of their employment, the city had immunity under the executive function exception.

Discretionary Exception

The fourth major exception is for discretionary actions. This exception is the broadest immunity provision and is often raised with other defenses. K.S.A. 75-6104(e) provides immunity from “any claim based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a governmental entity or employee whether or not the discretion is abused and regardless of the level of discretion involved.” This exception also mirrors a portion of the Federal Tort Claims Act at 28 U.S.C. § 2680(a). In Kansas, there have been three main standards developed to determine if an act is a discretionary function. First, a discretionary function contains policy-oriented decisions not subject to judicial review. Second, the immunity can be applied to discretionary decisions at the operational and planning level, such as determining staffing levels and not just at the individual level. Third, if an act is ministerial, having clearly established rules that must be followed, any action not following those rules is not protected by the discretionary function exception. *Westerbeke*, *supra* at 960, 961.

Robertson v. City of Topeka, 231 Kan. 358, 644 P.2d 458, (1982), is one example of the discretionary function exception in action. In *Robertson*, three police officers were called to remove an intoxicated trespasser from the plaintiff’s property; however, the officers instead asked the plaintiff to leave the premises. The property was then burned by the intoxicated individual. The plaintiff argued the officers had a duty to protect the property and were liable for the damages. The Kansas Supreme Court held this was not ministerial conduct because the officers did not have guidelines dictating what action to take in this situation and thus had to act upon their own discretion. Because the discretionary function exception was found to apply, the officers and the city, were immune from liability. The Court reasoned police officers should have the necessary level of discretionary authority in order to act sufficiently without the fear of future liability. ²

Recreational Use Exception

Recreational Use Immunity under the KTCA is another exception of interest for many municipalities. The KTCA grants immunity from liability for negligence occurring on public recreational property. It states:

“Any claim for injuries resulting from the use of any public property intended or permitted to be used as a park, playground or open area for recreational purposes, unless the governmental entity or an employee thereof is guilty of gross and wanton negligence proximately causing such injury.” K.S.A. 75-6104(o).

This immunity is broadly applicable to injuries resulting from activities at playgrounds, swimming pools, municipal baseball fields, and would apply to both participants and those watching the activities. See *Wm. Scott Hess & Christopher F. Burger, Recreational Use Immunity: Play at Your own Risk*, 77 Kan. Bar Ass’n (2008).

Recreational use immunity is lost if the plaintiff can prove the government entity or employee “is guilty of gross and wanton negligence.” K.S.A. 75-6104(o). To show “gross and wanton negligence,” the plaintiff must show the defendant’s conduct was reckless. Reckless conduct “is conduct in disregard of or indifference to the consequences, under circumstances involving danger to life or safety of others.” *Lanning by & Through Lanning v. Anderson*, 22 Kan. App. 2d 474, 921 P.2d 813, (1996). Furthermore, “wanton conduct” is similarly described as “an act performed with a realization of the imminence of danger and a reckless disregard or complete indifference to the probable consequences of the act.”

Id. Plaintiffs will find it difficult to hold the government liable for injuries sustained while on public recreational property.

Conclusion

The KTCA protects municipalities, the state government, and their employees acting within the scope of employment. Although the KTCA generally waives sovereign immunity, it contains 24 exceptions that the state of Kansas and its municipalities can invoke to prevent and limit liability. The five exceptions often used by municipalities are legislative function, judicial function, enforcement of the law, discretionary function, and recreational use. The KTCA helps government entities and municipalities to govern effectively without fear of liability and costly litigation and should be looked to as an affirmative defense during litigation.



 **Johnny Lok** is a former extern for the League of Kansas Municipalities. He is a law student at The University of Kansas.

Sources:

¹But see *Christopher v. State ex rel. Kansas Juvenile Justice Auth.*, where the court ruled the 120-day notice requirement for claims against a city can be applied to claims against the State. *Christopher v. State ex rel. Kansas Juvenile Justice Auth.*, 143 P.3d 685 (2006).

²Also see *Williams v. C-U-Out Bail Bonds*, WL 3568654 (2017), for a more recent case explaining this exception.

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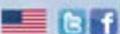
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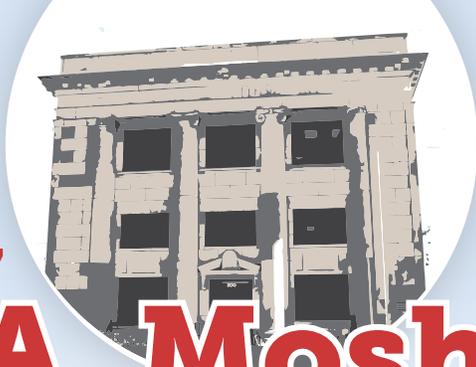


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2017 E.A. Mosher Excellence in Local Government Award



The League of Kansas Municipalities presented the 2017 E.A. Mosher Excellence in Local Government award on September 18 to Kim Thomas, Mayor of Stockton. This award was presented as part of the League’s Annual Conference, September 16-18, in Wichita.

Mayor Thomas is the 17th recipient of the E.A. Mosher Award. She was honored for her decades of public service to the City of Stockton and the surrounding community. As Mayor, Thomas has been involved in numerous initiatives to provide quality infrastructure in the community, develop economic opportunities, increase energy efficiency and add affordable housing within the city.

Ms. Thomas has served as Mayor since 2003 and has an extensive list of civic accomplishments including the development of a community swimming pool, construction of a new water treatment plant, new recreational initiatives including tennis courts and a pocket park on Main Street, along with the replacement of electric utility distribution lines.

Mayor Thomas has served on the Board of Directors for numerous statewide organizations including the Kansas Mayors Association, the Kansas Municipal Electric Association, the Kansas Hospital Auxiliary and Kansas Municipal Utilities. On many occasions, she has been called a “peacemaker” and strives for mutual cooperation between various government entities on state and local levels. She just completed a year-long term as President of the League of Kansas Municipalities and has been involved with the League in numerous ways including policy development and advocacy.

Even with a full civic schedule, Mayor Thomas still manages to make time to

volunteer as a coach for local softball teams and fulfill her passion for the preservation of history. She has served on the board of the Nicodemus Kansas Historical Society for 26 years and has been active in the Nicodemus Buffalo Soldiers organization.

“Kim is a consummate champion for regional cooperation and consistently seeks to ensure her community is doing what can be done for the betterment of the surrounding area,” said Erik Sartorius, Executive Director of the League of Kansas Municipalities. “Senator Jerry Moran has called her the “Rooks County Peacemaker” for her collaborative approach to community governance. Kim is very deserving of this award.”

She attended Emporia State University and has nine grandchildren.

The E.A. Mosher award is named in honor of Ernie Mosher. Mr. Mosher served the League as Executive Director from 1960 to 1991 and is one of the most respected individuals in the profession. Ernie was a prominent voice in the Kansas municipal community, with the Kansas Legislature, and state municipal leagues across the country. His heart and soul was in local government, and he was a strong advocate of cities’ constitutional Home Rule Authority. He played a key role in the constitutional amendment for Home Rule being adopted by Kansas voters in 1960.

In 2001, the League established the Excellence in Local Government Award to recognize the accomplishments of distinguished leaders in the local government community. In 2009, Ernie Mosher’s name was added to this award. This award is presented annually to an elected or city official who has demonstrated outstanding service to their city, promoted positive intergovernmental relationships, and had an active commitment to the League. 



Mayor Thomas accepts the E.A. Mosher Award at the annual Public Service Luncheon.

Excellence in Local Government Award Past Recipients

- 2001 • Mayor Bob Knight • Wichita
- 2002 • Mayor Carol Marinovich • Kansas City
- 2003 • Mayor Warren Hixson • Colby
- 2004 • Mayor Ed Eilert • Overland Park
- 2005 • Commissioner John Zutavern • Abilene
- 2006 • Commissioner Richard Jackson • Ottawa
- 2007 • Commissioner Pat Pettey • Kansas City
- 2008 • Mayor Don DeHaven • Sedgwick

- 2009 • Councilmember Diane Linver • Lenexa
- 2010 • Mayor Bruce Snead • Manhattan
- 2011 • Mayor Clausie Smith • Bonner Springs
- 2012 • Mayor Kenneth Bernard • Lansing
- 2013 • Mayor Brad Smiley • Canton
- 2014 • Mayor Carl Brewer • Wichita
- 2015 • Mayor Joe Denoyer • Liberal
- 2016 • Councilmember Andy Huckaba • Lenexa

The Importance of Infrastructure

Local leaders know how important quality roads, bridges and infrastructure are to a community. With fiscal challenges and ever-increasing needs, find out why local leaders need to keep the focus on funding this critical function of Kansas cities.

By Chardae Caine and Ty Buschbom, League of Kansas Municipalities



Cities across the state of Kansas are faced with the challenge of improving transportation and infrastructure in their communities. Infrastructure involving transportation, municipal utilities, energy services, and water and environmental structures are all dependent on the ability of local officials to self-determine what's appropriate for their own communities. This self-governance relies on the expectation of cooperation from the state government and full funding as required by law under current statutory programs from both the state and federal government.

Each year, as money distributed to cities decreases, local leaders are tasked with the responsibility of updating, repairing or preserving the roads and bridges they encounter each day. In the last decade, there has not been enough money allocated to fund transportation projects throughout the state. As the Kansas

Legislature attempts to adopt a balanced budget every two years, it becomes increasingly evident that something must be done to provide resources needed for local infrastructure.

The Kansas Legislature, under ever-mounting pressure from budget deficits, has repeatedly transferred millions of dollars from special Kansas Department of Transportation (KDOT) funds to the state General Fund. The Connecting Links Payment Fund, for example, has seen its funding decay every year since 2012.¹ Some funds, like the Special City and County Highway Aid Fund (SCCHF), have only regained 2009-level funding in 2015, which is still greatly underfunded when factoring in inflation. Others, like the Local Ad Valorem Property Tax Fund, have been completely abandoned.² Most municipalities depend on these state funds to defray the costs of road and bridge maintenance – this has a direct

effect on the usability and safety of vital infrastructure. Funding for these initiatives is well below adequate levels.

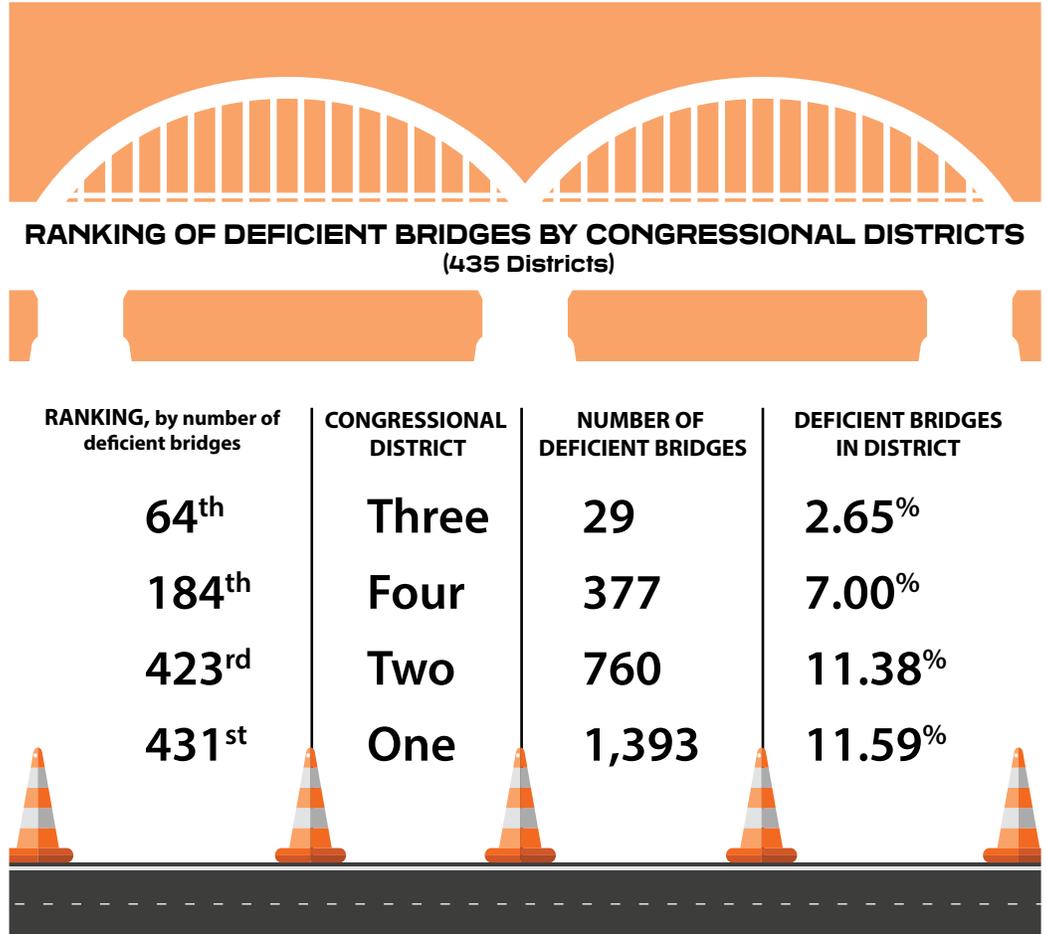
Local leaders must explore new options to meet the infrastructure needs of their communities. This article is meant to provide information to local leaders to discuss the current state of roads and bridges throughout Kansas and the funding challenges that local governments face.

Perhaps the most demanding concern facing Kansas, in terms of vital infrastructure, remains deteriorating bridges. According to a 2013 report by the American Society of Civil Engineers, Kansas received a D+ on its bridges.³ The report further noted that only five states in the U.S. have more structurally deficient bridges than Kansas – numbering nearly 3,000. The overwhelming majority of these bridges are of local responsibility. Additionally, the report shows local roads and bridges in Kansas receive less than half of the funding required to meet basic maintenance needs; this results in the ability to replace or rehabilitate only about 40 local bridges per year.

KDOT oversees all state-owned and funded infrastructure throughout the state. KDOT has several divisions and bureaus that ensure projects are practical, essential and timely, such as Research, Road Design, Maintenance and Local Projects. Through each division of the department, ideas are transposed into goal-setting and strategic planning by identifying the needs of the state. The Bureau of Local

Projects facilitates the distribution and completion of the City Connecting Link Improvement Program (CCLIP), Off-System Bridge Program, Special City/County Highway Funds and other projects provided for local governments throughout Kansas. However, even with these programs, local funding for projects is needed to adequately maintain road systems.

In comparison to other states, bridges throughout Kansas are in critical need of updates and replacement. Throughout the nation, there are only five Congressional districts in Florida, Nevada and Texas with no deficient bridges. Transit Labs conducted research



on the number of deficient bridges found in each Congressional District. The ranking is based on the number of deficient bridges in each Congressional District. The table below demonstrates the ranking each Congressional District in Kansas holds, the number of deficient bridges in each district and the percent of deficient bridges in each district.⁴

Kansas's 1st Congressional District encompasses 63 counties. This district comprises most of the western region of Kansas and is ranked the 4th worst in the nation. With over 1,000 deficient bridges, this part of the state's infrastructure needs should be addressed quickly. Two other districts, the 2nd and 4th, also need work done to ensure the safety of Kansans.

There are nine states with at least three districts with more than 300 deficient bridges. Seventy-five percent of Kansas Congressional Districts have a significant number of deficient bridges. Only one Congressional District is not in the 50 Worst Districts throughout the nation, Congressional District Three.

There are 24,883 bridges throughout Kansas, maintained by the state government, local governments or Kansas Transit Authority. Seventy-seven percent of these bridges, or 19,403, are locally-maintained. Of this number 2,047 local bridges are structurally deficient. A structurally deficient bridge is inadequate to carry today's legal loads as defined by the Federal Highway Administration. Over 1,000 bridges are determined to be functionally obsolete meaning the bridge does not meet current engineering standards because it is narrow, the clearance beneath it or through it is inadequate, the approaching roadway alignment is deficient and/or structural condition or waterway adequacy is deficient. Together, these structurally or functionally deficient bridges make up 16% of locally maintained bridges throughout Kansas. Combined with state-maintained and Kansas Transit Authority bridges, 15% of 24,883 [3,710 bridges] are deficient.⁵ It is important to note Kansas' inventory of deficient bridges has been cut nearly in half over the past 20 years.

What can local leaders do to keep road safety a top priority to reduce traffic fatalities and injuries? The League, along with other organizations in our state, believe that infrastructure spending is a top priority and essential to maintaining and improving the quality of life in Kansas' cities. The League encourages the Kansas Legislature and state departments to continue placing road safety at the top of the selection criteria for road improvement projects. We encourage officials to continue to advocate for increased allocations to the programs which provide infrastructure funding to local governments. Additionally, we support full funding of the T-WORKS comprehensive transportation program and oppose any reduction or re-allocation of these funds from infrastructure development. The League also encourages local leaders to emphasize the importance of preservation projects to key decision makers and the public to ensure maintenance is performed before major rehabilitation is required. Preservation and maintenance of infrastructure is more efficient and less costly to governments when managed effectively.



 **Chardae Caine** is the Research Associate for the League of Kansas Municipalities. You can reach her at ccaine@lkm.org or (785) 354-9565. **Ty Buschbom** is a former extern with the League. He graduates this December from the University of Washburn School of Law.

Sources:

1. <http://budget.ks.gov/comparis.htm>
2. <http://budget.ks.gov/publications/FY2004/FY%202004%20Comarison%20Report--9-30-2004.pdf>
3. www.infrastructurereportcard.org/wp-content/uploads/2016/10/ASCE-Report-Card-Kansas_FINAL_051713.pdf
4. <http://blog.transitlabs.com/structurally-deficient-bridges-best-worst-congressional-districts/>
5. www.ksdot.org/Assets/wwwksdotorg/KSbridges/deficiencies.pdf



National Avenue Bridge

Location: Fort Scott

Construction Date: 1933

Engineer/Design:

Marsh Engineering Co.

Builder: T. H. Johnson Contractor

Rehabilitation Date: 2012

Structure Length: 202 feet

Roadway Width: 30.2 feet

Much like downloading a software update for your smart phone, our infrastructure needs updates on a regular basis. Cities and states have had to be creative in pursuit of these infrastructure updates. Fort Scott's National Avenue Bridge, featured above, was one such creative project. Originally built in 1933, and one of the last surviving reinforced concrete arch bridges designed by James Barney Marsh, the bridge was definitely ready for its update by 2012.

The foremost concerns centered on the cracking concrete supports, the exposed steel and the expanding joints. The City Commission accepted bids for the work which was completed through coordination with Wildcat Concrete of Topeka, Professional Engineering Consultants and the City of Fort Scott. Together the bridge was not only rehabilitated but also restored to its original beauty, fitting seamlessly into the Kansas countryside. The restoration project won the 2012 Concrete Construction award from the American Concrete Institute and the 2013 Historic Restoration for Small Cities from the American Public Works Association.

KANSAS



15%
of bridges in Kansas
are deficient or obsolete

77%
of deficient & obsolete
bridges are locally
maintained

National
average age of
a bridge is
43
years

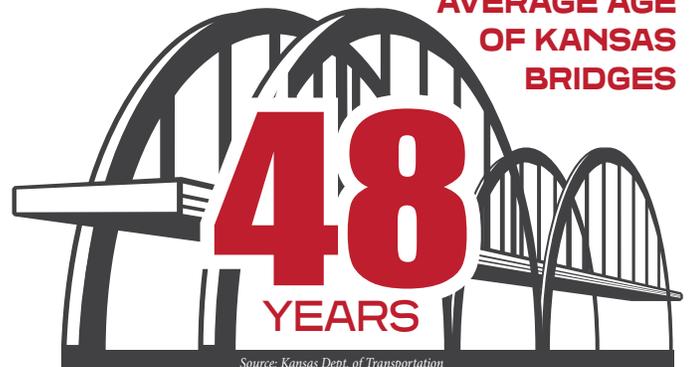
Source: <http://t4america.org/resources/bridges>

A structurally deficient bridge is inadequate to carry today's legal loads. Although not necessarily unsafe, these bridges may have limits for speed and weight.

A functionally obsolete bridge has older design features and, although it is not unsafe for all vehicles, it cannot safely accommodate current traffic volumes or vehicles of certain sizes and weights.

Source: www.ksdot.org/Assets/wwwksdotorg/KSBridges/deficiencies.pdf

AVERAGE AGE OF KANSAS BRIDGES

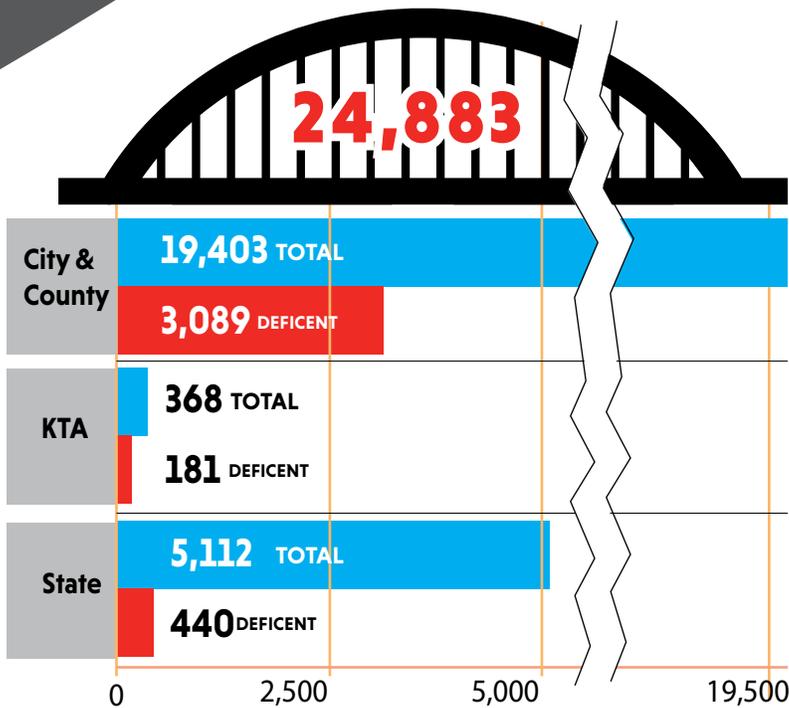


Source: Kansas Dept. of Transportation

"Most bridges are designed to last 50 years before major overhaul or replacement, the national average is 43 years old."

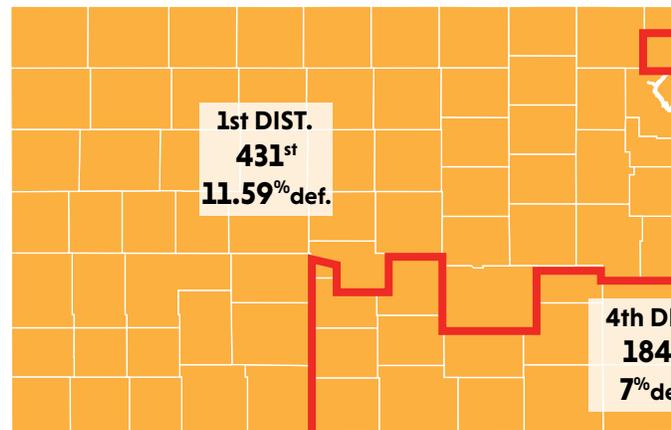
Source: <http://t4america.org/resources/bridges>

TOTAL AND DEFICIENT BRIDGES BY OWNERSHIP



Source: Kansas Dept. of Transportation Kansas Bridge Fact Sheet: 2016

RANKING OF DEFICIENT BRIDGES BY CONGRESSIONAL DISTRICTS (435 Districts)



Source: <http://blog.transitilabs.com/structurally-deficient-bridges-best-worst-congressional-districts>



On average to construct a new two-lane undivided road costs about **\$2 million to \$3 million per mile** in rural areas, about \$3 million to \$5 million in urban areas.



Source: <http://www.artba.org/about/faq/>

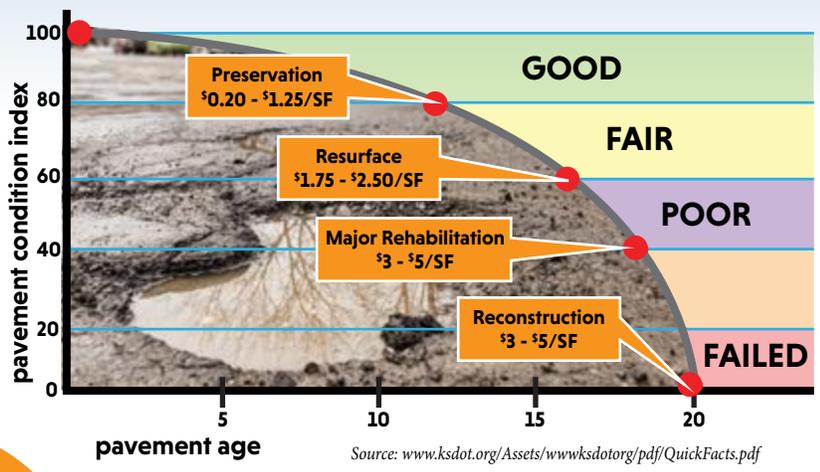
62% of Travel Occurs on Municipal, County & Township Roadways

Source: www.ksdot.org/Assets/wwwksdotorg/pdf/QuickFacts.pdf

\$2.4B has been transferred out of T-WORKS program since 2011
\$1.1B is proposed for transfer in FY2018 and FY2019

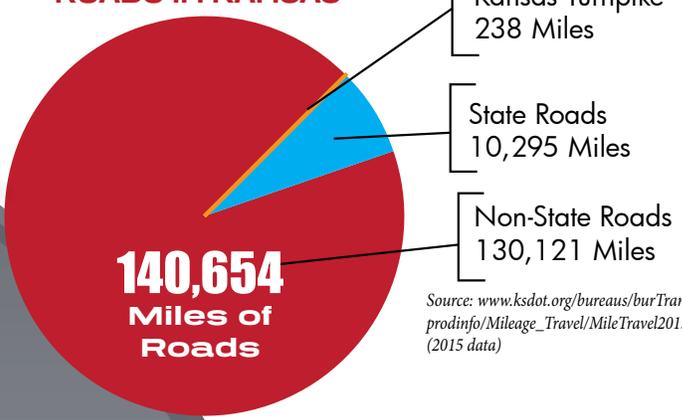
Source: Economic Lifelines

PAVEMENT AGE AND REPAIR COSTS



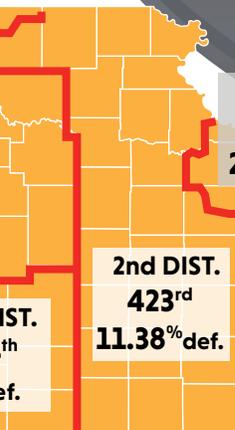
Source: www.ksdot.org/Assets/wwwksdotorg/pdf/QuickFacts.pdf

ROADS IN KANSAS



Source: www.ksdot.org/bureaus/burTransPlan/prodinfo/Mileage_Travel/MileTravel2013.asp (2015 data)

istricts)



Best Practices Voter Engagement

By Chardae Caine, League of Kansas Municipalities

In the 2016 Presidential Election, 59.7% of eligible Kansas voters cast a ballot. However, local elections are not uniformly tracked across the state and it is nearly impossible to determine how many Kansans cast a ballot or how changes in turnout would change each individual election. In 2017, local election cycles changed from spring to fall. Data from state and local officials were mixed during the August primary election. Some cities had an increase, others had less than 5% turnout, and many cities did not need a primary. As November local elections quickly approach, here are some suggestions for increasing voter engagement in your community.

Teach the Process

Providing clear information will help constituents understand the election process and the responsibilities they have as a voter. The League has created a one-page infographic for cities and candidates which can be provided to constituents to make sure they have followed all the necessary steps prior to, and on, Election Day. From voter registration to accurately completing a ballot, the infographic provides easily digestible information for voting pros and novices. Be sure to make note of the early voting dates or any other community-specific requirements. Distributing the infographic with a sample ballot for your local election can increase turnout. Download the infographic at www.lkm.org/infographics.

Develop a Social Media Strategy

Social media is the newest and most evolving form of communication. Facebook, Instagram and Twitter are a few platforms available to reach constituents. A strategy for using these platforms, in the weeks leading up to the election, may help manage the message being sent to followers and ensure candidates and election officers reach as many potential voters as possible. By consistently posting about the importance of voting, constituents will have several reminders that an election is coming soon. Retweeting or sharing reminders the League posts leading up to Election Day is another good way to get the message out about voting.

Participate in an Issue Forum

People who want to be involved in the democratic process are not only interested in ideology. The media, political groups and others highlight concerns voters may have; candidates for elected offices need to address these specific problems in word and deed. An informed voter should be able to identify the major concerns their potential representatives are committed to changing. Issue forums connect key stakeholders in the election process, including other candidates, local media and local interest groups. These forums help residents feel more confident in their voting choices and enables informed decision-making at the polls. To reach as many residents as possible, request that issue forums are posted on city calendars and broadly promoted on community websites, social media and advertised through main communication channels.

Personal Contact

One-on-one interaction with candidates is the single most effective way to increase turnout. When residents associate a name on a ballot with a person they have already met, they are more inclined to vote. The most important, simplest way to help increase your community's voter engagement is meeting as many people as you can.



Establish Community Conversations

Residents want their voices to be heard. Then, they want to see action taken. By creating positive, collaborative spaces conducive to deliberate conversations, community members will feel empowered to engage with their community through voting and throughout the year, too. Often, a platform is prepared and presented to constituents once it is polished to perfection. We consider the comments of other leaders throughout the city, but the citizen is lost in the process. By including those interested in change-driven discussions, a relationship is established which creates an investment in new ideas and active civic participation.

Host an Early Voting Kickoff Event

Raising awareness of open polls can bring excitement to the community and increase voter turnout. By creating a community event, businesses and local organizations can use this time to provide free samples which would defer campaign costs. The event can also create an opportunity for all candidates to briefly introduce themselves and have individual conversations, if desired.

Identify the Needs of Your Neighbors

While you are meeting your neighbors, genuinely get to know them and identify common needs. After having conversations with constituents, you will have a starting point for discussions with the rest of the community and use collaboration to identify potential solutions.

Collaborate to Produce a Nonpartisan Voter Guide

Some election offices or nonprofit organizations provide residents with a nonpartisan voter guide. The guide generally includes voter registration information, a sample ballot, contact information for transportation to the polls, upcoming election events and important dates and deadlines.

These practical ideas can have a strong, lasting impact on voter turnout in municipal elections and overall civic engagement in the community. As public servants, it is our responsibility to provide a platform for all residents to be heard. Local government matters. Local elections matter.

The League encourages all local government candidates to read the Statement of Municipal Policy (SMP). The SMP is the guiding policy document which outlines legislative priorities and is a useful document for understanding major policy issues related to city governance and current legislative efforts. The SMP is available online at www.lkm.org/page/SMP. 

 **Chardae Caine** is the Research Associate for the League of Kansas Municipalities. You can reach her at ccaine@lkm.org or (785) 354-9565.

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ELECTION BASICS

VOTING 101

REGISTER 1

You Must Register to Vote

If You Are...

● Kansas Resident

● U.S. Citizen

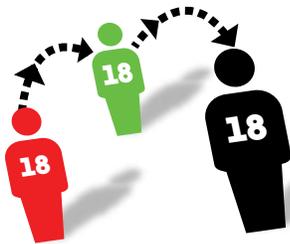
● Age 18 on November 7

OR if
you changed
your.....

● Name

● Address

● Party Affiliation



LOCATION 2

Where to Register to Vote

Proof of U.S. residency
[upload, email, fax, mail, hand deliver]



Local Election Office

You can also go to your election office, just be sure to remember your proof of U.S. Residency.



Online Application

It's easy to complete an application online, but make sure you provide proof of U.S. residency. You should receive a voter certificate as registration confirmation.

In the United States, elections provide citizens with a clear opportunity to have their voices heard. Follow these steps and vote in the upcoming local elections.

BALLOT 3

What Type of Ballot Do You Use



Early Voting

Early voting starts as early as **October 18**. Go to your county election office and check for start date



Advance Mail Ballot

- Deadline to Request Mail Ballot **October 31**
- Deadline to Return Mail Ballot **November 6 at NOON**



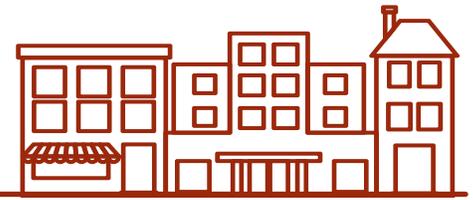
Election Day

- **KNOW** your Polling Location
- Bring an approved ID!
- Be in line by closing
- **Polls close 7 p.m.**

Election Day November 7, 2017

Community Profile

By Megan Gilliland, League of Kansas Municipalities



Haysville

Pride is abundant in Haysville. Yes, residents of Haysville take pride in their community, but it's through the efforts of those residents that the city has earned recognition as a Kansas PRIDE community for over 17 years. The Kansas PRIDE Program is a partnership of K-State Research and Extension, the Kansas Department of Commerce, Kansas Masons and Kansas PRIDE, Inc. In Haysville, the community has embraced the framework of the PRIDE program which is designed to encourage and assist local government and volunteers in making their community a better place to live and work. Among other initiatives, Haysville PRIDE holds a bierock sale twice each year to provide funds for Christmas decorations and other projects around Haysville.

PRIDE Park, spelled that way in tribute to Haysville's PRIDE Committee, is situated in an area of Haysville which was rebuilt after a devastating tornado in 1999. After years of planning and saving, a fountain was built in PRIDE Park in 2014 and is a centerpiece of the area. A photo of the fountain won the League's first annual Hometown Showdown photo contest.

For Mayor Bruce Armstrong, the focus on improving the quality of life in Haysville is evident.

"As a community, we have added tremendous amenities for Haysville residents," said Armstrong. "We just completed a \$3.5-million-dollar activity center and have funded over \$7-million dollars in pedestrian-friendly infrastructure including hiking and biking trails and lighted school crossings."

Haysville is a community of approximately 11,000 residents situated just south of Wichita. Haysville's local government leaders are working hard to bring



The Haysville Activity Center (HAC) features basketball courts, elevated walking track, cardio/weight room and space for recreational programming. The HAC was funded by a voter-approved, 1% sales tax. The facility opened in June 2017.



Community members gather yearly to plant trees in Haysville parks.



Mayor Armstrong hosts an annual community bike ride during National Bike Month. The Vickers Station building houses the Chamber of Commerce and is situated in the historic area of Haysville.



Haysville's historic district is home to many community events, including the Halloween Spook-tacular.

additional retailers and residential opportunities to the city via controlled growth that allows them to preserve their small-town feel.

"In the business district, the city has focused on adding retail, senior housing and community placemaking features like the PRIDE Fountain," said Armstrong.

Mayor Armstrong cites USD 261, serving Haysville and the surrounding area, as another strong asset for the community.

"When you couple our parks system with our school district, we stand out," said Armstrong. "We have three Blue Ribbon Schools in Haysville and numerous, quality educational opportunities for children in our community." Among those opportunities is a thriving Parents as Teachers program, and one of only six high schools in the state of Kansas offering the International Baccalaureate Degree program.

For community leaders, seeing the changes made in Haysville is a rewarding experience.

"I like to see the progress that gets made on all of the different projects in the city," said Armstrong. "We have made progress on economic development, improving our quality of life and making Haysville a great community for those who live and work here." Those interested in additional information about the Great Things Happening in Haysville are encouraged to visit www.haysville-ks.com.



League Elects New Leaders



Jeff Longwell, President
Wichita



Daron Hall, Vice President
Pittsburg

On Monday, September 18, the Convention of Voting Delegates for the League of Kansas Municipalities elected new officers and directors for the Governing Body. The delegates elected Wichita Mayor Jeff Longwell as President and Pittsburg City Manager Daron Hall as Vice President.

“I am honored to serve as the President of League of Kansas Municipalities,” said Longwell. “As the voice of Kansas’ cities, the League plays a key role in local government. We advocate for, and provide guidance to, hundreds of cities across the state and I am excited to lead the effort.”

Longwell was elected Mayor of Wichita in 2015 after serving on the City Council since 2007. He is a long-time resident of Wichita and grew up in a west side neighborhood and attended West High School and Wichita State University. Longwell served on the Maize School Board for 12 years, prior to his City Council service.

Mayor Longwell has advocated for numerous local government initiatives including government accountability, accessibility and transparency, economic development and job creation, strategic regional partnerships, improving the quality of life in Kansas cities, public transit and developing strong infrastructure.

Daron Hall, City Manager of Pittsburg, was selected as the Vice President of the Governing Body. Hall has served as City Manager for Pittsburg for 5 ½ years and has served in public administration for 26 years. He has an undergraduate degree from Washburn University and a Masters of Public Administration from Texas A&M University.

“I look forward to working with the League to improve the communities in the state,” said Hall. “Our work helps to improve the quality of life in Kansas cities and make it as good as it can be.”



Kendal Francis
Coffeyville



Jerry Lovett-Sperling
Lindsborg



James Toews
Inman



Jason Jones
Hesston

Convention Delegates also selected three existing Governing Body members to continue their director positions for an additional, three-year term: Kendal Francis, City Manager, Coffeyville; Jerry Lovett-Sperling, City Clerk, Lindsborg; and James Toews, Mayor, Inman. Jason Jones, Councilmember from Hesston was appointed to a three-year term.

The League is proud to welcome these city officials to the 2017-2018 Governing Body. 

2017 League Governing Body

PRESIDENT

Jeff Longwell, Mayor, Wichita

VICE PRESIDENT

Daron Hall, City Manager, Pittsburg

IMMEDIATE PAST PRESIDENT

Kim Thomas, Mayor, Stockton

PAST PRESIDENTS

Mike Boehm, Mayor, Lenexa

Brenda Chance, City Clerk, Phillipsburg

John Deardoff, City Manager, Hutchinson

Carl Gerlach, Mayor, Overland Park

Terry Somers, Mayor, Mount Hope

Larry Wolgast, Mayor, Topeka

DIRECTORS

Gary Adrian, Mayor, Colby

Joe Denoyer, Mayor, Liberal

Kendal Francis, City Manager, Coffeyville

Mark Govea, Mayor, Osawatomie

Kelli Hansen, Mayor, Plainville

Mark Holland, Mayor, Kansas City

Jason Jones, Councilmember, Hesston

Jerry Lovett-Sperling, City Clerk, Lindsborg

John McTaggart, Mayor, Edwardsville

Scott Moore, City Administrator, Ellsworth

James Toews, Mayor, Inman

Joyce Warshaw, Commissioner, Dodge City

Toni Wheeler, City Attorney, Lawrence

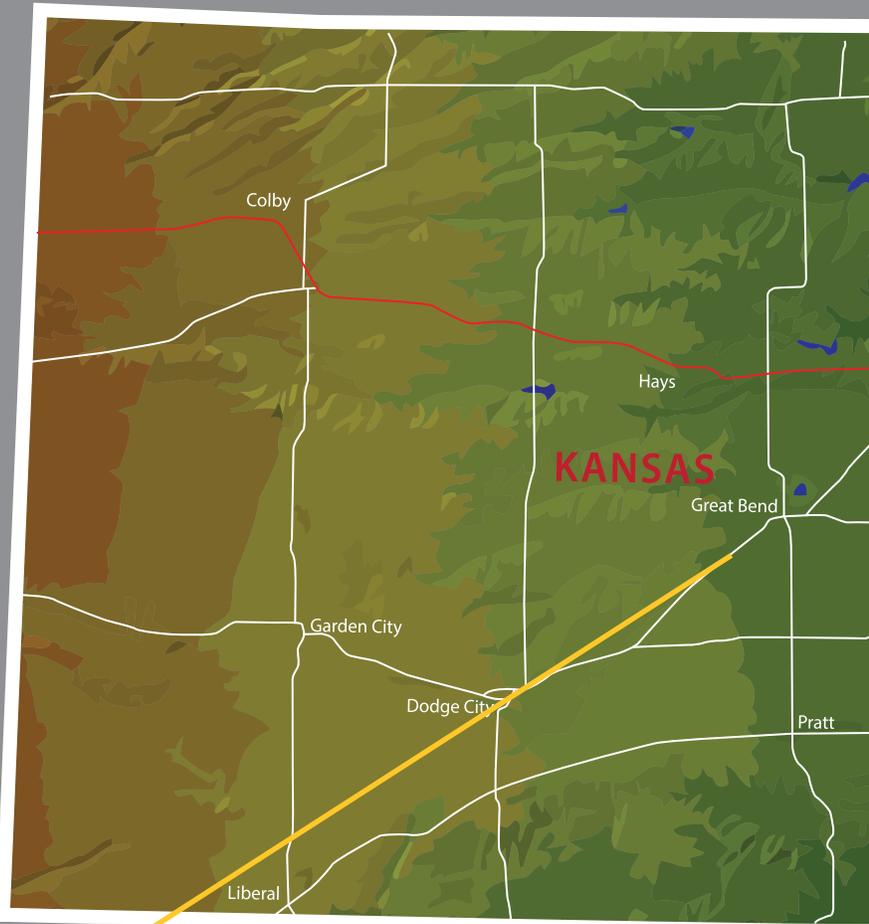
J. Michael Wilkes, City Manager, Olathe

KANSAS GOVERN

Larned

Larned's Junior Council Program brings together 6th graders and local government officials. The 6th graders are chosen at the start of the school year to represent the eight Larned City Councilmembers, the mayor and city manager. One student is asked to approach the City Council at the start of each council meeting and report on the activity of the Junior Council. The Junior Council visits city departments and quiz City Councilmembers on city trivia questions. Below, Abigail Holt, serving this year as the Junior Council City Manager, asks the City Council how many flag poles are located in the Larned Cemetery. The answer is 104.

Photo credit: Veronica Coons, *The Great Bend (Kans.) Tribune*.



GOVERNMENT NEWS



Olathe

The City of Olathe won three Silver Circle Awards and one Award of Excellence from the City-County Communications & Marketing Association (3CMA) at the annual Savvy Awards ceremony held during the annual 3CMA Conference in September. The Savvy Awards competition recognizes outstanding local government achievements in communications, public-sector marketing and citizen-government relationships. The City of Olathe won Silver Circle Awards in the following categories:

- Overall Website – Re-Vision OlatheKS.org
- Graphic Design – Did You Know? Trash Truck Wraps
- Educational/Training Video – Safety Matters

Visit www.olatheks.org/government/city-council/city-awards-recognition for more information on the awards recognition.



Chanute

Chanute City Commission members pledged up to \$100,000 in matching funds for playground equipment at Highland Park. Play Core, Inc., a company that has previously provided the city a 50-50 grant for a sensory park in Katy Park, made a similar offer for equipment in Highland Park. The city may still seek donations for the play equipment.

For more information, visit <http://tinyurl.com/yb974woo>.



We are always seeking content ideas for stories and briefs. Please send your ideas and thoughts for content or story ideas to Megan Gilliland at mgilliland@lkm.org



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Classified Advertising

General Counsel, Topeka

The League of Kansas Municipalities is seeking a General Counsel to lead its legal team in representing municipal interests and serving League members. This position will help strengthen cities in Kansas by providing legal guidance to elected city officials and municipal employees. This person also analyzes state and federal legislation concerning municipalities and advocates for the interests of Kansas cities at the Kansas Legislature and with state and federal regulatory bodies.

The General Counsel works directly with the Executive Director to further the mission and interests of the League, its members, and its affiliate organizations. This person also serves as an active, contributing member of the League's management team, helping address issues with organization-wide impact.

The General Counsel serves as in-house counsel to the League and is responsible for drafting legal documents; reviewing and administering contracts; writing legal opinions; providing legal advice to staff; and, representing the League, its related entities and its members in legal proceedings. This person provides assistance to and answers inquiries of city attorneys and elected and appointed city officials and their staffs. This position initiates and facilitates communication among city attorneys on municipal, legislative, legal and policy matters of statewide significance. Other duties include creating and presenting trainings for League members to assist in their professional development.

The General Counsel plans, directs, coordinates and reviews the work of two staff attorneys and support staff, assigns work activities, projects and programs, reviews and evaluates work products, methods and procedures; meets with staff to identify and resolve issues and ensures effective internal communication. This position also requires writing timely and accurate articles concerning legal issues impacting municipalities for the Kansas Government Journal, monitoring and engaging [when necessary] on League listservs, and updating and editing League publications concerning municipal law and policy.

Required qualifications include a Juris

Doctorate from an accredited law school and a license to practice law in the State of Kansas. Proven legal experience with primary emphases in legislative affairs, municipal law and administrative law. Candidates should also have the ability to clearly, accurately, and persuasively communicate complex information in written and oral presentations. Extensive knowledge of the legislative process and advocacy techniques are preferred capabilities.

The General Counsel must be able to work collaboratively and independently, meet deadlines, and manage multiple projects at the same time. Successful candidates will be involved in the legal community, maintaining memberships and networks in professional legal organizations. Candidates will contribute to a positive working environment and be committed to excellent customer service both internally and externally.

How to Apply:

The League offers great benefits, including KPERS, health/dental insurance, and paid leave and holidays. Salary commensurate with experience. Interested candidates should submit a cover letter, resume, three work-related references, a writing sample showing the applicant's ability to identify and analyze one or more legal questions related to municipal law or legislation, and salary requirements to Rynae Plue at resumes@lkm.org or League of Kansas Municipalities, 300 SW 8th, #100, Topeka, KS 66603. If confidentiality is requested, please note in application materials. Position will remain open until filled. Application review will begin October 18. The League is an equal opportunity employer.

Finance Director, Salina

The Finance Director is responsible for the day-to-day operations of the department, including 16 FTEs working in the divisions of Accounting, Administration, and Water Customer Accounting. As the City's chief financial officer, the position is responsible for overseeing all financial matters for the entire organization. A Bachelor's Degree in Public or Business Administration, Accounting, or a related field and a minimum of five years in a senior finance position in local government (or equivalent), with at least three years of supervisory experience is required. Hands

on experience, knowledge, and oversight in preparing an annual budget, a CAFR, assisting in the annual audit process, preparing or reviewing key financial reports such as cost/benefit analyses, assessing operational business plans, and planning for and transitioning a new financial software system is strongly desired. Experience in revenue forecasting, and multi-year financial projections, working with water and sanitary sewer utilities and/or enterprise fund operations, including landfill and solid waste services will also be an advantage. The ideal candidate should have experience working on debt issuance and working with financial advisors. A Certified Public Finance Officer (CPFO), Certified Public Accountant (CPA), and other certifications or advanced degrees are desired.

Candidates should possess a demonstrated ability to lead, develop and manage a team, and an ability to work with elected officials, commissions and department directors to resolve challenges when they arise. Other important attributes include being a team player with high integrity that is focused on customer service and seeks to assist other departments and employees when needed, is willing to lead by example, possesses a collaborative nature, a love for the community, and can develop partnerships to achieve best results. When necessary, the Finance Director must possess the knowledge, confidence and ability to make strong recommendations and articulate the need to follow "best financial practices" as it relates to the City's finances. Supporting and encouraging continuing improvement efforts throughout the organization, and possessing a passion to mentor and develop future leadership within the finance department will be an advantage. The starting salary range will extend up to \$125,577 depending on a candidate's qualifications and experience.

How to Apply:

For more detailed information, a brochure and to apply for this exceptional opportunity, please visit our website at <https://waters-company.recruitmenthome.com/postings/1363>. The position will remain open until filled.

Classified Advertising

City Manager, Kingman

The City of Kingman is looking to fill the City Managers position. Kingman has a population of 3,086, a \$1.7 million budget; 38 FTE's and is the county seat of Kingman County. Located on US 54/400 Hwy, Kingman is connected to Wichita by an accessible four-lane highway and is an easy 45-minute drive. Kingman is a city with a dynamic business climate and progressive public schools. The city operates electric, water, and wastewater utilities. The City Manager reports to a progressive five-member Commission, and oversees all departments. For more information about the community, visit www.cityofkingman.com/.

Applicants should have a bachelor's degree in public administration or a related field and at least five years of management experience. The successful candidate will have a history of sound decision-making ability, excellent administrative and budgetary skills, and experience facilitating economic development. Candidates must also display strong leadership and personnel skills and can openly communicate with staff and the Commission. Salary \$77,000 – 87,000 DOQ. If confidentiality is requested, please note in application

materials. Position will remain open until filled. Application review will begin October 15. EOE.

How to Apply:

Interested candidates should submit a cover letter, resume, and three work-related references to LEAPS-Kingman@lkm.org or LEAPS-Kingman, 300 SW 8th, Topeka, KS 66603. Position will remain open until filled. Application review will begin October 15. EOE.

City Manager, Atchison

City Manager, Salary: \$85,000 - \$115,000 DOQ. Historic riverfront community located 35 miles northwest of Kansas City International Airport. Management of the affairs of this 150-year-old community presents a unique opportunity for the professional who desires to prove his or her ability to supervise a staff of 107 and a \$25 million annual budget. Details about the city and position can be found at www.cityofatchison.com. The successful candidate must have a BS or BA degree from an accredited American college or university; however, a MBA or MPA is desired. A minimum five years experience as City Manager/Administrator, Assistant City Manager or department head in a comparatively sized city is also required.

How to Apply:

Submit resume, cover letter, salary history, and contact information for five professional references by October 20, 2017 to lorim@cityofatchison.com. Questions regarding recruitment may be directed to Lori Moore, Human Resources Director, (913) 367-5507.

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**Lindsborg: Svensk Hyllningsfest
October 13-14**

Held on the second weekend of October in odd numbered years, Svensk Hyllningsfest has grown to attract people from all over the world to the small town of Lindsborg. The town of 3,300 swells to 30,000 as people come to celebrate Swedish heritage and culture. The townspeople don their Swedish costumes and, starting with first graders, dance traditional Swedish dances for the delighted crowds. Food, arts and crafts and musical entertainment continue throughout the day. A huge smorgasbord is the highlight on Friday night. Order your tickets online today! Come experience the friendly town of Lindsborg, “Little Sweden, USA” and Svensk Hyllningsfest. Button cost is \$5. For more information call us at 888-227-2227 or visit our website at www.svenskhyllningsfest.org

**Garnett: Lake Garnett
Grand Prix Revival
October 14-15**

Garnett is famous for the national sports car races held from 1959 to 1972 on the road course that circles Lake Garnett located at 600 N. Lake Rd. Those races brought tens of thousands of people to the rural community for race weekends, and many racing legends have graced these historic grounds. In October of 2017, the Lake Garnett Grand Prix Revival will celebrate history and allow you the opportunity to embark on creating your own history. Sports car enthusiasts will gather for a special event that includes two full days of activities, such as laps around a historic race track, a car show, autocross event and much more. The event begins

with a barbecue on Friday night, October 7th at 6:30 p.m. for participants and volunteers. Saturday and Sunday’s schedule is filled with autocross, a car show, parade, lunch, track events and awards. Make lodging reservations now and make plans to attend what could be the beginning of a long lasting revival of sports car history. For more information call us at (785) 448-5534 or visit our website at www.lggpr.org

**Hutchinson: Tour De Salt Bike Ride
October 14**

Unique opportunity to bicycle over salty terrain in an active salt mine 650-foot under the Kansas prairie. Only ride of its kind in North America! Call (620) 662-1425 or www.underkansas.org for more information, pricing and directions. Reservations required.

**Garden City: Boo! at The Zoo
October 21**

The 23rd annual “Boo! At The Zoo” is scheduled for 4 p.m. October 21 at the Lee Richardson Zoo and Safari Shoppe at 312 E. Finnup Dr., Finnup Park. The event offers local children a fun and safe trick-or-treat experience, while also supporting Zoo improvements. “Boo! At The Zoo” has become a family tradition in Garden City and draws an average of 5,000 people annually in a single night. This event will take place in and around the zoo from approximately 4 - 9 p.m. Call (620) 276-6243 or visit our website at www.folrz.com. Price is \$20.

**Lawrence: United States Air Force Concert
Band & Singing Sergeants
October 17**

The Singing Sergeants is the official chorus of the United States Air Force. Stationed at Joint Base Anacostia-Bolling in Washington, D.C. Featuring 23 active duty Airmen musicians, the Singing Sergeants presents more than 200 performances annually performing a wide range of musical styles, from traditional Americana, opera, and choral standards to modern Broadway and jazz. The Singing Sergeants regularly perform with their instrumental combo and in smaller configurations, such as duets, Barbershop quartets and specialized musical ensembles, at military and civilian ceremonial and diplomatic functions, education outreach events and local concerts throughout metropolitan Washington, D.C.

The performance will be held at the Lied Center of Kansas at 1600 Steward Dr., University of Kansas. For more information call (785) 864-2787 or visit the website at www.lied.ku.edu/?event=usaf-band&utm. **FREE** USAF reserved tickets available by coming to the Lied Center Ticket Office Summer hours: Noon–5:30 pm, weekdays ***Limit of four tickets per person. Tickets not available by phone or online. Free tickets for this performance expire at 6:45 pm.** Ticket holders **MUST** be in their reserved seats by 6:45 p.m. Once tickets expire, late arriving ticket holders will be required to enter the standby line at the Ticket Office. Unclaimed seats will be filled by people in the standby line, in line order, until all seats have been filled.

KANSAS ATTRACTIONS

FORT SCOTT NATIONAL HISTORIC SITE: FORT SCOTT

Fort Scott is the story of the emerging United States and westward expansion. When the Fort was established in 1842, Kansas had not been declared a state. The nation was still developing and confined essentially to the area east of the Mississippi River. Within a few years, Fort Scott's soldiers had become involved in events that would then lead to tremendous growth and expansion. As the fight for Kansas' identity as a new state arose, tensions between abolitionists and pro-slavery owners emerged; thus creating the crisis of "Bleeding Kansas" and ultimately the Civil War. Fort Scott takes you through these years of manifest destiny, turmoil, challenges, and beyond to the time when America emerged as the nation that is now the United States of America.

Step back to the 1840's with us at Fort Scott National Historic Site on these illuminated December nights to celebrate the 175th anniversary as over 100 reenactors portray the life on a frontier military fort, and bring this historic site to life for an hour-long tour in five historic scenes! During the candlelight tour, over 700 candle lanterns will illuminate the historic site, just as it would have been in 1842.



View of Officers Row at Fort Scott



Fort Scott National Historic Site 36th annual Candlelight Tour. Ticket sales begin on November 1.

This year's tours will be offered December 1 and 2. Tours on December 1st will begin at 6:30 p.m. and conclude at 9:00 p.m. On Saturday, December 2, the tours will begin from 5:00 p.m. to 8:45 p.m.

Ticket sales begin on November 1. Reservations are required and advanced purchase is recommended to get your choice of tour times. Visitors may pick up tickets at the site's visitor center or reserve them by calling (620) 223-0310. Payments can be made via cash, check or charge. Tickets are \$8.00 for adults, children five and under are free. Tickets are nonrefundable. Western National Parks Association, which operates the site's bookstore, sponsors the tour. Proceeds generated cover the cost of conducting the tour.

Upcoming Holiday Headlines

LINDSBORG HOLIDAY OPEN HOUSE NOVEMBER 11

Start your holiday season with a full day of fun and shopping in Little Sweden, USA. Enjoy this all-day experience as retail businesses will open at 10:00 a.m. and stay open until 5:00 p.m. Pick up maps with information about participating businesses and particular in-store specials, treats, drawings and other fun beginning as early as 10:00 a.m. Located at 104 E Lincoln St, Lindsborg or call (888) 227-2227

GOODLAND CHRISTMAS OPENING PARADE OF LIGHTS NOVEMBER 18

Tractors, emergency vehicles and cars festooned with Christmas lights parade on Main Street for the Christmas Opening Parade of Lights. Follow Santa to the Goodland Activities Center, 808 Main, after the parade. Parade is in downtown Goodland on Main Street starting at 5:00 p.m.

PITTSBURG MOSCOW BALLET'S GREAT RUSSIAN NUTCRACKER DECEMBER 5

Celebrate this Christmas with the experience taking North America by storm! Marking the 25th North American Anniversary Tour in 2017, Moscow Ballet's Great Russian Nutcracker features over-the-top production values and world class Russian artists. Larger than life puppets and nesting dolls, and gloriously hand-crafted costumes bring the Christmas spirit to life. Located at 1711 South Homer, Pittsburg or call (800) 320-1733. Starting at 7:00 p.m.

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