

Kansas

GOVERNMENT JOURNAL

VOLUME 104 - NUMBER 1

JANUARY/FEBRUARY 2018



A Publication of
The League of Kansas Municipalities

**In this Issue: An Elected
Officials Quick Guide
to Governing
Pullout**



LOCAL GOVERNMENT DAY

JANUARY 24, 2018

Register Today!

www.lkm.org/event/LocalGovDay

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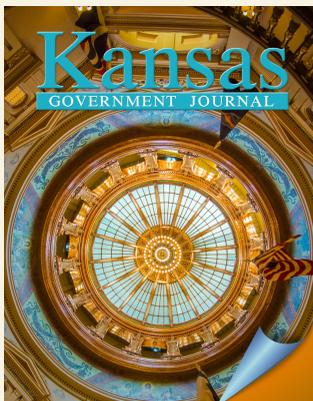


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On this month's cover, the Kansas State Capitol dome is exquisitely lighted and showcased from the interior rotunda. The 2018 legislative session begins January 8, 2018. Photo by of Stephen Falls, League of Kansas Municipalities.

Kansas

GOVERNMENT JOURNAL

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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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2018 League Events Calendar

JANUARY

January 1 New Year's Day, League office closed
 January 12 MTI: Planning & Zoning, Bonner Springs
 January 15 Martin Luther King Day, League office closed
 January 19 MTI: Planning & Zoning, McPherson
 January 24 Local Government Day, Topeka
 January 25 Governing Body Meeting, Topeka

FEBRUARY

February 2 MTI: Municipal Finance, Pittsburg
 February 23 MTI: Municipal Finance, Manhattan
 February 23 CAAK Board Meeting, Topeka

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



Save The Date!

Governing Body Institute

April 20 & 21, 2018

Topeka

The Governing Body Institute provides elected and appointed city leaders an opportunity to gather and discuss the challenges facing our cities and how leadership at the local level can better address contemporary issues in local government. Attending GBI is the first step new officials should take toward success in public office. Re-elected officials or long-term appointed officials will also value the up-to-date information on municipal operations and networking opportunities this conference offers.


For more Information, go to
[www.lkm.org/events.](http://www.lkm.org/events)

Director's Foreword

by Erik Sartorius

The Kansas Legislature convenes on the second Monday in January and the 2018 calendar begins cruelly with January 1 falling on Monday. That means the legislative session begins as early in the year as it can, placing everyone with legislative interests in the position of having to come shooting out of the gates about a week earlier than usual. I would like to say that puts us one week closer to being finished, but last year reminded us that the legislative calendar's end date is more of a "suggestion." Of course, all statewide elected positions and all House of Representatives seats will be on the November ballot, inspiring many elected officials to wrap up business ASAP so they can get out and campaign!



This month's *Kansas Government Journal* focuses on this being a new year. Beyond the simple turning of the calendar, the legislative session is arriving and several Kansans are undertaking their first steps as new local officials. Deputy Director Trey Cocking has put together a preview of the legislative session which focuses on issues we will be working on at the League. This year, we will be on both defense and offense. We have made progress ensuring the local government perspective is represented as the legislature considers bills. In 2018, we will be looking to them to pass policies that support cities, not hinder them.

January also begins a new calendar for a slew of men and women taking the oath of office for the first time for their cities. As 2017 was the first year for local elections to move to the fall, we recognized that there will be a few months before we host our Governing Body Institute for new and returning elected officials on April 20 and 21 in Topeka. Particularly for new local officials, we felt this was too big of a gap. To rectify that, we have assembled an 8-page "quick start" guide that can be removed from this month's magazine, copied, and shared with new mayors and councilmembers. We have tried to provide guidance on questions new governing body members are most likely to have as they begin their service. Download a copy of the guide at www.lkm.org/quickstart.

To further support new elected officials, the League is launching a mentoring program. We will be piloting a short, six-month program matching seasoned officials with people who have just been elected. We will pair people up, and we will provide monthly prompts that can help you start your conversations. (As if you will have nothing to talk about!) We know it can be challenging

to get your elected-official feet under you, and asking questions of other elected officials in your area may not be the preferred resource. If you would like to participate as a mentor or mentee, please contact Research Associate Chardae Caine (ccaine@lkm.org), who created and will be overseeing this program.

One of the best ways to both engage legislators on city issues and get to know your colleagues is to join us in Topeka on Wednesday, January 24 for Local Government Day! (See the inside front cover for information on registering.) Hosted jointly with the Kansas Association of Counties, this day gives you an opportunity to receive updates on legislative issues, hear from legislative leaders, and then mingle with your own state representative or senator. Why not invite your county commissioners or a nearby city to join you on the trip?

Advocacy of your cities' needs to legislators is critical. We have a handy, one-page guide in this month's magazine to assist you in doing just that (see page 11). Then, put your advocacy skills to use by becoming a League "Key Contact" for one of your representatives or senators. Along with making contact with them when they have a legislative coffee or other event in your city, we will provide you information to help you engage with them when critical votes are occurring on city issues. Be sure to sign up for League News to receive timely updates as well.

As I took a moment in December to look back, I thought of the myriad areas of programming we undertook, but still wondered why the year seemed to have flown. The record-tying legislative session certainly was a factor, taking nearly an extra month longer than most and compressing much of our preparation for the 2018 Statement of Municipal Policy and League Annual Conference.

The other element I finally recognized was the number of job searches we conducted in 2017.

We conducted seven searches last year, bringing five new people into the League's staff. (Amanda Stanley was promoted to be our new General Counsel and we will have a new staff attorney joining us later this month.) Boy, searching and on-boarding takes a lot of energy and time! Here's to a calmer 2018 in the human resources realm!

Note: I mentioned our Deputy Director, Trey Cocking, earlier in this column. In my December column, however, I neglected to recognize him as one of our new employees in 2017! We are thrilled to have him on board and settling in. He survived a job change, their first baby, and a move all in four months!

As always, please share any questions, concerns, or comments with me at esartorius@lkm.org or (785) 354-9565. 

One of the best ways to both engage legislators on city issues and get to know your colleagues is to join us in Topeka on Wednesday, January 24 for Local Government Day!



2018

Legislative Preview

League staff reviews significant issues for Kansas cities as senators and representatives prepare to begin the next session of law-making.

by League Legislative Staff

The 2018 legislative session will commence on January 8 at the Kansas Statehouse. There are four new representatives and one new senator since last session started. The largest issue facing the legislature this year is the response to the most recent Kansas Supreme Court ruling in the *Gannon* school finance case. League staff has been working since the adoption of the Statement of Municipal Policy (SMP) to meet with legislators, lobbyists, state agencies, and other organizations to implement the League's agenda. Staff will continue to work with a wide variety of stakeholders in pursuit of the SMP Action Agenda as the session gets underway. As always, if there is a legislative issue that develops during the session which impacts your organization, please contact League staff.

PROPERTY TAX LID: The League had some success last year with a bill to limit the impact of the property tax lid on Kansas cities. The League's efforts helped to get HB 2424 out of the House Tax Committee and onto the House Calendar. The bill would allow cities and counties to exempt increased costs due to employee benefits from the tax lid calculation. Primarily, this would cover expenses for which cities have little control, such as health insurance for employees. The League will push for a vote by the entire House on HB 2424, and will work to get it passed by both the House and Senate. Last year, the League also worked on HB 2376, a bill changing the tax lid election process from a mandatory election, if the lid is exceeded, to one requiring an election only if a protest petition is filed. The bill had a hearing but was never brought out of committee. The League will continue to fight first for the full repeal of the tax lid, and if that is not viable, will work to seek legislation to lessen the impact.

ABANDONED AND BLIGHTED STRUCTURES:

For many years, the League has worked with several partners to gain passage of legislation to streamline and expedite the process for local governments to deal with abandoned or blighted housing. SB 31 was introduced in 2017. It would allow cities, as well as certain organizations as authorized by current law, to take temporary possession of abandoned property for purposes of rehabilitating the property. SB 31 was heard in Senate Local Government Committee and sent to the full Senate where, after debate, it was sent back to committee for additional review. SB 31 remains alive. Its proponents are still supportive and the committee chair has indicated a continued willingness to further work the bill and return it to the full Senate.



REMOTE AND ELECTRONIC SALES/USE TAX:

Kansas and many other states – and their local governments – continue to lose sales tax revenue due to non-collection on remote and electronic sales. Most taxpayers are not aware they are responsible to pay unpaid sales tax when they file their income tax, resulting in lost revenue due the state and local government. Several states, including Colorado, Oklahoma, and South Dakota have grown frustrated with inaction at the federal level to collect sales/use tax on internet and catalog sales. Colorado requires vendors to provide the buyer and their Department of Revenue a total amount of purchases for collecting sales taxes that were not paid with the online purchase. The Colorado law was recently affirmed in the 10th Circuit Court of Appeals and the Supreme Court declined to hear an appeal of the decision. South Dakota has taken a different tact and has required out-of-state vendors to collect and remit sales tax. The bill has been deemed unconstitutional by the South Dakota Supreme Court and South Dakota is now seeking review by the United States Supreme Court. If the U.S. Supreme Court grants review, it could overturn a 1992 case out of North Dakota on the collection of out-of-state sales tax. Similar legislation in Kansas would assist in the collection of +sales/use tax due cities, counties, and the state.

EMS/HOSPITAL FUNDING: The League supports Medicaid expansion, as the lack of expansion has increased pressure on local budgets. Additional, local tax dollars are being required to cover EMS and hospital funding in many Kansas cities. Medicaid Expansion was fiercely debated during the 2017 Session. HB 2044, which would have expanded Medicaid in Kansas, passed the House and the Senate and was vetoed by the Governor. The House attempted and failed to override the veto. The League expects new legislation to be introduced early in January to again attempt to expand Medicaid.

ECONOMIC DEVELOPMENT INCENTIVES: Last year, the legislature put into place a one-year moratorium on new STAR Bond projects and will continue to look at STAR bonds, as well as other economic development tools, with scrutiny. There

was also a recent study conducted by The Pew Charitable Trusts that looked at incentives, including whether states are reviewing incentives to gauge their impact.

KANSAS OPEN RECORDS ACT (KORA):

Following recent newspaper coverage regarding transparency in government, the League is closely watching for legislation affecting the Kansas Open Records Act. In anticipation of such legislation, the League is collecting information from cities on KORA requests and current policies regarding media requests. The League opposes changes that will result in unfunded mandates at the local level.

WATER FUNDING: Last year, the legislature added General Fund revenue to the State Water Plan for the first time in several years. The \$1.2 million is appreciated, but well short of the statutory \$8 million funding. The interim Special Committee on Natural Resources recommended the legislature increase funding to this statutorily required level. The League supports that initiative, and will be hesitant to consider any fee increases via local utilities until state funding occurs.

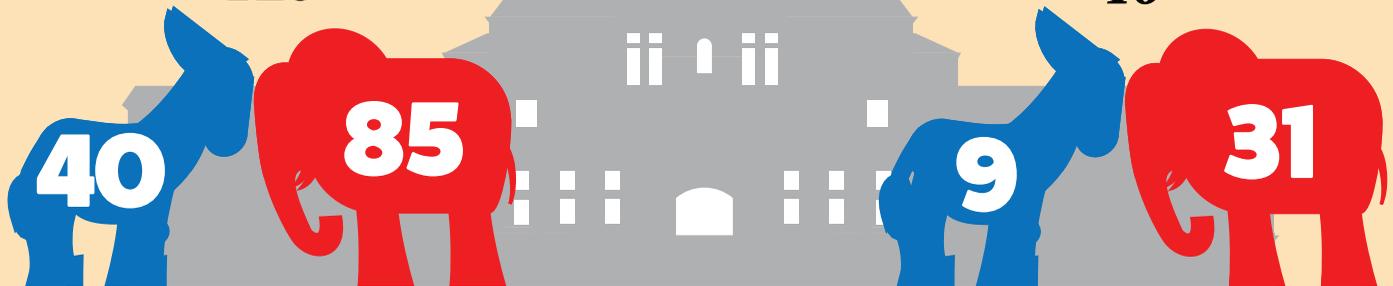
GOVERNING BODY DEFINITION: The League is currently working to review current K.S.A. 12-104, the state statute which defines when a mayor is considered a member of the governing body. The legislation was last modified in 1923, and the League is working closely with legislators to bring this statute up-to-date with modern times and provide some much-needed clarity.

Alcoholic Liquor Tax: H. Sub. SB 13 will allow the sale of “strong” liquor store beer in establishments (e.g., grocery stores, c-stores, gas stations, etc.) traditionally licensed only for the sale of cereal malt beverage (CMB). These changes become effective April 1, 2019. Follow-up legislation is expected in the 2018 session to address the potential loss of revenue for cities and counties when the sales transition from CMB (subject to local

Portrait of the 2018 Legislature

HOUSE of REPRESENTATIVES
125

SENATE
40



Democrats Republicans

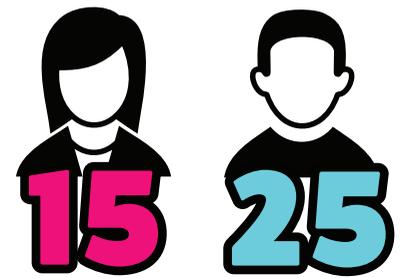
GENDER



HOUSE of REPRESENTATIVES - 125



Total - 165



SENATE - 40

WHERE THEY LIVE

Cities	Senate	House
100K +	14	47
20K - 100K	10	25
5K - 20K	6	21
2K - 5K	5	13
0 - 2K	5	19*

* 2 representatives live in unincorporated communities

1 What is Home Rule:
Home Rule is the number one priority for all advocacy efforts. This power, granted by the Kansas Constitution, allows local elected officials to make decisions for their communities.

2 Tax Lid modifications:
Tax lid modifications are second priority for all advocacy efforts. In the League's legislative preparation survey, 51% of League members identified this as a policy issue they want to see addressed in the 2018 legislative session.

Top Five Concerns of Cities:

1. Economic Development
2. Housing
3. Budget/Finance
4. Utility Infrastructure
5. Transportation Infrastructure

sales tax) to strong beer (not subject to local sales tax) occurs.

MUNICIPAL UTILITIES SERVICE TERRITORY:

Kansas electric customers have benefited for more than 40 years from a law which has helped ensure a reliable utility network and affordable rates for consumers across the state. In 2018, Kansas electric cooperatives are expected to seek legislation which will likely seek additional compensation for annexation of bare land, as well as make it more difficult for cities to expand via annexation as part of their natural growth. The current framework has been in place since the 1975-1976 legislative sessions. Legislation was enacted that defined electric service territories across the state for all electric utility providers whether a community owned utility, an electric cooperative, or an investor-owned utility. The legislation still stands today. Currently, all electric suppliers serve customers on an exclusive or "certified" basis as maintained by the Kansas Corporation Commission (KCC).

For municipal-owned utilities, service territory policies mean locally elected officials decide who serves within the boundaries of their city for which they are responsible. The 1976 law limited municipal utilities' ability to grow by reducing from three miles to a mile a ring around city territory and stated the utilities could not serve customers beyond that radius. The loss of 2 ½ miles around more than 120 municipal utilities amounted to thousands of square miles of lost service opportunity for municipal utilities. A few changes have been made to the service territory law in the last 40 years including a 2001 modification adding (1) notification provisions; (2) a nine-factor test for choosing a power supplier; and (3) doubling the compensation provisions for annexed ground.

AMUSEMENT PARK RIDE REGULATION: Last session, H. Sub. for SB 70 and H. Sub. for SB 86 together made major changes to the Kansas Amusement Ride Act. Several of our members with locally owned municipal amusement rides and waterslides had difficulty complying with all of the regulations resulting from these changes. The League anticipates there will be attempts in the 2018 session to modify regulations while still

assuring the safe operation of the equipment.

Weapons and Firearms: After the last couple years of intense legislation on weapons and firearms, the League is not currently expecting any major gun legislation in 2018.

POLITICAL SIGNS: Last year, HB 2210 would have repealed the changes made in 2015 limiting city regulation of political signs which now conflicts with U.S. Supreme Court rulings. The bill passed the House but did not receive a hearing in the Senate. The League will continue to push for the Senate to pass this bill and repeal the unconstitutional 2015 political sign law.

KPERS: After last year's "working after retirement" changes, the League is not expecting any major legislation impacting KPERS during the 2018 session. Some discussion may occur when the legislature looks at funding during the school finance and budget discussions.

ASSET FORFEITURE: In the 2017 Session, there were several bills concerning civil asset forfeiture which were sent to Judicial Council for further study over the interim. The League was actively involved in this process and expects legislation resulting from the Judicial Council's work to be brought in the 2018 Session. The League will continue to closely monitor this issue.

The mission of the League is to strengthen and advocate for the interests of cities in Kansas to advance the general welfare and promote the quality of life of the people who live within our cities. The League's SMP, approved by member cities can be found on our website at www.lkm.org/SMP.

Please remember the League's website has a new format to track legislation and is limited to members only. If you have not created your member login, you will need to do so. If you need assistance, please contact the League at (785) 354-9565. Another way to stay informed is subscribe to League News, our weekly email newsletter by emailing info@lkm.org. 



2018 League Calendar



JAN.

Jan 1 New Year's Day, League office closed
Jan 12 MTI - Planning & Zoning, Bonner Springs
Jan 15 Martin Luther King Day, League office closed
Jan 19 MTI - Planning & Zoning, McPherson
Jan 24 Local Government Day, Topeka
Jan 25 Governing Body Meeting, Topeka



FEB.

Feb 1 KACM Winter Conference, Wichita
Feb 2 MTI - Municipal Finance, Pittsburg
Feb 23 MTI - Municipal Finance, Manhattan
Feb 23 CAAK Board Meeting, Topeka



MAR.

Mar 1 Governing Body Meeting
Mar 9 MTI - Hiring Public Safety, Belle Plaine
Mar 11-14 NLC Congressional City Conf., D.C.
Mar 21-23 City Clerks Spring Conference, Wichita
Mar 30 MTI - Hiring Public Safety, Leavenworth



APR.

Apr 20-21 Governing Body Institute, Topeka
Apr 25-27 KACM Spring Conference, Lawrence



MAY

May 12 MTI - Emergency Management, Ellsworth
May 17 MTI - Emergency Management, Arkansas City
May 20-23 IIMC Annual Conference, Norfolk, VA
May 28 Memorial Day, League office closed



JUN.

June 8 Governing Body Meeting
June 8 CAAK Spring Meeting
June 22 MTI - Personnel Management, Dodge City
June 29 MTI - Personnel Management, Emporia



JUL.

July 4 Independence Day, League office closed



AUG.

TBD League Policy Meetings
TBD CAAK Board Meeting, Topeka
Aug 10 MTI - KOMA/KORA, Oakley
Aug 17 MTI - KOMA/KORA, Concordia
Aug 24 MTI - KOMA/KORA, Lenexa



SEPT.

Sept 3 Labor Day, League office closed
Sept 14 Governing Body Meeting
Sept 14 MTI - Occupational Licensing & Permitting, De Soto
Sept 21 MTI - Occupational Licensing & Permitting, Andover
Sept 23-26 ICMA Conference, Baltimore, MD



OCT.

Oct 5 CAAK Fall Meeting, Topeka
Oct 6 Governing Body Meeting
Oct 6-8 League Annual Conference, Topeka
Oct 17-21 IMLA Annual Conference, Houston, TX
TBD Regional Suppers - 6 locations



NOV.

Nov 2 MTI - Cybersecurity for Cities, Independence
Nov 7-10 NLC City Summit, Los Angeles, CA
Nov 9 MTI - Cybersecurity for Cities, Salina
Nov 12-16 CCMFOA Institute, Wichita
Nov 14-16 KACM Annual Conference, Pittsburg
Nov 22-23 Thanksgiving, League offices closed



DEC.

Dec 7 Governing Body Meeting
Dec 24 League office closes at noon
Dec 25 League office closed

Relationships Are the Cornerstone of Effective Advocacy



1

Make Contact Prior to Legislative Session

- Eggs & Issues, town halls, etc.
- Communicate the city's agenda and priorities.
- Invite them to a League Regional Supper.



2

Follow the Legislative Session

- League News
- List serves
- News media
- www.lkm.org



3

Participate in Local Government Day January 24, 2018

- Make appointments to visit with your legislators in the morning.
- Invite them to the League reception.



4

Make Contact During Legislative Session

- Watch for alerts about key bills/issues .
- Follow the issue, not the bill number.
- Be specific; give your city's unique insight into the legislation.
- Don't waste time and political capital on meaningless bills that have no chance of becoming law.



5

Make Contact Following the Legislative Session

- Thank your legislator for their hard work.
- Be honest and express concern when bills negatively affect your city.



• Know your legislators on a first-name basis



• Always be respectful and avoid personal attacks



• Ask your legislator how he or she prefers to be contacted (email, phone, texts, etc.)



• Share your contact information



• Follow legislators' communications



• Sign up for emailed newsletters



• Follow legislators' Twitter accounts



• Send legislators your newsletter/updates

Smart Cities and the Future of Neighborhoods



As cities see an increase in aging populations, have you considered the role technology will play in how communities care for residents and ensure social connectivity?

By Joe Colistra, Associate Professor at The University of Kansas

Burnden Abraham, 84, is a retired widower living alone in the small house that he and his wife downsized to more than 35 years ago. While his health has been declining steadily, he is fiercely independent and desires to remain in his home where he has maintained a comfortable routine. Despite pleas to consider a care facility from his two adult daughters, both who live out of town, he has become a study in aging-in-place.

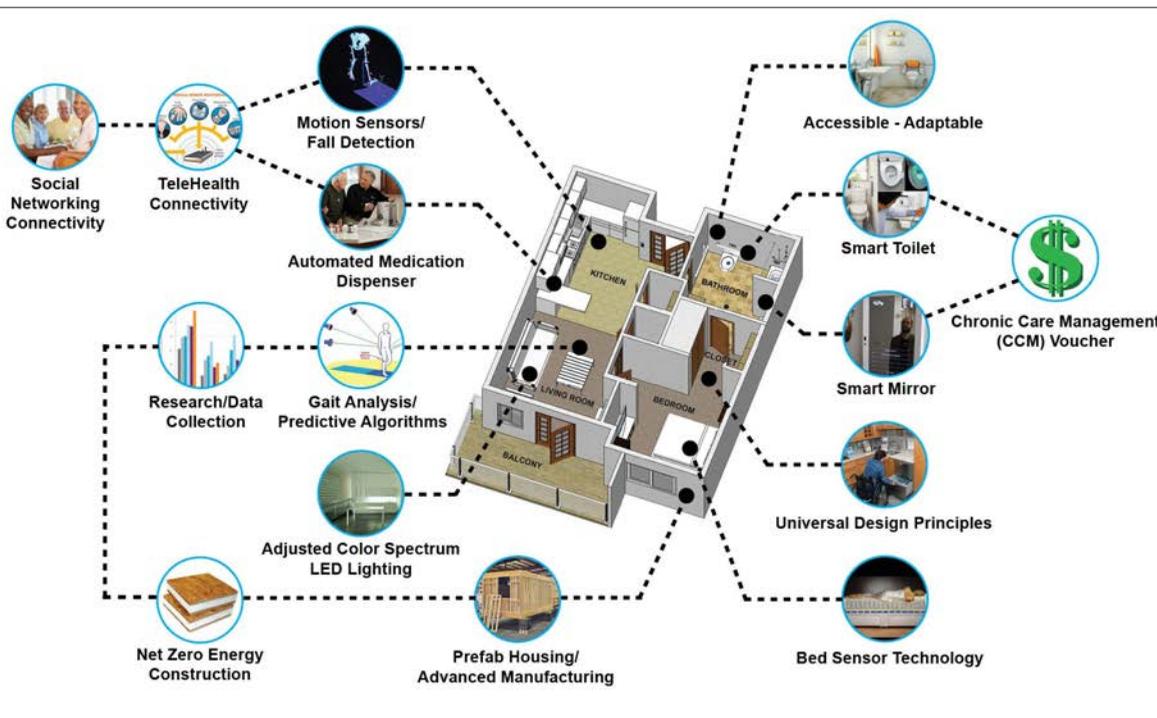
On a brisk morning in early December, bed sensors tracking Burnden's heart rate and restlessness recorded he had only slept four hours for the second night in a row, a common occurrence immediately after his diabetes and heart medication dosages were adjusted. As he walked to the bathroom, accelerometers on the floor joists of his home indicated that the limp caused by his arthritic hip was particularly pronounced, probably due to the high humidity sensed by the small weather tracking device on the front porch.

While completing his normal morning routine, the smart toilet detected that Burnden was dangerously dehydrated. The eye-scanner in the smart mirror also found that his eye tracking was off, indicating a dysfunction in his reflexes. Remotely, this data was overlaid with environmental conditions: it would be a high of only 30 degrees that day with a light rain expected to begin mid-morning. Predictive algorithms processed at the local community population health center indicated that similar conditions experienced by similar subjects had resulted in a serious fall almost 99% of the time. A priority notice was sent to Burnden, the office of his primary care physician, and one of his adult daughters.

Within minutes, Burnden received a telephone call suggesting that he take extra care in getting to his scheduled doctor's appointment that afternoon. Soon after, his daughter phoned to say that she had arranged for an Uber pick-up and a grocery delivery. Despite a 99% probability of falling, passive remote monitoring prevented Burnden from having a fall that day.

This science fiction scenario of "smart cities" is not as far off as you may believe.

Even more compelling is the potential of a community that may have thousands of housing units outfitted with tools that can assist caregivers provide services more affordably, more effectively, and sometimes before we even know we need them. Imagine a community with thousands of residents that have remote monitoring. Population health strategies could allow us to identify some tiny percentage of residents that have a substantial probability of



Prototype "Smart" Unit, Institute for Smart Cities, University of Kansas

falling and intervene. Say that number is 15 people. Contacting those 15 people or their caregivers would be incredibly powerful.

Since Google Fiber arrived in Kansas City in 2012, citizens have been asked, “What would you do with unlimited bandwidth?” Call it the future of Big Data, the Internet of Thing (IoT), or simply Smart Cities, sensor-enabled built environments are transforming the ways in which communities can serve their residents and those set to benefit most may be the vulnerable aging demographic. Gigabit networks allow for the synchronization of city services. No facet of city management will go unchanged: traffic engineering, police response, trash collection, even pothole repair will be based on predictive analytics. These vast amounts of data, once collected and processed, can also assist municipalities and urban designers in organizing our cities. Clusters of diabetes may indicate problems with a neighborhood’s walkability or a lack of fresh food. Street and bus networks will more effectively respond to peak usage. Data has the potential to be as impactful on the way we design cities as water and electricity were 100 years ago.

While flashy, it must be noted the technology described here is secondary to health and well-being. Primary to well-being is social connectivity. The key to vibrant communities is creating Lifelong Neighborhoods, those neighborhoods where one can thrive at all stages of life. This includes great schools, great parks, walkability, efficient mass transit, access to job centers, various housing options, proximity to senior health clinics and community centers. By its very nature, a Lifelong Neighborhood is intergenerational and supports social connectivity. In order for all ages to thrive, the

neighborhood blocks must be scaled appropriately to support a wide range of housing options supported by walkable streetscapes. Complete Streets concepts provide efficient systems of shared roadways and pedestrian-friendly environments.

Finally, housing for Smart Cities should be visitable and designed with adherence to Universal Design Principles. The connectivity of Smart Cities will transcend home automation and devices. It has the potential to connect a diverse community of neighbors and create a place that serves your needs as you transition through different phases of your life. As writer James Howard Kunstler says, “The 20th century was about getting around. The 21st century will be about staying in.” 

 **Joe Colistra** is an Associate Professor at the University of Kansas School of Architecture and Design and the Director of KU’s Institute for Smart Cities.

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2017 ACEC AWARDS

City Public Improvement Award Winners

By Amber Hermreck, ACEC of Kansas

Congratulations to the 2017 winners of the ACEC of Kansas City Public Improvement Awards! The American Council of Engineering Companies of Kansas (ACEC of Kansas) is a professional association of private-practice consulting and engineering firms in the State of Kansas. Sponsored by ACEC of Kansas, the Public Improvement Awards competition is unique in that it recognizes engineering projects for their benefit to the citizens of a community and not for engineering design. This is the 56th year ACEC of Kansas has presented the City Public Improvement Awards.

City Public Improvement award winners are selected from four different population categories (under 5,000, 5,000-19,999, 20,000-49,999, and above 50,000). City representatives and engineering firm representatives were presented with awards in November 2017 at the Kansas Association of City/County Managers Fall Conference in Lenexa.

The winning cities and projects are:

In the 5,000 and under population category, the City of Kinsley won for their Colony Avenue Bridge Replacement project. The consulting engineering firm for the project was Kirkham Michael & Associates, Inc. and the general contractor for the project was L&M Contractors, Inc.

This project had a significant effect on the City of Kinsley. The existing bridge had structural failure and had been closed. The City has three bridges over Coon Creek in addition to a state highway bridge. The two-remaining open bridges had a five-ton load restriction and when the Colony Avenue bridge closed, the City only had the highway bridge that could carry legal loads. The closure also restricted access to emergency vehicles in one



Pictured from left to right: Kenzil Lynn, PE, President, ACEC of Kansas, Jay Dill, City of Kinsley, and Wayne Scritchfield, Kirkham Michael and Associates.

neighborhood. The new bridge can carry and support legal loads and has allowed the City to re-open the river crossing for public travel.

Kirkham Michael recommended construction of a pre-cast concrete beam bridge to speed up construction and get the bridge re-opened as soon as possible. This project was the first to specify this type of pre-cast concrete beam bridge on a KDOT Federal Aid LPA project. The beams were placed side by side across the width of the bridge to form the deck, resulting in a bridge that allows cars to drive directly on the pre-cast concrete beams.

In the 5,000 to 19,999 population category, the City of Winfield won for its US-77 from 7th Street to 4th Street project. The

engineering firm was TranSystems and the Contractor was APAC-Kansas, Inc. Shears Division.

The US-77 from 7th Street area serves as a main business corridor for the City of Winfield, connecting Arkansas City to the south and Douglass and Augusta to the north. The project included reconstructing parking lanes along US-77, new curb, gutter, storm sewers, ADA sidewalks and ramps, and replacing aging water and sewer lines under US-77.

The previous parking spots were inadequate in number and in alliance with meeting the Americans with Disabilities Act standards. The project helped create more spaces and address those ADA concerns. The city also upgraded the existing water and sanitary sewer systems within the construction limits as the existing water and sewer systems were aging and in need of repair. A six-inch water line was upgraded to an eight-inch pipe and a 10-inch sanitary sewer line was replaced as well. Both the underground and above ground issues were addressed with construction of this product in Winfield.

Congratulations to our 2017 winners! On behalf of ACEC of Kansas, our thanks goes to all the cities who entered in the Public Improvement Awards competition. We hope to see a project from you again next year! 🌞



Pictured from left to right: Kenzil Lynn, PE, President, ACEC of Kansas, Russ Tomevi, Director Public Works, City of Winfield, Jeff Lackey, TranSystems, and Jeremy Willmoth, City Manager, City of Winfield.

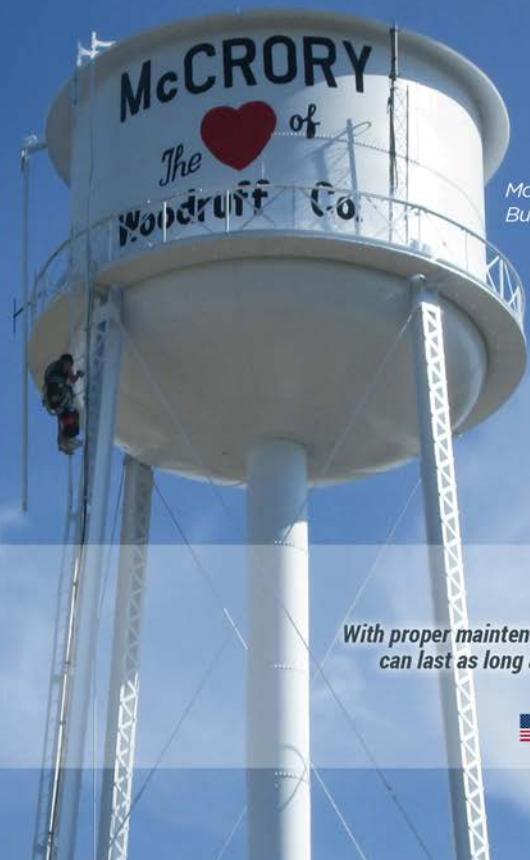
🌞 Amber Hermreck is the Client Services Manager for ACEC of Kansas. She can be reached at amber@acecks.org or (785) 357-1824.

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2003

President of The League of
Kansas Municipalities

**Anthony C. "Tony"
Fiedler, Jr.**

Anthony C. "Tony" Fiedler, Jr., 66, of McPherson, passed away on November 28. Anthony was born in Great Bend on February 27, 1951, a son of Geraldine "Gerry" Catherine (Leiker) Fiedler and Anthony Carl Fiedler, Sr.

Tony attended parochial school and graduated from McPherson High School in 1969. Tony enlisted in the United States Army with the 101st Airborne "Air Mobile" during Vietnam and honorably served his country. After the military, he then attended and graduated with his Associates of Art Degree from Hutchinson Community College and finished his Bachelor's Degree in Education from Emporia State University.

Tony started his teaching career in 1975 as a student teacher at McPherson Senior High School and taught history, political science, and government. He also taught at Cedar Vale High School in Cedar Vale for two years and coached basketball and football. He taught two years at Hesston Middle School and coached basketball. He owned and operated Miss Peggy's Barbeque Restaurant in Conway and later moved the business McPherson. In 1988, he began his service as the Commissioner of Finance and Revenue for the City of McPherson. He served in that position for 18 years. In 1991, he became the Vocational Director at Multi Community Diversified Services until his retirement in 2008. He continued to be a substitute teacher through most of these years.

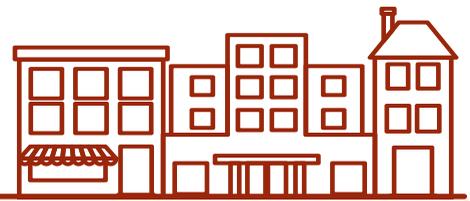
Tony was a member of the American Legion Post 24, Veterans of Foreign Wars Post 2715, Chairman of the McPherson Recreation Commission, Board of Directors of the Kansas Work Force One, Board member of Operation Warmth, Vice President of the McPherson Scottish Society, and served as President of the League of Kansas Municipalities. He taught flag etiquette and served on numerous boards and organizations through the years. Tony's three greatest accomplishments were his wife and two sons. He enjoyed life to the fullest, loved music, and some of his favorites were Led Zeppelin, ZZ Top, Bob Dylan, Arlo Guthrie, Johnny Lee Hooker, Johnny Cash, and Delbert McClinton to name a few. He served his country and the community in which he lived; his family and friends helped to make it a great life to live.

He was united in marriage to Peggy Jean Cooke in 1974. The young couple established their first home together in Emporia. He is survived by his wife Peggy Fiedler, of McPherson, Kansas; his sons, Dylan Fiedler and his wife Jennifer, of McPherson and John Fiedler and his wife Brittney, of Olathe. He had a large extended family of siblings, grandchildren, nieces, nephews, and close friends.



Community Profile

By Megan Gilliland, League of Kansas Municipalities



Small town investments in people, places, and priorities make a difference for the future.

Humboldt

What would you say if someone asked you what your community does well? Residents of the City of Humboldt were asked that very question about 10 years ago and their response set the groundwork for a transformative period on the City's history.

"Our community was at a turning point," said Cole Herder, City Administrator for Humboldt. "Many people would agree that Humboldt needed something. There were utility issues, deferred maintenance, and the same loss of population all rural communities face."

In 2007, then-Mayor Bob Sharp, appointed a "growth committee" and invited Public Square Communities, Inc., a community consulting firm, to join the city for a town meeting. Collectively, the residents of Humboldt decided the Public Square approach could help the community define who they were, what they wanted for the future, and how to bring the necessary partners from business, education, government, and human services together for success. The community was completing their Public Square program when the Great Recession's effects in 2009 began to affect the town.

One of Humboldt's largest employers, B&W Trailers, noticed a significant decline in demand for custom trailer hitches. Rather than laying off employees and creating greater economic hardships in Humboldt, owner Joe Works made an incredibly altruistic decision: keep employees on the payroll and have them complete community projects. At first, employees worked on the rehabilitation of baseball fields, a rodeo arena, and local churches. Then, as the recession lagged on, the employees turned their focus to helping other employees refurbish and maintain employee homes. Employees paid for the materials to re-roof homes, rebuild decks and other projects while B&W employees provided the manual labor and technical skill to complete the projects.

Once the recession waned and custom gooseneck trailer hitches were back in demand, B&W employees went back to work welding, designing, and powder-coating. However, Humboldt was changed forever. Similarly, B&W's workforce has more than doubled since the economic downturn and they are now the top employer in Humboldt.

Investing in the community has become a mantra to many. Humboldt applied for a streetscape grant from KDOT a few years ago but were not chosen for funding. Instead of trying for the grant again later, Humboldt city leaders approached the community's two largest employers to make an investment in the community instead.

"We approached B&W and Monarch Cement Company with a proposal to invest in our downtown, block by block," said Herder. "Each company agreed to invest in Humboldt and each committed to replace one block per year for the next five years. In five years, the 10-block area streetscape project will be complete with new light fixtures, sidewalks, trees, etc."

Downtown redevelopment was a major focus of the community with a desire to save historic buildings, encourage business growth, and create a sustainable future.

Joe Works even purchased several buildings in downtown to stabilize deterioration and allow the community time to develop plans for rehabilitation and future use.

"We are gradually working on developing downtown and bringing new life back to downtown," said Herder. "We probably won't be a major retail center due to competition in other cities and the impact of online sales, however, we believe we can become a destination for artisans and craftsmen."

Humboldt is quickly becoming a hub for artisans and boasts local wood working, blacksmithing, glass blowing, baking, quilting, and a soon-to-open mercantile that will showcase many of the local artists and craftsmen.



Continue on page 30



2017 KACM AWARDS

City/County Managers Gather To Recognize Innovation, Excellence & Career Achievement

By Megan Gilliland, League of Kansas Municipalities

The Kansas Association of City/County Management (KACM) held their annual conference November 15-17 in Lenexa. This year marks the 100th anniversary of professional city/county management in Kansas. Nearly 130 city/county management professionals and public administration graduate students attended the conference.

At the conference, managers from across the state participated in professional development sessions as well as numerous opportunities to learn from other city and county managers on the topics of municipal finance, innovation in the public sector, public works, budgeting, public safety, planning, and development.

“I believe our state city and county managers had a good conference, highlighted by our great keynote speaker on Thursday, Felicia Logan, Director of Leadership Development with ICMA,” said Doug Bach, County Administrator for Wyandotte County/ Kansas City. “Additionally, I have to add the City of Lenexa was an excellent host; providing the perfect environment to honor our 2018 award winners including Lenexa’s own city manager, Eric Wade who received the Buford Watson Jr. Award for Excellence in Public Management.”

KACM honored several professional managers at the conference. A list of honorees is on the next page:





Jaelyn Reimer, City Administrator, City of Sedgwick (retired)



Howard Partington, City Administrator, City of Great Bend (retired)



Cathy Holdeman, Assistant City Manager, City of Wichita (retired)



Eric Wade, City Manager, City of Lenexa



Douglas Gerber, Deputy City Manager, City of Topeka



Michael Ort, City Administrator, City of Jetmore

Buford M. Watson, Jr. Award for Excellence in Public Management

Eric Wade, City Manager, City of Lenexa

Career Achievement Award

Cathy Holdeman, Assistant City Manager, City of Wichita (retired)

Howard Partington, City Administrator, City of Great Bend (retired)

Jaelyn Reimer, City Administrator, City of Sedgwick (retired)

Innovation Award

Douglas Gerber, Deputy City Manager, City of Topeka

Early Career Excellence Award

Michael Ort, City Administrator, City of Jetmore

KACM elected officers for 2018. The 2018 President is Don Cawby, City Manager, City of Osawatomie and Vice President is Cherise Tieben, City Manager, City of Dodge City.

“I am honored to be selected to serve as the president of our state association, especially as we are celebrating 100 years of the profession in Kansas,” said Cawby. “KACM continues to be a vibrant association, supporting and educating our members as



Don Cawby, City Manager, City of Osawatomie

they work diligently to improve our communities. I plan to use my year as president to promote the profession and its ideals — advancing professional local government through leadership, management, innovation, and ethics.”

Outgoing president Doug Bach, County Administrator for Wyandotte County/Kansas City was honored for his work on behalf of KACM during 2017. City of Olathe Assistant City Manager, Susan Sherman, was also honored for her work as the Vice President for the Mountain Plains Region of ICMA, the world’s leading association of professional city and county managers and other employees who serve local governments. 🌞



Legal Forum

Search and Seizure

By Stephanie Ellis, League of Kansas Municipalities Extern

The right of the American people to be secure in their persons and property is one of the most fiercely protected rights in the United States Constitution. Visions of law enforcement officers inspecting homes, cars, and businesses or performing pat downs for evidence and security reasons are likely what come to mind when one hears the phrase “search and seizure”. Many may not realize the protection from illegal searches and seizures as laid out by the Fourth Amendment, includes not only external searches, but internal searches of individuals as well. The search of an individual has been interpreted to mean anything from a simple pat down to removal of a bullet from a suspect’s body.¹

Searches of suspected drunk drivers have required the courts to define the parameters which call for these often invasive procedures. At times, Kansas courts have held reasonable suspicion of driving under the influence was enough to require a suspected drunk driver to submit to a blood alcohol test.² In Kansas, K.S.A. 8-1025 made it a criminal act for drivers to refuse to submit to testing under implied consent as established in K.S.A. 8-1001. The penalties for violating the statute include fines up to \$2,500 and imprisonment up to 90 days with an option of house arrest and work release if the violator qualifies.

As technology has advanced, the protocols required of law enforcement officers have tightened allowing wider protection of citizens’ individual rights. The widespread use of cellular phones and portable computers has given officers easier access to receiving search warrants. By 2013 a majority of U.S. states were allowing officers to apply for search warrants in a more streamlined process, which eliminated many of the delays cited when resorting to use of a search warrant exception.³

Consent, search warrants and their exceptions.

There are three ways that a lawful search may occur: law enforcement obtains a search warrant, use of a legally recognized search warrant exception, or consent of the individual. For an officer to obtain a search warrant, a magistrate must determine

there is probable cause a crime occurred or will occur.⁴ Search warrants are subject to exceptions which allow officers to perform a search without consent or a search warrant.⁵ Search warrant exceptions in DUI cases are most often a search incident to lawful arrest or probable cause plus exigent circumstances. A search incident to lawful arrest allows law enforcement officers to search the person of the accused when legally arrested, to discover and seize the fruits or evidence of a crime.⁶ Consent of the individual subject to search is generally the most recognized method and occurs when an individual voluntarily allows the search to occur.⁷ The exigent circumstances exception allows law enforcement officers to perform a warrantless search to prevent destruction of evidence.⁸ Prior to *State v. Ryce*, 303 Kan. 899, 368 P.3d 342 (2016), the United States Supreme Court held blood testing was not per se allowable under either exception.⁹ Additionally, courts agreed that breath tests were a search of an individual, but they were silent on how they would fit into the equation.

Implied consent, as established in K.S.A. 8-1001(a), means individuals who drive a vehicle in Kansas agree they will submit to testing, whether by breath, blood, urine or other bodily substance, to detect whether drugs or alcohol are in their system. In 2012, the Kansas Legislature amended K.S.A. 8-1001 and K.S.A. 8-1025 to allow the state to impose criminal charges on individuals who refuse to submit to blood alcohol testing. Prior to 2012, those who refused faced civil penalties which included fines and suspension of driver’s licenses. Criminal charges were added when legislators were provided testimony indicating the risk of fines and suspension was not proving to be enough of an incentive to get drivers’ full cooperation.¹⁰

Ryce I

State v. Ryce marked a turning point for Kansas with regard to the penalties constitutionally allowed under implied consent statutes. Cases involving implied consent laws often asked an important question: is forcing an individual to choose between relinquishing the right to bodily autonomy or facing criminal

charges for maintaining bodily autonomy allowed under the Fourth Amendment of the U.S. Constitution²¹ In *Ryce*, the Kansas Supreme Court reviewed K.S.A. 8-1025 to determine if implied consent laws and penalties violated Fourth Amendment protection against unreasonable searches and seizures.

Statutes must pass a two prong test to be held constitutional: 1) there must be a compelling government interest, and 2) the law must be narrowly tailored to achieve that interest.¹² The court did not dispute K.S.A. 8-1025 served a compelling government interest.¹³ The constitutional issue arose when the court determined whether K.S.A. 8-1025 was narrowly tailored.

The court found K.S.A. 8-1025 was not narrowly tailored to its criminal justice interests. The statute did not deter test refusals or recidivism, hold offenders accountable, or reduce the difficulties in prosecution and potential evasion of prosecution.¹⁴ The current use of search warrants and search warrant exceptions can better lead to effective blood-alcohol tests and avoids the interference with Fourth Amendment rights.¹⁵

Additionally, K.S.A. 8-1025 was not narrowly tailored to blood-testing personnel and citizens' private safety.¹⁶ Officers always have the ability to seek a search warrant, and notice given by officers of the intent to seek a search warrant is enough to encourage most suspects to consent. Those who do not consent would then, upon officers' obtaining a search warrant, be subject to a constitutionally valid search regardless.¹⁷ As far as citizens' safety, drivers who refuse testing were already subject to civil penalties and license revocation, and those alone were enough to protect citizens' rights by keeping intoxicated drivers off the road.¹⁸

On February 26, 2016, The Kansas Supreme Court issued the *Ryce* opinion finding K.S.A. 8-1025 violated the Fourteenth Amendment's due process clause by criminalizing the act of withdrawing consent of a search.¹⁹ The court held consent is revocable and that charging an individual with criminal penalties for revoking his consent violated both the Kansas and United States Constitutions.²⁰

The Birchfield Effect

During this same time, a landmark case centered on DUI testing had been working its way to the United States Supreme Court²¹ Knowing the related case would be heard in 2016, the State of Kansas filed a motion to stay the mandate issued in *Ryce* until after the related case's holding was issued.²²

On June 23, 2016, the United States Supreme Court issued its opinion in *Birchfield* finding:

1. The Fourth Amendment permits warrantless breath tests incident to arrests for drunk driving;²³
2. Fourth Amendment does not permit warrantless blood tests incident to arrests for drunk driving;²⁴ and
3. Motorists cannot be deemed to have consented to submit to a blood test on pain of committing a criminal offense.²⁵

Ryce II

After the United States Supreme Court's opinion of *Birchfield* was issued, the Kansas Supreme Court re-examined its holding in

Ryce.²⁶ During its final review, the Court, by taking in to account *Birchfield*, affirmed its decision. Criminal penalties assessed for revoking consent were unconstitutional. The court modified the 2016 holding to state breath tests are categorically allowed as a search incident to arrest.²⁷

Where do we go?

This leaves Kansans in statutory limbo where K.S.A. 8-1025 is currently outdated and in dire need of updating to pass constitutional scrutiny. How can K.S.A. 8-1025 be updated to pass constitutional muster? Removal of criminal penalties would be one possible place to start. As discussed in *Ryce*, tailoring the criminal penalties to only apply in cases where valid searches occur, such as when search warrants are obtained or during a search incident to lawful arrest, would be narrowly tailored to pass strict scrutiny by putting the emphasis on test refusal and removing it from consent revocation.²⁸ In the meantime, cities should be encouraging law enforcement officers to rely on obtaining search warrants and valid uses of search warrant exceptions. 🌻

 **Stephanie Ellis** is a former extern for the League of Kansas Municipalities. She is a law student at Washburn University School of Law.

SOURCES:

¹ *Winston v. Lee*, 470 U.S. 753, 105 S. Ct. 1611 (1985).

² *City of Wichita v. Molitor*, 301 Kan. 251 (2015).

³ Dissipation of alcohol in the blood stream does not in and of itself create a per-se exigency. In order to use the exigent circumstances search warrant exception, officers must review the totality of the circumstances to determine if a true emergency exists. *Missouri v. McNeely*, 569 U.S. 141, at 164 (2013).

⁴ *Illinois v. Gates*, 462 U.S. 213, 238-239 (1983).

⁵ *State v. Ryce*, 306 Kan. 682, 684, 396 P.3d 711, 713 (2016).

⁶ *United States v. Robinson*, 414 U.S. 218, 224, 94 S. Ct. 467, 471 (1973); *Birchfield v. North Dakota*, 136 S. Ct. at 2174-2176.

⁷ *State v. Ryce*, 303 Kan. 899, 902, 368 P.3d 342, 346 (2016).

⁸ *Missouri v. McNeely*, 569 U.S. 141, 149, 153 S. Ct. 1552, 1559 (2013).

⁹ *Id.* at 165.

¹⁰ Minutes of Senate Judiciary Committee, January 26, 2011.

¹¹ U.S. Const. Amend. XIV § 1.

¹² *State v. Ryce*, 303 Kan. 899, 957, 368 P.3d 342, 376 (2016).

¹³ *Id.* at 959, 377.

¹⁴ *Id.* at 959-962, 377-397.

¹⁵ *Id.* at 962, 397.

¹⁶ *Id.* at 930-931, 362-363.

¹⁷ *Id.* at 963, 380.

¹⁸ *Id.* at 962, 379.

¹⁹ *Id.* at 964, 380.

²⁰ *Id.* at 963-964, 380-381.

²¹ *Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016).

²² *State v. Ryce*, 306 Kan. 682, 682-683, 396 P.3d 711, 712 (2017).

²³ *Birchfield*, 136 S. Ct. 2160, 2176-2179 (2016).

²⁴ *Id.* at 2178.

²⁵ *Id.* at 2186.

²⁶ *State v. Ryce*, 306 Kan. 682, 396 P.3d 711 (2017).

²⁷ *Id.* at 693-695, 717-719.

²⁸ *State v. Ryce*, 303 Kan. 899, 961, 368 P.3d 342, 378-379 (2016).

Best Practices

Discovering Your City's Maker Economy

by Emily Robbins, reprinted with permission from NLC's CitiesSpeak blog, November 16, 2017

As the maker economy continues to take shape in cities across the country, it is emerging as a potential powerhouse for building strong local economies through creative microbusinesses and small-scale manufacturing. As this industry of small businesses expands and transforms, city leaders should understand what the maker economy is and how to harness its economic development potential.

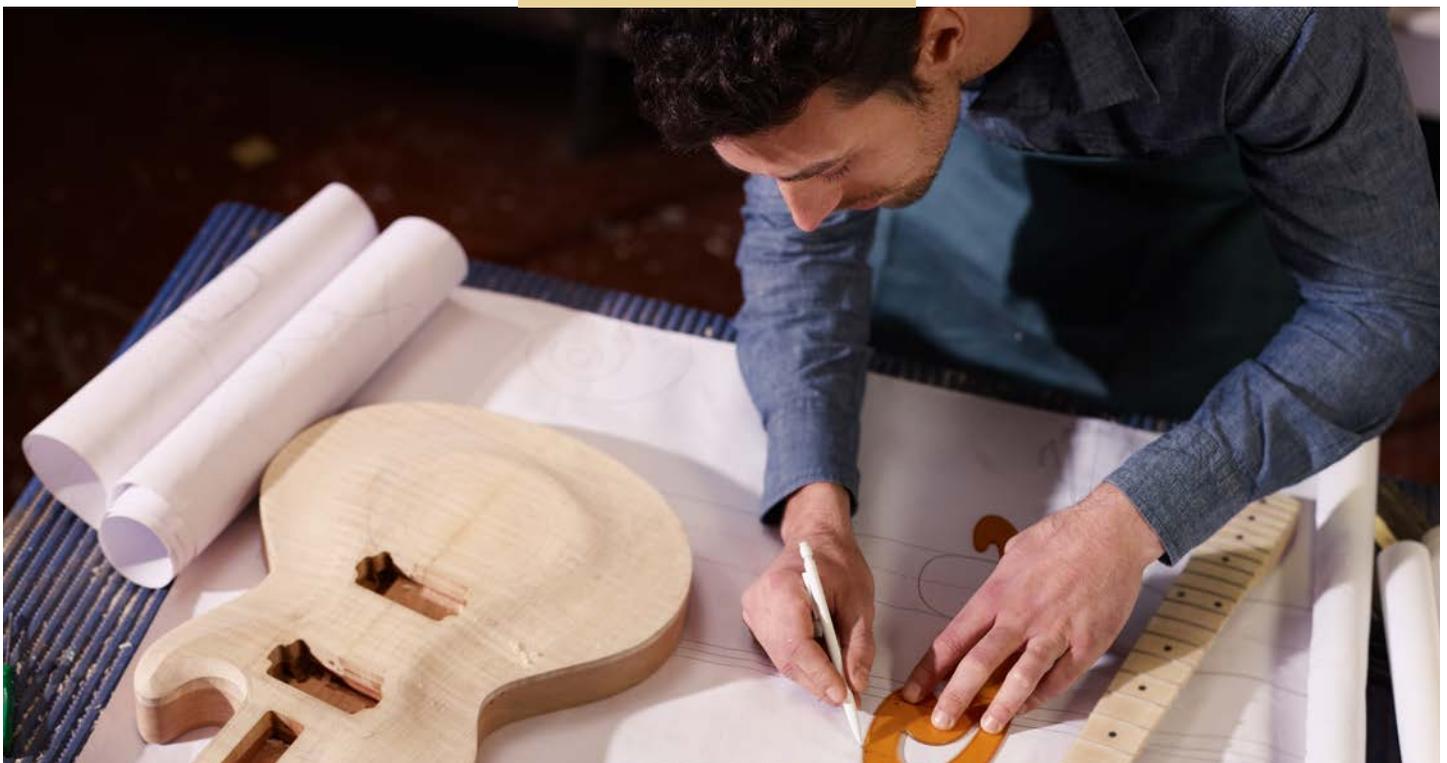
Discovering Your City's Maker Economy was co-developed by National League of Cities (NLC), Etsy, Recast City, and the Urban Manufacturing Alliance and aims to provide a road map for cities and maker communities on how to collaboratively develop policies, programs, and a culture that better supports local maker businesses, micro-producers, and small manufacturers. The guide also aims to help define the maker community, highlight specific ways that city leaders can support these entrepreneurs, and provide profiles of supportive programs, policies, and partnerships at the city level.

As this nascent industry of small businesses expands and transforms, city leaders should understand what the maker economy is and how to harness its economic development potential.

A “maker” is someone who makes things. A “maker-entrepreneur” sells handmade items for a profit either online or in-person through brick-and-mortar stores, craft fairs, pop-up markets, or to friends and family. Maker-entrepreneurs are, quite literally, everywhere.

A recent survey conducted by Etsy, an online marketplace for creative entrepreneurs, reported that there have been Etsy shops open in 99.9 percent of U.S. counties. These entrepreneurs are taking advantage of a growing market for local homemade and vintage goods, with Etsy sellers generating \$2.8 billion in worldwide sales in 2016 from a wide variety of items including clothing, kitchenware, baked goods, toys, jewelry, craft supplies, and furniture.

Despite the growing prevalence of maker entrepreneurs, there is still room to grow in terms of the programs and public policies in place to support their sustainability and success. Often, the traditional support systems provided by local governments for small



businesses, such as access to loan capital or streamlined building permitting, are not always the types of interventions that maker-entrepreneurs need to succeed. Instead, maker-entrepreneurs are more likely to need assistance with advertising, legal support, or connecting to other makers and local manufacturers.

However, there is also one lesser known value of makers to local communities: the potential for the maker community to be inclusive and act as a key driver in achieving a city's equity goals. Without the need to raise venture capital, sign expensive retail leases, or meet payroll costs, the barriers and risks associated with entering the industry of maker-entrepreneurship are lower than for high-growth tech startups, restaurants, or even a traditional corner store.

Therefore, cities should embrace the maker movement as a way to proactively connect under served, low-income, and minority individuals with a pathway to a sustainable career as a maker-entrepreneur.

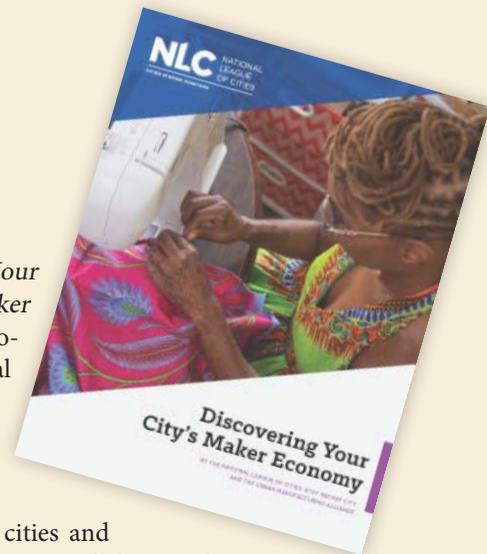
As the maker economy continues to take shape in cities across the country, it is emerging as a potential powerhouse for building strong local economies through creative maker-microbusinesses, and small-scale manufacturing.

 **Emily Robbins** is Principal Associate for Economic Development at NLC. Follow Emily on Twitter @robbins617.

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The guide helps define the maker community, highlight specific ways that city leaders can support these entrepreneurs, and provide profiles of supportive programs, policies and partnerships at the city level.

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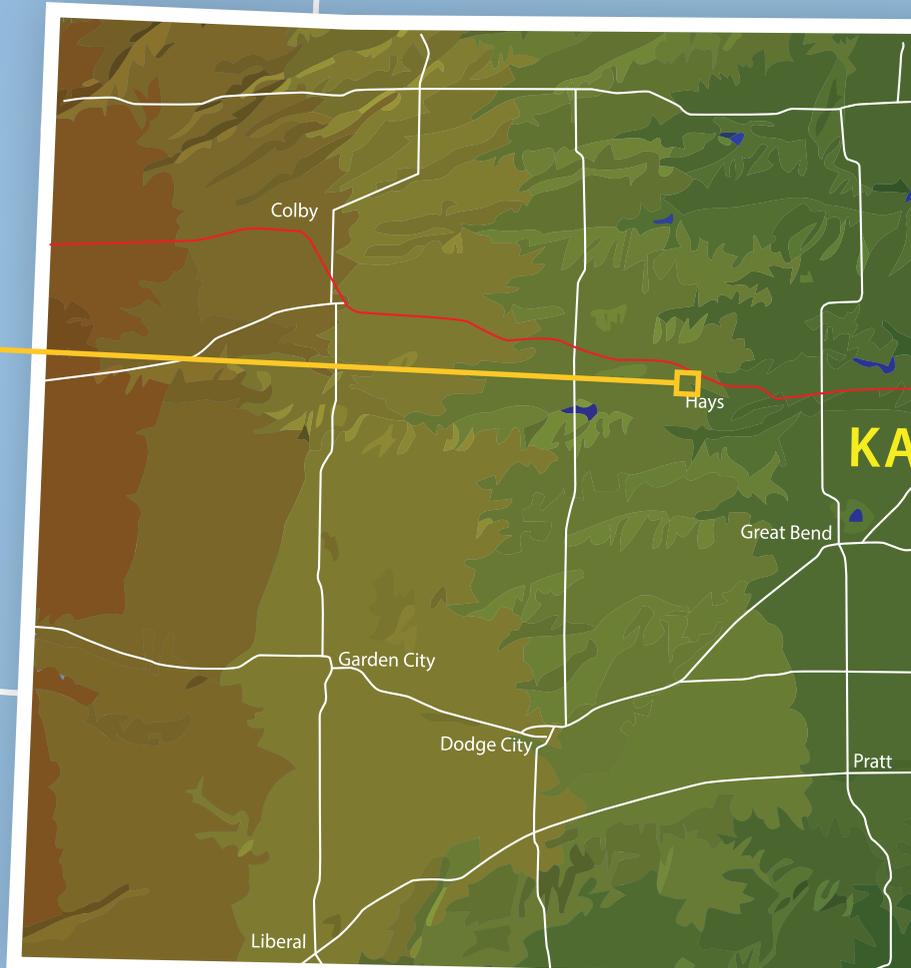
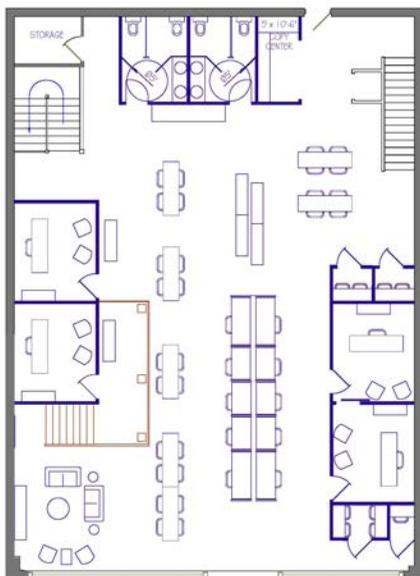
KANSAS GOVERNMENT

Cheyenne ★

Hays

Hays Opens First Co-Working Space

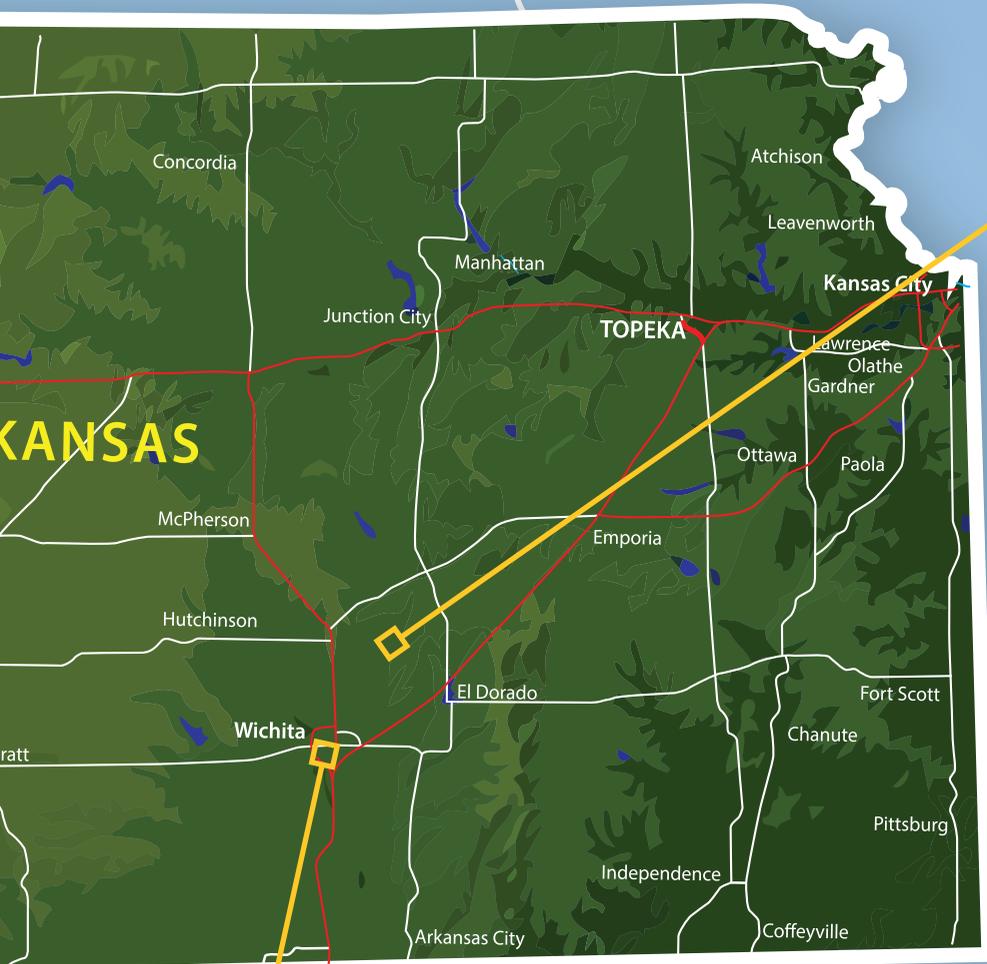
The Ellis County Coalition for Economic Development is opening the first co-working space in western Kansas. The rentable space is tailored for small businesses and start-ups to use as an office for independent and collaborative work. The project is housed within a renovated building in downtown Hays and will offer four offices, renting for about \$150 per month. Membership to the facility will provide businesses with 24-hour access, open space, desks, high-speed internet, commercial-grade network copying, a private meeting room, small coffee bar, and a training/conference room. The building was partially funded in large support by the Dane G. Hansen Foundation, a charitable organization with the goal of making the communities of northwest Kansas better places to live.



VERNMENT NEWS

Des Moines ★

Lincoln ★



Pittsburg

Pittsburg Receives Donation for Dog Park

The City of Pittsburg received a \$50,000 donation for the creation of the city's first dog park. The donation comes from the Ronald O. Thomas Foundation, a foundation which supports organizations in southeast Kansas and southwest Missouri. The funds will be used to build the city's first dog park at Schlanger Park. The city is in the process of creating more recreational space as called for in the Mid-City Renaissance Project, a community planning effort that is revitalizing the center of town. The dog park will be located within this redevelopment area and will offer more than 26,000 square-feet of space complete with animal play equipment, such as ramps, tunnels, and jump hoops. Read more at: <https://tinyurl.com/y76pu8ha>

Ronald O. Thomas Dog Park



Wichita

Roadside Panhandling Ordinance Passed

The Wichita City Council unanimously passed an ordinance approving fines and possible jail time for panhandlers who stand at freeway ramps and major intersections. The ordinance prohibits anyone from stepping into major intersections or congested streets to get something from a motorist. Drivers are also banned from giving something to a person in the road. The new ordinance makes the offense a criminal misdemeanor with a possible maximum penalty of \$500 and/or 30 days in jail. Read more at: <https://tinyurl.com/y8og7vc5>



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Chief Financial Officer, Chanute

The City of Chanute is seeking qualified candidates for the position of a Chief Financial Officer (CFO). Chanute is a full-service city that provides the following services: electric, gas, water, sewer, storm water, fiber, landfill, refuse collection, police, fire and an airport. The ideal candidate will be experienced in budgeting, financial analysis, reporting and accounting, debt issuance, controller operations, contract and purchasing administration, financial software implementation and auditing.

The CFO will be a member of the City's leadership team reporting directly to the City Manager. Will lead a Finance Department and the Utility Business Office, consisting of 6 employees, and be responsible for a city-wide annual combined funds budget of \$55M. The position requires a Bachelor's degree in Finance, Accounting, or related degree. A Master's degree and/or CPA are highly desirable. Four (4) years' experience in public or utility sector finance is preferred. The CFO should possess excellent communication skills, a team oriented leadership style, a track record of innovation and a working knowledge of technology. Salary range for the position is \$80,000 +/- depending on qualifications. Residency is required. Excellent benefits include health insurance and participation in KPERS, a state retirement system.

How to Apply:

Submit confidential resume, cover letter, salary history & five work related references to the Human Resource Dept. kdozier@chanute.org or mail to: City of Chanute, ATTN: Human Resource Dept., P.O. Box 907, Chanute, KS 66720. Position open until filled. Go to www.chanute.org for complete job description & more information. EOE/M/F/D/V.

Budget & Performance Analyst, Olathe

The City of Olathe is recruiting a Budget & Performance Analyst who will support our vision and embrace our core values of leadership through service, teamwork, customer service, learning, and communication. We are seeking a professional to work in an innovative and collaborative environment, pursuing the highest

quality customer service for our internal and external customers. Join our team and provide strategic partnership with city departments to enhance the quality of life for Olathe's community.

The Budget & Performance Analyst monitors and analyzes governmental services including delivery strategies, costs, results, and comparative performance for the Resource Management Department and the City of Olathe. This role provides coordination, expertise, and knowledge to departments in preparation of multi-year strategic plan implementation, annual budgets, and quality improvement projects; and performs a wide variety of analytical, reporting, and financial tasks.

Experience: Three years of increasingly responsible and professional analytical experience in the areas of budget, finance, accounting, strategic planning, performance measures, or capital improvement programming. Internal consulting experience preferred.

Education: Bachelors degree from an accredited college or university with major course work in business or public administration, finance, accounting, or a related field. Masters of Public Administration required.

Must pass a background check and pre-employment physical and drug screen.

Must successfully pass a supplemental background check, pre-employment physical, and drug screen.

The City of Olathe is committed to offering exceptional medical, dental, vision, and life insurance that provide quality care, support, and value to eligible employees and their family members. Additional benefits such as flexible spending accounts, supplemental life insurance, defined contribution plan, wellness program, and employee assistance program coverage is available.

How to Apply:

Please apply at www.olatheks.org.

City Administrator, Altamont

The City of Altamont is accepting applications for the position of City Administrator. Applications are available in the City Office, 407 S. Huston. For a full job description and salary range contact Lizabeth Finley, Altamont City

Clerk or Peggy Ybarra, Deputy City Clerk, (620) 784-5612. Salary dependent on education, qualifications and experience.

How to Apply:

Applications and Resumes are due back December 22, 5:00 PM in the City Office, 407 S. Huston, P.O. Box 305, Altamont, Kansas 67330. EOE.

Assistant to the City Administrator, Cimarron

The City of Cimarron is seeking an energetic, innovative individual for the position of an Assistant to the City Administrator. This is a full-time position, works under the supervision of the City Administrator and contributes to the overall mission of the city by assisting the City Administrator. Applicant must have computer/typing skills, excellent communication skills and be a proactive problem-solver. Must have high school diploma or GED. Pre-drug and alcohol testing is required. Must be 18 years of age and reside within a two-mile radius of the City of Cimarron city limits or be willing to move within six months of hire date. Starting salary based on experience. Excellent benefits.

How to Apply:

Application is available at Cimarron City Hall, 119 S Main Street, Cimarron, KS 67835 or at www.cimarronks.org. Please send application to Jeff Acton, City Administrator, P.O. Box 467, Cimarron, KS 67835, citysuper@ucom.net or drop off at Cimarron City Hall. Position open until filled. EOE.

City Clerk, Oxford

The City of Oxford is taking applications for the position of City Clerk. This position works under the administrative supervision of the Mayor, performs managerial and financial duties as well as overseeing subordinate personnel.

The governing body is looking for an individual with a history of professionalism, sound decision making ability, administrative, and organizational skills and a willingness to become actively engaged within the community. Applicants should have the ability to create a budget that reflects the values of the governing

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body and is preferred to have experience with local government. A contender for this position should have strong financial management skills and a dedication to quality public service.

How to Apply:

Applications and complete job description are available at Oxford City Hall, 115 S Sumner Oxford, KS. Resume can be sent to P.O. Box 337, Oxford KS 67119. More information can be obtained by contacting (620) 455-2223.

Utilities Optimization Senior Program Manager, Wichita

This senior management position will be responsible for implementation of a long-term plan to improve the operations and maintenance practices of the water and wastewater utilities. The work is highly administrative and highly technical in nature and will require work with both internal and external partners. Work includes oversight of business and procurement processes, operational and maintenance practices for both water and wastewater treatment, distribution and collection, and will require management of staff. Work is directed and reviewed through the establishment of goals and subsequent evaluation of progress toward goal attainment.

The Public Works and Utilities Department mission is to provide world-class infrastructure

and environmental health program. The department manages multiple infrastructure systems, asset groups, and environmental compliance activities. It is the city's largest department with 858 positions, an annual operating budget of \$255 million, and nearly \$1.7 billion in Capital Improvement Program projects through 2025. There are 12 funds and 24 division budgets that support annual activities.

The utilities section manages approximately 5,000 miles of water and wastewater distribution and collection lines, provides drinking water and wastewater service to nearly half a million people, and delivers and treats an average of 18 billion gallons of water each year.

The Senior Program Manager will be responsible for identification and implementation of operations efficiencies within the Water Distribution division, Water Production division, Sewage Treatment division and Sewer Maintenance division. In addition, this leadership position will be involved with water and sewer capital improvement program development and oversight of special capital projects.

This position is a regular full-time position funded over a five year period. Thorough knowledge of water/wastewater systems regulations and operations, with the ability to oversee professionals working in these areas. Thorough knowledge of project management

methodology. Knowledge of modern computer technology and its application in a municipal public work setting. Ability to make complex technical computations and solve complex projects and organizational issues. Ability to interpret and prepare complex technical operating and analytical data and prepare clear, concise reports for oral or written presentation. Ability to manage multi-discipline technical and professional staff. Graduation from an accredited four-year college with a degree in engineering, public administration, environmental sciences, or a closely related discipline is required and a minimum of five years experience in water/water treatment processes including fiveyears administrative and supervisory experience is also required

How to Apply:

Apply to <http://agency.governmentjobs.com/wichita/default.cfm>. An equivalent combination of education, experience, and training may be considered. Offers of employment are contingent upon passing a pre-employment physical, including drug screening, and upon satisfactory evaluation of the results of a background investigation. EOE.



View current job postings online.



Humboldt: Continued

Even Humboldt Mayor Nobby Davis, owner of a family restaurant in nearby Chanute, got involved in the revitalization efforts and opened a second Opie’s Family Restaurant location in 2017 in one of the almost-demolished, vacant buildings.

“I think what is happening in Humboldt is amazing,” said Davis. “It started a few years back with little things that took place. It all started with a group of people that knew we needed help. We used the community, and some outside help, to generate ideas and the discussion – it all stemmed from there.”

Humboldt uses its status as an E-Community with Network Kansas to provide a revolving loan fund, generated from the sale of tax credits, to assist in business redevelopment.

Four years ago, Humboldt decided to make a conscious effort to invest in the youth of their community. As the City’s population aged, graduates were leaving and not coming back. Humboldt leaders now make efforts to involve youth in community planning. At every spring graduation ceremony, city leaders address the students and encourage them to leave Humboldt and follow their dreams. But, there’s a catch. They want youngsters to come back to Humboldt after they’ve received their education and had enriching experiences outside of their small community.

“We’ve told our kids to go to the city to make a better life for themselves,” said Herder. “When the reality is that we may very well have the best quality of life right here in rural Kansas. It may take a generation to make a difference but if you don’t start it will never happen.”

Humboldt doesn’t have lofty expectations to become a large city, and in fact, they don’t want explosive growth.

“We want sustainable conditions,” said Herder. “We are looking for a balance of a large enough population that the city can operate affordably with a little growth to attract businesses that fit.” 

 *Megan Gilliland is the Communication and Education Manager for the League of Kansas Municipalities. You can reach her at mgilliland@lkm.org or (785) 354-9565.*



Megan Herder, Humboldt class of 2013, receives her mailbox and personalized invitation from the City of Humboldt to return to her hometown later to build a future in the community in which she was raised.

“We give each graduating senior a mailbox with a letter addressed to them inside stating how proud we are of them; telling them they matter to us,” said Herder. “Each mailbox contains an invitation to come back to Humboldt to start their families, build their businesses, and experience the same small-town, close-knit, quality of life they enjoyed growing up.”

Herder said that the concept is so simple yet often not delivered in a meaningful way.

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CONSTITUTION HALL: LECOMPTON

Lecompton, Kansas is located just an hour west of Kansas City on I-70 between Lawrence and Topeka. A visit to Historic Lecompton, “Civil War Birthplace – Where Slavery Began To Die” and the one-time territorial capital of Kansas, 1855 to 1861, will take you to the roots of Bleeding Kansas and America’s Civil War.

Begin with a tour of Constitution Hall, a National Historic Landmark, Kansas Historic Site, and finalist as one of the Eight Wonders of Kansas. This two-story white frame building constructed of native cottonwood and black walnut lumber was completed in 1856 making it the oldest wood frame structure in



Kansas. Constitution Hall was the site of the writing of the famous Lecompton Constitution in 1857 which would have admitted Kansas as a Southern state. The U.S. Senate and President James Buchanan encouraged its adoption, but the U.S. House did not. The name “Lecompton” was used 51 times during the famous 1858 Lincoln-Douglas Debates. The rejection of the Lecompton Constitution split the



national Democratic Party and led to the election in 1860 of the first Republican Party president, Abraham Lincoln, and the U.S. Civil War soon followed in 1861.

Then, visit the Territorial Capital Museum, a National Register Site. Construction of the building began in 1855 with an appropriation of \$50,000 from the federal government to be the capitol of Kansas, but was only completed to the bottom of the first floor windows when the United States House of Representatives defeated the Lecompton Constitution by only eight votes. Later it was completed as Lane University in 1882. Lane University was in operation in Lecompton from 1865 to 1902. It was at this college that David J. Eisenhower and Ida Stover met and decided to marry in 1885. They later became the parents of Dwight D. Eisenhower, the 34th President of the United States. The museum contains three floors of Bleeding Kansas, Civil War, and Victorian artifacts.

FORT RILEY: FIRST TERRITORIAL CAPITOL

First Territorial Capitol’s exhibits cover two floors in the historic building where the territorial legislature met near the Kansas River in Fort Riley.

The community of Pawnee was adjacent to the Fort Riley military reservation. Territorial Governor Andrew H. Reeder had announced the territorial legislature would meet there July 2, 1855.

Most of the legislators who came to Pawnee were sympathetic to the proslavery cause. They had been elected with the aid of Missourians who had crossed the border to vote. The election had been contested by the free-state partisans, but the fraudulent votes helped to overwhelm them.



Since most of the legislators meeting in Pawnee were from the border towns with interest in Missouri, they wanted the administrative center located in the eastern part of the territory where their strengths lay so they moved to Shawnee Mission after a five-day session.

The Capitol is open from 10:00 a.m. to 5:00 p.m. on Saturdays and noon to 5:00 p.m. on Sundays from April to October. For more information or to visit the Capitol at other times call Mike Ritchie at (785) 375-6188.

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