

Kansas

GOVERNMENT JOURNAL

VOLUME 104 - NUMBER 2

MARCH 2018

**"If I Were Mayor" Winners
Announced**

Tax Rate & Fiscal Data Book

**Tobacco-21 Legislation and
Home Rule Authority**



A Publication of
The League of Kansas Municipalities



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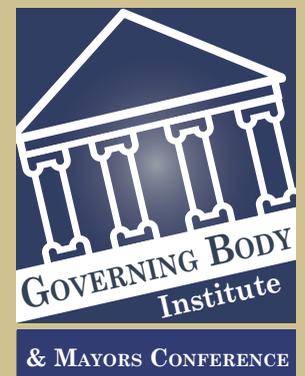


Governing Body Institute

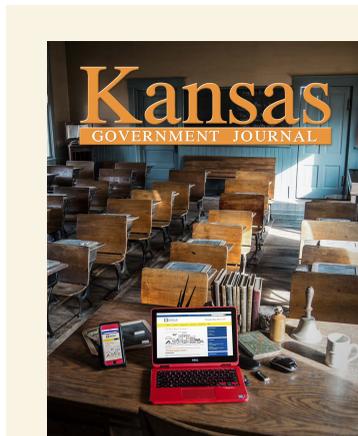
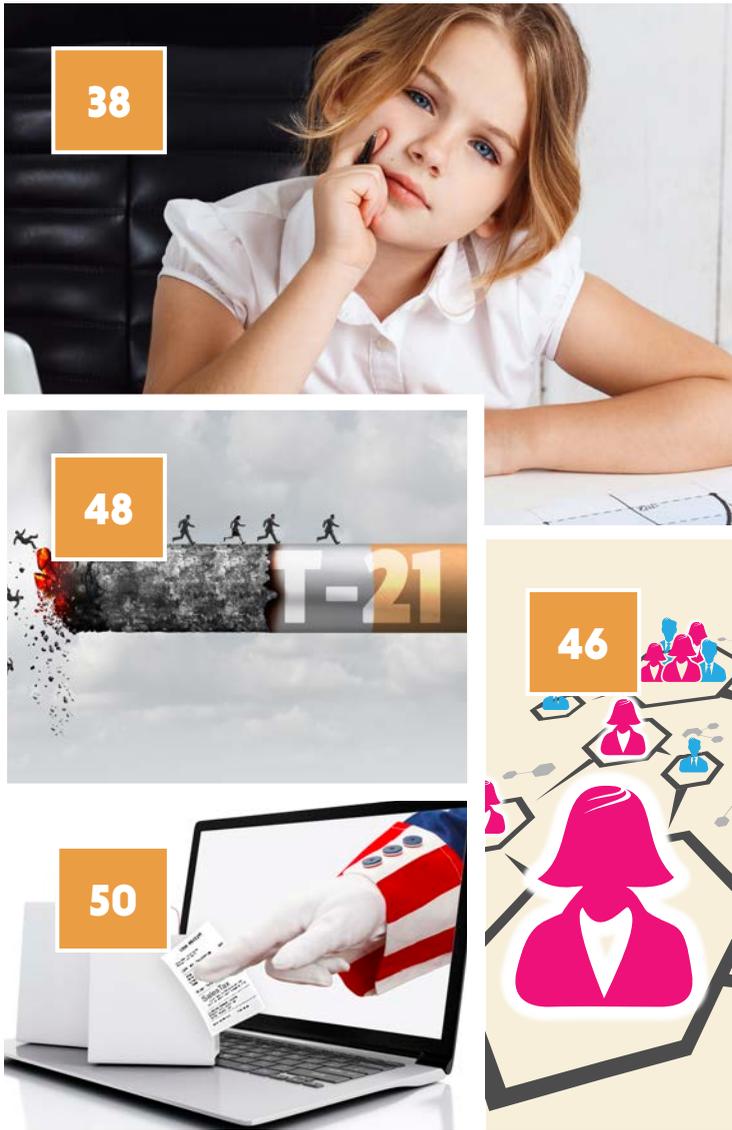
April 20 & 21, 2018 • Topeka

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 longer-term appointed officials will also value the up-to-date information on municipal operations and networking opportunities this conference offers.

Register online at www.lkm.org/gbi.



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Kansas

GOVERNMENT JOURNAL

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Nothing herein shall be construed to have the endorsement of the publisher unless expressly stated.

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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.

Connect with the League on Social Media



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2018 League Events Calendar

MARCH

March 9 MTI: Hiring Public Safety Officials, Belle Plaine
 March 11-14 NLC Congressional Cities Conference, Washington D.C.
 March 23 MTI: Municipal Finance, Manhattan
 March 30 MTI: Hiring Public Safety Officials, Leavenworth

APRIL

April 13 MTI: Municipal Finance, Garden City
 April 20-21 Governing Body Institute, Topeka

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

Obituaries

John Wayne Randle, 68, Wamego, passed away January 2, 2018. John was a volunteer firefighter for the City of Wamego and sustained an injury from a fall while returning fire apparatus to service. He was born on July 4, 1949 in Wichita. After graduating from Byers High School in Pratt County, Kansas in 1967, John attended Pratt Community College. He was united in marriage with JoLane "Jody" (Karst) Simmer in February 1992 in Miami, Oklahoma.

John was a collector of many things, including coins and model cars, and enjoyed woodworking. He loved being around his grandchildren and had a passion working as a first responder and EMT for the Wamego Fire Department.

He is survived by his wife Jody and two step-children, three sisters, four grandchildren, one great-grandchild, and several nieces and nephews.

Ken William Strobel, 78, died January 13, 2018 in Dodge City. He was born on September 11, 1939 at Trinity Hospital in Dodge City.

Ken was seven years old when the family moved to Great Bend. He married Carol Kaiser of Great Bend in August 1959. After graduating from Great Bend High School in 1958, he attended Southwestern College in Winfield for three years and then Wichita State University for one year where he earned a degree in 1962. In 1965, he graduated from Washburn Law School in Topeka, and was part of the first class to receive a Juris Doctorate degree. Following law school, he joined Williams, Larson and Voss Law Firm in Dodge City where he practiced law for 43 years. At the age of 68, he assumed the dual role of City Manager/Legal Counsel of the City of Dodge City.

Ken was active in the Dodge City Area Chamber of Commerce, serving as president and vice-president and many years as one of the board of directors. He was a member and chairman of Ford County/Dodge City Development Corporation Board of Directors. Ken played a pivotal role in bringing essential air service to southwest Kansas.

Survivors include his wife of 58 years, Carol, their four sons and one daughter, and numerous grandchildren and extended family.

Director's Foreword

by Erik Sartorius

As this issue of the *Kansas Government Journal* reaches you, we are beyond the halfway point for the legislative session. While that is certainly our priority right now, that isn't all we are up to. Check the calendar for upcoming Municipal Training Institute classes (we had 135 attend the Planning & Zoning classes!) and get registered for the Governing Body Institute coming up in April!



So far, we have made progress on several of our legislative priorities for 2018. Some of this is due to the 35 times we already have provided testimony in front of committees. To be honest, the real progress comes from a combination of the information you share with us, and the work we do behind the scenes. I cannot express enough our appreciation for the quick responses from so many members to our last-second, need-it-now requests for data or anecdotes. This information frequently makes the difference in legislators' attitudes toward our positions. **Thank you!**

Your help and expertise give those of us working in the capitol the persuasive information necessary to build policies that are better for cities. Whether it be regulations on amusement park rides (particularly slides at swimming pools), the use of asset forfeiture, abandoned housing, government cybersecurity, or the property tax lid, staff is meeting with legislators and other interested parties to promote the municipal perspective. Several of these issues are being moved toward the city point of view through our engagement.

Our work on legislative issues does not end in Topeka. This month, several city leaders from around the state will be heading to Washington, D.C., for the National League of Cities' Congressional City Conference. In addition to briefings, sessions, and speakers from the NLC, our Kansas contingent will head to Capitol Hill to speak with our legislative delegation. I am always pleasantly surprised at how accessible and welcoming our Kansas congressional offices are to us; most every visit we get to meet with the elected official, not just staff. That is not the norm for most offices.

On a personal level, it will be bittersweet to meet with Congresswoman Jenkins. She has been my state representative, state senator, state treasurer, and member of Congress. While she is certainly deserving of the next chapter in her life, Kansas will be losing a good legislator and leader. Big shoes to fill in the Second District!

In February, I zipped up to Washington, D.C., to join other state league directors and presidents. We had a whirlwind trip, with many briefings on federal issues along the way. The administration sent representatives from the Departments of Commerce and Transportation to preview the infrastructure program proposed by President Trump. The ability of National League of Cities to keep lines of communication open with the White House is critical. Some other local government groups have reduced their outreach, which I find to be a mistake. Cities cannot afford to take four years off and ignore the federal government.

While in D.C., I was able to meet with Senator Moran's staff and discuss the impending infrastructure proposal. An estimated \$250 billion in new federal spending is there, with a belief it will leverage an additional \$1.5 billion in state, local, and private investment. Some funds will be set aside for rural states like Kansas. However, we all know the challenges the state has had in keeping its commitment to transportation projects. Further, local governments are squeezed by the tax lid, and private investment partnerships for infrastructure are most likely for projects on a scale that is infrequently seen in Kansas.

I cannot express enough our appreciation for the quick responses from so many members to our last-second, need-it-now requests for data or anecdotes. This information frequently makes the difference in legislators' attitudes toward our positions. **Thank you!**

I also joined municipal representatives from several other states in meeting with staff of the Federal Communications Commission (FCC) to discuss broadband deployment. Currently, the FCC has an advisory committee looking at this issue. Andy Huckaba, a Lenexa council member, is one of only two municipal representatives on this body. As they consider recommendations to expand broadband across the U.S., some have suggested municipalities are a significant hindrance in the dispersal of broadband. Municipal representatives stressed to FCC staff that municipalities have a duty to protect and preserve the rights of way owned by their citizens, and to ensure fair compensation is received for its use. We oppose the preemption of municipal powers and the ability to negotiate with broadband providers.

With this being March, the annual *Tax Rate Book* is included in this month's magazine. This issue stays on my desk throughout the year as a handy reference. Legislators and the media also find this data useful in their work; I appreciate the assistance you have provided to League staff as we compiled this information.

Lastly, a big "congratulations" to all participants, and particularly the award winners, in our annual "If I Were Mayor" contest. All of the regional winners' submissions showed not only a great enthusiasm for their hometown, but also keen insights and creative ideas for improving their cities.

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



CITY HALL

IF I WERE MAYOR

Introducing Your Youngest Community Leaders

By Ren Morton, Assistant to the Executive Director, League of Kansas Municipalities

On the next few pages of the *Kansas Government Journal*, six 7th graders from across Kansas are honored for their thoughts on how to improve their communities. These young community leaders have been paying attention to the needs of their community as they go through their daily lives - listening to the conversations swirling around them, wondering about the city as they walk and play through it, and asking questions to find solutions.

This year, the redesigned “If I Were Mayor” contest offered a space for young community members to contribute their observations. To align with the Kansas Department of Education guidelines of “Civic and Employability Skills,” the League transformed the essay contest into a memo contest. The memo is a standard tool in public administration and business, and by its use we asked students to think through a social problem from start to finish:

- What is the problem?
- Does the problem warrant government action?
- What is the action (policy)?
- What are the barriers?
- What are the resources?



The 2017 “If I Were Mayor” winners attended Local Government Day in Topeka to receive their awards.

By recasting the contest, the League wanted to produce more viable ideas which can be shared with the community, and increase the sense of engagement between local government leaders and youth that they can affect change within their community. We were not disappointed. The memos were all-encompassing: improving sidewalks, starting an animal shelter, changing the structure of school districts, creating an after-school tutoring program, addressing blighted housing, and park beautification. Several of the winners’ memos have been submitted to their city’s governing body and come to the attention of the mayors. These young women have not stopped at submitting their memos; many have asked to remain involved should the city pursue their recommendations. Now, that’s youth engagement!

Young members of your community are wanting a voice and are eager to learn. The League encourages you to involve the youth of your community in local government. They are bright, talented, and ready to tackle the challenges of today and to come.

MEMORANDUM

TO: Governing Body Members
FROM: Mayor Annicka Hernandez
SUBJECT: More Sidewalks in Arkansas City
DATE: November 15, 2017

Policy Proposal:

As Mayor, I think it would be best for our community to have more sidewalks to ensure the safety of our citizens. Unfortunately, I see kids everyday walking to and from school on busy roadways that don't have sidewalks. We could fix this issue by imposing a ½% increase in the city's franchise fees. All of the proceeds from the increase would go towards funding a sidewalk plan. The school board is most likely to support the issue, for the protection of their students. We would build new sidewalks as we receive the money to do so. We focus first on the main roads, to best utilize our resources. Yes, this approach may take a while, but it won't cause the city to go into more debt while also ensuring citizen safety.

Barriers:

A few barriers that we have are that public pushes back because people don't like to pay additional fees. I think that we need to educate the public on how this will help our community not hurt it. Another problem we face is clear accountability of when we put money in and when we take money out and why.

Resources:

In order for us to complete the project we would need money and collaboration. You need the collaboration from people from the city and school board. The school would help us determine the most used routes walking to and from school. The city is the one who can make all of this happen.

Sincerely,

Annicka Hernandez

OVERALL & South East
Winner



Annicka Hernandez

MEMORANDUM

TO: Governing Body Members
FROM: Mayor Anna Briggs
SUBJECT: Beautification of Quinter City Park
DATE: November 17, 2017

Policy Proposal:

My proposed policy as mayor would be the beautification of the Quinter City Park. I wish to beautify the park as well as keep it ecologically friendly. The park is very open, so I propose creating a walking trail. The first step would be to install an underground irrigation system. This drip system would water all of the landscaping because it doesn't use as much water, which makes it ecologically friendly. I then would lay the trail using chat gravel. Native grasses, flowers, shrubbery, and trees would be added along the walk. New park benches would be installed, each made out of recycled materials. A community woodpile site for downed limbs would be added. The downed limbs would be turned into wood chips, eventually used for landscaping. New trash cans and a pet waste bag dispenser cans would be placed in several areas around the park and along the walk.

Barriers:

Money-the cost is estimated at \$50,000. Most of the money would go towards the irrigation system (\$16,000), trail (\$12,000), plants (\$12,000), park benches (\$1,500), and the trash cans and pet waste bag dispensers (\$3,500).

Resources:

Local groups such as the FFA or the Boy Scouts could help out. Local area businesses could donate or sponsor purchases (such as a bench). The Hays Greenhouse and local gardeners could provide native plants. Local people could hold fundraisers, or we would apply for grants.

Sincerely,

Anna Briggs

North West
Winner



Anna Briggs

MEMORANDUM

TO: Governing Body Members
FROM: Mayor Peyton Graber
SUBJECT: After School and Weekend Tutoring
DATE: November 15, 2017

Policy Proposal:

I propose the city creates a tutoring group for students who truly struggle with their work and need help. I want to fund an after school and weekend tutoring for young people, including people who are working toward their GED. The destination of the tutoring session will be at the location of the Eagles Landing. Also, we could include a snack to help keep them focused on their work. We could have volunteers to help purchase the snacks for every time that the group participates together. There could be rewards for every time that the student completes his/her own homework; examples: games, snacks, drinks, or a pajama work day. If it would cost to use the building we would get a group together to fund the building. I would really like to see a tutoring group because some people need help in school. Some can't get the assistance that they need at home.

Considerations:

- It is legal?
- Does it serve the common good?
- It is equitable?

Barriers:

We do not know if Eagles Landing willing to lend us the building.

Resources:

We will have volunteers for tutors and snacks.

Sincerely,

Peyton Graber

South Central
Winner



Peyton Graber

MEMORANDUM

TO: Governing Body Members
FROM: Mayor Samantha Clark
SUBJECT: Rebuilding Old Properties of Zurich
DATE: November 3, 2017

Policy Proposal:

I would bring more people into the environment and help fund the rebuilding of old houses. Bringing people into the community may make our town more lively, helping with the expansion. More people equals more money; with more money we can rebuild old moldy houses. Modernizing these homes will bring more people.

Considerations:

- It is legal?
- Does it serve the common good?
- It is equitable?

Barriers:

The project will cost about \$100,000 and will take 3-5 years to complete. We will need a way to maintain the health inside and outside these houses until a person/family moves in. People could volunteer to mow and take care of the houses.

Resources:

The city council and other community groups support this idea. They will help by giving donations to the city and find a crew to build the houses. We will hang flyers in towns near and around our city, also encouraging people to spread the news through social media.

Sincerely,

Samantha Clark

North Central
Winner



Samantha Clark

MEMORANDUM

TO: Governing Body Members
FROM: Mayor Ariona Miller
SUBJECT: Mayor-Controlled School District
DATE: November 8, 2017

Policy Proposal:

I want our school district to be mayor-controlled. It has been proven that a mayor-controlled district is more effective and successful than districts that are controlled by a school board. It's been shown mayor-controlled districts spend their money more strategically. The main reason is because they focus more on classrooms, the student to teacher ratio, and learning. For example, teachers are more than 50% of the staff. Also, student's achievement increase. For instance, In New York City, 4th graders' proficiency in a mayor-controlled district increased by 6.5% in Math. In all mayor-controlled districts have seen more improvement in students' achievement across all subjects and in all student groups.

Barriers:

One of the barriers in this could be that all schools are different and progression doesn't always repeat. Another barrier could be employment issues. However, we would appoint a CEO for the school district, who would hire a Central Academic Officer, which is like a superintendent, and a Central Business Officer. We, of course, would need more teachers, etc.

Resources:

To put this in effect we would schedule a meeting with the city council and school board.

Sincerely,

Ariona Miller

North East
Winner



Ariona Miller

MEMORANDUM

TO: Governing Body Members
FROM: Mayor BreAna McPherson
SUBJECT: Animal Rescue Center
DATE: November 15, 2017

Policy Proposal:

I propose that we get an animal rescue center. We have many strays in our town. Of course, we have a pound but when it gets to its full capacity they send the dogs to Denver where they are either adopted or put down and not very many people adopt from a pound. An animal rescue center would be much better. The animals wouldn't be shipped to Denver to be put down. We could have some of the workers from the pound to work at the animal rescue center so they do not lose money. More people will consider adopting from an animal rescue center than a pound so the odds of having more dogs adopted increases by a lot. It is for the common good, less strays will be running around, more dogs will have homes, and all of the animals will be registered. This is my proposal I sincerely hope you put it into consideration.

Barriers:

- \$140,000 for the building \$1000 for food
- \$500 for medicine

Resources:

Mayor Everett Green, Scott City Police Chief Chris Jurgens, Facebook, Scott County Sheriff Department, Twitter, Scott County Development Committee, Kansas.gov/grants, Kansas Humane Society

Sincerely,

BreAna McPherson

South West
Winner



BreAna McPherson

Inspiring the Next Generation of Public Leaders!

Promoting good city government is important to the League of Kansas Municipalities. We believe good city government starts with inspiring civic values in our youngest community members and nurturing those values into adulthood. We offer this youth education program as a resource and investment in the next generation of public leaders.

Inspire elementary schoolers' interest in political topics and teach them how to follow political conversations.

"Teach us to follow local government"

Civic Interest ELEMENTARY, 8-11 YEARS OLD

Build middle schoolers' familiarity with government processes and their government vocabulary by connecting their favorite activities to local government action. Whether it's bicycle lanes or community development initiatives, there is plenty to engage their minds and hearts!

"Teach us to speak local government"

Check out the League's on Pinterest page! On our profile, you will find boards pertaining to each local government area with nifty resources and infographics.

Looking for your next local community leaders? The next state legislators? Engage young adults to help spread the word about your community's goals and vision for the future. Make sure the young adults in your community are familiar with government career paths. Many young adults attending college or starting families don't know how to contribute their skill sets to further the stability and culture of their own community. Engage them in the variety and vibrancy of government work and community service!

Civic Literacy MIDDLE SCHOOL, 12 - 13 YEARS OLD

"Teach us to lead in local government"

Civic Attachment ADULTS, 18+

Check out the League's full curriculum for youth civic education.

Our program includes lesson plans, activity books, and a resource guide. All materials are interactive on the web and free to download.

Strengthen their civic skills by having them follow the policy process from bills, to committee, to law. Encourage debates on issues, asking them to consider the proposed interventions along the dimensions of efficiency, equity, ethics, and political efficacy. See www.lkm.org for ways they can get involved in the political process.

"Teach us to do local government"

Civic Skills HIGH SCHOOL, 14 - 18 YEARS OLD



Governing Body Member Michelle De La Isla

What Do You Think is the Primary Role of Municipal Government?

Municipal government is a service delivery mechanism for our constituents. We are here to ensure a few key areas that impact the everyday living of citizens are taken care of. Specifically, the following:

- Ensuring residents have access to excellent public safety resources;
- Maintenance and updates to infrastructure including roads, sidewalks, clean drinking water, sound water lines and mains, sewer lines, etc.;
- Supporting neighborhood development and Neighborhood Improvement Associations, blight abatement, and community partnership facilitation;
- Community economic development planning, incentive development, policy guidance, and funding; and
- Quality of life initiatives which support the arts, trails, bikeways, entertainment district creation, and promotion of local tourism initiatives.



What is Your Professional Position and What Are Your Typical Duties?

I am the Diversity and Inclusion (D&I) Representative at Westar Energy. I work with the Diversity and Inclusion Council comprised of executives and representatives from various areas of the company to establish and deploy our Diversity and Inclusion Strategy. This includes developing and delivering inclusion and implicit bias competency training and supporting all business areas with issues or questions pertaining D&I. I work to develop a diverse talent pipeline by working with Topeka Public Schools and all surrounding school districts to attract students to Westar. I work with Westar to develop community relations that support our D&I strategies. I also manage the “Electrify Your Future” program with our Safety and Training team; this program offers a comprehensive tour of facilities and helps educate potential employees about different career paths. I am also responsible for submitting human resources federal reports for equal opportunity, veteran, and affirmative action. And of course, other duties as needed.

What is Your Favorite Thing About Kansas?

I absolutely love the people in Kansas. Hardworking, kind, and resilient. In addition to our wonderful people, I love our skies. I can get lost watching the sunset or the sunrise in the Flint Hills. I could do that any time of the year but in the spring, it’s especially breathtaking.

Please Share a Little Personal Information About Yourself.

I consider myself pretty down to earth. My life experiences have allowed me the ability to empathize with what most of our most vulnerable and underserved constituents struggle with. As a single mother who must juggle many roles, and has done so for many years (sometimes without all the resources needed to stay afloat), I know how hard it can be to live day-to-day. My priorities in life are God, my kids, and my community. That being said, I don’t force my views on anyone. I am very middle-of-the-road; however, I am not afraid to advocate for something I believe in. I am an avid advocate for Topeka and love my city. I will do my best to serve my constituents and keep them informed about what our city offers, as well as being open to discuss and improve in areas

that need work. I am a nerd who loves to spend time with my kids, travel, hike, bike, read, drink coffee, and I love *Star Wars* and *Marvel* and *DC Comics* (still very much a kid at heart).

What is Your Favorite Thing About Your Community?

There are many things I love about Topeka and it is hard to pinpoint just one thing. Right now, we have a leadership team that is second to none. Relationships between the City and Shawnee County are wonderful. We have a talented team of economic development and non-profit sector leadership that actually work together and who understand that to improve a community we need to discuss access and equality for all our citizens. Furthermore, our corporate residents are spectacular. We enjoy a powerful public-private partnership environment that is enviable. Our citizens are top-notch; we have so many volunteers in every level of our community. Right now, there is a **vibe** and a **momentum** in our city that is contagious. I love our local entrepreneurs who believe in this city and our commitment to improving the overall health and quality of life. It’s hard to find a favorite, but as you can tell, it revolves around our people.

What Made You Want to Join City Government?

I am passionate about empowering young individuals, women, and minorities to be part of the process. During the planning process for our downtown redevelopment plan, I was approached by my dear friend William Beteta in 2007 to get feedback from teenagers as to what would keep them in Topeka. Supporters of the project tried more than once to get the City Council’s approval for the redevelopment. However, the night we finally earned enough votes to secure funding happened to be the night a group of youth supported the project in front of the governing body. That ignited a passion for public service that has led me to where I am today. Giving people a voice matters to me!

Is this your first time on a statewide board?

I have served on a national board in the past, however, never statewide.

New League Staff

Doug Taylor

What is Your Position and What Do You Do?

I am the Legal Counsel, one of three attorneys on staff for the League. I answer legal questions from member cities, provide training for city officials on legal matters, and lobby to the legislature on behalf of member cities.

What is Your Favorite Thing About Kansas?

I enjoy the diversity of experiences you can get across the state. There is plenty of small-town charm to be found; but even the bigger cities seem to be the perfect size, where they have nearly all of the culture of a big city without feeling too overwhelming.

What Types of Activities Do You Enjoy?

I am an avid sports fan; religiously following the Chiefs, Royals, Oklahoma City Thunder, and my alma mater, KU. My wife and I are also admitted television junkies, we have a lineup of shows to watch on basically any given night of the week.

Have You Always Lived in Kansas?

Yes, I was born and raised in Topeka. I lived in Lawrence during my four years at KU, and spent a year after my graduation working full-time there before returning to Topeka to attend law school at Washburn.

What is Your Favorite Scenic Part of Kansas?

I'm sure many would agree with me. I would have to say the stretch of I-70 as you enter the Flint Hills, especially if you're driving it during sunrise or sunset hours.



Ren Morton

What is Your Position and What Do You Do?

My role is Assistant to the Executive Director. My primary responsibilities include coordinating the Governing Body and policy committees, assisting with LEAPS executive searches program, and resource development.

What is Your Favorite Thing About Kansas?

My favorite aspect about Kansas are the museums, libraries, and nature parks. I have worked for re-enactment museums and participate in the Read Across Lawrence library program each year. We just have so many wonderful, family-friendly spaces to learn and create!

What Types of Activities Do You Enjoy?

My education in theory and anthropology support my work in public libraries, museums, leadership institutes, anti-violence fields, research, and program development. I enjoy a wide array of arts and books, sharing all this wonderful thought and creativity with my husband, our son, and two snuggly cats.

Have You Always Lived in Kansas?

Yes. I was born in Scott City, grew up in Dodge City, and moved to Lawrence 10 years ago to attend university. I have loved living here ever since.

What is Your Favorite Scenic Part of Kansas?

As I grow older, I fall more and more in love with Kansas. I have many memories from growing up amid the russet-red prairies, floating in any number of Kansas lakes in the summertime, laying under the stars by a camp fire, and admiring the skylines of industrial Kansas City— I don't think there is a part of Kansas that is not exquisitely beautiful in its own way.



Community Profile

By Megan Gilliland, League of Kansas Municipalities



Southwest Kansas city focuses on quality of life in a culturally diverse city

Dodge City

Dodge City is legendary. The infamous and celebrated past of one of Kansas' most famous cattle towns is nothing short of fascinating. The City was a powder keg of excitement and westward expansion in the late 1800s. The City itself originated as a center for commerce along the Santa Fe Trail and quickly grew to prominence. Today, Dodge City continues to serve as a confluence of industry and manufacturing. The community itself has taken significant steps toward creating a collaborative environment where cultural diversity is recognized as an asset.

Dodge City, population 27,500, is located in Ford County in southwest Kansas. The City is actively working to ensure a vibrant quality of life where community collaboration is a key to success. Thanks to the overwhelming success of the "Why Not Dodge" city-county sales tax which was passed in 1997, Dodge City has seen expansive growth in community recreational facilities such as the Long Branch Lagoon Water Park, numerous athletic fields including Cavalier Field, Legends Park, St. Mary's Soccer Complex, and Dodge City Raceway Park. The family-oriented tourism and entertainment industry in Dodge City is booming as well. The Boot Hill Casino and Resort, the first state-operated casino in Kansas, is located adjacent to the state of the art United Wireless Arena and Boot Hill Casino and Resort Conference Center.

The Dodge City STAR Bond District includes the Dodge City Heritage Project Area, comprised of 166-acres of historic downtown Dodge City and is anchored by the Boot Hill Museum. The Heritage Area will also provide funding for an influx of downtown infrastructure improvements including much-needed reinvestment and revitalization in local businesses as well as community treasures.

Dodge City is fortunate to have an eclectic mix of cultures and nationalities that call the City home. The City is home to two large beef-packing plants, Cargill and National Beef. The presence of these large agricultural industries also provides the opportunity for smaller, cluster industries which produce products for the agricultural sector. In Dodge City, this includes the presence of several ag-related businesses including ROTO-MIX, a leading manufacturer of livestock mixing and feeding equipment; Koch Ag and Energy Solutions, a supplier of fertilizer for agricultural uses; Servi-Tech testing laboratories; Crop Quest agronomic services; and the *High Plains Journal* and *Midwest Ag Journal*. The presence of these industries provided a steady economy even when other rural communities were facing economic challenges.

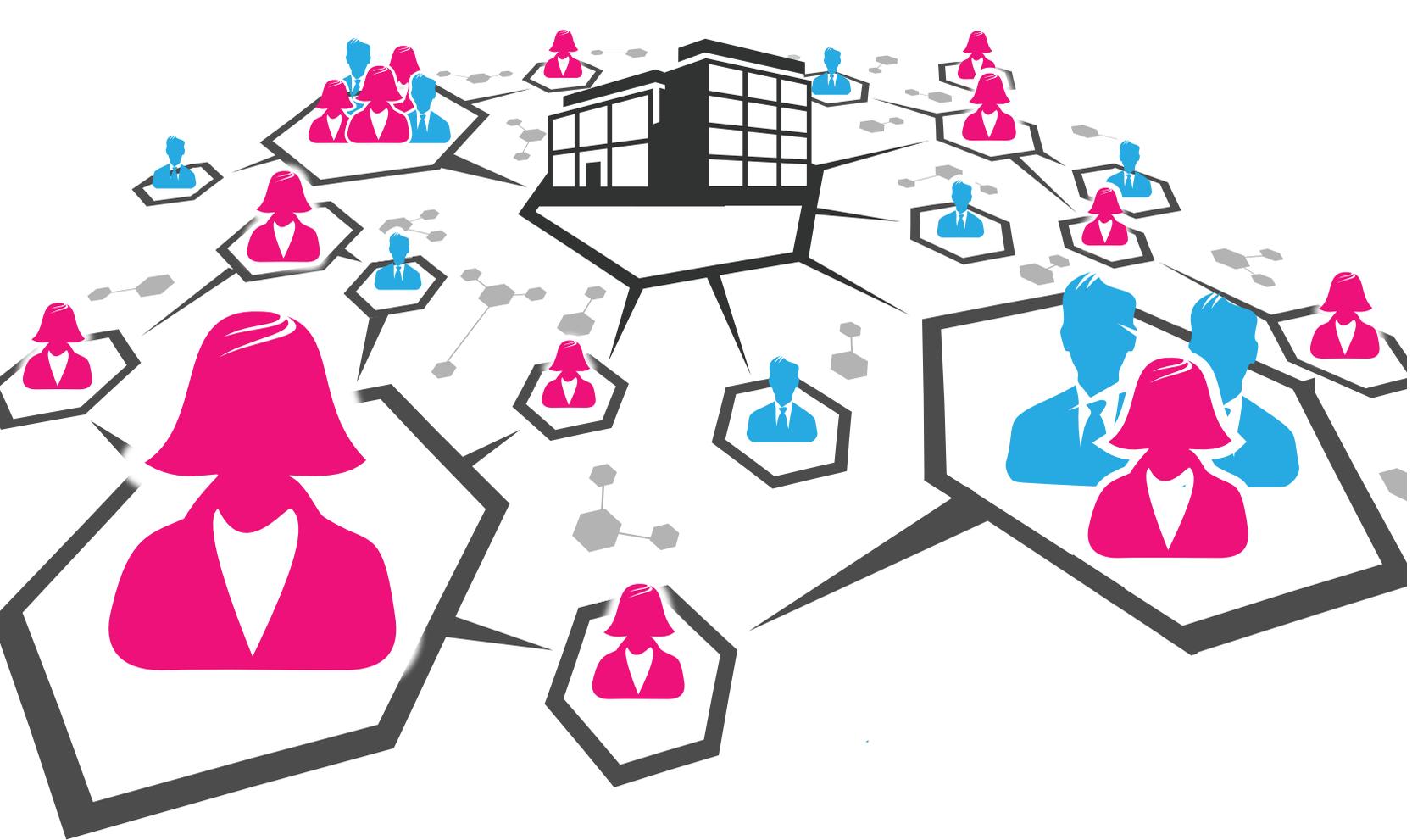
These large industries require an abundant and easily accessible workforce. In Dodge City, immigrant and diverse populations

Continued on page 55

Boot Hill Museum: The present location of the Boot Hill Museum entrance is through the Great Western Hotel. Utilizing STAR Bonds funds, the Museum will be expanded with construction of a new building with fixed exhibit space and additional improvements designed to host traveling and temporary exhibits, as well as special events.

Photograph by Abbey Martin, City of Dodge City





Women's Foundation Appointments Project™

Empowering Women and Communities

By Kendall Seal, Vice President and General Counsel of Research and Government Affairs, Women's Foundation

Across the country and here in Kansas, more and more organizations, including municipal governments, are making an effort to increase the number of women in senior leadership positions – and for good reason.

Women bring different perspectives, fresh ideas, and new solutions to the boardroom. In “Women Directors Change How Boards Work” (Feb. 17, 2015), the *Harvard Business Review* noted that adding women to boards strengthens board dialogue, risk management, and decision-making.

Studies in the for-profit sector show a strong correlation between the number of women on the company's board and an increase in both return on investment and return on earnings. Corporate leaders such as Brad Smith, President and Chief Legal Officer of Microsoft, also make a strong case that increasing the number of women in positions of leadership can help prevent and combat sexual harassment.



Today, city leaders in Kansas have access to an innovative program to help them identify highly-qualified candidates for board and commission vacancies, increase the number of women at the decision-making table, and better serve their constituents in the process.

The Appointments Project, created by the Women's Foundation in 2014, aims to eliminate obstacles to women's full civic engagement by taking a truly collaborative approach.

The Appointments Project serves as a talent bank, advisor, and advocate for women seeking appointed positions in local government. The Foundation trains women about the application process, provides information about positions available, and helps to match women's talents and interests with open positions. At the same time, the Women's Foundation works with local city and county administrators in reaching out to interested and qualified candidates for their open board and commission seats.

The Appointments Project was inspired by a first-of-its-kind study commissioned from the University of Kansas that identified numerous barriers causing women to be underrepresented on boards and commissions. The study uncovered a variety of reasons, including a lack of knowledge among women about appointment opportunities, practical issues such as the timing of board meetings, and the need to train board leaders to be more inclusive of women and minorities.

Over the last three years, the Appointments Project has worked to address all of these challenges by teaming up with city leaders, engaging with prospective appointees, and conducting informational webinars and trainings.

The results have been dramatic. Since 2014, more than 80 women have been appointed to state and local boards and commissions in Kansas and Missouri through the Appointments Project.

Deann Mitchell of Olathe is one of the newest members of the Governor’s Behavioral Health Services Planning Council.

“Johnson County has an increasing trend in teenage suicides and I was looking for a way that I could make an impact on behavioral health services,” said Mitchell. “The Appointments Project helped connect me to a commission that is working on an issue that I am passionate about.”

In addition to the State of Kansas, nine Kansas cities are actively participating in the Appointments Project, including Topeka, Wichita, Olathe, and Kansas City, Kansas. Our new partnership with the League of Kansas Municipalities will build on this momentum.

“As a vibrant and growing city, Wichita is a great place to get involved in public service,” said Wichita Mayor Jeff Longwell in announcing his city’s participation with the Appointments Project. “I’ve made it a priority to make sure city government reflects the diversity of the communities we serve, and we’re proud to be teaming up with the Women’s Foundation to appoint more women to our city boards and commissions through the Appointments Project.”

The beauty of the Appointments Project is it recognizes each community is unique, and makes it easy for cities to get involved with five steps.

1 Identify a point person in your office to handle board and commission appointments.

2 Contact the Women’s Foundation at appointments@womens-foundation.org or (816) 988-2002 to let them know about your interest in the Appointments Project and identify your point person.

3 Provide a list of publicly appointed board and commissions to the Women’s Foundation, and they will work with you to increase the pool of applicants from which you can make appointments.

4 A member of the Appointments Project team will work with you to provide names, contact information, and supporting documentation (i.e. resume, required forms, etc.) to your point person.

5 The decision of who to appoint is yours. The role of the Appointments Project is to expand the applicant pool of women in your community who are willing to serve. The Women’s Foundation also provides webinars and trainings to raise awareness of these opportunities and enhance board member skill development.

For more than 25 years, the Women’s Foundation has been promoting equity and opportunity for women of all ages. Time and again, we have seen that when more women are at the decision-making table, opportunities expand, and outcomes improve for everyone.

What is most thrilling about the Appointments Project is it’s just getting started. There are thousands of public leadership positions waiting to be filled by women – who just need to be asked and need a little help navigating the process — and that’s where the Appointments Project comes in.

Together, we can keep expanding the Appointments Project to more communities and build a stronger, brighter future for all Kansans.

The Women’s Foundation promotes equity and opportunity for women and girls, using philanthropy, research, and policy solutions to make meaningful change. More information about the Appointments Project can be found at www.Womens-Foundation.org.

Editor’s Note: The League is working with the Women’s Foundation to encourage and promote board and commission vacancies be filled with diverse and underrepresented members of their communities. Our work with the Women’s Foundation is just one of many ways we are working to promote diversity in local government.

 **Kendall Seal** is a lawyer and Vice President of Research and Government Affairs for the Women’s Foundation. He can be reached at kendall@womens-foundation.org.



Legal Forum

Tobacco-21 Initiatives and Home Rule Authority



By Doug Taylor, Legal Counsel, League of Kansas Municipalities

The concept of local control has long been one of the most fundamental aspects of municipal government. In Kansas, this concept stems from the Home Rule Amendment to the Kansas Constitution. In its most general terms, the Home Rule Amendment allows cities to govern themselves through the passage of unique laws, subject to a few important restrictions. Since its inception in 1961, the Home Rule Amendment has served as the genesis for municipal laws touching on a wide variety of subjects, typically involving the health, safety, or welfare of a city's population.

So-called "Tobacco-21" ordinances have once again brought Home Rule authority into the headlines. These laws prohibit the sale, purchase, and possession of tobacco products and electronic cigarettes involving individuals under the age of 21. Under state law, the sale, purchase, and possession of such products is prohibited when the individual involved is under the age of 18. Despite aiming towards a generally agreed-upon health benefit, these Tobacco-21 laws are not without their share of controversy. Most recently, the City of Topeka became the 19th Kansas locality to pass a Tobacco-21 ordinance;¹ however, before the ordinance could take effect, two local businesses sued the city and obtained a temporary injunction blocking its implementation.² Although the dust has yet to settle in this dispute, it is the League's opinion Tobacco-21 ordinances are squarely within a city's authority under Constitutional Home Rule provisions.

Kansas Constitutional Home Rule Authority

Generally speaking, cities are bound by state laws that apply uniformly to all cities across the state.³ However, the concept of Home Rule authority provides several exceptions. First, cities may pass laws involving subjects on which state law is silent.⁴ Second, cities may utilize their police power to regulate for the health, safety, or general welfare of the public.⁵ Such regulation cannot be in direct conflict with existing state law, but may supplement it as the city sees fit.⁶ Finally, if a state law applies to cities in a

non-uniform fashion, a city may opt out of its provisions through the passage of a charter ordinance.⁷ In the discussion involving Tobacco-21 laws, it would stand to reason a city's usage of its police power is most applicable, since Tobacco-21 laws are designed for the health, safety, or general welfare of a city's population.

The state may effectively prevent a city from passing police power laws if it explicitly preempts the field through its own legislation.⁸ In other words, if a state statute explicitly prohibits local governments from passing laws on a particular subject, then they may not do so. In addition, if a city attempts to make use of its police powers to regulate on a certain issue, the resulting city law cannot conflict with the corresponding state law. A primary test to determine if a conflict exists is to decide if the city law prohibits what the state law allows, or whether the state law prohibits what the city law allows.⁹ If either of those instances occur, a conflict exists.

Confusion over this test can exist when a city ordinance seeks to merely enhance an existing state prohibition or allowance. In *Junction City v. Lee*, the Kansas Supreme Court reasoned that if a city law and state law are both prohibitory, and the city law merely goes further in its prohibition and does not allow something that state law expressly forbids, then no conflict exists.¹⁰

Analyzing Tobacco-21 Laws

With an understanding of Home Rule authority in place, there are then two questions to examine with regard to Tobacco-21 laws specifically. First, has the Kansas Legislature effectively preempted the field, so as to explicitly prevent cities from enacting laws on the subject of tobacco regulation? Second, do the city ordinances in question conflict with state law, making them void and unenforceable?

Under existing Kansas law, it is unlawful for any person to "sell, furnish, or distribute cigarettes, electronic cigarettes or tobacco products to any person under 18 years of age."¹¹ It is also unlawful

for any person “who is under 18 years of age to purchase or attempt to purchase cigarettes, electronic cigarettes, or tobacco products.”¹² Further, it unlawful for any person “who is under 18 years of age to possess or attempt to possess cigarettes, electronic cigarettes, or tobacco products.”¹³ Despite these prohibitions, there is no provision in state law restricting a city’s power to enact its own local legislation on the sale, purchase, or possession of tobacco products. As such, it seems clear that the legislature has not preempted the field in this area, leaving cities free to enact their own specific laws on the subject.

The primary area of contention with regard to Tobacco-21 laws, and indeed the Topeka challenge to the City’s Tobacco-21 Ordinance, involves the issue of whether the city laws are in conflict with the relevant state laws on the subject. Perhaps the most important starting point for an analysis of this question is to realize that both such laws in this instance are prohibitory. This means that under the Kansas Supreme Court’s ruling in *Junction City v. Lee*, a city is allowed to enact a more restrictive law as long as it does not authorize something the legislature has forbidden, or forbid something the legislature has authorized.¹⁴ Here, both laws in question prohibit the sale, purchase, or possession of tobacco products. Local Tobacco-21 laws simply enhance the age restrictions found in state law, by prohibiting the sale, purchase, or possession for individuals under the age of 21, as opposed to individuals under the age of 18. With this in mind, it would certainly appear that Tobacco-21 laws do not conflict with state laws regulating the sale, purchase, or possession of tobacco products.

Moving Forward

As efforts are continuing to be made across the country to reduce tobacco use, especially among young people, we can expect the popularity of the Tobacco-21 initiative to continue to grow. As it becomes more widely utilized, there may also be increased attempts from the business community to oppose such laws. Recently, the Office of the Attorney General even issued an opinion on the subject, asserting that Tobacco-21 laws are valid exercises of a city’s Home Rule authority.¹⁵

As adamant supporters of local control, the League would agree with this opinion. Since the legislature has clearly not preempted the field on this matter, and the city laws in question do not conflict with any corresponding state law, it stands to reason that Tobacco-21 laws are the very sort of local regulations provided for by the Kansas Constitution.

Sources:

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4. Kansas Constitution. Article 12, §5(b).
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13. K.S.A. 79-3321(n).
14. *City of Junction City v. Lee*, 216 Kan. 495, 501 (1975).
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 **Doug Taylor** is Legal Counsel for the League of Kansas Municipalities. He can be reached at dtaylor@lkm.org.

About the Tax Rate & Fiscal Data Book

In March, the League of Kansas Municipalities publishes its annual Kansas Tax Rate & Fiscal Data Book. This comprehensive book offers users a look at current data pertinent to understanding the state’s local tax landscape. Such data is helpful to obtain an introductory understanding of the fiscal climate facing municipalities and other taxing subdivisions. Perhaps of most interest, the annual book offers the means to identify any fiscal trends that could be arising within a given year.

The book is structured to illustrate tax rates and fiscal data arising from each of the three classes of cities and then moves on to highlight tax rates arising from counties and unified school districts. The numerical information is provided in an accessible and usable table format. The data is collected annually using a myriad of resources, including the Kansas Department of Revenue, the Secretary of State, the State Treasurer, and soliciting information through a survey sent to all cities in Kansas. The data collected includes, but is not limited to: assessed valuation, bonds, temporary notes, no-fund warrants, and mills levied by each taxing subdivision. The criteria for the data collected, provides a well-rounded perspective as to how individual cities, counties and unified school districts are assessing taxes.

The Total City Levy is based on the reported rate for each city as listed on the levy sheet that is turned in each year by the county to the state. In determining the Total Mills Levy, the League uses a weighted average based on all taxing units within a city. This calculation takes into consideration the total assessed valuation and mills levied for each taxing unit. This methodology helps the League ensure that an accurate portrayal of tax rates across Kansas municipalities and other taxing subdivisions is published for the public’s use.

With the hope of making the book easily accessible for all interested parties, the League provides the opportunity to purchase the book in either a Microsoft Excel or printed format. Additionally, the League acts as a repository of tax rate information. Should you desire a previous year’s tax rate book, the League is able to accommodate requests dating back to 2000. Should you have questions about how the data is collected, the methodology behind the numbers, or interested in ordering copies of the Kansas Tax Rate & Fiscal Data Book, please contact the League at your convenience.

Supreme Court to Decide Billion Dollar Sales Tax Case



By Lisa Soronen,
Executive Director, The State & Local Legal Center

In November 2017, a Government Accountability Office report estimated that states and local governments could “gain from about \$8 billion to about \$13 billion in 2017 if states were given authority to require sales tax collection from all remote sellers.”

In January 2018, the Supreme Court agreed to decide *South Dakota v. Wayfair*. In this case, South Dakota is asking the Supreme Court to rule that states and local governments may require retailers with no in-state physical presence to collect sales tax.

This case is huge news for states and local governments. This article describes how we got here and why it is likely South Dakota will win.

In 1967, in *National Bellas Hess v. Department of Revenue of Illinois*, the Supreme Court held that per its Commerce Clause jurisprudence, states and local governments cannot require businesses to collect sales tax unless the business has a physical presence in the state.

Twenty-five years later in *Quill v. North Dakota* (1992), the Supreme Court reaffirmed the physical presence requirement but admitted that “contemporary Commerce Clause jurisprudence might not dictate the same result” as the Court had reached in *Bellas Hess*.

Customers buying from remote sellers still owe sale tax but they rarely pay it when the remote seller does not collect it. Congress

has the authority to overrule *Bellas Hess* and *Quill* but has thus far not done so.

To improve sales tax collection, in 2010, Colorado began requiring remote sellers to inform Colorado purchasers annually of their purchases and send the same information to the Colorado Department of Revenue. The Direct Marketing Association sued Colorado in federal court claiming that the notice and reporting requirements were unconstitutional under *Quill*. The issue the Supreme Court decided in *Direct Marketing Association v. Brohl* (2014), was whether the Tax Injunction Act barred a federal court from deciding this case. The Supreme Court held it did not.

The State and Local Legal Center (SLLC) filed an amicus brief in *Direct Marketing Association v. Brohl* describing the devastating economic impact of *Quill* on states and local governments. Justice Kennedy wrote a concurring opinion stating that the “legal system should find an appropriate case for this Court to reexamine *Quill*.” Justice Kennedy criticized *Quill* for many of the same reasons the SLLC stated in its amicus brief. Specifically, internet sales have risen astronomically since 1992 and states and local governments have been unable to collect most taxes due on sales from out-of-state vendors.

Following the Kennedy opinion a number of state legislatures passed laws requiring remote vendors to collect sales tax in clear violation of *Quill*. South Dakota’s law was the first ready for Supreme Court review.

In September 2017, South Dakota's highest state court ruled that the South Dakota law is unconstitutional because it clearly violates *Quill* and it is up to the U.S. Supreme Court to overrule *Quill*. In October 2017, South Dakota filed a certiorari petition asking the Supreme Court to hear its case and overrule *Quill*. The SLLC filed an amicus brief supporting South Dakota's petition. The Supreme Court ultimately agreed to decide the case.

It seems likely the Supreme Court will rule in favor of South Dakota and overturn *Quill* for a number of reasons. It is unlikely the Supreme Court accepted this case to congratulate the South Dakota Supreme Court on correctly ruling that South Dakota's law is unconstitutional. Said another way, if the Supreme Court wanted to leave the *Quill* rule in place it probably would have simply refused to hear *South Dakota v. Wayfair*.

It is easy to count at least three votes in favor of South Dakota in this case. First, Justice Kennedy of course. Second, Justice Thomas. While he voted against North Dakota in *Quill* he has since entirely rejected the concept of the dormant Commerce Clause, on which the *Quill* decisions rests. Third, Justice Gorsuch. The Tenth Circuit ultimately decided *Direct Marketing Association v. Brohl* ruling that Colorado's notice and reporting law didn't violate *Quill*. Then-Judge Gorsuch wrote a concurring opinion strongly implying that given the opportunity the Supreme Court should overrule *Quill*.

That said, the Supreme Court, and the Roberts Court in particular, is generally reticent about overturning precedent. The

Quill decision illustrates as much. The Supreme Court looks at five factors in determining whether to overrule a case. One factor is whether a rule has proven "unworkable" and/or "outdated after being 'tested by experience.'" This factor weighs strongly in favor of overturning *Quill*. As Justice Kennedy pointed out in *Direct Marketing Association v. Brohl*: "When the Court decided *Quill*, mail order sales in the United States totaled \$180 billion. But in 1992, the Internet was in its infancy. By 2008, e-commerce sales alone totaled \$3.16 trillion per year in the United States."

The Court will hear this case this term meaning it will issue an opinion by the end of June 2018.

The State and Local Legal Center (SLLC) files amicus curiae briefs in support of state and local governments in the U.S. Supreme Court, conducts moot courts for attorneys arguing before the Supreme Court, and provides other assistance to states and local governments in connection with Supreme Court litigation.

 **Lisa Soronen** is the Executive Director of The State and Local Legal Center (SLLC). She can be reached at lsoronen@sso.org



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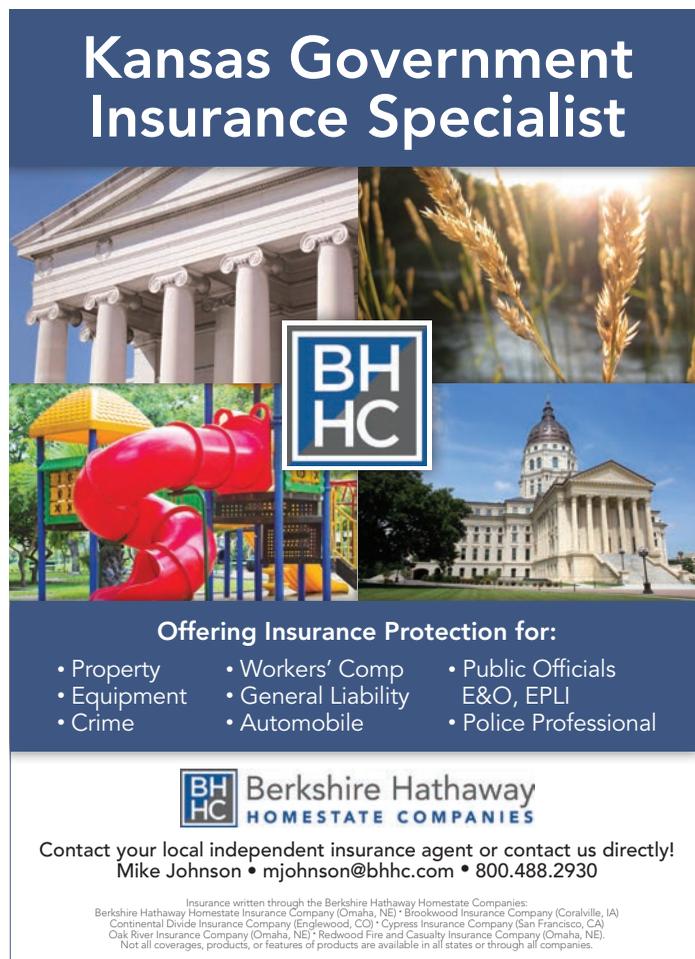
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FIRST IMPRESSIONS



Crews installing the gateway arch over Broadway just off K-68/Amity in Louisburg.

By Jean Carder, Communications Coordinator, City of Louisburg

A new gateway arch announcing downtown Louisburg as a destination greets those entering the city along Kansas Highway 68. Louisburg, population 4,300, sits just south of the metropolitan Kansas City area. A three-block area of the community's historic downtown received a \$2.6 million facelift during the summer of 2017 as part of a grant from the Mid-America Regional Council. The arch, lighted at night, is the cherry on the sundae in the new streetscape.



This row of businesses is up the hill from the South First & Broadway Street intersection. Notice the crumbling curbs, lack of crosswalks, or ADA access. There was a significant elevation change that had to be addressed during the design-build project.

The vision for the new streetscape started in 2013 when the City was awarded a grant by Mid-America Regional Council's (MARC) Creating Sustainable Places initiative. The grant money, along with a funding match by the City, provided the \$67,000 capital to complete the Downtown Louisburg Revitalization Plan conducted by dPlanit, Shockey Consulting Services, and MHS Engineering.

The study was spearheaded by former City Administrator Jeff Cantrell and former Mayor Travis Thompson. The planning effort also included a local citizen advisory group and the consulting team. The planning group broke the project into five phases: project initiation, conditions analysis, public engagement, plan development, and implementation strategy. The priorities of the finished study highlighted necessary

improvements to stormwater drainage, pedestrian access and roadway enhancements. Some of the sidewalks in the downtown area were the original brick pavers. Stormwater was a big issue with a large, almost two-foot in diameter, culvert dumping water into the street at the curb in one location.

After the first study was completed, the City again partnered with MARC, Olsson Associates, Oschner Hare and Hare, and



Broadway was closed at South First Street so the construction crew could start the stormwater tie-in under K-68 Highway/Amity St.

Shockey Consulting Services, and a second citizen advisory group, to complete the Downtown Broadway Complete Street – Green Street Plan under the direction of City Administrator Nathan Law and Mayor Marty Southard. The design firm developed three plans, using community input, along with the existing conditions of the area. After some modifications were made, the City Council accepted the recommended alternate plan and implementation schedule.

One of the biggest concerns voiced during the community feedback sessions for the Complete Street planning was the loss of parking spaces on Broadway to allow for the curb extensions at the intersections. To accommodate the concerns, the recommended alternative called for flexibility to keep Broadway open to two-way traffic or consider changing Broadway to one-way traffic from the highway to the south end of downtown. By making a move to a one-way street, angled parking could have been utilized on both sides of Broadway. After considerable discussion by the City Council, and input from Broadway business owners, the City Council decided to keep Broadway a two-way street with angled parking on one side of the block and parallel parking on the other



Crews began removing asphalt between South First and South Second streets.

side. Two of the side streets were converted to one-way streets to allow for angled parking along one side of the street to add additional parking spaces in the downtown core.

To pay for the \$2.8 million project, the City Council approved \$2 million in 20-year General Obligation bonds. The rest of the money, \$680,880, came from other areas of the budget including special streets and stormwater funding. A Louisburg area contractor, G-B Construction, was selected to complete the design-build project with several sub-contractors coming from the local area.

The finished project included new stormwater infrastructure from South Third Street, including Amity Street, and a half-block of each of the three side streets intersecting Broadway. New sidewalks with curb extensions at the intersections make the downtown area more pedestrian friendly. Due to a significant elevation change along the street, the roadway was completely dug out and rebuilt to allow for a normal curb height. Businesses that had stairs to enter the building could choose to have accessible ramps installed as part of the project at no cost. The project was topped off with drought-tolerant landscaping in the curb extensions, benches, historic-looking LED light poles, and the arch over the street. The brick columns supporting the arch says, “Est. 1868 Broadway Street.”

The entire downtown area received a jump start in 2015 when City offices moved into the renovated Louisburg Ford building located at Broadway and South Third Street. The building had been vacant when purchased by the City in 2013. The renovation and expansion of the building cost \$1,594,568 with \$694,568 in cash and \$900,000 in three-year temporary notes that will retire in 2018. The building contains offices for the city administrative staff as well as an 80-seat City Council chambers, and conference room. The Chamber of Commerce also operates out of the



Crews began removing asphalt between South First and South Second streets.

building. Artwork on the walls feature photographs provided by the Louisburg Historical Society. The building, rehabbed by Legacy Contractors LLC of Paola, reflects a building from the late 1800s or early 1900s with wide base boards and an abundance of wood trim.

The parking lot behind City Hall was renovated as part of the Broadway project and includes an area between City Hall and Fox Hall, a community building. The area between the two buildings contains green space and additional parking for downtown use.

Louisburg was a bit of a construction zone in 2017. In addition to the Broadway project, the City partnered with Miami County and the Kansas Department of Transportation to add a stoplight at the busy Amity Street and Metcalf intersection, located just five blocks east of downtown. The downtown project included a sidewalk along the south side of Amity Street to connect with sidewalks built as part of the streetlight project. Work on those sidewalks started in late 2017 with construction slated for 2018.

Since the Broadway construction project commenced, a downtown building has been sold and is being renovated by its new owner. A bar and grill moved into a vacant building on Broadway



The brick columns supporting the arch say "Est. 1868 Broadway Street"

during construction, a casual dining chicken restaurant recently opened close to downtown, and a new barbecue restaurant opened at the Amity and Metcalf intersection during construction.

The City just completed a Comprehensive Plan update, which included a Strategic Plan and a Master Trails Plan. More

construction will be in Louisburg's future with additional sidewalks in the 2018 budget which will make the downtown area truly the heart of the community.

 **Jean Carder** is the Communications Coordinator for the City of Louisburg. She can be reached at jcarderlouisburgkansas.gov.

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Community Profile: Continued

have helped to maintain a stable workforce. Nearly 60% of the community has a Latino heritage and the City has seen an increase in West African nationalities. As a community, Dodge City has embraced cultural diversity and taken steps to work with national, state, and local administrative agencies to ensure residents can connect with and interact with local government and businesses. The City created a program called “Engage Dodge” through their Cultural Relations Advisory Board which helps immigrant populations and English-as-a-second-language workers get information on programs available through the City, school district, and local community college.

City administration has worked with the U.S. Citizenship and Immigration Services to reduce time and distance barriers for workers to apply for and receive green cards or work visas. The City Commission, as well as other local leaders, have taken a proactive stance on sensible immigration policies and have supported the Deferred Action for Childhood Arrivals (DACA) program. The local efforts to assist residents are important to the community; and create a helpful environment that assists individuals with remaining compliant with their documentation.

Dodge City has also worked to tackle housing issues for residents. The City had a severe housing shortage and worked with the U.S. Department of Agriculture to develop options for rural housing and change geographical boundaries for access to rural housing funds. This resulted in the development of additional housing options that provide accessible, affordable housing to people of all income levels. The City has been successful in implementing the Rural Housing Incentive District program as well as moderate and low income housing programs.

Education is another focal point for Dodge City and their regional partners. The City is working with Dodge City/Ford County Development Corporation and State Senator Bud Estes to develop partnerships to create synergy to bring a four-year university to the region and provide educational opportunities in critical areas such as healthcare.

Environmental stewardship and energy efficiency is another area the City is placing their efforts. Dodge City will open a BioGas Facility in 2018 which will generate clean fuel from the wastewater treatment plant. Raw biogas captured from the covered anaerobic lagoons is pumped to the plant where methane is separated from carbon dioxide and hydrogen sulfide before being injected into the natural gas pipeline to be sold. The gas is under contract with OCI Fuels to be purchased and converted into methanol where it will be used as an automotive fuel additive.

Dodge City is moving forward. As a City, they have taken extraordinary measures to address challenges all cities face. The community has very specific issues, which many Kansas communities do not face. The community works proactively to address these issues head-on and look for solutions that work for their residents and local entities. It’s a new day in Dodge City with new opportunities and tangible examples of a City organizing to ensure its future vitality and sustainability.

 **Megan Gilliland** is the Communications & Education Manager, League of Kansas Municipalities. She can be reached at mgilliand@lkm.org.

Western view of BioGas Plant: The BioGas plant, as viewed from the retaining ponds at the South Waste Water Reclamation Facility, where raw biogas is pumped to the plant for purification. Photograph by Abbey Martin, City of Dodge City



KANSAS GOVERNMENT

Cheyenne ★

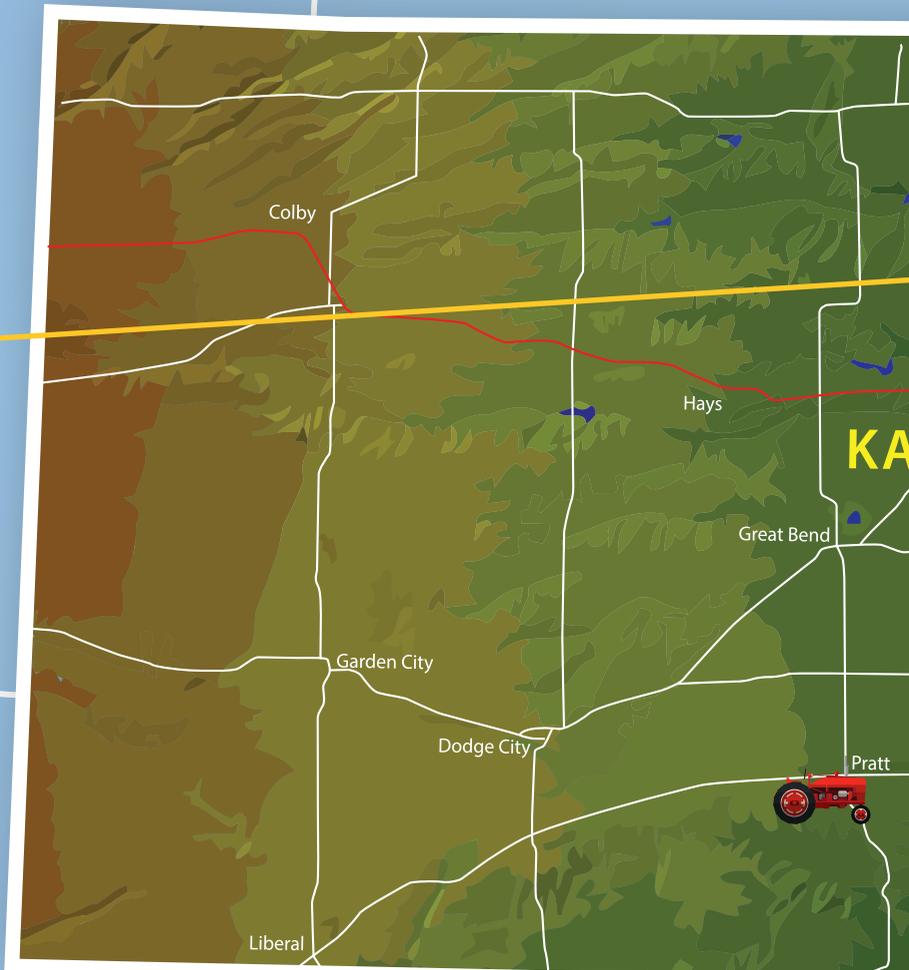
Manhattan

City Adding Three Recreational Centers

A Recreation Center in Douglass Park will be a \$3.3 million facility at the intersection of 10th Street and Fort Riley Boulevard in Manhattan. Once completed, the center will house multi-purpose gym space, an indoor walking track, and other amenities. The City of Manhattan has been approved for a Section 108 guaranteed loan to fund construction of the facility, with debt service payments to be made with part of the city's annual Community Development Block Grant allocation. The application was approved by the Department of Housing and Urban Development (HUD), and design of the facility is currently in progress.

This center is one of three future recreation facilities under development in Manhattan. A 2014 survey indicated the community needed additional indoor recreational space. With the passage of a sales tax in the fall of 2017, two more recreation centers will be funded in Manhattan along with additional outdoor recreation and trail improvements.

★ Santa Fe



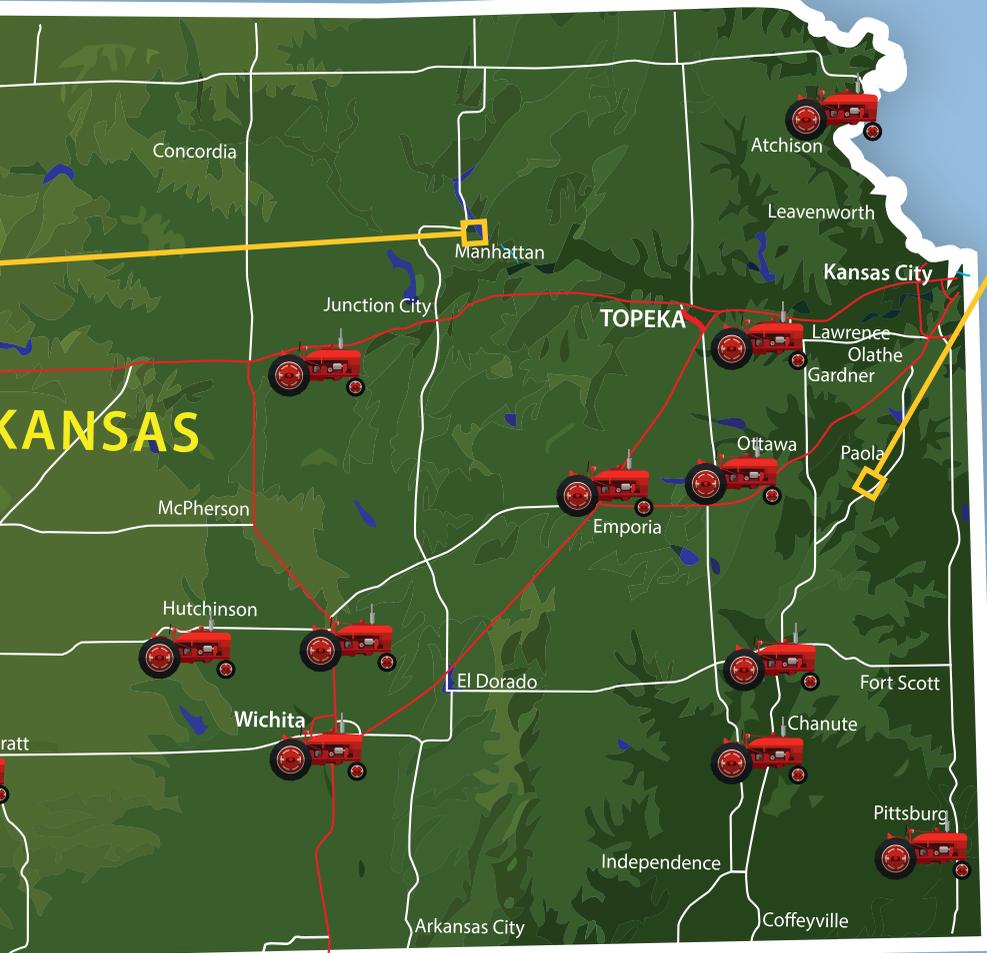
"Meet Me at the Market" Grant

The Kansas Department of Agriculture has selected 12 farmers' markets as recipients of the "Meet Me at the Market" stipend program. This program, a part of the Farmers' Market Consumer Recruitment Campaign Grant, is made possible by a U.S. Department of Agriculture Specialty Crop Block Grant which makes funds available to state departments of agriculture solely to enhance competitiveness of specialty crops. According to the USDA, specialty crops are defined as "fruits, vegetables, tree nuts, dried fruits, horticulture, and nursery crops, including floriculture." This stipend will provide market managers and vendors with resources to increase awareness of specialty crops available at their market, including funds for promotional events and marketing programs.

ERNMENT NEWS

Des Moines ★

Lincoln ★



Osawatomie

City Streamlines Permitting Process

The Osawatomie Council approved amendments to the city code which will ease regulations on contractors performing work within the city limits. Contractors still must register with the city building official but are not required to have a Miami County license prior to applying for the city permit. Contractors must show licensure in any other Kansas jurisdiction if the local government use the International Code Council testing system.

Grants Awarded to Kansas Cities



The markets selected for the program are:

Abilene Farmers' Market, Abilene
Allen County Farmers' Market, Iola and Humboldt
Atchison Farmers' Market, Atchison
Main Street Farmers' Market, Chanute
Cottin's Hardware Farmers' Market, Lawrence

Emporia Farmers' Market, Emporia
Harvey County Farmers' Market, Newton
Old Town Farmers' Market, Wichita
Pittsburg Area Farmers' Market, Pittsburg
Pomona Farmers' Market, Pomona
Pratt Farmers' Market, Pratt
Reno County Producers' Market, Hutchinson



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Classified Advertising

Procurement Manager, Olathe

The City of Olathe's Resource Management Department is seeking a highly motivated individual to join our team. The Procurement Manager is responsible for managing and supervising the operations of the City's centralized procurement and purchasing card program. Performs duties involved in the procurement and contracting for materials, supplies, services, and equipment for City departments and operations; and facilitate purchasing projects.

The successful candidate will manage work with various City departments and divisions in developing solicitations through Requests for Proposals (RFP), Requests for Information (RFI); Invitations for Bids (IFB), and Requests for Quotations (RFQ). This includes determining proper procurement methods and recommending alternative procurement methods if appropriate.

Assist City departments and divisions in developing detailed evaluation criteria during a formal solicitation including qualitative appraisal, mathematical formula, and weighting of criteria based on the scope of work and departmental needs. Provide assistance to evaluation committee on technical, procurement, and procedural matters.

Develop new opportunities for competitive purchasing and cost savings by studying price trends and market conditions.

Recommend contract award and prepare award recommendation documents for City Council meetings. Upon City Council approval, execute, and distribute contracts to the vendor and City Department.

Oversee the disposal of City surplus, salvage, and obsolete equipment.

Administer the City's purchasing card program.

Develop and implement goals, objectives, and policies for programs related to procurement. Ensure compliance with City procurement regulations, policies and procedures. The candidate will have five-to-seven years of experience in purchasing, including two years supervisory responsibility, and be in possession of, or ability to obtain, a Public

Purchasing Officer (CPPO) certificate issued by the National Institute of Governmental Purchasing.

How to Apply:

Please apply at www.olatheks.org

City Engineer, Shawnee

The City of Shawnee is hiring for the position of City Engineer. Minimum requirements:

- Bachelor's Degree with course work in engineering, surveying, applied science, or a closely related field; Master's Degree preferred,
- A minimum of five years' experience in administration and engineering work including the inspection of public works projects.
- A minimum of three years' experience in the supervision and direction of staff, and
- Professional Engineer in the State of Kansas or ability to obtain within six months of hire.

The job duties include:

Project Management. Supports Project Engineers by providing oversight of the development of plans, designs, and specifications for City engineering projects.

Engineering Standards. Develops, guides and enforces City engineering standards in accordance with industry best practices. Works cross departmentally with Private Development to ensure City standards are consistent.

Operational Effectiveness. Monitors and evaluates the effectiveness and efficiency of division programs.

Management/Leadership. Coaches, leads, motivates, and develops personnel in the Engineering Division. Represents the Engineering Division to all internal and external stakeholders.

Budgeting and Financial Management. Supervises the development and administration of the divisions' annual budget. Manages large projects approved by the City Council. Ensures application is made for grants relevant to Engineering activities of the City. When awarded, ensures the proper administration of grant funds.

Community Involvement. Meets and interacts frequently with the general public, elected

officials, civic groups, and other governmental agencies by advising or providing technical assistance on engineering matters.

How to Apply:

Contact Human Resources, Shawnee City Hall, 11110 Johnson Drive, Shawnee, KS 66203. The City of Shawnee is an Equal Opportunity Employer. EOE

Prosecutor, Merriam

The Prosecutor represents the City of Merriam in the prosecution of municipal ordinance violations in the municipal court room, as well as represents the City in appeals from Municipal Court to District Court. This position serves as a liaison with City departments, court administration, municipal judge, and defense attorneys regarding cases. The ideal candidate will have a firm grasp of applicable laws and court procedures (previous experience as a municipal prosecutor preferred), be computer savvy and able to easily use the court's software programs, and have strong interpersonal skills.

Merriam Municipal Court is held Tuesdays from 10:30 a.m. to 12 p.m. and Thursdays from 2 to 6 p.m. In addition to being present during court, the Prosecutor is also required to hold set office hours at least once per week during the business day (8 a.m. to 4:30 p.m.). Pro-tem prosecutors may be used during certain circumstances.

The Prosecutor serves at the pleasure of the governing body for two-year terms as set forth in Charter Ordinance No. 20 and Section 2-37 of the Merriam Municipal Code, subject to annual appropriation of funds. In addition to annual pay, the Prosecutor will be paid \$85 per hour for actual time spent, plus expenses for cases appealed to the District Court.

The Prosecutor will be provided access to Westlaw (or a similar research tool) and will be provided all equipment, supplies, and furnishings necessary to successfully complete required duties. The City will also provide \$500 annually in reimbursement for travel and continuing legal education.

How to Apply:

Qualified candidates may submit cover letter and resume, along with three professional references, to mhauck@merriam.org.

Classified Advertising

City Clerk, Lenexa

The City of Lenexa is currently accepting applications to join our team as a City Clerk, within our Executive Department. The City Clerk is an exciting opportunity that is responsible for coordinating the Governing Body and Executive Department activities; including agenda and packet preparation for governing body meetings and maintaining records of meeting proceedings. Additional responsibilities include legislative and records management throughout the organization; coordinating appointed boards and community volunteers; and budget preparation and monitoring and analyzing various policies, issues and procedures, and managing other special projects as assigned.

- Provides coordination of Governing Body and Executive Department activities. This includes agenda and packet preparation for City Council and Committee of the Whole meetings; maintaining record of Governing Body meeting proceedings; publication & filing of ordinances and resolutions in the appropriate outlets, and notification of appropriate parties of official acts of the governing body in

accordance with state and local regulations and policies; management of the official Governing Body calendar in accordance with the Kansas Open Meetings Act; distribution of weekly newsletter (Week-in-Review), as well as coordination of travel and purchase card reconciliation of the Governing Body and Executive Department. Responsible for the organization and preparation of Governing Body and management team retreats.

- Responsible for legislative and records management throughout the organization. This includes agendas, minutes, ordinances, resolutions, and other official City records. Coordinates record management, including retention schedules, disposition, and location. Serves as the Freedom of Information Officer and coordinates the fulfillment of Open Record Requests in accordance with the Kansas Open Records Act and other applicable federal, state, and local laws.

- Supervises and trains the Administrative Assistants that support both the Executive and Legal Departments. This includes overseeing the completion of weekly tasks and duties to keep the workflow smooth between the two departments. Responsible for assigning work, for reviewing the results, performance reviews and taking corrective action as required.

- Official point of contact for several external entities and files and records documents with these entities. This includes but is not limited to the Johnson County Records & Tax Administration, Register of Deeds, Clerk of District Court, and the Kansas Secretary of State. Examples of documents include special assessments, tax exemption applications, and statutory bonds. Serves as the Election Official and is the liaison for the Johnson County Election Office; coordinates candidate filings, registers voters in accordance with the law, and answers inquiries regarding elections.

- Maintains rosters of Cityboards, commissions, and committees, and coordinates other volunteer activities. Monitors appointed board terms and vacancies; receives applications for boards; administers oaths of office and maintains disclosure statements for the Governing Body and other boards according to the Lenexa Code of Ethics; and assists with orientation of new members.

How to Apply:

Please complete an on-line application at www.lenexa.com/jobs. Be sure to attach resume reflecting any work history over the past 10 years. For best consideration, apply immediately as applications will be accepted until filled.



View current job postings online.



lkm.com/networking

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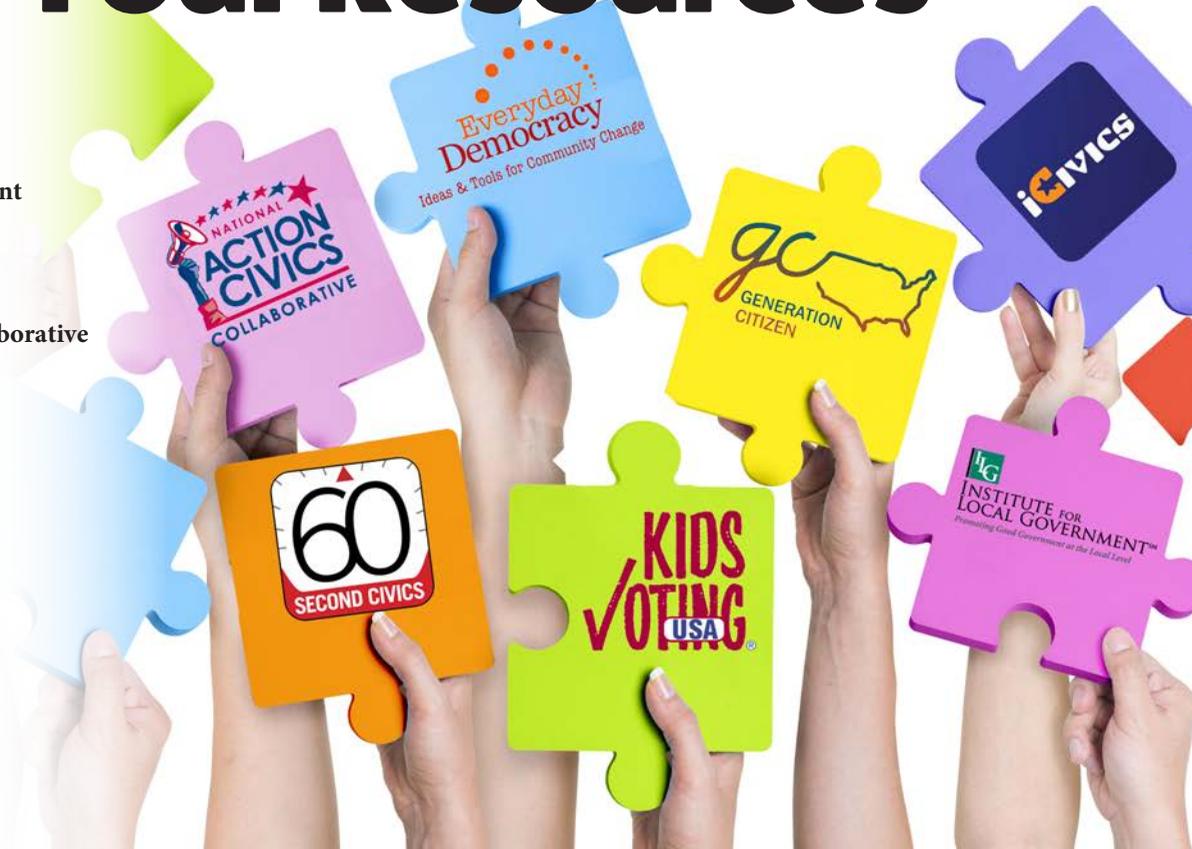
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EDUCATION

KANSAS ATTRACTIONS

NATIONAL TEACHERS HALL OF FAME: EMPORIA



For travelers along Interstate 35, a stop in Emporia can be an enriching and inspirational experience for young and old. Taking exit 130, Merchant Street, and heading south three blocks to the Emporia State University campus will place you in "Teacher Town, USA," home of The National Teachers Hall of Fame. Hours can be spent looking through the memorabilia and displays in the museum [Visser Hall, 114], reliving turn-of-the-century artifacts in the authentic one-room schoolhouse, or reading the stories of the 119 names engraved on the Memorial to Fallen Educators. Travelers from across the nation visit each year and comment on the enjoyable and inspirational nature of the experience.

The museum displays include original Dick and Jane readers, stereoscopes, and a myriad of teaching tools through the decades. Handcrafted miniature classrooms trace the history of American education from the 1600s to the present day, and the current class of five Hall of Fame inductees is featured in the center spotlight of the museum. Hours are 8:30 a.m. to 5 p.m., Monday through Friday,

and there is no admission charge. A visit to the one-room schoolhouse can be included.

The Memorial to Fallen Educators, located at the corner of 18th and Merchant, is dedicated to those educators who have lost their lives "in the line of duty," dating back to 1764. Inspired by the Sandy Hook tragedy, the \$300,000 memorial was built with donations from across the nation and is currently being considered to be designated as a national memorial. Legislation has passed the Senate, and HR2711 is awaiting House approval. This will be the only national memorial in the state of Kansas. The memorial is open 24 hours a day, seven days a week, and features an interactive kiosk that tells the stories of each individual listed on the two black granite books.

For further information, contact The National Teachers Hall of Fame, 1 Kellogg Circle, Box 4017, Emporia, Kansas 66801, (620) 341-5660, www.nthf.org.

MONROE SCHOOL: TOPEKA

Brown v. Board of Education of Topeka is the story of a community that came together to fight for their children, and consequently, all children in America. Because families in Topeka had the courage to stand united against injustice and protest the unconstitutionality of the Topeka Board of Education's policy of segregation in the city's schools, they changed the entire country. In 1954 the Supreme Court ruled that "in the field of public education, the doctrine of 'separate but equal' has no place." The families involved in the *Brown* case galvanized the



nation in its quest to make the country a "more perfect union." After the Supreme Court handed down its unanimous decision regarding the unconstitutionality of segregated schooling, those in Kansas and around the nation realized the struggle for true equality and justice was only just beginning. The desegregation of America's schools was the first step in desegregating the entire country, from restaurants and hotels, to theaters and parks, to airports and bus stations, and beyond.

Nearly 65 years ago, Oliver Brown and twelve other families in Topeka sought simple justice and equality for their children, and because they realized the power and importance of an equal education for all children. Because of their courage, more and more children across America, and across the world, are no longer bound to classrooms based on the color of their skin, but are free to learn and grow with all children.

For more information, visit www.nps.gov/brvb.



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