Kansas GOVERNMENT JOURNAL

Volume 104 - Number 7 August-September 2018

Manhattan's Sales Tax Initiative

SCOTUS Sports Betting Decision

Funding Public Projects

THE LEAGUE OF KANSAS MUNICIPALITIES
A Publication of The League of Kansas Municipalities

IDEAS WORTH EXPLORING

TOPEKA, KS

Just like famous explorers of the past, local government leaders find themselves leading an ongoing expedition to solve community challenges and advance the cities they serve. This is our premier annual event and will be packed with opportunities to network with other officials and learn from your peers, as well as pioneers in local government.

2018 Dates

Saturday, October 6
Sunday, October 7
Monday, October 8

Venue

Maner Conference Center/
Kansas Expocentre &
Capitol Plaza Hotel
$104 (+ tax per night)

Registration Rates

$235 City Official*
$80 Guest/Spouse*
$400 Company Representative*
**Earlybird rates end Sept. 21*

Meals Included

Saturday, October 6;
Lunch if attending Policy Committee

Sunday, October 7;
Lunch and Dinner

Monday, October 8;
Breakfast and Lunch

Contact Us

League of Kansas Municipalities
300 SW 8th Ave #100
Topeka, KS 66603
(785) 354-9565

The League Annual Conference

Why Attend Annual Conference?

This event will provide you the resources needed to be knowledgeable and skilled in your local government role, offer opportunities to expand your knowledge of local government issues as well as engage with other leaders to share and brainstorm ideas to implement in your community, and engage the audience to think creatively and use problem-solving tactics to address common municipal challenges.

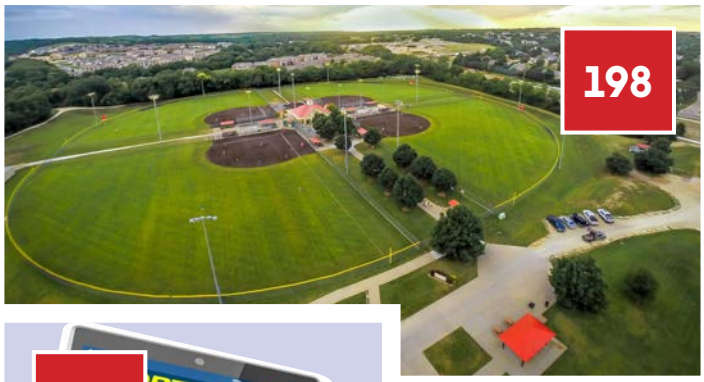
Who Should Attend?

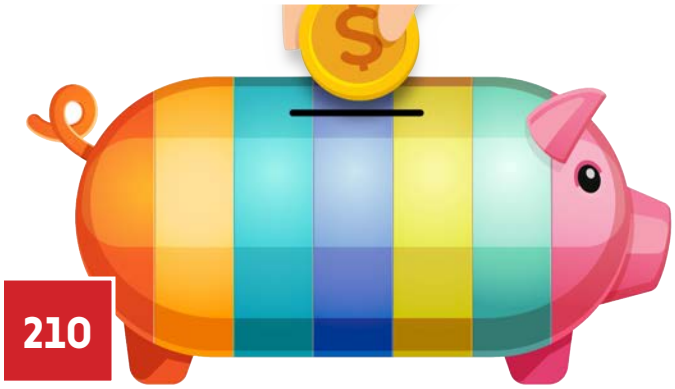
The League's Annual Conference offers something for everyone. We recommend councilmembers/commissioners, mayors, managers and administrators, clerks, and department heads attend our conference. A number of valuable workshops, discussions, and networking opportunities await you! Learn More and Register: *lkm.org/annualconference*

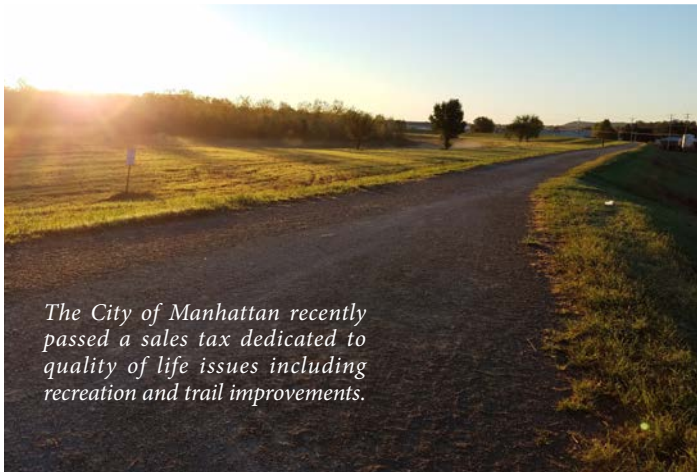
www.lkm.org/annualconference

Volume 104 • Number 7 • August/September 2018

Contents







The City of Manhattan recently passed a sales tax dedicated to quality of life issues including recreation and trail improvements.

Features

198 **The Quality of Life**
City of Manhattan staff use a community-based approach to educate voters about a sales tax for recreation and trails.

205 **League Nominating Committee & Governing Body Nominations**
Interested in serving on the League Governing Body? Find out more about the process and how to apply.

207 **League Candidate Survey**
As the General Election nears, check out the League's Candidate Survey to help make your decision and find out the candidates' stance on local government issues.

208 **League Annual Conference**
League's Annual Conference is the premier local government event in Kansas for municipal officials and staff.

214 **Infographic: Survey of Salaries, Personnel Practices, and Benefits**
The League's 2018 Survey of Salaries, Personnel Practices, and Benefits is a useful tool for cities when making decisions about compensation and benefits.

Departments

197 **Director's Foreword**

202 **Legal Forum: Sports Betting**
The Supreme Court of the United States recently decided a case which would allow sports betting across America.

206 **Governing Body Profile: David McDaniel, City of Ellis**

210 **Best Practices: Getting Public Projects Funded**
Need some ideas to get projects funded when there is ever-increasing pressure on tax revenues? Check out this month's Best Practices article from the International City/County Management Association.

216 **Kansas Government News**

220 **Classified Advertising**

223 **Kansas Attractions**

Kansas GOVERNMENT JOURNAL

The *Kansas Government Journal* is published by:
© League of Kansas Municipalities
300 S.W. 8th Ave. Suite 100• Topeka, Kansas 66603-3951
phone: (785) 354-9565 • fax: (785) 354-4186
www.lkm.org

General subscriptions are $40 annually. Subscriptions for League member cities and research subscribers are $20 annually. Individual issues cost $5, with an additional $10 charge for the Tax Rate Book edition.

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

Governing Body

President
Jeff Longwell, Mayor, Wichita

Vice President
Daron Hall, City Manager, Pittsburg

Immediate Past President
Kim Thomas, Mayor, Stockton

Past Presidents
Mike Boehm, Mayor, Lenexa
Brenda Chance, City Clerk, Phillipsburg
John Deardoff, City Manager, Hutchinson
Carl Gerlach, Mayor, Overland Park
Terry Somers, Mayor, Mount Hope

Directors
Gary Adrian, Mayor, Colby
David Alvey, Mayor, Unified Government of Wyandotte County/Kansas City
Sara Caylor, Commissioner, Ottawa
Michelle De La Isla, Mayor, Topeka
Mark Govea, Mayor, Osawatomie
Jason Jones, Councilmember, Hesston
Jerry Lovett-Sperling, City Clerk, Lindsborg
David McDaniel, Mayor, Ellis
John McTaggart, Mayor, Edwardsville
Scott Moore, City Administrator, Ellsworth
James Toews, Mayor, Inman
Joyce Warshaw, Commissioner, Dodge City
Toni Wheeler, City Attorney, Lawrence
J. Michael Wilkes, City Manager, Olathe

Executive Director
Erik Sartorius

Kansas Government Journal Staff

Editor in Chief
Megan Gilliland

Design & Print Specialist
Stephen Falls

League Staff

Chardae Caine, Research Associate
Trey Cocking, Deputy Director
Kate Cooley, Conference/Marketing Coordinator
Stephen Falls, Design & Print Specialist
Megan Gilliland, Communications and Education Manager
Nikki Harrison, Member Services Coordinator
Tami Martin, Legal Services Coordinator
Rynae Redd, Finance and Human Resources Manager
Erik Sartorius, Executive Director
Eric B. Smith, Deputy General Counsel
Amanda Stanley, General Counsel

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

@LeagueKSMunis

@LeagueofKansasMunicipalities

2018 League Events Calendar

SEPTEMBER

September 20 ..... Mini MTI: KOMA for Elected Officials (Derby)
September 21..... MTI: Managing Municipal Services (Andover)

OCTOBER

October 5 .....City Attorneys Association of Kansas Fall CLE (Topeka)
October 6-8 ..... League Annual Conference (Topeka)
October 23.....Regional Supper (Dodge City)
October 24..... Regional Supper (Oakley)
October 24..... Regional Supper (Salina)
October 25..... Regional Supper (Inman)
October 30..... Regional Supper (Overland Park)

NOVEMBER

November 1 ..... Regional Supper (Humboldt)
November 2 .....MTI: Cybersecurity for Cities (Independence)
November 9 ..... MTI: Cybersecurity for Cities (Salina)
November 22-23 .....League Offices Closed

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

Obituaries

Mark F. Bradford, 58, Fire Chief with the City of Lawrence passed away on Thursday, July 26, 2018.

Mark was born in Kansas City, Missouri on August 16, 1959, the son of James Robert and Shirley Ann Manlove Bradford.

He graduated from Lee's Summit High School. Mark later went to the Metropolitan Community College of Kansas City, Missouri, and graduated with an Associate Degree in Fire Science in 1986. He earned his Bachelor of Science/Business Administration from Sterling College in Sterling, Kansas in 1994. In 2008, he received his Masters of Public Administration from the University of Kansas.

Mark began his service with the Lee's Summit Fire Department in 1977, leaving in 2000 at the rank of Assistant Fire Chief. Before going to Lawrence-Douglas County Fire Medical he flew on the Life Flight Eagle, serving as a paramedic until 2007 and was EMS Program Manager for the International Association of Fire Chiefs.

Mark was the Deputy Fire Chief for Lawrence-Douglas County Fire and Medical Department from 2001 to 2005. He was later promoted to Fire Chief in 2005. During his career, he worked with the Mayor, City Commissioners, and City Managers on many projects to achieve an efficient and reliable fire and medical department. During his tenure in Lawrence, the ISO rating went from two to one, resulting in lower insurance rates for the residents of Lawrence.

He married Patricia Casey on April 18, 1992, in Lee's Summit. She survives of the home. Other survivors include son, Zachary Bradford, brother, Doug Bradford and spouse Robin Heck, many brothers-and-sisters-in-law, nieces and nephews, and a large extended family.

Mark is preceded in death by his mother Shirley Ann Manlove Bradford, his father James Robert Bradford, mother-and-father-in-law Burna Deane and Robert Thomas Casey.

Director's Foreword

by Erik Sartorius

My annual meeting with my fellow state league directors signals to me that 1) school is about to resume and 2) our annual conference is right around the corner! What combination can be more exciting than this?

At my meeting with colleagues, we tackled several topics during our three days – some legislative, some on internal programs, and a lot on external programs (you all!). This year, we really concentrated on our sessions being led by us, rather than outside experts. It is gratifying to both learn from and share with colleagues, as they understand well the role our operations play in assisting you in your work as municipal leaders. Having time to converse with folks who "get" my job is one of the best investments of time I make each year.

On that note, please make your plans to join us in Topeka in October for our Annual Conference! Content for the conference is coming together, and I know you will find topics and speakers that will inform, inspire, and make you think. You will be able to learn about social media strategies, best practices for sexual harassment policies, and basics for cybersecurity, among other things. For personal and professional growth, we are excited to have our keynote speaker, Manley Feinberg, presenting, "Reaching Your Next Summit: 7 Vertical Lessons & 1 Essential Question to Lead With Impact, Regardless of Your Title."

Registration is super simple. Head to *www.lkm.org*, log in to your League account, and sign up. To encourage newer elected or appointed officials, we are offering a discount to new city officials who attended the Governing Body Institute this past April. Look for a special mailing coming your way if you are one of those fabulous people! It is so important that you keep abreast of municipal issues and best practices. Don't forget your hotel reservation!

The 2018 election cycle continues to be unparalleled in so many ways. Multiple teenagers ran for governor, two folks named Ron Estes ran for the same seat, multitudes of candidates in both Democrat and Republican congressional primaries - wow! And that is before even considering ***THE*** story of the primary - the Republican race for governor! Can anyone believe it? The race that came down to Governor Colyer and Secretary of State Kris Kobach has been a great case study in democracy and elections: the reality is that EVERY vote matters more often than we think, and a well-run election process cannot be taken for granted.

A few primary races for the House of Representatives also showed that elections can turn on very few votes. Unfortunately, that does not reflect the sentiment surrounding most House races. 48 seats of the 125 House seats had a single candidate running and 16 additional seats were essentially decided by the primary. In fact, after the August primary, over 50% of the Kansas House seats have been decided (barring write-in candidate victories).

Several House districts ***do*** have competitive races coming in November, however. Please take time to meet candidates and understand their stance on issues important to cities. Several candidates have filled out our questionnaire that focuses on these issues and the responses can be accessed on our website. Don't see a response from folks in your district? Contact them and ask them to participate!

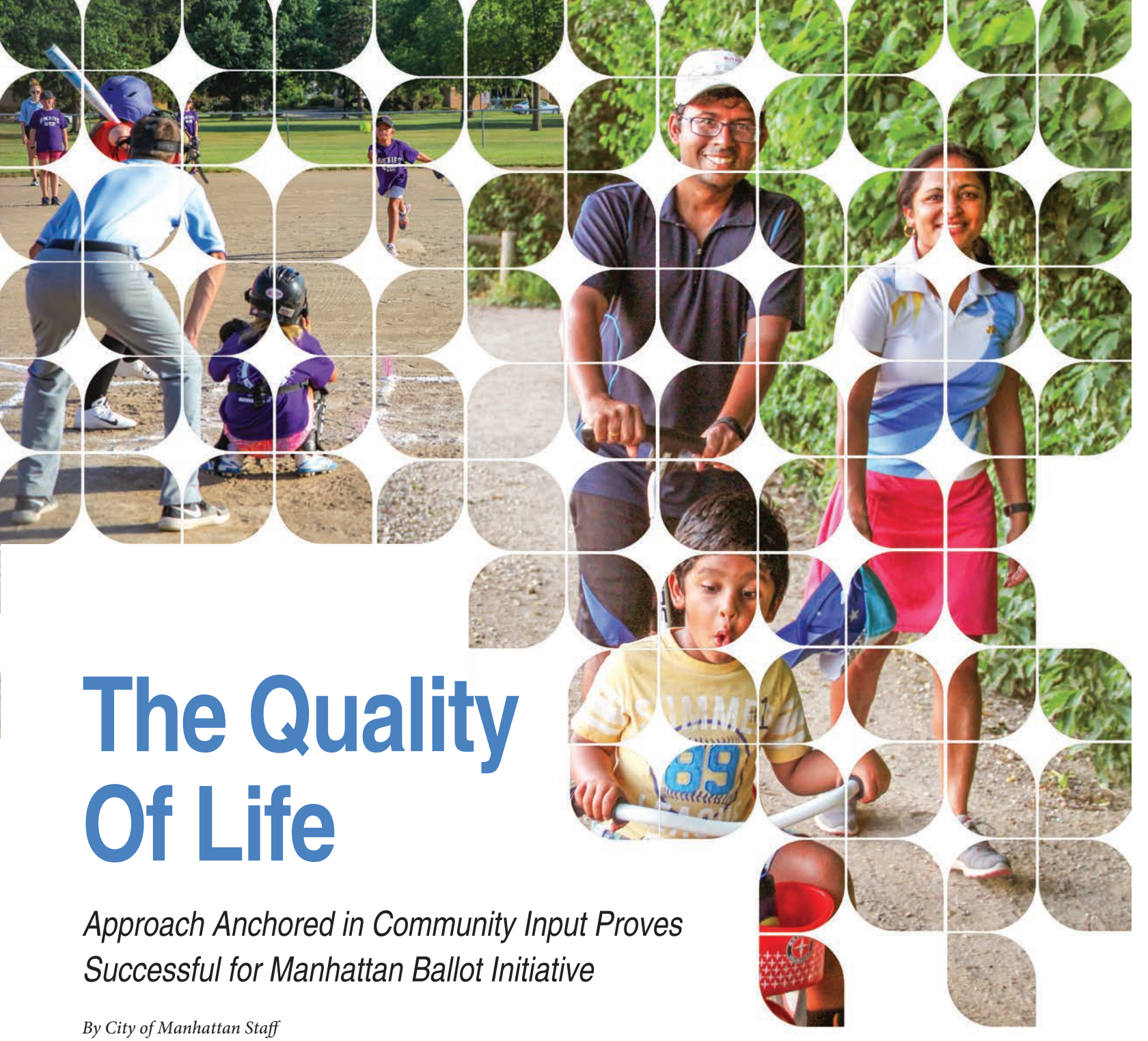
...the reality is that EVERY vote matters more often than we think, and a well-run election process cannot be taken for granted.

Although elections will gain most of the headlines this fall, we at the League are closely following and participating in two important task forces. First, Mayor Don Roberts of Edgerton and Councilmember John Daveline of Hutchinson are serving as our representatives on the Joint Legislative Transportation Vision Task Force. This group will review the progress made on the 2010 transportation plan and the condition of the state's transportation system, as well as identify needs for the coming decade and review the status of the highway fund. The Task Force is traveling across the state and will be seeking input from cities on these questions. Look for dates in League News, and plan to take time to engage in this process!

The second task force is the Statewide Broadband Expansion Planning Task Force. I will be serving as the League's representative. While not a panacea for all the challenges cities face, reliable broadband service creates more economic opportunities for communities. This Task Force has a two-year charge (with an interim report to the legislature) to review the current broadband coverage in Kansas, barriers to expansion, and strategies to address those barriers and encourage deployment. One of the items of particular interest to us is their review of right-of-way laws and whether there may be any "changes necessary to encourage broadband deployment." We will be fighting any reduction in cities' ability to manage their right-of-way.

So, just another slow fall like every other one at the League! We hope to see you soon!

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



The Quality Of Life

Approach Anchored in Community Input Proves Successful for Manhattan Ballot Initiative

By City of Manhattan Staff

Quality of life is important to Manhattan residents. That notion was reaffirmed during the 2017 General Election when over 60% of voters renewed a quarter-cent sales tax dedicated to quality of life improvements. This time, the sales tax revenue will be dedicated toward improvements to indoor recreation, outdoor recreation, and trails in the community. The sales tax will last 10 years, generating an estimated $27.5 million. It will fund two new indoor recreation facilities, renovations to an existing baseball/softball complex to include synthetic multi-purpose turf, additional tennis courts, as well as trail improvements throughout the entire community to improve connectivity and access.

History

Nearly a decade ago, in 2009, Manhattan voters passed a 10-year, quarter-cent sales tax to fund renovations for the community's three waterparks, as well as the creation of a Nature Exploration Education Center at the Sunset Zoological Park. During that time, revenues outperformed projections and all dedicated projects from the ballot question were completed early, so excess sales tax dollars continued to be invested elsewhere at the pools and the Sunset Zoo. With those initiatives under wraps, the City of Manhattan looked to the community to identify other quality of life needs to ensure growth as a healthy, viable city for families and residents of all ages to enjoy.

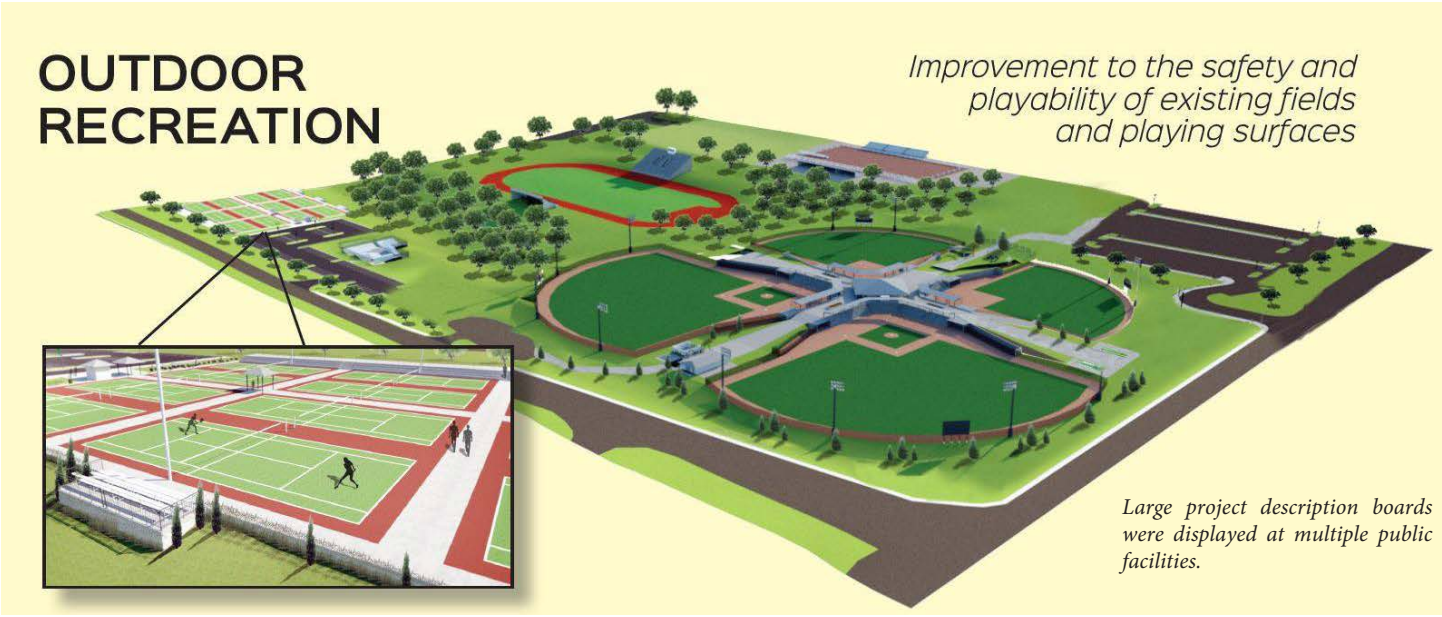
A Comprehensive Look

Before any ballot question was crafted, the City of Manhattan took a deep dive into their recreation facilities and programs in 2014. In coordination with an outside consulting team, the Parks and Recreation Department developed a Strategic Facility Improvement Plan. The plan was designed to inform City leaders and staff engaged in decision making how to best meet short-term, mid-term, and long-term needs of citizens through renovations to existing indoor and outdoor athletic facilities and potential development of new facilities. The process began with a demographic review and market study, an analysis of existing services and facilities, then a thorough public engagement process with multiple focus groups, public input meetings, and a community survey.

The subsequent 18-month planning process was driven by a steering committee comprised of local citizens with different backgrounds and interests. Four community priorities were identified: 1) create indoor space geographically located to satisfy unmet needs in the community; 2) improve the safety and playability of existing field surfaces; 3) improve availability and condition of community parks, trails, and neighborhood parks, and 4) develop new indoor aquatic facilities.

Parks and Recreation Director Eddie Eastes sets up shop to speak to patrons at a Manhattan High School sporting event.

Citizens, local groups, professionals, and the Manhattan School District were also able to work with the City to refine these priorities into concrete initiatives for the public to digest. The projected sales would fund two $8.5 million indoor recreation centers with 30,000 – 40,000 sq. ft. of multi-purpose court space. The City of Manhattan and the school district were able to enter into agreements for the facilities to be constructed adjacent to the two area middle schools. The City would be able to construct, maintain, and operate the facilities through an Interlocal and Land Transfer agreement. The proposed design for the two buildings would have a direct connection to the school but would have security measures in place to keep community use separate from school use during school hours. These facilities are currently under design, through a design-build process with staggered construction for both beginning in 2019, and projected openings in 2020.



Large project description boards were displayed at multiple public facilities.

In order to satisfy outdoor recreation needs, proposed enhancements to Manhattan's CICO (City/County) Park included renovations to the existing ballfield complex built in 1965. Improvements will include installing synthetic turf infields to all four ballfields. One of which will be 100% synthetic turf, allowing for multi-purpose use including soccer, flag football, lacrosse, baseball, softball, etc.

"This type of project will vastly increase playability and safety for our community as a whole," said Eddie Eastes, Director of Parks and Recreation for the City of Manhattan. "When it rains, these fields are out of commission for teams and leagues for days. That won't happen with turf. We want kids playing on these fields every night."

Other planned improvements include renovating restrooms, pavilions, concessions, dugouts, and seating, as well as removal of three existing tennis courts which will be replaced with a 12-court layout with spectator seating. Design of this $8.5 million investment is planned for 2024 when sales tax revenues are available, with construction occurring in 2025.

The last portion of the dedicated sales tax is $2 million for trail improvements ($200,000 per year). With over 45 miles of trails in the community, it is one of the most highly utilized services offered by the Parks and Recreation Department. Filling gaps, improving connectivity, adding signage, and adding amenities will greatly benefit the more than 70% of households that use trails. Parks and Recreation staff have already begun "Trail Talk" meetings throughout neighborhoods to encourage community input and identify priorities.

The City Commission ultimately determined that indoor aquatics, although an identified priority, was too costly to build and operate through the sales tax initiative alone. Therefore, it was not included as part of the ballot measure. The project was recommended to the City to explore future partnerships with the school district and Kansas State University to meet that service gap in the community.

The steering committee and City staff were able to provide the City Commission with multiple options for all identified improvements, which the Commission then provided final direction in order to craft a ballot question for the 2017 General Election.

"With all the possible improvements we studied, identified, and conceptually designed for the public to review and consider, the Commission was able to make the determination of what to pursue and what projects would be achievable over the next decade. Those factors included the cost of construction and operation, use by the community as a whole, and lack of existing space in the community," said Jason Hilgers, Deputy City Manager for the City of Manhattan.

In May 2017, the Manhattan City Commission approved the early expiration (March 31, 2018) of the existing sales tax dedicated toward pools and the zoo. Separately, they also approved the ballot question that would appear during the 2017 General Election, which if approved by the voters, would dedicate a new quarter-cent sales tax for recreation and trails to go into effect April 1, 2018. This "renewal" kept the local sales tax rate the same, which was a major selling point to the public. As planned, the approval of the ballot question from the City Commission occurred six months prior to the General Election in order begin a city-wide educational campaign.

CITY OF MANHATTAN
PARKS REC
LIVE • LEARN • PLAY

Voters will decide a special question on the Nov. 7, 2017, general election ballot

0.25% quality of life sales tax to fund recreation and trail improvements over the next 10 years that would not increase tax rate

A strategic facility survey of local residents showed priorities of indoor recreation opportunities and improved outdoor sports fields, parks and trails

Of Manhattan's $1 billion in annual sales, approximately 25% comes from out-of-town visitors

Agreements between the City and USD 383 are in place for the City to construct, maintain and operate the indoor recreation facilities

0 No change in the sales tax rate if question is approved due to sunset of existing 0.25% quality of life sales tax

MHKPRD.com/SalesTax
785-587-2754

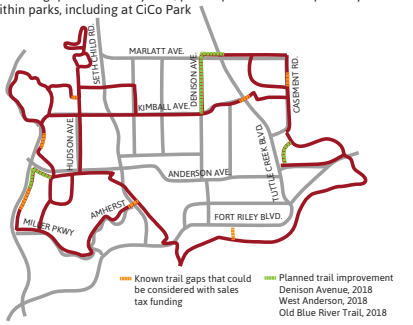
RECREATION & TRAILS
SALES TAX QUESTION

INDOOR RECREATION

Two 30,000- to 40,000-square-foot neighborhood recreation centers with multi-purpose gymnasium space constructed at Anthony & Eisenhower Middle Schools with amenities including concessions, locker rooms and additional parking

TRAILS

Increase trail connectivity by completing a walking and biking loop around the city by finishing some of the estimated 40 to 50 trail and sidewalk gaps in the trail system, plus improve trails and pathways within parks, including at CiCo Park

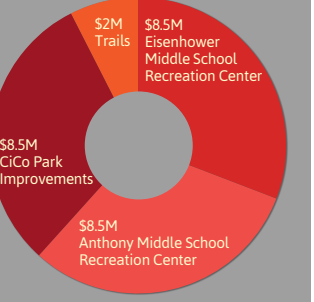


OUTDOOR RECREATION

Synthetic turf infields on baseball/softball fields at CiCo Park, creating multi-purpose use for flag football and soccer and use by Manhattan Parks & Recreation, Manhattan High and traveling leagues

12-court tennis layout, expanded paved parking, improved connectivity throughout the park and a new playground

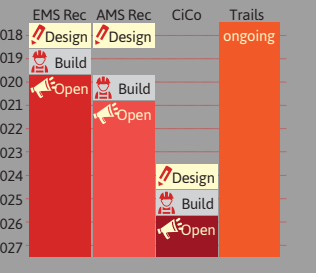
PROJECT COSTS



Total project cost: $27.5 million

PROJECT TIMELINE

If approved in November 2017, construction would be staggered to avoid financing and use all available funds for construction:



Sharing the Message

In order to educate the public, it was important to be very clear about what the quarter-cent sales tax would accomplish. The City started by forming a speaker's bureau of staff members who could attend public meetings, deliver elevator speeches, and communicate the details of the proposal quickly. Staff purchased a branded pop-up awning, created a solid PowerPoint presentation utilized by all, made project boards with in-depth conceptual designs, and sent the speakers all over town. They attended school events, sporting events, community gatherings, and worked to have as much face-to-face contact with the public as possible in the months leading up to the election.

"We had a whirlwind of a summer and fall, to say the least," said Melissa Kirkwood, Community Relations Officer for Manhattan Parks and Recreation. "We reached out to civic and community groups, our Chamber of Commerce, and eagerly presented at every opportunity we could, day or night, and believe me we had some interesting meetings. A major engagement opportunity was athletic events at the middle schools and high schools. Parents understand the recreation gaps in a community and want to see these improvements and provide input and support."

City and Parks and Recreation marketing staff worked throughout the year to saturate all available channels with information. Good infographics, which communicated the concepts quickly were some of the most effective tools, particularly how much money would be spent for each initiative, and when that money would be spent. Those images were created in-house using Adobe software and were shared frequently online and through social media. Articles and updates were included in a bi-weekly online newsletter and more detailed information was posted to City and parks websites for those who were interested in digging deeper.

It was also very important to make sure the local school district stayed informed. As a partner in the initiative, they too were on the front lines for public questioning. City staff communicated with the school district regularly and made sure they were kept up-to-date about all of the details and marketing initiatives.

Additionally, as education efforts continued, a group of local supporters emerged from the public. A private "Vote Yes for Rec and Trails" group formed and ran a campaign separate from the City leading up to the election. Their efforts were separate from the City's educational campaign, which was important for the public to understand. As a government entity, we were permitted to educate the public on the ballot initiative. The private group had the advantage of being able to campaign for a specific vote, while the City made sure to provide information without drifting into the realm of petition support.

As a result of the public education campaign, and the efforts of many city staff and local supporters, the residents of Manhattan favorably passed the initiative by 60.93%. Projects at the middle school recreation facilities are currently under design and several trail improvements are ongoing.

To view the sales tax materials in detail, visit the City's webpage at *http://mhkprd.com/148/Sales-Tax.*

CICO Park improvement renderings were utilized during educational campaign.

Legal Forum

What Happens in Vegas Doesn't Stay in Vegas: Supreme Court to Allow Sports Betting Across America

By Matthew R. Bingesser, extern for the League of Kansas Municipalities

In 1992, various high-profile sports executives, including the commissioners of the NBA and NFL, successfully lobbied Congress into passing the Professional and Amateur Sports Protection Act (PASPA), which confined legal sports betting to Nevada, Delaware, Oregon, and Montana.[1] Former NFL Commissioner Paul Tagliabue led the charge arguing "we have to make it clear to the athletes, the fans and the public, gambling is not a part of sport, period."[2]

PASPA was passed with the promise of protecting America's youth from teenage gambling and preserving the integrity of sporting entertainment in the United States. Unintentionally, PAPSA helped to provide the type of environment necessary to support a multi-billion-dollar illegal gambling operation that is difficult to estimate in magnitude.[3] Adam Silver, the Commissioner of NBA, has suggested that as much as $400 billion is spent annually on illegal sports betting, although this number is disputed. A 1999 final report from the National Gambling Impact Study Commission suggested the scope of illegal sports betting ranges from $80 billion to $380 billion dollars annually in the United States. Another study estimated the total amount of illegal sports betting to fall between $50 billion and $250 billion.[4] Even at the low end, $50 billion in illegal sports betting significantly outweighs the $2.3 billion in legal sports betting that occurred in Nevada in a similar time period.[5]

Sports betting is a difficult industry to regulate due to its expansive reach and offshore websites. The international aspect creates few legal options for the federal government to pursue as they try to rein in illegal sports betting.[6] This problem is further exacerbated with the growing popularity of sports betting beyond the borders of the United States.[7] Even within the United States, illegal sports bets are fairly widespread even amongst those who have no intention of violating federal law. It is estimated that $9 billion is spent on March Madness brackets and office gambling pools each year.[8] These office basketball pools count as illegal bookmaking operations in most states, including Kansas.[9]

In 2011, the voters of New Jersey adopted a constitutional amendment that permitted the state to regulate sports betting. Shortly thereafter, the New Jersey Legislature passed legislation to allow the state to regulate and license private entities to operate sports betting.[10] Following the adoption of the legislation, the four major sports leagues and the NCAA filed suit seeking to prevent the implementation of the legislation, claiming it would be contrary to PASPA and that federal law should prevail based on the supremacy clause of the United States Constitution. The state, in response, argued that PASPA violates the Commerce Clause, the Due Process Clause, the Equal Protection Clause, and the Tenth Amendment of the United States Constitution.[11] In February 2013, the district court sided with the leagues and declared PAPSA constitutional. *National Collegiate Athletic Association v. Christie* would be affirmed several more times in the Third Circuit of the United States Court of Appeals before making its way to the United States Supreme Court as *Murphy v. National Collegiate Athletic Association*.[12]

In May of 2018, the United States Supreme Court struck down PASPA in its entirety, which lifted the federal prohibition on sports betting. In the majority opinion, Justice Alito wrote "the legalization of sports gambling requires an important policy choice, but the choice is not ours to make. Congress can regulate sports gambling directly, but if it elects not to do so, each state is free to act on its own."[13] Justice Alito further explained that PASPA ran afoul with the anti-commandeering principle, because the law "unequivocally dictates what a state legislature may and may not do."[14] Federal

preemption cannot govern the conduct of states and PAPSA cannot be reasonably understood to govern the actions of private actors due to the prohibition PAPSA placed on how a state regulates sports betting. The supremacy clause did not apply in this case, but the anti-commandeering principle of the Tenth Amendment did.[15]

This decision now opens up a potential source of tax revenue for state governments to seize upon. The amount of new revenue available for states to collect will only be a fraction of the new sports betting market. Only the revenue, the money that remains after betting institutions pay out prize distributions, will likely be subject to taxation rather than the handle, which is the total amount of money wagered by betters.[16] In 2017, the State of Nevada took in approximately $16.8 million in revenue from taxes on sports bets despite the market having a total handle of approximately $4.87 billion.[17] States will also be able to collect income taxes on their residents' winnings, which will help supplement the tax received from the revenue earned by betting institutions.[18]

It is still up to the individual states to enact legislation allowing for sports betting within their jurisdictions. More than a dozen states have already introduced legislation to allow sports betting prior to the Supreme Court's decision. Connecticut, Delaware, Pennsylvania, Iowa, New York, Mississippi, and West Virginia join New Jersey as the states furthest along in the process of authorizing sports betting.[19] By some estimate, over thirty states will likely adopt policies allowing sports betting within the next five years.[20] This movement towards legalized betting will help to provide security in the market and allow state and local governments to engage with their residents with educational programming that emphasizes responsible gambling. Security measures that could be implemented include: mandatory monitoring and reporting of unusual betting-line movements, a licensing protocol to ensure legitimacy, and the use of geo-blocking technology to ensure betting only takes place in jurisdictions where it is legal.[21]

The Kansas Legislature considered five bills in the 2018 session to speed up the process of implementing sports betting in the event the Supreme Court struck down PASPA. Now that the Supreme Court ruling is a reality, Kansas could stand to gain as much as $70 million in additional tax revenue if residents place $1.5 billion in sports bets in any Kansas casinos or online venues.[22] Although the legislative session has ended, members of the Kansas Legislature are already hoping to push legislation to take advantage of this opportunity in future legislative sessions.[23] Candidates hoping to be Kansas' next governor have already indicated support or interest in looking at the issue in future legislative session.[24]

Matthew R. Bingesser *is an extern for the League of Kansas Municipalities. He is a law student at Washburn University School of Law.*

Sources:

[1] *Should Sports Betting Be Legal?*. **U.S. NEWS** (June 12, 2012), *https://www.usnews.com/debate-club/should-sports-betting-be-legal*

[2] Will Hobson, *Sports gambling in U.S.: Too prevalent to remain illegal?*, **WASHINGTON POST** (Feb. 27, 2015), *https://www.washingtonpost.com/sports/sports-gambling-in-us-too-prevalent-to-remain-illegal/2015/02/27/f1088e4c-b7d3-11e4-9423-f3d0a1ec335c_story.html?noredirect=on&utm_term=.77200b2e395d*

[3] Dylan Oliver Malagrino, Off the Board: *NCAA v. Christie* Challenges Congress to "Move the Line" on the Professional and Amateur Sports Protection Act, 118 Penn St. L. Rev. 375, 378 (2013)

[4] Jordan Weissmann, *Big Bucks or Bogus Betting Baloney?*, **SLATE** (Nov. 21 2014), *www.slate.com/articles/business/moneybox/2014/11/adam_silver_says_there_s_400_billion_per_year_of_illegal_sports_betting.html*

[5] Dylan Oliver Malagrino, Off the Board: *NCAA v. Christie* Challenges Congress to "Move the Line" on the Professional and Amateur Sports Protection Act, 118 Penn St. L. Rev. 375, 378 (2013)

[6] Adam Silver, *Legalize and Regulate Sports Betting*, **NEW YORK TIMES** (Nov. 13, 2014), *https://www.nytimes.com/2014/11/14/opinion/nba-commissioner-adam-silver-legalize-sports-betting.html*

[7] Id.

[8] Steve Politi, How Running an $837,000 Office Pool Destroyed this Man's Life, **NEW JERSEY** (Mar. 16, 2015), *http://www.nj.com/sports/index.ssf/2015/03/the_800000_office_pool_how_a_teacher_got_busted_an.html*

[9] Justin Peters, *Yes, Your NCAA Office Pool Is Probably Illegal. No, You Won't Get Arrested for Participating*, **SLATE** (Mar. 21, 2013), *http://www.slate.com/blogs/crime/2013/03/21/march_madness_office_pool_yes_your_ncaa_office_pool_is_probably_illegal.html*

[10] Christopher L. Soriano, The Efforts to Legalize Sports Betting in New Jersey-A History, N.J. Law., April 2013, at 34, 37

[11] Id.

[12] David Purdum & Ryan Rodenberg, *The Odds of Legalized Sports Betting: New Jersey vs. the Leagues*, **ESPN** (May 14, 2018), *http://www.espn.com/chalk/story/_/id/22605881/the-odds-legalized-sports-betting-new-jersey-vs-leagues*

[13] *Murphy v. National Collegiate Athletic Association*, **2018 U.S. LEXIS 2805**, *46 (2018).

[14] Kim E. Rinehart, Tadhg A.J. Dooley, & David Roth, *MURPHY V. NCAA: Supreme Court Update*, **THE NATIONAL LAW REVIEW** (May 20, 2018), *https://www.natlawreview.com/article/murphy-v-ncaa-supreme-court-update*

[15] Id.

[16] Bryan Cave & Berwin Leighton Paisner, *Understanding the Implications of Murphy v. NCAA*, **BRYAN CAVE LEIGHTON PAISNER** (May 15, 2018), *https://www.bryancave.com/en/thought-leadership/understanding-the-implications-of-murphy-v-ncaa.html*

[17] Id.

[18] Kay Bell, *Super Bowl Pool Anyone? Sports Betting Illegal in Most Places, but Widely Practiced*, **BANKRATE** (Feb. 2, 2017), *https://www.bankrate.com/finance/taxes/taxes-on-gambling-winnings-in-sports-1.aspx#slide=1*

[19] Michael Sheetz, *Here's Where and When You'll Be Able to Gamble on Sports Legally,* **CNBC** (May 14, 2018), *https://www.cnbc.com/2018/05/14/us-map-heres-where-you-can-bet-on-sports.html*

[20] Jessica Gresko, *The Supreme Court Just Gave States the OK to Legalize Sports Betting*, **TIME** (May 14, 2018), *http://www.time.com/5276330/supreme-court-sports-betting-law/*

[21] Adam Silver, *Legalize and Regulate Sports Betting,* **NEW YORK TIMES** (Nov. 13, 2014), *https://www.nytimes.com/2014/11/14/opinion/nba-commissioner-adam-silver-legalize-sports-betting.html*

[22] Kirk Seminoff, *Sports Gambling May Make its Legal Way into Kansas Someday*, **THE WICHITA EAGLE** (May 15, 2018), *http://www.kansas.com/opinion/opn-columns-blogs/pivot-point/article211113724.html*

[23] Allison Kite & Hunter Woodall, *High Court Clears Way for Sports Gambling, but Don't Bet on Kansas, Missouri Just Yet*, **KANSAS CITY STAR** (May 14, 2018), *http://www.kansascity.com/news/politics-government/article211087464.html*

[24] Brad Cooper, *Future of Sports Wagering with Next- or Current – Kansas Governor*, **SUNFLOWER STATE JOURNAL** (May 20, 2018), *https://sunflowerstatejournal.com/future-of-sports-wagering-with-next-or-current-kansas-governor/*

REGIONAL SUPPERS

A Program of The League

THE LEAGUE OF KANSAS MUNICIPALITIES

The League of Kansas Municipalities invites all member Kansas city officials to join us for the 2018 Regional Suppers. We hope you will take this opportunity to discuss the upcoming legislative session that will highlight the League's 2019 legislative priorities.

This year, League staff is offering a free training prior to the start of the Regional Supper. Join us at 4:00 p.m. at the same location for an overview of Home Rule and tips to connect with your legislator. (Separate RSVP requested when you register for the supper event.)

October 23 • Dodge City
Boot Hill Conference Center
4100 W Comanche Street
$16 per person
RSVP by Oct 16

October 24 • Salina
Tony's Pizza Event Center
800 The Midway
$24 per person
RSVP by Oct 18

October 30 • Overland Park
Matt Ross Community Center
8101 Marty
$25 per person
RSVP by Oct 20

October 24 • Oakley
Colonial Steakhouse
464 US Highway 83
$16 per person
RSVP by Oct 18

October 25 • Inman
Community Building
(north side)
406 E Center
$18 per person
RSVP by Oct 18

November 1 • Humboldt
Humboldt Public Library
916 Bridge Street
$14 per person
RSVP by Oct 24

Registration is available online at *www.lkm.org/RegionalSuppers*

Check-in for dinner will begin at 5:30 p.m. with the meal served at 6:00 p.m.

Written cancellations must be made 72 hours prior to the meeting date, or the participant will be responsible for payment. Cancellations by phone will not be accepted.

SIMPLY THE BEST IN WATER STORAGE!

A GLOBAL LEADER IN LIQUID STORAGE

ADVANCED DESIGN | Our **bolted RTP (rolled, tapered panel) tank design is unmatched worldwide**. It is the strongest, precision tank design that does not utilize cheap web stiffeners.

UNMATCHED COATINGS | Our **LIQ Fusion 8000 FBE**™ powder coating system and application technology is unmatched in water storage applications. Our **AQUA AGT 2020**™ glass/porcelain enamel coating system is superior to other glass coatings in its formulation and two-fire process. Both coatings are exclusively provided by one company, Tank Connection.

SUPERIOR QUALITY | Simply unmatched worldwide. Tank Connection operates multiple **ISO 9001 Certified QMS** storage tank manufacturing facilities in the U.S. Our storage products and services are requested globally because our quality is recognized as **the best** in the industry!

INDUSTRY EXPERTS | We are the **leading experts in storage applications** with more years of combined industry experience than any other tank company.

AMERICAN MADE

EMPLOYEE OWNED

EMR .59

REQUEST A QUOTE AND **GET CONNECTED** WITH REAL PERFORMANCE FROM THE MARKET LEADER, **TANK CONNECTION!**

TANK CONNECTION 3609 N. 16th St, Parsons, KS 67357 ❖ +1 620.423.3010 ❖ sales@tankconnection.com ❖ www.tankconnection.com

TANK CONNECTION

THE LEAGUE OF KANSAS MUNICIPALITIES

Longwell Appoints League Nominating Committee

League President Jeff Longwell, Mayor for the City of Wichita, has appointed a seven-member committee to serve as the 2018 League Nominating Committee. The Committee will be chaired by Kim Thomas, League Past President and Mayor for the City of Stockton. There are four director positions on the Governing Body, each with a three-year term of office, considered each year. In addition, the Committee will consider nominations for President and Vice President for one-year terms.

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

Article 4 of the League Bylaws charges the Nominating Committee with submitting a written report at least 24-hours before the start of the annual business meeting of the organization. This year's business meeting, including elections, will be held Monday, October 8, during the League Annual Conference.

2018 Nominating Committee Members

Mayor Becky Anderson
101. S Main
Lindsborg, KS 67456
banderson@lindsborgcity.org

Mayor Mike Boehm
12350 W. 87th Street
Lenexa, KS 66215
mboehm@lenexa.com

Mayor Carl Gerlach
8500 Santa Fe Drive
Overland Park, KS 66212
Carl.gerlach@opkansas.org

City Administrator Scott Moore
121 W. First Street
Ellsworth, KS 67439
smoore@ellsworthks.net

Bob Myers
City Manager & Senior Legal Counsel
201 East 6th Street, PO Box 426
Newton KS 67114-0426
bmyers@newtonkansas.com

Vice Mayor Jan Scoggins
P. O. Box 880
Dodge City, KS 67801
Jan.scoggins@yahoo.com

Mayor Kim Thomas
115 S. Walnut
Stockton, KS 67669
monumentkim@gmail.com

Guidelines for League Governing Body Selection

Pursuant to Article 4, Section 3 of the League Bylaws, the Governing Body has established the following guidelines for League Governing Body and Officer Elections:

Section 1. Primary Considerations. The overall strength of the individual candidates for the League Governing Body should be the primary consideration of the nominating committee. Candidates should be evaluated based upon the length of term in office, past service to the League, potential leadership contributions, and their willingness to serve the organization. In addition, the nominating committee should consider the following factors: ***A) Class and Size of City***. A concerted effort should be made to provide for diversity on the Governing Body based on city population. ***B) Elected and Appointed Officials***. The large majority of the Governing Body members should be elected officials. The office of city manager/city administrator should be represented by one or two members. Other appointed officials may be represented by one or two members. ***C) Regional Distribution***. It is important to try to reach a regional distribution that is as diverse as possible. The League Governing Body has adopted a regional map as a benchmark but we all recognize that this is not a perfect system. Regional diversity is a general goal that we strive to maintain. ***D) Gender, Race, and Ethnicity***. The Committee should factor in gender, race, and ethnicity considerations in order to achieve diversity as well.

Section 2. Officer Candidates. ***A) President***. In keeping with long-standing League tradition, the Vice President ascends to the position of President. This policy enables the Vice President to participate on the League Executive Committee for a year before leading the organization. ***B) Vice President***. Candidates for Vice President should be evaluated primarily based upon the length of term in office, past services to the League, potential leadership contributions, and their willingness to serve the organization. Other considerations include: 1) at least one year of prior service on the League Governing Body; 2) alternation between large and small cities; and 3) geographic diversity.

"Large city" directors shall also be eligible for these offices, provided they meet the stated criteria.

David McDaniel
Mayor
City of Ellis

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

I believe that the primary role of municipal government is to provide the necessary services expected by residents and businesses and to maintain a reasonable cost to provide these services. Regulations need to be in place protecting the residents but should not be too restrictive to prevent community growth.

What is Your Position and What are Your Typical Duties?

My position is the elected Mayor of our community. I have held this position for nineteen years. My duties include overseeing three department heads, planning agendas, and presiding over the City Council Meetings. I also represent the City on many local and county committees and boards.

What is Your Favorite Thing About Kansas?

My favorite things about Kansas are the people and the open spaces. I grew up in a large, impersonal city and enjoy the person-to-person relationships gained in my community. I have lived and worked in Ellis for 46 years.

Please Share a Little Personal Information About Yourself.

I have been a resident and business owner in Ellis for 46 years. I served on the City Council before being elected Mayor. My total years in Ellis have been dedicated to public service and by volunteering to make my community a better place for everyone.

What is Your Favorite Thing About Your Community?

My favorite thing about my community is the history of this area of Kansas. The railroad designated Ellis as the midpoint between Kansas City and Denver because of the water available to power the steam engines. Walter P. Chrysler lived and grew up in Ellis beginning his mechanical interest while working in the Ellis railroad shops. German and Austrian immigrants settled in the Ellis area, opening up the area for growth.

What Made You Want to Join City Government?

I was asked to become involved in City government because some residents wanted to move the City in a positive direction growing both business interests and the Ellis community. I felt that I could offer a fresh approach and be beneficial to the process.

Is This Your First Time on a Statewide Board?

This is the first statewide board position on which I have served. I have been blessed this year to be elected to the position as President of the Kansas Mayors Association and to be appointed to the League Governing Body.

CANDIDATE SURVEY

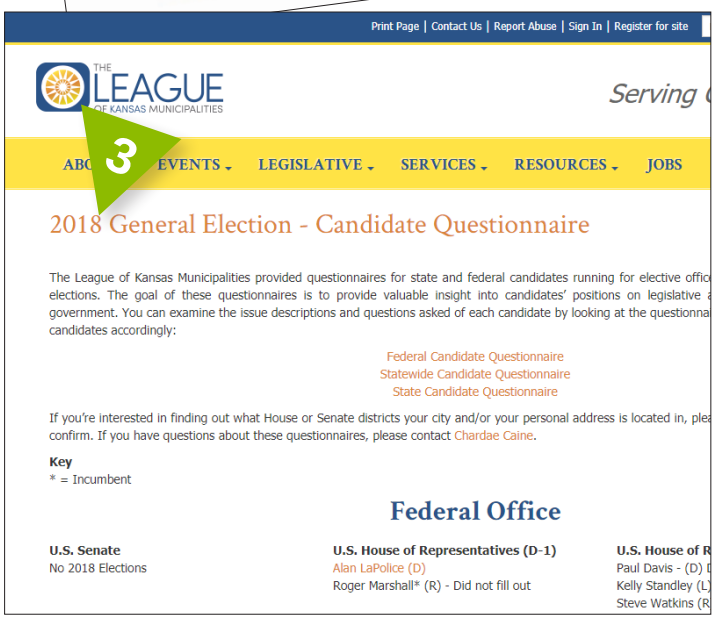
The League recently conducted its 2018 Candidate Questionnaire and has released the results. With the primary elections behind us, we will reach out to candidates for the General Election and expect to collect more information regarding their views on municipal issues including:

- **Local Control**
- **Non-partisan Elections**
- **Property Taxes**
- **Transportation**
- **Unfunded Mandates**

While the League does not endorse candidates, we do want to share this information with local communities so that our members and residents may form their own judgment based on candidates' policy positions to local issues. In total, the League received responses from about 40% of all candidates running for Congressional House of Representatives, statewide offices, state representative, and state senate. As the League receives more questionnaires in preparation for the General Election, they will be posted. If you have any questions about these candidates' positions on local issues, we encourage you to contact them directly.

Accessing the 2018 Candidate Questionnaire:

1. Visit *lkm.org/Legislative*
2. Select Candidate Questionnaire
3. At the bottom of the page, you can view various forms completed by the candidates. Selecting the 2018 General Election option will provide access to all current candidates available.



Are You Ready for an

League's Annual Conference is the Premier Local Government Event in Kansas f

By Megan Gilliland, Communications and Education Manager, League of Kansas Municipalities

We're just a few weeks away from the League's Annual Conference in Topeka! This fall, hundreds of League members will gather on October 6 through 8 to network, learn, and discuss issues important to Kansas cities. As always, our goal is to provide members with the resources needed to be knowledgeable and skilled in local government positions — both elected and appointed. The League's conference provides opportunities to engage leaders to think creatively and use problem-solving tactics to address common municipal challenges and brainstorm ideas to implement in your community.

Every year, the League receives feedback from members that our Annual Conference is one of the best networking events for members. Our conference surveys show that members genuinely enjoy the educational sessions, the vendor trade show, social events, and peer-to-peer discussions that arise from the conference.

We're excited to offer this opportunity to cities across Kansas and we hope you'll come ready to explore the possibilities and discover the difference local government can make! Additional information found at *www.lkm.org/annualconference.*

Megan Gilliland *is the Communications and Education Manager for the League of Kansas Municipalities. She can be reached at mgilliland@lkm.org.*

Adventure?

s for Municipal Officials and Staff.

Conference Sessions

- Creating Successful Staff and Elected Official Relationships
- Why Home Rule Matters
- Media Panel: Kansas Election Preview
- National League of Cities Federal Advocacy Update
- Using Parks and Recreation to Create Development
- Forming Crisis Intervention Teams in Cities
- Strategic Planning – Why, When, and How to Start
- Building Your Census 2020 Complete Count Committee
- Ideas for Building Community Pride and Awareness
- Cybersecurity Basics for City Officials
- Effective Social Media Strategies for Local Government
- Addressing Sexual Harassment in the Workplace: Policies and Best Practices
- Advancing Your Career Through the Kansas Certified Public Management Program
- Emergency Management Training and Working with State and Federal Resources
- Salary and Workforce Trends at the Local Level

Keynote Session

Sunday, October 7
11:00 a.m. - 12:30 p.m.
Manley Feinberg

Reaching Your Next Summit: 7 Vertical Lessons & 1 Essential Question to Lead With Impact, Regardless of Your Title

Manley is an award-winning international keynote speaker, business leader, and author whose work has been featured on NBC, CBS, ABC, and Fox, and in T*he New York Daily News, Entrepreneur*, American Express Open Forum and *World News*.

During Manley's eleven years with Build-A-Bear Workshop, his leadership direction helped take the revolutionary retail concept from 40 stores to over 400 worldwide, realizing revenue growth from $55 million to over $474 million.

Manley's inspirational keynotes are brought to life through his national geographic photography and riveting stories culminating from a lifetime of adventure through 25 countries, to over 400 outdoor destinations. Manley vividly shares compelling lessons from his adventure and leadership experiences in a way that allows you to relate to your mountains.

lkm.org/annualconference

Getting Public Projects FUNDED

Six steps can position projects for success

By Cindy McCleary

Reprinted with permission from the March 2018 issue of Public Management (PM) magazine, copyrighted and published by ICMA, the International City/County Management Association, Washington, D.C.

If it seems like getting funds for public projects is getting harder, it is. The increasing burdens on taxpayer dollars, primarily driven by rising healthcare and public safety costs, make projects that would have been easy to fund five years ago much more difficult.

Add to that an increasingly partisan political atmosphere, and local governments are really feeling the pinch. Politics change faster than a project can get constructed, so funding that is a sure thing this year, might not be next year.

As an architect, my role often includes coaching local government professionals through the funding process. Asking for money is scary, and because I am involved in public projects, I know how to listen, connect the dots, and build a story about need that justifies and clarifies the role of a new or renovated facility.

Beyond drawing pretty pictures, my job is about digging into operational goals, strategies, and business plans to determine how a building can become a successful tool for a community. Because story is such a big part of architecture, it's natural that architects can help officials make the public case for financial need.

Getting funding isn't an exact science, but it does have certain ingredients: the needs of a community, the goals of decisionmakers, the emotions of advocates, the hot-button topics, and the business plan of the project.

It's more of a philosophy than a formula; however, in my experience, adhering to these six steps gives a project a better chance of getting the financial support it needs.

STEP 1: Save the eye candy.

Setting up a project for funding success starts early, well before renderings are developed to wow a public audience. It begins in the needs-assessment, master-planning, and pre-design stage, where people can grasp the big challenges and start to build the case for need.

The physical environment affects operations. Documenting failings in the current system helps identify the risks associated with inaction, and therefore strengthens the case for spending on facilities.

On a recent police department job, we studied the workflow of the department's evidence intake chain of custody to help justify spending to improve it. The evidence-intake area was the same space used for the removal of trash and sometimes, a place to eat lunch.

Although there was protocol in place to avoid contaminating incoming evidence, the architecture of the building was introducing the possibility of human error. In the time it took an officer to clean the space before packaging evidence, that evidence could be contaminated, introducing a huge risk.

We built an argument for funding based on the risk of losing cases due to poor workflow along the chain-of-custody path. By linking space to performance, we helped build the case for need.

Often, someone will ask, "When do we get to design?" by which they mean, "Let's see some flashy images." The truth is, before the flash, there needs to be a thorough, defensible case for need.

STEP 2: Identify naysayers and understand their pitch.

Naysayers can wreak havoc on a project, especially considering the speed of social media. Ignore naysayers, and they will bury you.

Whether it's a commissioner, elected official, newspaper, political activist, or disenfranchised group, naysayers use their voice to dismantle an idea. You need to understand their pitch, include them in the process, and build their trust.

This cannot be done with emotion, but only with dialogue and facts. Often, their perception highlights a weakness in your message that you can use to strengthen your case.

A recent historic-preservation project was challenged in the past by active and organized community members who felt resentment over being left out of previous planning efforts. They didn't have financial or political leverage, but they had a voice and a good point.

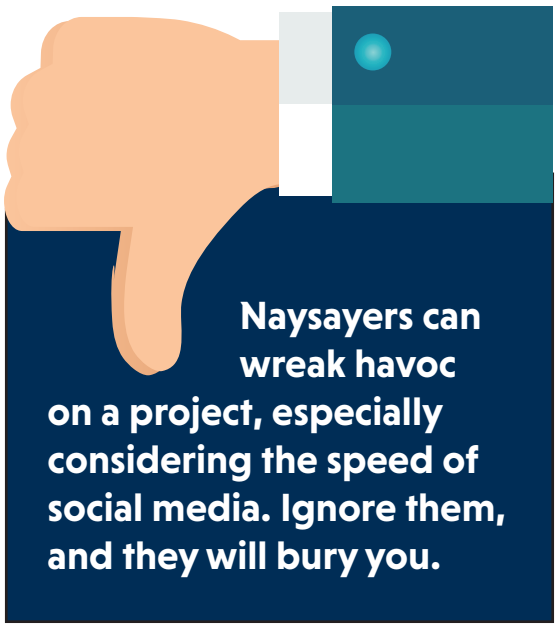
The solution was to embrace their role in the project and give them a voice in deciding how the site should teach about their heritage — and their contributions made the project better. By bringing them to the table, understanding the storyline, and building trust, their voice became one of support rather than disruption.

STEP 3: Build your advocates.

Key to project success, advocates include anyone who has political, capital, or social leverage. Whether councilmember, fundraiser, cultural gatekeeper, chamber of commerce executive, or church leader, anyone with access to hearts, minds, energy, in-kind resources, and purse strings can be an advocate.

Building advocates is an art of inclusion and should make them feel valued for more than the resources they offer. By asking for their needs, thoughts, and opinions before their money and connections, you make them feel empowered and vested, and automatically make them a partner.

For a recent police training facility project, two police departments were involved. We knew there was a regional need for the project, but felt that our chances for funding would increase if we had more police departments across the region invested in the cause. We needed to leverage their connections to make it happen.



In the planning process, we asked 20 agency heads from across multiple counties, "What do you need?" All 20 agencies contributed their ideas, and in the process, became supporters and advocates.

Our design responded to their needs by organizing itself in the form of five semi-independent pods, each focused on a different type of training. This enabled smaller agencies to rent spaces specific to their needs, at lower cost, while decreasing overhead for the police.

Having these advocates in place before the design allowed us to meet their needs as the project developed, making them strong advocates in our campaign for funding.

STEP 4: Build a sound, defensible business plan.

While some public projects, like universities and training centers, have revenue offsets, some facilities just don't generate revenue. That doesn't mean they don't need a business plan; in fact, it means they need to work harder to justify the return on investment (ROI) of the project.

For non-revenue-generating projects, a business plan justifies why the project will save money and improve operations in the long run.

When designing a recent police department headquarters, we studied the workflow to demonstrate how the department's obsolete building required more time for staff to perform simple tasks. Because the previous building had evolved in an ad-hoc way over decades, each officer spent an average of 17 minutes getting ready for a shift, running all around the building to check in, get into uniform, go to roll call, retrieve their weapon, get medical supplies and duty bag, and finally get into the squad car.

Next, we tested the same process using a new plan and clocked it at 12 minutes. That savings of five minutes per officer, three shifts per day, seven days per week, 365 days per year added up to an annual cost of $600,000. That allowed us to argue that the hard-side investment in facilities would have soft-side outcomes, making it a smart financial investment.

No matter the situation, a strong business plan can help a manager clarify the case for need. It's no longer just based on emotion but on a metric analysis that has a return on investment.

STEP 5: Develop a clear message.

Nobody knows a community's needs as intimately as officials do, but communicating those needs in a way that connects with the audience is tough.

A clear message quickly educates an audience, which can be residents or elected officials, on the risks and challenges of a project and the outcome of the investment. But it also makes a department's or community's needs the legislature's needs. This requires managers to forget their needs for a moment and focus on the needs of the audience.

In a recent public safety training facility project, selling the project to the legislature required us to understand and address core values. While the immediate need was for a safe and secure place to train, that message didn't resonate with the legislative audience.

The legislature figured officers could train in a rented warehouse; from experience, public safety officials knew that would not allow officers to feel safe enough to learn effectively.

Rather than focus our messaging on the needs of the officers, we chose a message that spoke directly to the needs of legislators to fairly represent constituents. In the design process, we mapped out existing training facilities in the region, and found that they were concentrated disproportionately in one area.

By presenting this information to the legislature, the argument became more about financial equity and tax base — an idea that resonated with them.

A good message isn't about selling personal needs but about positioning the need to achieve an audience's goals. This kind of argument makes it more likely that your project becomes a priority for them.

STEP 6: Dedicate feet-on-the-ground leadership.

When trying to get a project funded, the better story that can be told, the better chances of success. As architects, the deeper we can get into nuts-and-bolts operations, the better we can align the design to what is needed, and the better story we can tell to justify need. This requires a significant commitment of time and talent early in the design process.

In designing a recent revitalization of a historic site, city staff felt overwhelmed during the early stages by the scale of decisions required to successfully plan the project. It was only after dedicating a team of eight empowered leaders to give 80% of their time to the project that we really made progress and started making impactful decisions.

By allowing people with operational authority to get into the weeds of the project, my organization could conduct a deeper dialogue on how design could improve workflow.

Dedicating the time and attention of leaders with authority over the long-term shape of the organization results in better design. This builds into a better story and a stronger case for funding.

At the same time as healthcare, education, and policing are taking up a bigger slice of the funding pie, buildings are getting more expensive and the prospect of asking for money is more daunting than ever.

My message to local government leaders is that by paying attention to the audience, dedicating empowered leadership to projects, and making early strategic decisions, they will have a better chance of seeing projects built.

Cindy McCleary is regional government market sector leader, LEO A DALY in Minneapolis, Minnesota. She can be reached at CAMccleary@leoadaly.com.

Kansas Government Insurance Specialist

Offering Insurance Protection for:

- Property
- Equipment
- Crime
- Workers' Comp
- General Liability
- Automobile
- Public Officials E&O, EPLI
- Police Professional

Berkshire Hathaway HOMESTATE COMPANIES

Contact your local independent insurance agent or contact us directly!
Mike Johnson • mjohnson@bhhc.com • 800.488.2930

Insurance written through the Berkshire Hathaway Homestate Companies:
Berkshire Hathaway Homestate Insurance Company (Omaha, NE) • Brookwood Insurance Company (Coralville, IA)
Continental Divide Insurance Company (Englewood, CO) • Cypress Insurance Company (San Francisco, CA)
Oak River Insurance Company (Omaha, NE) • Redwood Fire and Casualty Insurance Company (Omaha, NE).
Not all coverages, products, or features of products are available in all states or through all companies.

Is Your City Prepared for a Cyber Attack?

Cybersecurity is a growing concern for cities of all sizes. Our newest MTI, Cybersecurity for Cities, is designed to educate elected and appointed officials about key issues and protective measures.

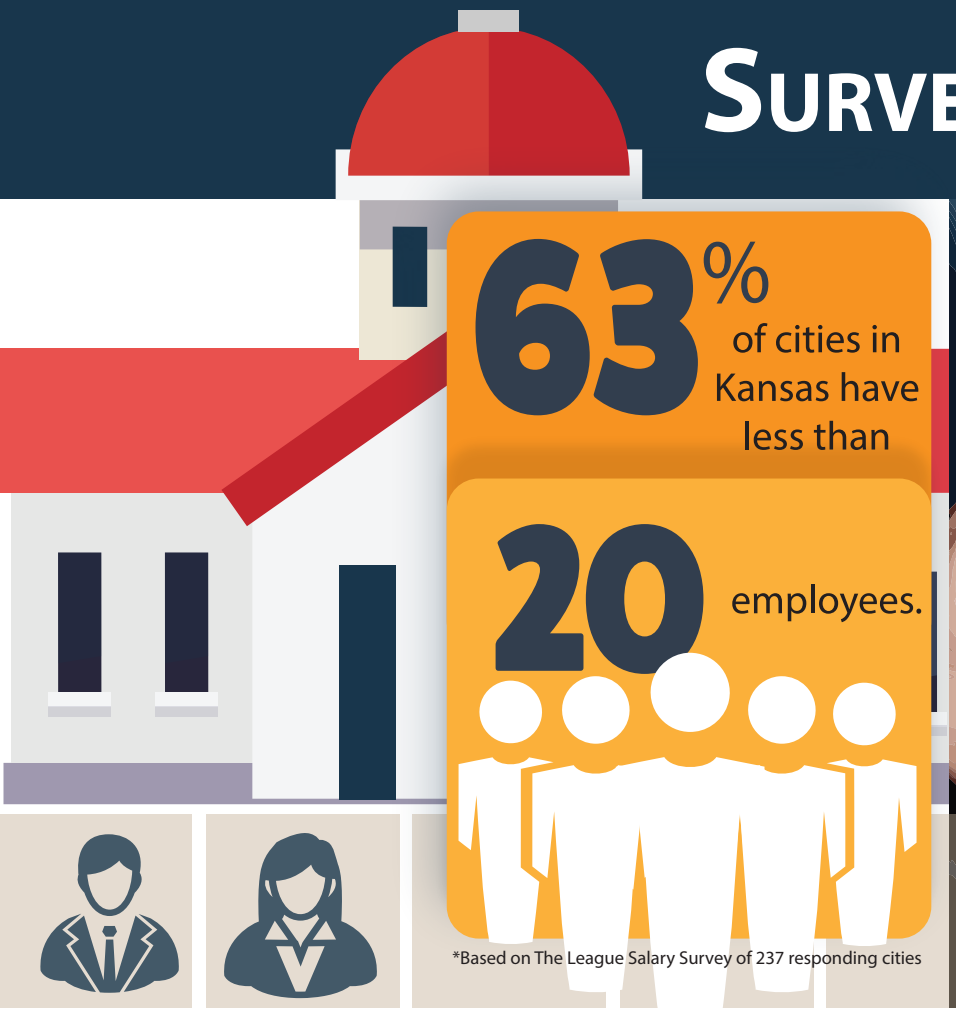
November 2 | Independence
November 9 | Salina

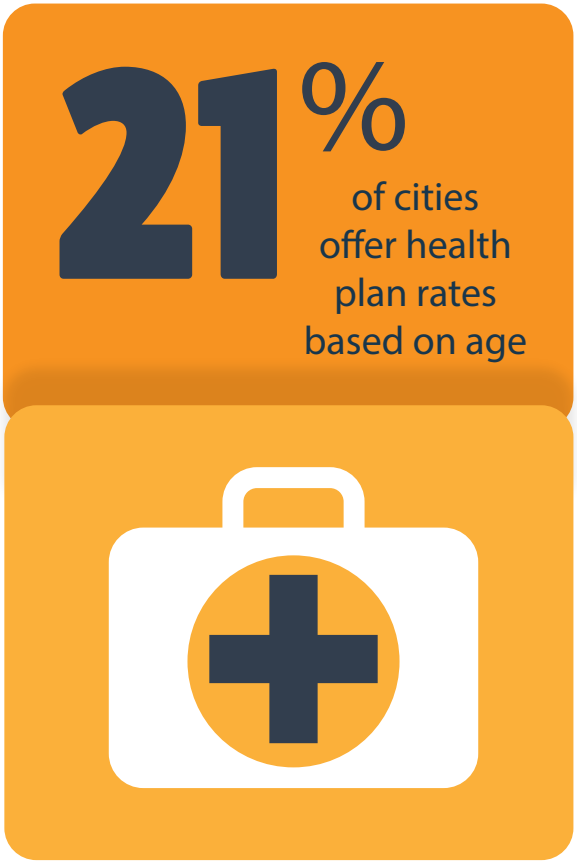
Register online at www.lkm.org/events.

MTI MUNICIPAL TRAINING INSTITUTE
A Program of The League

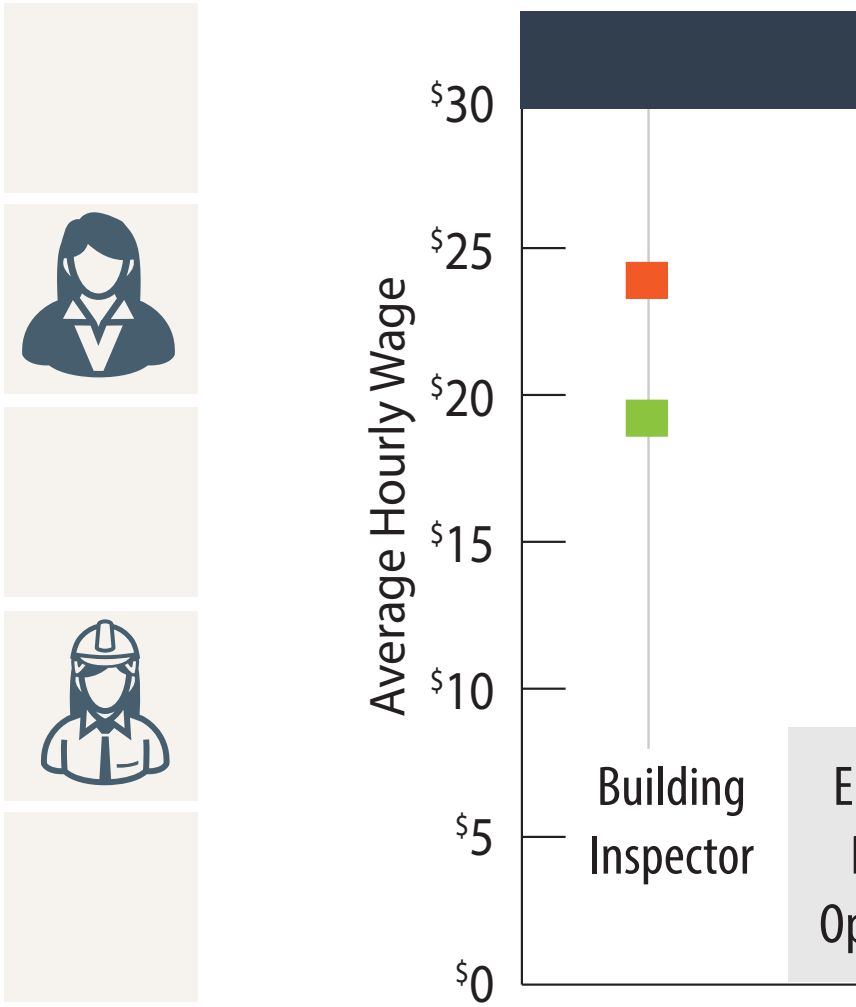
REGISTER NOW AT
CITYSUMMIT.NLC.ORG/SML

Survey of Salaries, P





*Based on The League Salary Survey of 237 responding cities



Personnel Practices, and Benefits

The League's *2018 Survey of Salaries, Personnel Practices, and Benefits* highlights the compensation, benefits, and workforce trends found in cities throughout the state of Kansas. With 237 participating cities, the survey shows significant change in municipal salary practices to align with national standards over the past 10 years. However, salary ranges are steady in comparison to the 2016 salary analysis. In Kansas, the employee structure can extend from a full volunteer community, to a staff of 200 full-time employees. This is based primarily on meeting the needs of residents from police officers and community events, to building inspections and finance directors. This infographic provides a few key data points from the information collected. For more information visit our website *www.lkm.org.*

Wage Comparison by Profession

*Based on The League Salary Survey of 237 responding cities

KANSAS GOVE

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

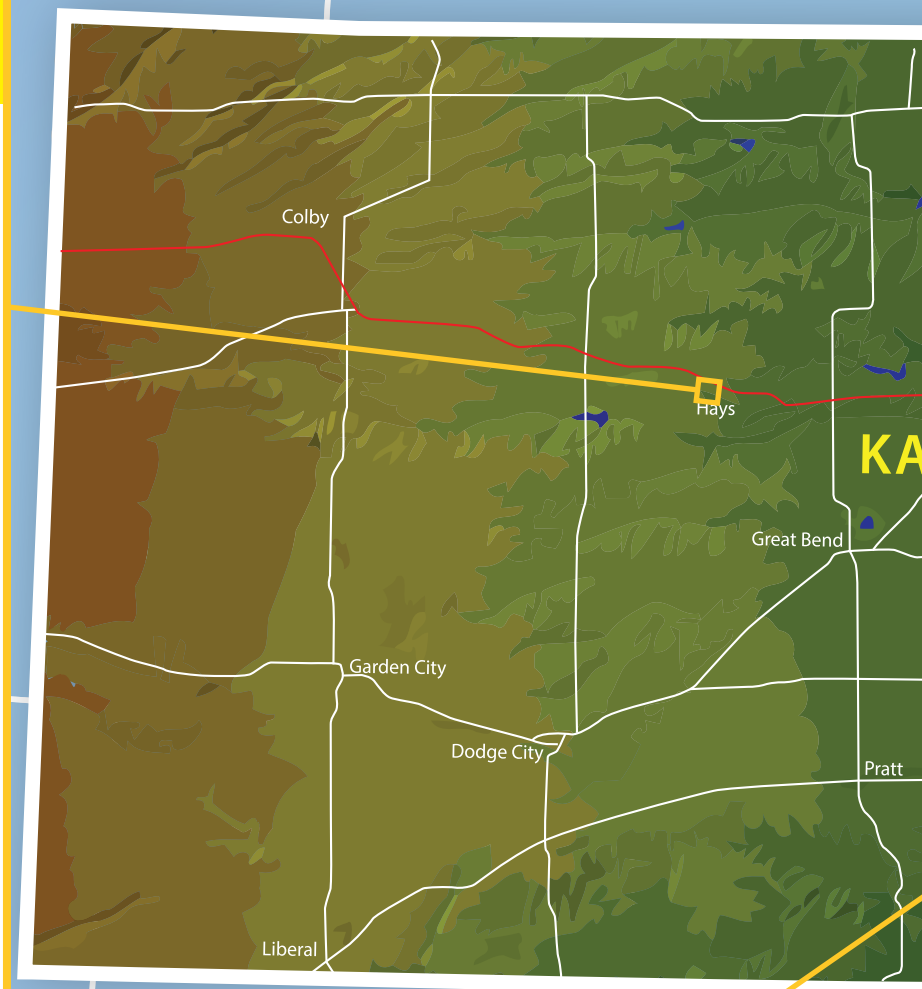
Hays

City Commissioners Encourage Local Organizers to Continue Work to Build an Inclusive ADA Playground

Hays City Commissioners encouraged local organizers to continue their work to develop a fully accessible playground, ball park, and splash pad at one of the City's existing parks. The Arc of the Central Plains (ARC), a local non-profit organization is working to raise $1.6 million for the park improvements at Seven Hills Park.

The park improvements include the construction of an inclusive playground for all children. The fundraisers also see the improvements as a tourism destination for travelers along Interstate 70. The park would be unique in western Kansas and in the state. About 1,400 children receive services locally from ARC and will benefit from features such as static-free slides and LED lights that appeal to children on the autism spectrum.

The commissioners did voice concerns, however, about future costs to the city in the form of maintenance and replacement equipment, which they indicated will have to be addressed in greater detail with City staff, who can then bring the proposal back to the City Commission.



Emporia

Emporians Vote in Favor of Sunday Alcohol Sales

During the August Primary Election, Emporians voted in favor of Sunday alcohol sales, approving a measure passed by the Emporia City Commission in April 2018. The measure passed with 57% of the vote.

"I'm glad it went to a vote," said Emporia City Commissioner Rob Gilligan. "I think that's the best way to make the decision on something like this, since the community had voiced their opinion early on when the option was available. And, so, that's probably the most fair way to make a decision like this."

ERNMENT NEWS

Des Moines

Lincoln

Roeland Park

City of Roeland Park's Business District Experienced a 24.5% Decline in Crime Incidents

According to the *Shawnee Mission Post*, Roeland Park's business district experienced a 24.5% decline in crime incidents from January through July 2018 following implementation of a Crime Prevention Initiative by the Roeland Park Police Department. The City dedicated $7,500 toward additional overtime for police officers to place officers in the business district for 10 hours per week with rotating times and locations. The city also placed a donated "retail crime enforcement vehicle" in the district to demonstrate police presence.

Chief of Police John Morris said the decline in incident and report writing within the business district allowed officers to spend more time patrolling the streets and maintaining visibility in the community. City staff plans to meet with businesses and discuss the program's future.

Spring Hill

Spring Hill's City Hall Offices Have Moved

This summer, City offices returned to the recently renovated Civic Center. Over the course of a year, an extensive renovation occurred in the Civic Center which included a new City Council chamber and Municipal Courtroom, new rentable spaces including a completely renovated gymnasium, and performance stage paving the way for extended programming, new customer service areas, fresh landscaping and new City Hall offices.

Professional Services

AMERICAN LEGAL
Publishing Corporation
League's Ordinance Codification Program
Code Updates • New Codes • Legal Reviews
Model Ordinances • Codes on Internet
Call Ray Bollhauer at (800)
445-5588rbollhauer@amlegal.com

Black Hills Energy
Improving life with energy

BURNS McDONNELL
9400 Ward Parkway
Kansas City, MO 64114
Brian Meier
800 E. First St.
Suite 400
Wichita, KS 67202
316-616-0520
• Air pollution control
• Airport facilities
• Electric power
• Hazardous and solid waste
• Resource recovery
• Stormwater
• Water and wastewater
burnsmcd.com

BOB WESTMORELAND
AMR/AMI Systems Sales & Service
CORE & MAIN
SENSUS
11510 Strang Line Rd
Olathe, KS. 66062
T 913.469.5820
F 913.469.5825
bob.westmoreland@coreandmain.com
CELL: 913.660.8800

TranSystems
EXPERIENCE | Transportation
Engineering Architecture Planning
www.transtystems.com

Mike Eichten
Dir. External Sales
Topeka • 785.291.7000
BlueCross BlueShield of Kansas
Serving Kansans Since 1942®
bcbsks.com
M.1604 An independent licensee of the Blue Cross Blue Shield Association

COX
DISCOVER MORE FOR LESS

BOND COUNSEL
PUBLIC LAW SERVICES
EXPERIENCE • RESULTS
J.T. Klaus • Andrew Kovar • Mary Carson
TWG LAW FIRM
TRIPLETT WOOLF GARRETSON, LLC
316-630-8100 • TWGfirm.com

UNION PACIFIC
BUILDING AMERICA®
(816) 399-1625 www.up.com

AMERICAN FIDELITY
a different opinion
Charles Angel
Public Sector Director
800-654-8489, ext. 2501
americanfidelity.com
American Fidelity Assurance Company

BLACK & VEATCH
Visit bv.com/you.

EBH
EBHengineering.com

Midwest Public Risk
MEMBER OWNED | MEMBER FOCUSED
MPR
MIDWEST PUBLIC RISK
Health Benefits | Property & Liability
www.mprisk.org 816.292.7500

CTS GROUP
Design-Build
Performance Based
Improvements
/ Custom approach to fit specific client needs with lowest life-cycle cost
/ Guaranteed price, savings, and performance
Curtis Wondra, Account Manager
cwondra@ctsgroup.com / 785-760-6549

Arthur J. Gallagher & Co.
BUSINESS WITHOUT BARRIERS™
8110 E. 32nd St. N, Suite 100
Wichita, Kansas 67226
(316) 977-9779

Professional Services

KMIT
www.kmit.net
Work Comp for Kansas Public Entities Since 1994
316-259-3847
Kansas-Born. Kansas-Bred. Kansas-Based.

TANK CONNECTION
AFFILIATE GROUP
SIMPLY THE BEST IN WATER STORAGE!
3609 N 16th St • Parsons, KS • 620.423.3010
sales@tankconnection.com • www.tankconnection.com

Midwest Energy, Inc.
Bob Muirhead
785-650-2502
bmuirhead@mwenergy.com
www.mwenergy.com

SIEMENS
Ingenuity for life
Empowering you to create your perfect place
by enabling your community to invest in innovative infrastructure

KANSAS WINTEREXPO
UP YOUR ROAD GAME!
SEPT. 5-6
TOPEKA, KS
Seminars
Displays
Certification
Training
kansaswinterexpo.com
KTA

EEI Earles Engineering & Inspection, Inc.
CIVIL & STRUCTURAL ENGINEERS - SURVEYORS - CONSTRUCTION INSPECTORS
WOMEN OWNED MINORITY FIRM- DBE CERTIFIED
email: earlesinc@earleseng.com
WEB SITE: earlesengineering.com
Liberal;620-626-8912 Salina; 785-309-1060:
Design of water, sewer, drainage, streets, bridges, wells, pump stations, water & wastewater treatment, all types of surveying, construction inspection and material testing,

THE LEAGUE OF KANSAS MUNICIPALITIES
Advertise in the Kansas Government Journal.
Contact Kate Cooley at
kcooley@lkm.org or (785) 354-9565.

PATRICK
www.patrickco.com
800.799.7050

gkb George K. Baum & Company
INVESTMENT BANKERS SINCE 1928
www.gkbaum.com

Connect with the League online to see our latest news, updates, and events.

THE LEAGUE OF KANSAS MUNICIPALITIES
www.LKM.org @LeagueKSMunis *www.facebook.com/LeagueofKansasMunicipalities*

Classified Advertising

Community Development Director, Shawnee

The City is seeking a new Community Development Director. The Community Development Department includes planning professionals, engineers, building inspectors, codes enforcement officers and support staff all working towards a shared mission of providing professional services related to land development and property maintenance to enhance, maintain, and develop the City's growth in a manner to provide positive development opportunities and maintain a high quality of life. This position also works directly with the Planning Commission that is comprised of 11 Planning Commissioners and meets twice a month.

Requirements:

- Master's Degree with course work in urban planning, engineering, public administration, or a closely related field; Bachelor's Degree may be substituted, provided AICP, PE or an equivalent certification has been achieved;
- A minimum of ten years of planning, development or engineering experience; and
- A minimum of five years of progressively responsible experience in the executive management of a public agency; knowledge of municipal government operations is preferred.

How to Apply:
Apply online at *http://bit.ly/SGRCurrentSearches*.

Community Relations Supervisor, Salina

A progressive leader is needed to become the newest member of the City of Salina's Community Relations team! As a division head in the Community & Development Services Department, our next Community Relations Supervisor will be impactful in the community by implementing the City's Comprehensive Plan; administering social justice, housing, economic development, revitalization and long-range planning projects; managing and maintaining Fair Housing Assistance Program (FAP) compliance; promoting civic and human rights; and conducting public outreach activities.

Our next Community Relations Supervisor will have a commitment to our values, a strategic approach to leadership, continuous improvement, and community service. Other qualifications include:

A bachelor's degree in planning, public administration, business, public relations, political science or related field; master's degree and AICP certification preferred.

Minimum five years of experience in community relations or public administration; two years of supervisory experience preferred; experience with social justice, housing, economic development and/or neighborhood revitalization preferred.

The salary range: $60,182-100,627/yr. (DOQ, includes excellent benefits).

How to Apply:
Apply online at *www.jobs.salina-ks.gov*. For more information call City of Salina Human Resources at (785) 309-5710 or email questions to *human.resources@salina.org*. Application deadline is September 27, 2018. EOE

Assistant City Administrator, Spring Hill

The City of Spring Hill is accepting applications for a full-time, exempt Assistant City Administrator overseeing Community Development and Public Works under the supervision of the City Administrator.

Requirements include a bachelor's degree in Public Administration, Business Administration, engineering or related degree. Experience may substitute for degree at a one-to-one ratio. This position requires 10 years of progressively more responsible professional-level experience preferably in a public sector environment with a focus on community development, infrastructure management, or public works.

Salary dependent on qualifications. Application deadline is Wednesday, September 19.

How to Apply:

To apply or view the complete job description, visit *www.springhillks.gov* and click on "Employment."

Internal City Auditor, Olathe

The City Auditor reports directly to the City Council. The position requires at least six years of increasingly responsible experience in governmental or internal auditing, and a bachelor's degree with an emphasis in accounting, finance, business or public administration is strongly desired. Possession of, or an ability to obtain, a Certified Public Accountant or Certified Internal Auditor Certification is preferred. The ideal candidate's background and experience should include a diverse exposure to all aspects of auditing, including internal and external audits, and compliance reviews.

Key responsibilities include conducting complex performance reviews of municipal operations, programs, and policies to evaluate the accomplishments of desired program results, and then share, review, and discuss findings with the City Council, city management, representatives of external agencies, the Audit Committee, and the public. Evaluating the success of departmental goals, including staffing levels, the capacity for departments to fulfill commitments and established requirements, and the efficiency and effectiveness of service delivery methods and procedures. Developing an annual risk assessment, establishing an annual audit work plan, and providing the City Manager with consulting services to identify opportunities to enhance fiscal integrity, evaluate internal controls, and safeguard municipal assets are other key areas of responsibility. The position has no direct reports and must function as an "internal" consultant, able to work independently, be self-sufficient and adept at conducting research, prepare written reports, spreadsheets, graphics, and other presentation materials in a professional and accurate manner.

The City Council is seeking a highly motivated, independent, self-starter that possesses excellent skills in problem solving, process improvement, and the ability to think strategically using data, research, best practices, and good judgment. The selected candidate will be a team player and have a record of success based on collaboration and customer service.

Classified Advertising

How to Apply:

Qualified candidates should submit a cover letter and resume online by visiting our website at *https://springsted-waters.recruitmenthome.com/postings/1798*. The position will remain open until filled.

Director of Finance/City Clerk, Park City

Park City, a forward-thinking City of the 2nd Class, is seeking a highly motivated individual to serve as the Director of Finance. Under the direction of the City Administrator; manages the City's investments and bond issuance and maintenance; recommends, implements and maintains financial policies to ensure consistency, integrity and adequacy of internal controls; ensures accuracy and compliance with City and regulatory policies. This is a top management position who will work closely with the City Administrator to review and analyze financial results on a regular basis and works with an outside auditing firm to produce an independent annual report of the City's financial position. Additional responsibilities include supervision of the finance/customer service department staff and the responsibilities of the City Clerk. Successful candidate must pass a background check and drug screen and must be bondable.

Must have a degree in Accounting, Finance, or related field with a minimum of six years of finance experience that includes budget experience, (preferably in municipal budgets and finance practices), supervisory experience, and exceptional computer skills with proficiency in Microsoft Office suite.

Qualifications that would be considered a plus would be CPA, City Clerk experience, knowledge of Incode, municipal budgets, GAAP, state and local government statutes, rules, and ethics.

Competitive pay, exceptional benefit package including health insurance (paid for by the City), dental, vision, life and disability coverage, 457 deferred compensation plan, State of Kansas Retirement Plan (KPERS) and tuition reimbursement. Salary Range $32.69 - $46.15.

How to Apply:

Apply online at *www.hrepartners.com.*

Stormwater Engineer, Topeka

The City of Topeka is seeking a Stormwater Engineer. Position responsibilities include Stormwater and Levee Strategic Capital Improvement planning and project administration, Stormwater Management Plan updates and implementation, and engineering support service. Duties include directing, coordinating, and exercising functional authority for planning, organization, control, integration, and completion of stormwater and related assigned engineering projects.

Minimum qualifications include a Bachelor's degree in Civil Engineering or a related field and at least three years related experience and/or training, with project management experience after professional registration. Must be registered as a professional engineer in the state of Kansas or have the ability to obtain Kansas reciprocity within six months of hire date. Must possess and maintain a valid driver's license and city-insurable driving record, Kansas license required within six months of hire date. Annual entry salary up to $74,707 DOQ.

How to Apply:

City of Topeka employment application required, application available at *www.topeka.org/careers.*

City Clerk, Garnett

The City of Garnett is seeking an experienced professional to oversee the City Clerk's Department. This individual serves under the supervision of the City Manager performing administrative and financial duties and completes all statutory City Clerk functions. This position maintains and provides for day-to-day review of the City's financial position and control of all municipal, fiscal, and legal records. This position demands excellent oral and written communication skills; computer software skills including Microsoft Office; and organization time management skills.

Preferred Qualifications:

- Bachelor's degree in Public Administration, Finance, or a related field;
- Five years of municipal office experience;
- Three years of supervisory experience;
- Certified Municipal Clerk (CMC) Designation

How to Apply:

Mail application materials to 131 W. 5th Avenue, Garnett, KS, 66032, by email: *chris@garnettks.net*, or online at *www.HRePartners.com*. Complete job description and applications are available upon request. The City of Garnett is an equal opportunity employer. The position will remain open until filled.

KMIT

WORK COMP SELF-INSURANCE GROUP

Kansas-Based--Serving KS Cities and Community Colleges
Governed by a Board of Local Government Officials

- **COMPETITIVE RATES**
- **EXCELLENT CLAIMS MANAGEMENT**
- **EXTENSION LOSS CONTROL SERVICES, INCLUDING ANNUAL SAFETY AUDITS**
- **DISCOUNTS FOR SAFETY PERFORMANCE**
- **NETWORK POET (PRE-EMPLOYMENT PHYSICAL TESTING) PROGRAM**

KMIT

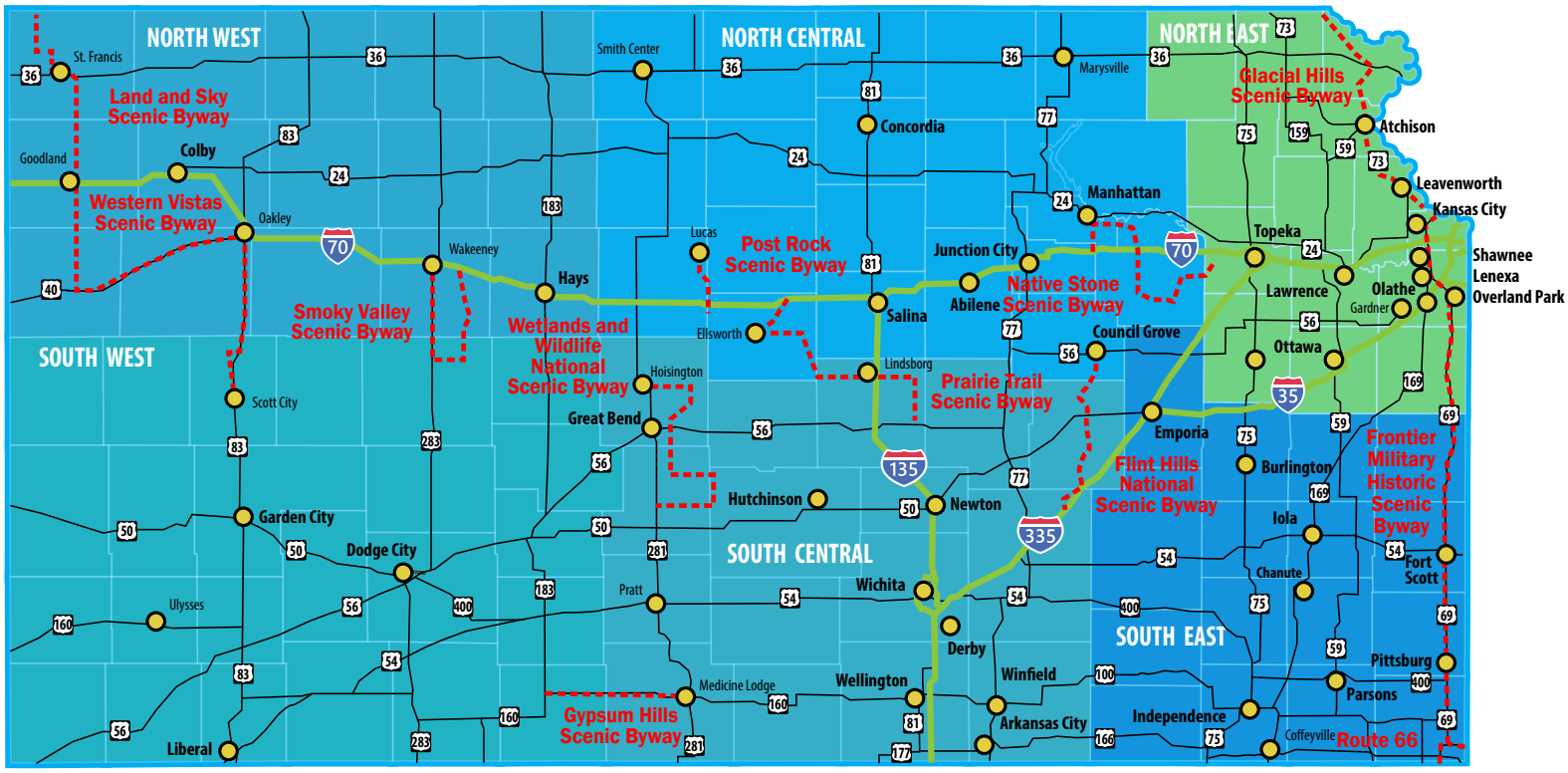
Kansas-Born. Kansas-Bred. Kansas-Based.

Contact: Don Osenbaugh, KMIT Pool Administrator

dosenbaugh@cox.net or 316-259-3847

SCENIC DRIVES

KANSAS ATTRACTIONS



Explore the Byways.

Over a millennium, geologic shifts shaped the state's landscape to create a scenic backdrop for travelers. Follow the paths of great expedition teams and adventurers to see where history happened along Kansas' 12 distinctive byways. During the journey, visit museums and shops or enjoy local dining and lodging to create your own byway experience.

Visit *www.travelks.com/ksbyways* to learn more about our culturally and visually fascinating natural beauty. The byways in Kansas are:

- Flint Hills National Scenic Byway
- Frontier Military Scenic Byway
- Glacial Hills Scenic Byway
- Gypsum Hills Scenic Byway
- Land & Sky Scenic Byway
- Native Stone Scenic Byway
- Post Rock Scenic Byway
- Prairie Trail Scenic Byway
- Route 66 Scenic Byway
- Smoky Valley Scenic Byway
- Western Vistas Scenic Byway
- Wetlands & Wildlife National Scenic Byway

Route 66: Drive over many of the original structures of "The Mother Road," including the only remaining Marsh Arch Bridge on Route 66.

Post Rock Scenic Byway: Pioneers solved their fencing problems on the largely treeless plains by quarrying and then shaping limestone slabs.

BOND COUNSEL YOU KNOW AND TRUST

Contact us today for an office near you.
1 (800) 844-3232 • info@gilmorebell.com

The choice of a lawyer is an important decision and should not be based solely on advertisements. Gilmore & Bell, P.C. has offices nationwide.

GILMORE BELL

gilmorebell.com