

Kansas

GOVERNMENT JOURNAL

VOLUME 104 - NUMBER 6

JULY 2018

Women in Local Government

UPOC & STO Changes

Property Taxes in Kansas



A Publication of The League of Kansas Municipalities



2018 League Annual Conference Hotel Accommodations & Reservation Procedures

October 6-8: Maner Conference Center/Capitol
Plaza Hotel; Topeka

HEADQUARTER HOTEL: Capitol Plaza**

1717 SW Topeka Blvd
Topeka, KS 66612
(785) 431.7200

Rate: \$104 + tax per night
Cut-off date: September 13, 2018

Online Reservations:

<http://bookings.ihotelier.com/bookings.jsp?groupID=2055509&hotelID=13576>

**Capitol Plaza requires a non-refundable deposit equal to one night's stay in order to secure reservations. Make sure to mention the League when making your reservation.

RESERVATION PROCEDURES:

- The League has made special arrangements with the hotels listed to provide accommodations during our Annual Conference.
- Attendees are responsible for making their own reservations. Please contact the hotel directly.
- Reservations may not be made until July 2.
- Remember to ask for the special League conference rate when making reservations.

SPECIAL NOTE:

If you are making hotel reservations for someone else, please confirm with each person that they actually need hotel accommodations before making the reservation.

Additional Accommodations:

Courtyard by Marriott
2033 SW Wanamaker Rd Topeka,
KS 66604 (785) 271-6165
Rate: \$93 + tax per night
Cut-off Date: September 10, 2018

ClubHouse Inn & Suites
924 SW Henderson
Topeka, KS 66615
(785) 273-8888
Rate: \$85 + tax per night
Cut-off Date: September 10, 2018



Conference Registration is Now Open:
lkm.org/annualconference

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Kansas

GOVERNMENT JOURNAL

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

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2018 League Events Calendar

AUGUST

August 10.....MTI: KOMA/KORA MTI (Oakley)
 August 15..... City Hall Selfie Day
 August 17..... MTI: KOMA/KORA MTI (Concordia)
 August 24.....MTI: KOMA/KORA MTI (Lenexa)

SEPTEMBER

September 7 MTI: Managing Municipal Services (De Soto)
 September 14 League Governing Body Meeting (Wichita)
 September 20 Mini MTI: KOMA for Elected Officials (Derby)
 September 21..... MTI: Managing Municipal Services (Andover)

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

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300 SW 8th Avenue, Suite 100, Topeka, KS 66603

Director's Foreword

by Erik Sartorius

May marked the beginning of my fifth year with the League of Kansas Municipalities.

As I told our Governing Body at their June meeting, I have not had a single day where I haven't felt I landed in my dream job. We have had plenty of challenges and lots of hard work, but being allowed to lead an organization working for the cities of Kansas is a total honor and joy.

I hope you feel we are delivering value to you and your cities, and that you know I want to hear from you if there are ways for us to improve. Thank you for everything you do to help us succeed!

The fact our legislative agenda is driven by members' priorities is one of the elements of the League that I truly value. Our four policy committees are open to any elected or appointed city official. Even if you are fairly new to city service, I encourage you to come to Topeka for one of the meetings. We need your input in setting legislative priorities and making sure we are aware of the issues most affecting your community. Look on page 173 or go to www.lkm.org/PolCommittees to sign up. Meetings run from 10 a.m. to no later than 2 p.m. Lunch is provided and we have guest speakers whose topics align with each of the committees. See you in Topeka!

One of the biggest events in local government emanated from the U.S. Supreme Court in mid-June. In *South Dakota v. Wayfair*, the Court held that states and their political subdivisions DO have the ability to require out-of-state retailers to collect local and state sales taxes on sales they make. In 1992, the Court ruled in *Quill v. North Dakota* that retailers could only be required to collect state and local sales taxes if they had a physical presence in the state – a “nexus.” Since then, we have seen the creation and explosion of e-commerce, with estimates showing that commerce over the Internet will continue to grow strongly.

Very few states have the laws in place to begin requiring the collection of sales taxes from out-of-state sellers. Passing legislation next year will be a top priority for the League, and I believe there is reason to be optimistic. For the past two years, we have worked with several legislators to elevate the awareness of this tax disparity between in-person and online purchases. We introduced legislation in both 2017 and 2018, with bills being heard and worked by committees. Once the *South Dakota*



v. Wayfair case was accepted by the Supreme Court, however, several legislators indicated they wanted to wait for that decision before moving forward. With the Court now having ruled, we have the guidance I think legislators felt they needed for how to craft legislation. Please see page 174 in this month's magazine for an article from Lisa Soronen of the State & Local Legal Center for an overview of this issue and where we are likely headed after the Court's ruling.

Have you ever had a colleague that didn't quite rise to the level of mentor – either due to distance or some other circumstance – but was someone you wanted to emulate? My counterpart with the Arkansas Municipal League, Don Zimmerman, had been one

of those people for me. Don was only the second executive director AML had ever seen. The first? His father. Don passed away suddenly in June.

Everything about Don exuded class. He ran a fabulous organization that always looked forward for new ways to serve their member cities. With over 50 years' experience in his position, he could have been that crusty guy who had a table to himself at meetings and who you approached with reverence and trepidation. Instead, he was one of the most gracious, welcoming, unassuming people I have come across in my time with the League. All of us here extend our sympathies to our Arkansas counterparts and Don's wife and family at his passing.

Please take time to review page 178 and the obituary of Lori Elder-Christensen, the former Mayor of Leoti. Additionally, Mayor Elder-Christensen had served as a member of the

League's Governing Body. I just missed getting to work with Lori, as her health had precluded her from continuing to serve with us. The obituary reflects what I have heard from several city officials who got to work with Lori – she was a dedicated public servant and full of life. She will most certainly be missed.

Last month, I said I had tried to find a word describing when a season of weather is skipped, which seems to have occurred this year with spring. I shared that a Google search produced no known word for me. However, Steve Cottrell, assistant to the city manager in Garden City, contacted me and suggested that there is a word to describe this phenomenon: **Kansas**. Ha!

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

In *South Dakota v. Wayfair*, the Court held that states and their political subdivisions DO have the ability to require out-of-state retailers to collect local and state sales taxes on sales they make.



Becky Beaver, Streets Foreman, City of Leavenworth, helps crews fill a pot hole on a hot summer day at 10th Avenue Park.

Women at WORK

From Utilities to Public Works, Women Add Value to Cities in Non-Traditional Fields

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

This month, we highlight women in public service. Along with their counterparts in private industry, women now account for 47% of the civilian labor force in the United States. Women are increasing in numbers in positions within local government, but the numbers are still low for women serving as executives and top administration officials. In this article, we sought out a few women in local government who serve in non-traditional roles in Kansas municipalities. From utility management to street maintenance, women are working their way through municipal departments and bringing their expertise and talent to our cities.

“For the record, I have the coolest job in Kansas,” said Martha Tasker, Director of Utilities for the City of Salina.

Tasker joined the City of Salina staff in November 2003 after 28 years of working at a private engineering firm, Wilson and Company. In Salina, she manages 57 full-time employees in the Utility Department and oversees all plant operations, water distribution and collection, and wastewater treatment. She does not have formal training as an engineer but that didn't stop the very curious Tasker from becoming an expert in all things utilities.

"I grew up on a farm in Minneapolis, Kansas," said Tasker. "I took vocational classes while still in high school and then got a drafting degree from Salina Area Technical College in 1975."

By 1980, Tasker was a key member of the company's Environmental Division. She developed concepts and designed work for several municipal water and sewer projects.



Martha Tasker, City of Salina, discusses project details at a city commission meeting.

"I took a lot of courses but the work really came naturally to me. I would bring design calculations home and try to emulate what the engineers had done," said Tasker. "I have always found my work to be interesting. Even after all these years, I am still learning new things every day."

Tasker's role with Wilson and Company was to be the final say on how projects were built on-site. Moving into the Utility Director position was a wonderful way to continue to be involved with the projects she had designed.

"I get to take care of the projects I had worked on for so many years," said Tasker.

Tasker has been instrumental in many projects ranging from replacement of cast iron water mains to navigating the complex development of a Special Access District for the Smoky Hill River with the Kansas Water Office. That process required working with key stakeholders across the region to ensure water was available to farmers, the city, industry, and recreational users.

Becky Beaver, Streets Foreman for the City of Leavenworth, started her municipal career in dispatch for the police department

Learn More, Lead More

Quest to Learn More About City Leads to Elected Role



City of Shawnee
City Councilwoman
Stephanie Meyer

"I have been tangentially involved in politics for many years; however, local government hooks you," said Stephanie Meyer, City of Shawnee Councilwoman.

The road to becoming an elected leader was certainly an unexpected trek for Meyer. The path to becoming an elected official took many twists-and-turns, including working in state government as staff to volunteering on city advisory boards.

"I didn't know that much about the city I lived in so I wanted to learn more" said Meyer. "There was an opening on the Parks and Recreation Board. Then, a Planning Commission vacancy came open. I served on the Planning Commission for two-and-a-half years."

It was after her advisory board service that Meyer was tapped to fill a vacancy on the Shawnee City Council in 2013. She ran in 2015 to continue her council work and won a four-year term.

"You get to know your next-door neighbors," said Meyer. "When issues arise, you can directly help people and see the impact of your work almost immediately in some cases."

In her role as a City Councilwoman, Meyer is able to focus her energy on improving the quality of life for residents in Shawnee.

"My personal passion is to get a community center," said Meyer. "We've been working on developing a facility for a long time and the community is coalescing around the idea now. It is exciting to be a part of new projects and the growth occurring in our city."

Meyer has a piece of advice to women looking at running for an elected office: absolutely do it.

"We need more women in local government," said Meyer. "Women wait too long to run. They think they are not qualified or can't compete. Women often wait because we want to meet 100% of the responsibilities of a job description before applying. I know it is scary but it is absolutely worth it."

Meyer also serves on the National League of Cities Economic Development Federal Advocacy Committee.

"The only way we are going to change our stories is through participation," said Meyer. "Women bring different viewpoints to a conversation as well as a collaborative leadership style. By and large, we are really good at consensus building."



Seasonal Staff to CEO

City Manager Grows with Her Organization



City of Dodge City
City Manager Cherise Tieben

“I started with the City of Dodge City as summer, seasonal staff at age 16,” said Cherise Tieben, City Manager of Dodge City.

Throughout the years, Tieben worked in a variety of areas for the City and became the City Manager in 2014. Throughout high school and college, she continued to work for the city in a variety of jobs and now leads a staff of 210 full-time employees.

“I started my first full-time job with the city as an Administrative Assistant to the City Manager in 1989,” said Tieben. “I earned my degree in accounting and I really enjoyed the work we did at the City. I always took each opportunity I had to work wherever I could and learn about the organization.”

Tieben said that she had very good mentors along the way who suggested ways for her to grow professionally and gave her pathways to accomplish her goals.

“I worked wherever I could,” said Tieben. “I worked in economic development, city administration, and human resources. These three departments allowed me to work with everyone in our organization and really get a foundational understanding of what we do as a City.”

For Tieben, on-the-job training was her go-to method for acquiring the skills necessary to lead an organization.

“I had to rely more on experience than education because I was raising young children and supporting our family,” said Tieben. “However, I really encourage any young professionals to make sure they get their masters-level education and not focus narrowly on a specific job. Don’t sit in the City Manager’s Office and wait for an opportunity. Move around to other departments, or even other cities, to learn different ways of doing things.”

Tieben said that she’s proud of her work with the City of Dodge City. Early in her career, she took on an Americans With Disabilities compliance project that was very rewarding. Additionally, she’s spent many years working to change eligibility criteria for the USDA Rural Development Loan Program.

“Communities the size of Dodge City had outgrown eligible status for the USDA’s Rural Development Loan Program,” said Tieben. “It took many years of encouraging change at the national, state, and local level to have cities like Dodge City considered rural and eligible for USDA loan funds.”

Tieben has also worked for many years to address housing issues in Dodge City.

“We’ve been able to address housing challenges across the whole spectrum using various programs and incentives,” said Tieben.

in 1995. From there, she took several positions within the city because the appeal of learning new things interested her. She worked for Public Works in inspections and clerked in the wastewater treatment plant before becoming the clerk for the Street Division in 2010.

“I got to see all aspects of the division and I had great mentors who took time to explain things to me,” said Beaver. “My previous positions with the City were really helpful as well. While I worked in inspections, I got to know local contractors and created good relationships with people both inside and outside of the City. As streets clerk, I knew all the steps in each process and I knew what it took to get a job to completion.”

When the Street Foreman job became available in 2017, Beaver said she wasn’t afraid to apply for the position, even though she had followed a non-traditional path to the position.

“At first, I thought my biggest challenge was gaining the respect of my crew,” said Beaver. “However, that really isn’t an issue. I go out and work with the guys when needed, doing crack sealing, pavement resurfacing, and filling potholes. If they are out in the heat or the cold, I figure I should know what it is like and be there too.”

For Tonya Roberts, Utility Maintenance Supervisor for the City of Olathe, she had similar concerns about managing a group of 43 male utility workers.

“I don’t go out in the field a lot but I manage the workload for the crews and know the projects they are working on,” said Roberts. “There is a perception that to manage someone you have to have worked in the field before. I like to know how things work; and if that means I need to be in the field, I will go out and learn how to resolve an issue or problem.”

Roberts started with the City of Olathe in the Utility Customer Service Division. She transitioned over to the field side of the operation after five years because she found the work to be interesting and challenging. She served as the Meter Reading Supervisor during a massive 35,000-meter replacement project.

“Going to an AMI (Automated Meter Infrastructure) system was a major undertaking and we were one of the first cities in Kansas to do this,” said Roberts.



Trish Sanchez, City of Humboldt, works in the field and has learned how to operate machinery needed.

For Trish Sanchez, Utilities/Public Service Foreman for the City of Humboldt, she been working in the utility/public works field for 37 years and has seen a lot of changes.

“I wasn’t planning on staying long when I started on the trash truck in 1981,” said Sanchez. “However, once I got into it, I found the work interesting. Every day is different and I meet all kinds of people. I love being outside and never looked back.”

Sanchez, a native of Humboldt, now oversees a staff of seven and manages the field work for the streets, alleys, parks, and city utilities including gas, water, and sewer.

“The biggest challenge was not the physical labor,” says Sanchez. “It was getting people used to listening to a woman because they didn’t think I knew what I was talking about. There would be times people would automatically look at the guy next to me and assume he was the manager. However, over the years, people have changed and now they just know me.”

Sanchez said she does see more women entering public service and the utility field.

“I just hired a young woman to work in the field,” said Sanchez. “I am seeing more women doing the physical labor needed to make it in this field. I set expectations for all my employees and let them know I won’t ask anything of them that I have not already done. I’ll get down in the hole and do the repair if needed.”

In Atchison, Kristin E. Eichelberger, Wastewater Superintendent, started as the City’s first female to work at the water plant. That was back in 1990. She rose through the ranks in the water department and moved from operator to foreman to superintendent pretty quickly. She’s always felt strongly that her job in public service is to take care of what you have and leave it better than you found it.

Eichelberger managed water services during the 1993 floods that hit Atchison hard. Nevertheless, her “can do” attitude was exceedingly important when she found herself needing to wade into waist-high river water to get to an intake to keep drinking water flowing to residents.

“I am deathly afraid of snakes,” said Eichelberger. “However, we had to get to the intake. I found myself linking, arm-to-arm, with another employee and we made it to the intake in order to keep the plant online.”

Now on the wastewater side of the department, Eichelberger took over from another female who led the Wastewater Department for nearly 40 years, Rosemary Geary.

“There is a personal satisfaction to what I do,” said Eichelberger. “It is important to serve and even more important to give back. You have to go into public service for the right reasons — to serve, protect, and provide resources to your city.”

Several of the women interviewed for this story said that mentoring was important to their career.



Kristin Eichelberger, Wastewater Superintendent, City of Atchison, checks the sludge levels at the final clarifiers at the city sewer plant.

“You can’t be successful without a few good mentors,” said Tasker. “I always promote networking with your peers as a key to success. Being able to call someone you know to talk through an issue is invaluable.”

Tasker said that she encourages women to go into science and technology fields. She was one of five Salina-area women professionals to receive the Women of Achievement Award from the Young Women Legacy Fund in 2016.

“I never thought about being a pioneer for women in the utilities engineering field,” said Tasker. “I’m just passionate about my job and doing it to the best of my ability. I think we’re pretty good at the work we do, once we get involved. I tell everyone that to succeed you must do more than what is expected of you.” 

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

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PARTNERSHIPS!

A CORE VALUE OF THE KANSAS TURNPIKE AUTHORITY

By Megan Stewart, Marketing and Outreach Manager, Kansas Turnpike Authority

Partnerships have long been at the core of the Kansas Turnpike Authority. Building the initial roadway in a mere 22 months can be attributed to strong relationships at the state and local levels. For more than 60 years, KTA has leveraged partnerships that enhance transportation in Kansas. Today, partnerships continue to play an important role in Kansas' transportation and economic development initiatives.

Kansas Winter Expo

Hosted each September by the KTA, the Kansas Winter Expo brings together those who work in transportation to learn about the latest trends, equipment, and safety techniques in the industry. Attendees have the chance to gain valuable knowledge and walk away with hands-on experience and certification.

Working with the American Public Works Association provides a fun and entertaining hands-on event: a truck "roadeo." Participants drive large equipment through an obstacle course doing various tasks to test their skill. Prizes are awarded to the top three finishers in each category.

The partnership with the American Traffic Safety Service Association gives attendees the option to receive flagger certification, providing them the qualifications to be a flagger in a construction zone. The four-hour course concludes with a test and is an excellent way for attendees to expand their knowledge of transportation and construction.

Partnerships like these allow the Kansas Turnpike to provide a low-cost training opportunity for Kansans in the transportation field. Learn how to be part of this year's event by visiting www.kansaswinterexpo.com.

East Kellogg Improvements

With more lanes, new intersection designs, and improved access to the Kansas Turnpike, improvements along East Kellogg will add up to improved travel in east Wichita. The project is a collaboration between the City of Wichita, the Kansas Department

of Transportation (KDOT), and Kansas Turnpike Authority (KTA). Learn about the expansion efforts at www.E54ict.com.

"The partnership with the Kansas Turnpike really allowed the East Kellogg expansion to move forward," said Gary Janzen, Wichita City Engineer. "KTA was open to reconfiguring the connections to the Turnpike, which allowed a more economical design."

While East Kellogg construction showcases partnerships on a large scale, solid collaboration is often part of many construction projects. From managing the K-32 Bridge reconstruction project for KDOT, to working with local government on overhead bridges and drainage improvements, partnerships allow efficiencies in construction.

Law Enforcement and Emergency Services

One of KTA's longest-standing partnerships is with the Kansas Highway Patrol. Troop G is contracted by KTA to provide law enforcement services along the 236-mile Turnpike, including security at toll plazas and service areas and assistance with unpaid tolls.

Troop G serves as KTA's first response team when an incident occurs on the Kansas Turnpike. They provide roadside assistance to customers, investigate crashes, assist with traffic control, and handle other law enforcement activities. Some people may not realize it, but these troopers help KTA provide the solid service KTA travelers expect.

"KTA and the Kansas Highway Patrol have a rich history of service to those traveling on the Turnpike, said Captain Joe Bott, Commander Troop G. "Shared values about customer service and safety make the partnership a natural fit."

Partnerships with law enforcement and emergency services extend beyond the Kansas Highway Patrol. We are proud to have good working relationships with law enforcement and emergency responders from communities along the turnpike.

Tolling Outside of Kansas

As we strive to simplify travel, we've taken steps for our tolling system to be compatible with other states' systems. Our current partnerships allow travelers to use one electronic transponder (tag) for seamless travel between Kansas, Oklahoma, and Texas.

Tolling outside of our state has also brought about new partnerships with the Kansas Department of Revenue and county treasurers. Through our partnerships with other tolling agencies KTA assists Kansans who have erroneously received an out-of-state toll violation notice.

Likewise, this partnership assists us in identifying the owner of registered vehicles using KTA electronic lanes without a compatible transponder. If you receive an erroneous bill from an out-of-state toll agency and need assistance resolving it, please e-mail KTA at help@ksturnpike.com.

Partnership Opportunities

KTA routinely gets questions about partnership opportunities from communities and business along the turnpike. Here are a few of the most common requests for information.

- **Blue Highway Signs:** We enjoy helping retail establishments get the word out about their services. Businesses within a certain distance of KTA Interchanges are eligible to place their logo on a blue highway sign in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).



The Kansas Highway Patrol, Troop G, provides law enforcement along the Turnpike and assists the turnpike in providing service to travelers.

- **New Entrance/Exit:** On occasion, the Kansas Turnpike receives a request to build a new interchange to accommodate traffic at a certain location. When considering a new toll plaza, KTA takes into account traffic volume in the area and the impact such an addition would have on local roads and traffic, as well as other KTA interchanges and operations. New access to or from KTA requires the support and potential financial commitment from local government. Therefore,

any individual community member making a request is referred to the local municipality or economic development organization.

- **More signage:** Sometimes we get requests for more signage. Each request is carefully evaluated using the MUTCD noted above. The MUTCD helps KTA provide a customer experience consistent with other Interstate roadways across the nation.

- **Law Enforcement and Emergency Services K-TAGs:** We value our partnerships with law enforcement agencies and emergency services along the turnpike and provide non-revenue K-TAGs to alleviate the toll and ease travel constraints if certain criteria are met. To learn more about this opportunity, please contact ktag@ksturnpike.com.

- **New or Improved Roadways and Bridges:** As a partner in the state's transportation system, KTA stands prepared to assist KDOT in funding and/or operating toll projects as deemed necessary across the state. 🌞

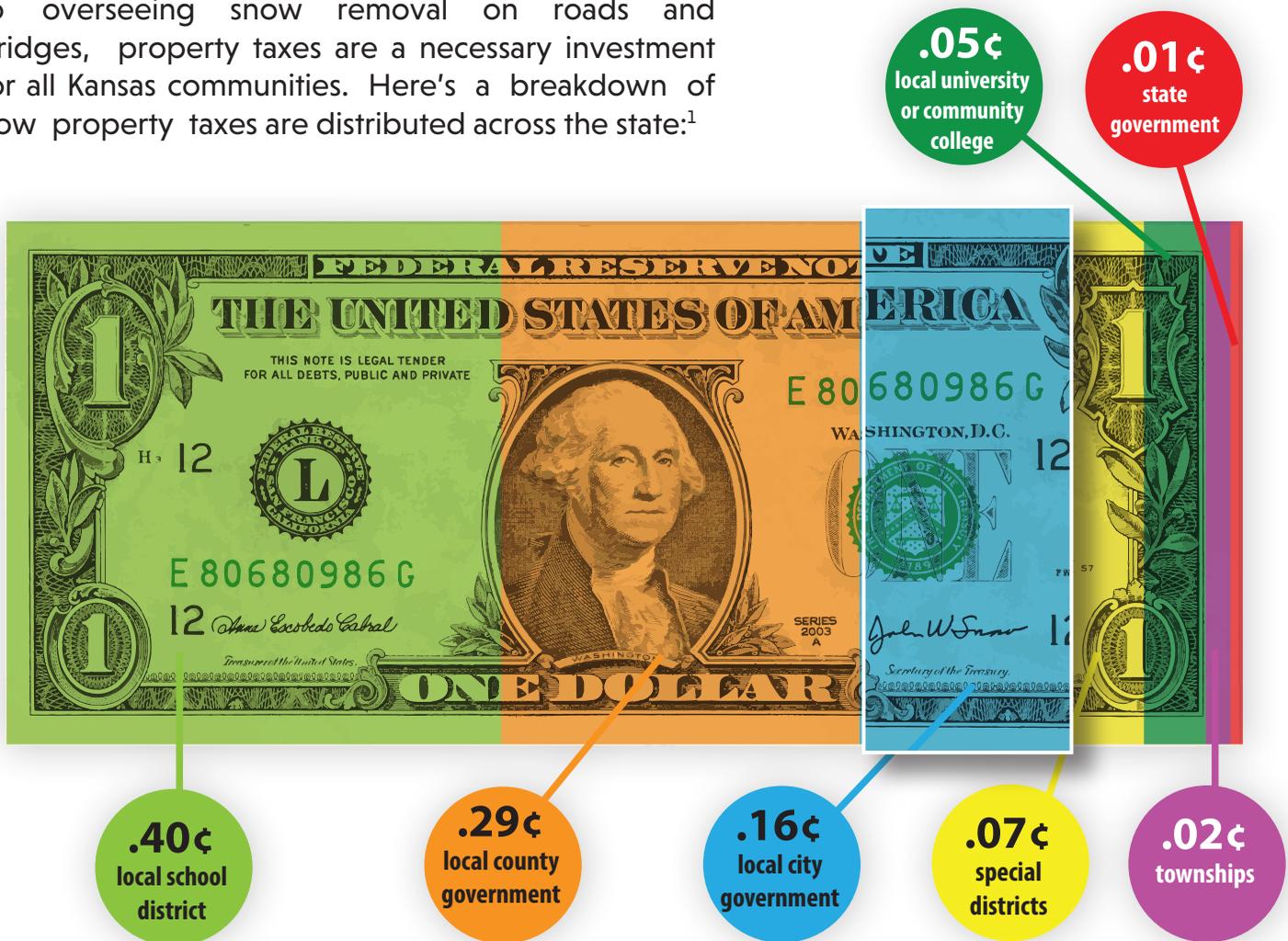
🌞 **Megan Stewart** is the Marketing and Outreach Manager for the Kansas Turnpike Authority. She can be reached at (316) 682-4537 ext. 2254 or at mstewart@ksturnpike.com

Constructing the new eastbound East Kellogg bridge that crosses over I-35/KTA near mile marker 52 takes coordinated effort by all partners.



BREAKING DOWN THE PROPERTY TAX DOLLAR

From police officers who protect and serve, to overseeing snow removal on roads and bridges, property taxes are a necessary investment for all Kansas communities. Here's a breakdown of how property taxes are distributed across the state:¹



On average, municipalities receive about 16 cents¹ of every property tax dollar. Examples of where the money goes:

- Maintaining a Qualified Workforce:** Local government is a hands-on industry, requiring cities to deal with common concerns of retaining qualified employees to serve as code enforcers, engineers, and laborers. Oftentimes, municipal employees earn less than their private sector counterparts. Cities may struggle in retaining needed and qualified employees.
- Filling Potholes and Fixing Roads:** In recent years, nearly 50% of the funding to maintain the local road system has been generated entirely from local governments' budgets. Even maintaining one mile of our local roads can cost about \$6,250.²
- Emergency Response:** New fire trucks can cost anywhere from \$500,000 to \$1.2 million, which in some communities would be most of the property tax revenue collected by the city. Alternatively, the cost of a new police car could range anywhere, on average, from \$30,000 to \$50,000 depending on the emergency response and communication technology that is incorporated within the vehicle.

Source:

¹ Kansas Department of Revenue (2017). *Property Taxes & Proportions*.

² www.ksdot.org/Assets/wwwksdotorg/pdf/QuickFacts.pdf



League Policy Committees Are Now Forming

What is a Policy Committee?

League Policy Committees help to establish the policies that guide the organization's legislative efforts. See below for a detailed description of each committee.

Who Can Join?

Any current city official is eligible to serve on policy committees.

When do Policy Committees Meet?

Policy Committees meet three times annually; August, October in conjunction with the Annual Conference, and January as part of Local Government Day.

2018 Dates

See the dates for 2018 Policy Committee meetings below or sign up to participate at www.lkm.org/PolCommittees.

Public Officers & Employees

This committee reviews and recommends League positions dealing with a range of employment matters, including KPERs, wage and hour laws, unions, workers' compensation, unemployment insurance, etc. This committee also handles League positions relating to public officials, including ethics, elections, and other requirements of holding public office.

August 21

Utilities & Environment

This committee reviews and recommends League positions on water supply, water quality, water planning, solid waste, air quality, other environmental quality issues, franchise authority, and infrastructure.

August 23

Finance & Taxation

This committee reviews and recommends League positions on finance & taxation issues, including local option taxes, property tax lid, tax exemptions, motor vehicle tax, franchise fees, etc.

August 28

Legislative Policy

This committee reviews and recommends League positions in all other policy areas and provides general oversight of the policy statement.

August 30

www.lkm.org/legislative/PolCommittees

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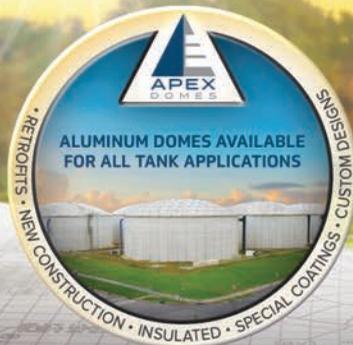
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Legal Forum

States and Local Governments Win Online Sales Tax Case

by Lisa Soronen, State and Local Legal Center, Washington, D.C.

In *South Dakota v. Wayfair*, the Supreme Court ruled that states and local governments can require vendors with no physical presence in the state to collect sales tax in some circumstances. In a 5-4 decision, the Court concluded that Wayfair's "economic and virtual contacts" with South Dakota are enough to create a "substantial nexus" with the state allowing it to require collection.

As the Court pointed out in its majority opinion, it is estimated states and local governments lose between \$8-\$33 billion annually because they haven't been able to collect sales tax owed on purchases from out-of-state sellers.

As a result of this decision, state legislatures are likely to pass laws like South Dakota's, if they haven't already.

In the 1967 case *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 sales tax, but they rarely pay it when the remote seller does not collect it. Congress had the authority to create a solution that would overrule *Bellas Hess* and *Quill* but never did so.

In March 2015 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* in *Direct Marketing Association v. Brohl* for many of the same reasons the State and Local Legal Center (SLLC) stated in its amicus brief in that case. Specifically, internet sales have risen astronomically since 1992 and states and local governments had been unable to collect most taxes due on sales from out-of-state vendors.

Following the 2015 Kennedy opinion, a number of state legislatures passed laws requiring remote vendors to collect sales tax in order to challenge *Quill*. South Dakota's law was the first ready for Supreme Court review. It requires out-of-state retailers to collect sales tax if they annually conduct \$100,000 worth of business or 200 separate transactions in South Dakota.

South Dakota v. Wayfair was a nail biter. After oral argument it looked like South Dakota had four votes: Justices Kennedy, Ginsburg, Gorsuch, and Thomas (who has long since disavowed dormant Commerce Clause jurisprudence). Justice Alito provided the fifth vote to overturn *Quill* — perhaps in part because he was going to write an opinion overturning union dues precedent a week later.

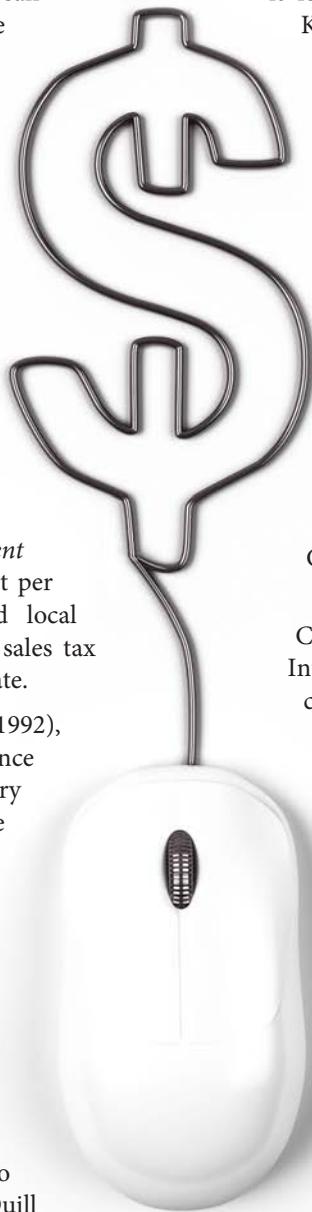
In an opinion written by Justice Kennedy the Court offered three reasons for why it was overruling *Quill* and abandoning the physical presence rule. "First, the physical presence rule is not a necessary interpretation of the requirement that a state tax must be 'applied to an activity with a substantial nexus with the taxing State.' Second, *Quill* creates rather than resolves market distortions. And third, *Quill* imposes the sort of arbitrary, formalistic distinction that the Court's modern Commerce Clause precedents disavow."

Overturing precedent isn't something the Supreme Court does often or lightly. But the Court noted the Internet's "prevalence and power" have dramatically changed the national economy since 1992. The Court pointed out that in 1992, less than 2% of Americans had Internet access. Today that number is about 89%. In 1992, mail-order sales in the United States totaled \$180 billion. Last year, internet retail sales were estimated at \$453.5 billion. In 1992, it was estimated that the states were losing between \$694 million and \$3 billion per year in sales tax revenues as a result of the physical presence rule. Now estimates range from \$8 to \$33 billion.

Justice Kennedy noted that forty-one States, two Territories, and the District of Columbia joined an amicus brief asking the Court to overturn *Quill*. It is remarkable to get so many state attorney generals (from different political parties) to agree to the same position on any issue.

While the dissenting Justices, in an opinion written by Chief Justice Roberts, would have left it to Congress to act, Justice Kennedy opined the Court should be "vigilant" in correcting its error. "Courts have acted as the front line of review in this limited sphere; and hence it is important that their principles be accurate and logical, whether or not Congress can or will act in response."

Although *Wayfair* overturned precedent, it is not without limitations. In 1977, in *Complete Auto Transit v. Brady* the Supreme Court held that interstate taxes may only apply to an activity with a "substantial nexus" with the taxing State. *Quill's*



physical presence test was seen as an addition to the “substantial nexus” requirement. Post-*Quill*, the “substantial nexus” requirement remains.

The Court found a “substantial nexus” in this case based on the “economic and virtual contacts” Wayfair has with South Dakota. A business could not do \$100,000 worth of sales or 200 separate transactions in South Dakota “unless the seller availed itself of the substantial privilege of carrying on business in South Dakota.” “And [Wayfair, etc.] are large, national companies that undoubtedly maintain an extensive virtual presence.”

Finally, the Court acknowledged that questions remain whether “some other principle in the Court’s Commerce Clause doctrine might invalidate” South Dakota’s law. The Court could have (but didn’t) say that South Dakota’s law (including its small seller exception of \$100,000 worth of business or 200 separate transactions) is constitutional in every respect and that if every state passes a law exactly like South Dakota’s they will be in the clear. Instead, the Court cited three features of South Dakota’s tax system that “appear designed to prevent discrimination against or undue burdens upon interstate commerce. First, the Act applies a safe harbor to those who transact only limited business in South Dakota. Second, the Act ensures that no obligation to remit the sales tax may be applied retroactively. Third, South Dakota is one of more than 20 states that have adopted the Streamlined Sales and Use Tax Agreement.”

In conclusion, the opinion highlighted several aspects of the South Dakota tax system that may outline a successful legislative

or regulatory roadmap for other states to follow including: not requiring small businesses to collect; not collecting online sales tax retroactivity; and adopting a standardized tax system that reduces administrative and compliance costs.

Editor’s Note: In order for Kansas to capture this potential increase in sales tax from remote sales, the Kansas legislature will need to update our laws to require sales tax payment by remote retailers. It will be important during this process to ensure local sales tax is collected in addition to the state sales tax. If you are interested in this topic, please consider participating in our policy committee meetings in August. These meetings help set the legislative goals and priorities of the League for the 2019 legislative session. 🌞

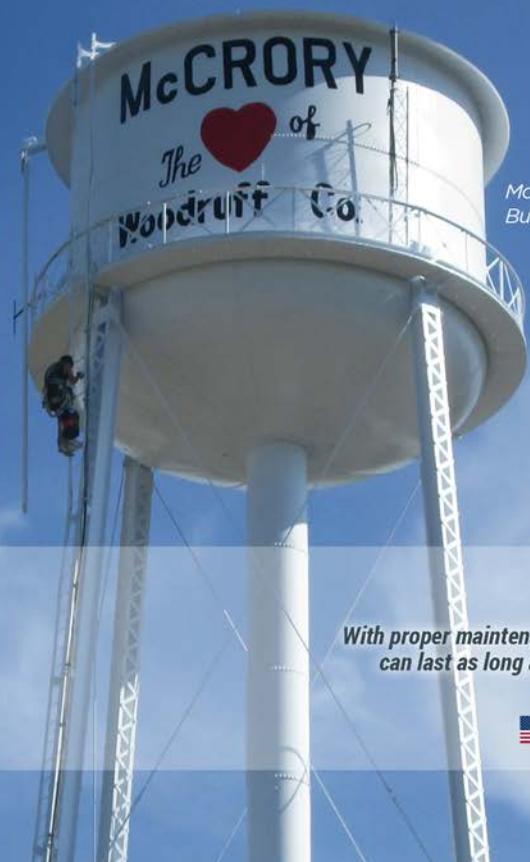
🌞 **Lisa Soronen** is the Executive Director of the State and Local Legal Center (SLLC) in Washington, D.C. SLLC files Supreme Court amicus curiae briefs on behalf of the Big Seven national organizations representing state and local governments. Lisa can be reached at lsoronen@sso.org.

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Honoring the Contributions of Karen Miner Graves



By Rachel Hinde-Constantino,
Community Engagement Coordinator,
City of Salina

The City of Salina honored the former Mayor and City Commissioner by designating the north plaza of the Tony's Pizza Events Center as the "Karen M. Graves Plaza." A public dedication ceremony was held April 23, 2018 at the site. In attendance were Graves' family members, friends, current and former commissioners, state politicians, community members, and City of Salina staff.

After receiving a Bachelor of Science Degree in education from Kansas State University, Karen M. Graves married Salina native James T. Graves and moved to Salina.

Mrs. Graves co-chaired the Salina American Revolution Bicentennial Commission (SARBC), which launched many long-standing Salina traditions, including the Smoky Hill River Festival, which is in its 42nd year and brings over 60,000 people to Oakdale Park every year.

Mrs. Graves was elected to the City Commission, serving from 1975-1983, and was sworn in as Salina's first woman Mayor in 1979. During her tenure, the City Commission oversaw the expansion and relocation of the Smoky Hill Museum to its present location and the construction of the Salina Bicentennial Center (now Tony's Pizza Events Center).

In 1982, Graves was mentioned as a candidate for lieutenant governor, a position she declined in lieu of continuing service to Salina. After completion of her second City Commission term



"Anything is possible
for Salina if we reach
consensus and have a
plan of action."

—Karen M. Graves

The Karen M. Graves Plaza honors the contributions of Karen Miner Graves to the City of Salina, as well as her belief in the transformative power of citizens working together to effect positive change.

From left to right: Samantha Angell, Evelyn Maxwell, Kristin Gunn, Debbie Devine, Kaye Crawford, Luci Larson, and Karen Graves. Barb Shirley and Sydney Soterberg are the other two women who have served as Mayor, and were unable to attend.

in 1983, Mrs. Graves served as president of the League of Kansas Municipalities and on the board of the National League of Cities. She was a founding member of the Kansas College of Technology Board of Trustees (now Kansas State Polytechnic), serving as its first board president and leading the initiative to merge with Kansas State University.

In the late 1980s, Mrs. Graves co-chaired Goals for Salina, a community initiative to identify projects needed to improve Salina and to engage new citizens in service to the community in the future. Goals for Salina was a key component in Salina being designated an All-American City in 1989 by the National Civic League. Graves said in a May 2018 *Salina Journal* article that all of the goals for the project had been achieved, with the exception of their number one goal to restore the Smoky Hill River. Construction for this project is expected to begin in 2020.

In 1992, the Graves family relocated from Salina to St. Joseph, Missouri where Mrs. Graves continues to work as a community advocate. 🌻

🌻 Rachel Hinde-Constantino is the Community Engagement Coordinator for the City of Salina. She can be reached at Rachel.hinde@salina.org.

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

Municipal government sets sound policy so our residents can live, prosper, and thrive in a community.

What is Your Position and What are Your Typical Duties?

I am a City Commissioner for the City of Ottawa. I have served in this capacity for seven years. In addition, I have served as the Mayor of Ottawa for three terms. The most recent term ended in January 2018.

In my capacity, I believe my duties are three-fold. First, to set sound policy for the governance of the City of Ottawa. Second, to serve as the eyes and ears of citizens, internally promote their concerns and input. Thirdly, to serve as an ambassador for the City of Ottawa and inform the residents about city issues.

What is your Favorite Thing About Kansas?

No matter where I travel, I know one thing for certain...the people of Kansas are my people. I am blessed to be a Kansan!

Please Share a Little Personal Information About Yourself.

My story began in Ottawa as the daughter of a teacher and a salesman. I have five siblings, all raised in Ottawa. I am proudly educated by Ottawa Public Schools, Emporia State University, and Washburn University. My husband, Chad, and I met in high school and have been married for over 20 years. We have two daughters, a sophomore at Ottawa High School and a 7th grader at Ottawa Middle School.

My job outside of representing the citizens of Ottawa is the Membership Manager with Girl Scouts of Northeast Kansas and Northwest Missouri. I was a Girl Scout as a child and, yes, I can connect you with Girl Scout cookies!

What is Your Favorite Thing About Your Community?

I love that Ottawa is a Play City USA! We have made a concerted effort to focus on quality of life issues, including promoting play in our community for the last seven years. New parks are a priority, revitalizing our 'tired' parks is a priority also. You should see our new teen park — designed by Ottawa teens for Ottawa teens...it is an amazing work in progress! We are creating opportunities to have fun; that makes Ottawa my most favorite community in the world!



Sara Caylor,
City Commissioner,
City of Ottawa

What Made You Want to Join City Government?

The City of Ottawa is my home! My grandfather worked for the Utility Department which provided a solid living for my father and his siblings. I am eternally grateful for the safety and security of living in "Modern Day Mayberry." Serving on the Ottawa City Commission is an opportunity for service; a way to repay the community which has given so much to me.

Is This Your First Time on a Statewide Board?

No, I've served on other statewide (and nationwide) boards in the past.

Lori Elder-Christensen

September 28, 1967 - June 11, 2018

League of Kansas Municipalities
Governing Body Member

2012 - 2014



Lori Elder-Christensen, Leoti, left her earthly burdens behind on June 11, 2018. She was born September 28, 1967, to Pat and Donna Lou (Pepper) Elder. In her 50 years on earth, she lived and loved mightily. Though the last several years of her life were spent fighting extremely difficult health battles, eventually leaving her a paraplegic, she never lost sight of the good things in life. She was a smart, bighearted person who seldom complained, even when in extreme pain.

Lori attended Southwestern Oklahoma State University on a music scholarship. She enjoyed music, her pets, cooking, and spending time with her family. One of her cousins recently noted that if you got Lori started on politics, you better pull up a chair. At one time, she served as Mayor of Leoti, a position she loved, and served on the League of Kansas Municipalities Governing Body from 2012- 2014.

Lori continued to be a positive force for all who were fortunate enough to know her. She leaves behind the loves of her life, husband Leif Christensen and their son, Lars Patryck Christensen of the home. She is also survived by her mother, Donna Lou Pepper-Elder of Leoti; two sisters, Lynn Blau (Stan) of Leoti, and Lona DuVall (Wade) of Garden City. She had four children by marriage, Lori Christensen-Royer, Vicki Christensen, Leif Henry Christensen, and Marlene Christensen. She was a grandmother to seven grandchildren. She was preceded in death by her father, Pat Elder.



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Interested in Serving on the NLC Board?

The League Awards Committee is in charge with reviewing applicants who seek the endorsement of the League with regard to a position on the National League of Cities Board of Directors. If you are interested in being considered for endorsement, please send a cover letter and resume to Rynae Redd at rredd@lkm.org or 300 SW 8th Ave., #100, Topeka, KS 66603, (785) 354-9565 by 5:00 p.m. on Friday, August 10, 2018. The Awards Committee will review all requests for endorsement and make a recommendation to the League Governing Body for final action.

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Legal Forum

Uniform Public Offense Code and Standard Traffic Ordinance

By Eric Smith, Deputy General Counsel, League of Kansas Municipalities

The 2018 editions of the *Uniform Public Offense Code* (UPOC) and the *Standard Traffic Ordinance* (STO) are now available for cities to order. (See the ad on page 164 in this month's KGJ or find it online at www.lkm.org.) This article describes the legislative changes to both publications and changes made by the editor.

UPOC

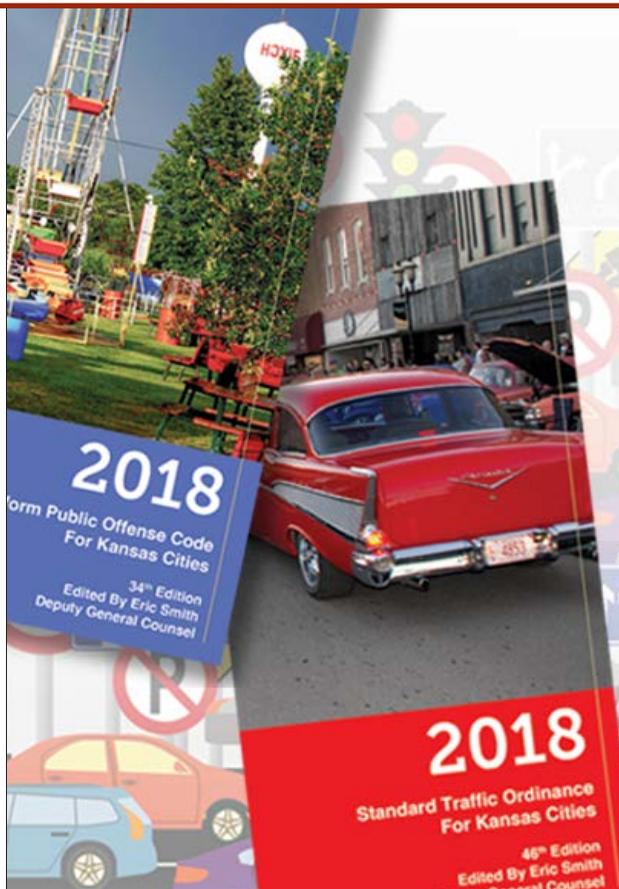
The legislature passed four bills – HB 2458, HB 2581, HB 2145 and SB 310 – affecting the UPOC this year.

HB 2458 amended criminal statutes resulting in two changes to the UPOC. Section 3.2, Battery Against a Law Enforcement Officer, and Section 3.3, Assault and Assault of a Law Enforcement Officer. Both sections were amended to add federal law enforcement officers to those who can be victims of these crimes.

HB 2581 made a major change to the crime of Giving a False Alarm. This crime is now titled Making an Unlawful Request for Emergency Service Assistance. The changes made to this crime include the addition of higher levels of felony sentencing, up to and including severity level 1, person felony, when the false request for assistance results in a death. The felony changes do not have any impact on the UPOC; however, Section 9.7 has been amended to reflect the change in name and some technical changes to the description of the crime.

HB 2145 made changes to the crime of Criminal Use of Weapons. Section 10.1 has been amended to remove throwing star from the list of items which are illegal to sell, manufacture, purchase, or possess. Dangerous knife, straight-edged razor, throwing star, and stiletto have been added to the list of items that are illegal to possess with the intent to use unlawfully against another. It is now legal to possess a throwing star so long as there is no intent to use it in an unlawful manner.

SB 310 made several changes to the Amusement Ride Act. These changes resulted in a few technical changes to the UPOC. Section 10.27, Illegal Operation of an Amusement Ride, has been amended to add the terms antique amusement ride, limited-use amusement



ride, and registered agritourism activity to the list of operations required to have a valid permit. The section has also been modified to remove the prior language which delayed the enactment of the crime to January 1, 2018.

STO

The legislature also passed three bills – H. Sub. SB 374, HB 2439 and Sub. SB 272 – affecting the STO.

H. Sub. SB 374 and HB 2439 addressed the Constitutional issues raised by several court cases concerning the crime of Driving Under the Influence of Intoxicating Liquor or Drugs and implied consent. These two bills resulted in amendments to Section 30, Driving Under the Influence of Intoxicating Liquor or Drugs; Section 30.1, Driving a Commercial Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs;

and Section 194, Driving while License Canceled, Suspended or Revoked.

Section 30(c) has been amended to enhance sentencing if there are passengers under the age of 18 in the vehicle at the time of the DUI. Section 30(g) now requires the court to include any finding of alcohol concentration in the offender's blood or breath to be reported to the Division of Vehicles of the Department of Revenue. Section 30(h) and (i) have been modified to address the applicability of prior convictions for DUIs from other jurisdictions.

Section 30.1 has been amended to address many of the same changes made to Section 30. Section 194 has been amended to reflect changes made to the crime of vehicular homicide as a basis for license suspension.

Sub. SB 272 addressed several traffic related sections of the STO. New Section 40.1, Passing a Stationary Waste Collection Vehicle, has been added. It requires the driver of a motor vehicle to slow down and to move over as far as safely possible when passing a waste collection vehicle collecting trash. Law enforcement officers must give a warning to any violators prior to July 1, 2019, but officers can begin ticketing violators after that date. Section 81, Overtaking and Passing School Bus, has been amended to reflect the increase in fines for repeat offenses. Section 114.4,

Unlawful Operation of a Golf Cart, has been amended to allow a municipality to authorize the operation of a golf cart after sunset if equipped with lights as required for motorcycles and a slow-moving vehicle symbol.

Editor's Changes

In addition to the changes described above, there have been changes made to both the UPOC and the STO based on conversations with members as well as a desire to produce a more comprehensive product. The UPOC will now contain the crimes of Unlawful Possession of Marijuana and Tetrahydrocannabinols, Section 9.1.1, Unlawful Possession of Drug Paraphernalia and Simulated Controlled Substances, Section 9.9.2 and Criminal Littering, Section 6.8. A definition for Waste Collection Vehicle has been added to Section 1 of the STO in conjunction with the new Section 40.1. The crime of Littering from a Motor Vehicle, Section 112.1, was included to assist some members who have had problems with this in the past. 

 **Eric Smith** is the Deputy General Counsel for the League of Kansas Municipalities. You can reach him at esmith@lkm.org or (785) 354-9565.

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LEAGUE GOVERNING BODY NOMINATIONS

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 the organization. The League welcomes officials from all cities, in all regions of Kansas, to nominate their colleagues or themselves for governing body positions.

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's Annual Conference in Topeka.

In order to facilitate the process, we ask that all nominations be received by Friday, August 24 at 5:00 p.m. to the League of Kansas Municipalities, 300 SW 8th Ave., #100, Topeka, KS 66603. **You can also go online and submit your form electronically at lkm.org/GovBodyNomination.**



2018 E.A. Mosher Excellence in Local Government Award

The E.A. Mosher Excellence in Local Government Award is presented annually to an elected city official who has not only demonstrated outstanding service to his or her own city, but has also shown an active commitment to strong local government and service to the League of Kansas Municipalities. Named in honor of E. A. Mosher, League Executive Director from 1960 to 1991, this award is designed to honor excellence and leadership at the highest level.

Nominees for the E.A. Mosher Excellence in Local Government Award must meet the following qualifications:

- Must be an elected official from a League member city;
- Must have held elective office for a minimum of four years;
- Must demonstrate contributions that have had a significant impact on the quality of life of the citizens of his or her city;
- Must demonstrate contributions in promoting positive intergovernmental relationships; and
- Must show involvement with the League.

Guidelines for the selection of the 2018 award winner are as follows:

- **Nominations will not be accepted after 5:00 p.m. on August 24, 2018;**
- Nominations may be made by any elected or appointed official of a League member city;
- The Awards Committee of the League Governing Body will select the award recipient; and
- The winner's name will be kept confidential until the presentation at the League Annual Conference in Topeka.

For a nomination form, go to www.lkm.org/excellence or, contact Kate Cooley (785) 354-9565 or kcooley@lkm.org

Community Profile

By Megan Gilliland, League of Kansas Municipalities



Kansas Starts Here.

Goodland

In one of the westernmost cities in Kansas, a focus on recreation and education pair nicely.

You can't miss it as you're driving along I-70 in western Kansas: a giant reproduction of Vincent van Gogh's "Three Sunflowers in a Vase" sits 80-feet above the ground and beckons to travelers to stop and take a look. It seems only natural an enormous reproduction of famous sunflower art greets visitors coming and going along the first (or last) stop along the Interstate in Kansas – after all, Kansas is the "Sunflower State." That's one reason why public and private resources have come together in Goodland to capitalize on the roadside attraction.

"We recently added a welcome center at the base of the sunflower art," said Suzanne McClure, Director of Economic Development for Goodland. "Soon, a dog park will open at the site for visitors to enjoy and take a break from their travel across the county."

The City, along with private donors, are working to develop the area and add a splash park and amphitheater for the community and visitors to enjoy. The City also received a substantial grant from the Dane G. Hansen Foundation to extend recreational trails in Goodland, including connecting the city pool, welcome

center, and campus at Northwest Kansas Technical College. The expansion of trails in Goodland is a citizen-driven project that takes advantage of Goodland's seven municipal parks.

"We are a city of about 4,500 people," said Andrew Finzen, City Manager of Goodland. "Seven parks is a pretty big resource for our residents and they take great pride in our recreational amenities. The community is working now to create the Topside Trail, a nod to the fact that Goodland sits on some of the highest elevations in Kansas."

Goodland has a municipal airport which is well-known amongst aviators due to its midcontinental location and fueling access. Rocky Mountain Aviation recently relocated to the Goodland Municipal Airport from Colorado and built a massive hangar for their operations. The project involved the City of Goodland moving their airport firehouse to make way for the hangar and future economic development opportunities at the airport.





Goodland is home to many organizations which promote art and education.



“Businesses and residents tell us they choose Goodland because of the small, family friendly atmosphere,” said McClure. “We have a great quality of life with a lot of small-town charm.”

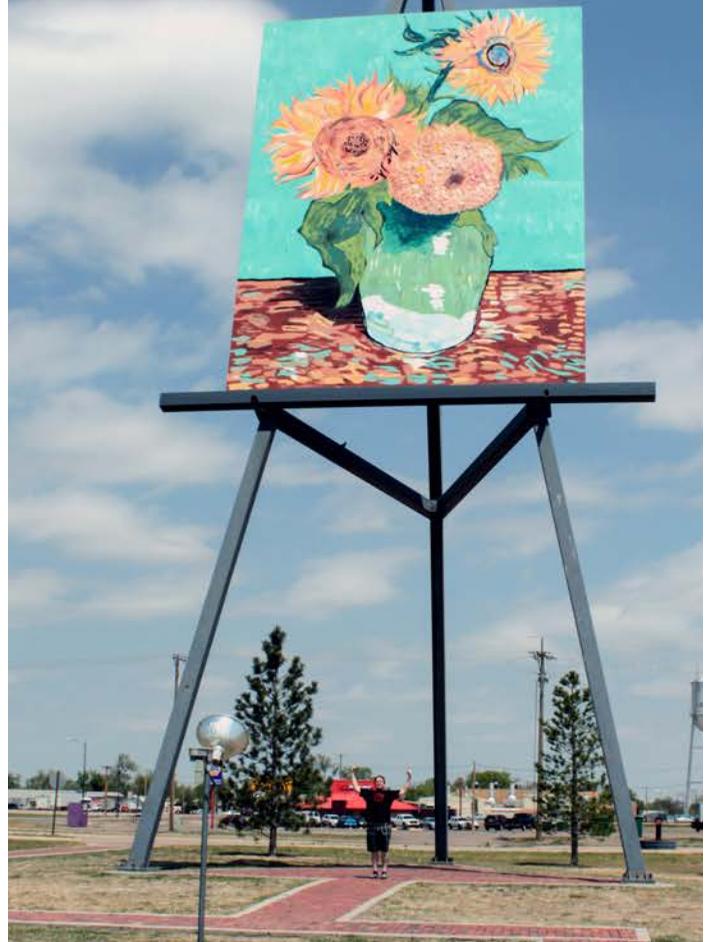
In Goodland, a vintage movie theater has been restored and shows the latest blockbusters from Hollywood. The Carnegie Arts Center offers artist exhibits year-round as well as arts education and programming for the community and public schools.

Goodland was the first district in the nation to be named an Apple Distinguished School for K-14 education. Recently, a new partnership evolved between the unified school district and Northwest Kansas Technical College that focuses on coding and software development for all ages, including kindergartners. Northwest Kansas Technical College is at the forefront of technical education and are developing ways to use software solutions for private business and agriculture.

The newly created Land and Sky Byway traverses three counties in Kansas and features agricultural stopping points and exploration through northwest Kansas. The area features breathtaking sunflower fields in late summer, and the High Plains Museum features a display with the first known helicopter on display.

With quick access to the Denver metropolitan area, Goodland is a quaint stop where you may decide to stay a while and find a little beauty on the Kansas plains. 🌻

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



KANSAS GOVERNMENT

Cheyenne ★



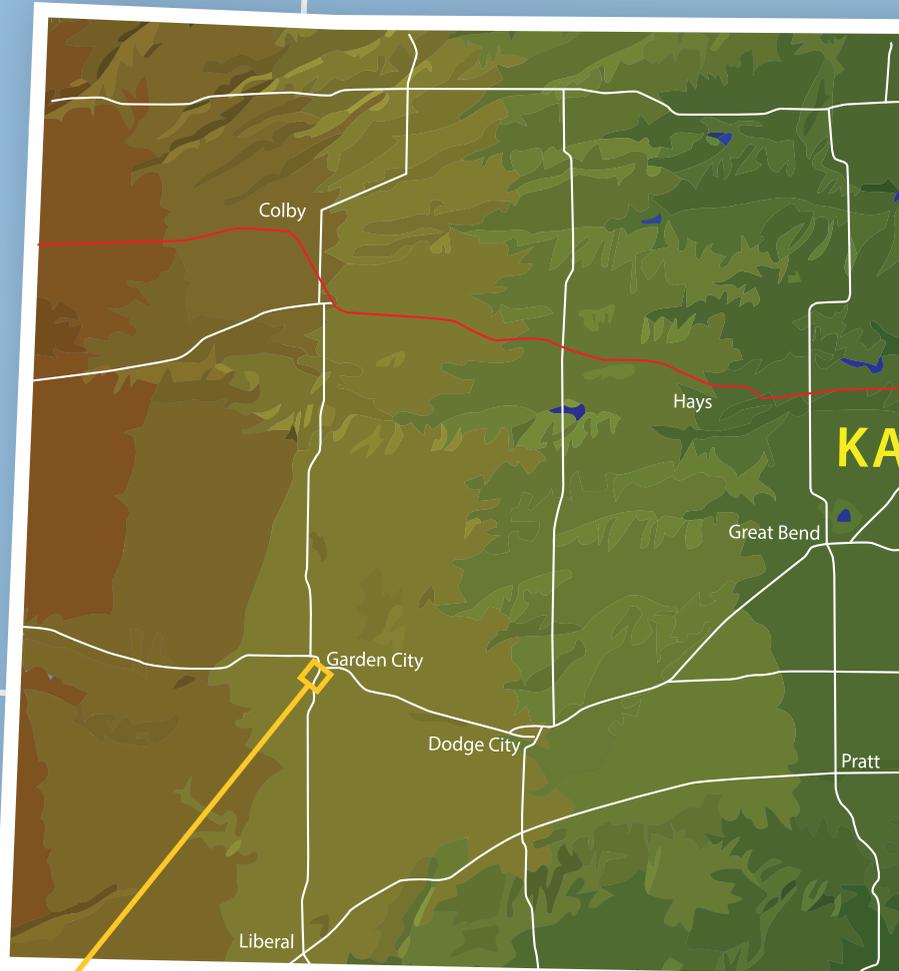
We are always seeking content ideas for stories and briefs. Please send your ideas and thoughts for content or story ideas to Megan Gilliland at mgilliland@lkm.org

Denver ★

Garden City

City Works to Address a Shortage of Childcare Facilities

The Finney County Economic Development Corporation (FCEDC) is working with city and county officials to develop additional opportunities to address a shortage of childcare facilities in the area. FCEDC officials have yet to announce specific plans, but have identified a shortage of approximately 500 childcare slots. FCEDC is also working with regional partners to meet the needs for senior housing in the area. FCEDC is working with local educational centers, including Garden City High School and Garden City Community College to address staffing needs for skilled nursing facilities.



Okla

GOVERNMENT NEWS



Fort Scott

City Commissioners Approve the Creation of a Land Bank for the Community

Fort Scott City Commissioners approved the creation of a land bank for the community. Land banks can be used to address the issue of dilapidated, vacant, or tax-foreclosed properties. Several cities in Kansas already operate a land bank. Commissioners approved an ordinance establishing a land bank and a seven-member land bank board of trustees, and appointed a land bank manager. City officials have said the ultimate goal of a land bank is to bring these types of properties back to productive use and once again generate property taxes.



Valley Center

City Opens New Community Center

The City of Valley Center opened a new community center, library, and dog park. The entire complex, which took about three years to complete, cost a little more than two-million dollars. The complex also houses the City's senior center and multipurpose rooms for rent.



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Classified Advertising

City Administrator, Horton

The City of Horton has a 4.5 million budget and 22 full-time employees and operates under a Mayor & 4-member Commission form of Government. Horton is a full service city with city-owned water, sewer, and electrical generation/distribution utilities.

Bachelor's degree in public administration or related field and/or 4 years equivalent experience required. The ideal candidate will have a strong work ethic and ability to build a consensus. The candidate must be a creative professional with a high degree of energy to address community issues.

The City of Horton is an Equal Opportunity Employer. Position salary is negotiable depending on qualifications. The position includes competitive benefits. Interested candidates should submit a resume, cover letter and three work-related references to City of Horton, Administrator Position, P.O. Box 30, Horton, KS 66439. Resume review begins July 16, 2018. Open until filled.

How to Apply:

Submit resume to the City of Horton, 205 East 8th Street, PO Box 30, Horton, KS 66439. If you have any questions regarding the position please call (785) 486-2681. Applications will be accepted until the position is filled.

Planning/Zoning Administrator, McPherson

The Planning/Zoning Administrator is responsible for overseeing a customer centered approach to development and related services such as land use, development, and floodplain regulation administration, nuisance abatement and code enforcement, residential and commercial economic development, community data analysis and administration of community grants and incentive programs. Successful candidates must have excellent public relations skills and have an aptitude to understand building trade related codes, nuisance codes, zoning, and flood plain related code. Salary range from \$47,403.20 to \$63,211.20.

The Planning/Zoning Administrator will

supervise the building and code enforcement departments which include two full time employees as well as serve as a liaison between developer/builders and the City of McPherson.

How to Apply:

A full job description and on line application are available at hrepartners.com. A cover letter, resume (including three professional references) can be submitted to Tammy Seely, City Clerk/HR Officer, City of McPherson, PO Box 1008, McPherson, KS 67460 or at tammys@mcpcity.com

Director of Public Works, Great Bend

The City of Great Bend is accepting applications for Director of Public Works. The Director of Public Works will be responsible for performing supervisory and administrative guidance related to the day to day operation of the Public Works Department. This includes street maintenance and construction, water utilities, wastewater treatment, code enforcement, storm water management, snow and ice removal, compost site, and flood control maintenance.

Requirements include Bachelor's degree in field related to Public Works or at least seven years of equivalent education and experience in the areas listed above. Salary is commensurate with education and experience.

How to Apply:

Applications may be submitted at: www.greatbendks.net. If you have further questions, you may call our Human Resources Director at (620) 793-4111. The City of Great Bend is an Equal Opportunity Employer.

Chief of Police, Concordia

The City of Concordia, Kansas, population 5,200, is seeking to fill the position of Chief of Police. The Police Chief will be a part of the City's management team reporting to the City Manager in a commission-manager form of government. The Chief is responsible for a department encompassing all aspects of municipal law enforcement, including patrol, investigations, administrative services, D.A.R.E. program, and management

responsibilities to include staffing, training, budgeting and purchasing for the police department, and dispatch communications for Cloud County. The ideal candidate will be a modern and progressive leader who employs a collaborative management style and is visible and actively engaged in the community and the department. Applicant must possess strong skills in communication, organization, problem solving and management.

The applicant must have any combination of experience and training equivalent to an Associates degree. A minimum of 15 years law enforcement experience including at least 5 years command or administrative experience is required. The position requires a Kansas driver's license and Kansas law enforcement certification. The salary range is \$52,600 to \$64,899. Successful candidate will become a member of the Kansas Police and Fire (KP&F) retirement program. City of Concordia will accept applications until the position is filled. Please call the City Clerk for application or questions, (785) 243-2670.

How to Apply:

Submit letter of interest and completed city application form and supporting documentation to City of Concordia City Clerk's Office, PO Box 603, 701 Washington, Concordia, KS 66901. Reasonable accommodations are available for persons needing assistance. Requests for accommodations should be made at the time of application.

Deputy Director of Finance, Leavenworth

The City of Leavenworth is seeking qualified, motivated applicants for the above position to assist in the administration and management of the Finance Department. Performs a variety of technical, financial tasks and supervises and coordinates staff and activities. Minimum Qualifications: Bachelor's Degree in finance, accounting, business, public administration, or related field; 7 years of professional finance/accounting experience; 3 years supervisory experience; and valid driver's license. Starting Salary: \$66,586 DOQ + excellent benefits. Interested applicants may apply in confidence by sending a cover letter, resume, 3 references and completed City employment application

Classified Advertising

to Lona Lanter, HR Director, 100 N. 5th Street, Leavenworth KS 66048. Position open until filled. For a detailed position description and City application, please visit the City's website at www.lvks.org and click on employment opportunities. EOE/AA

How to Apply:

Interested applicants may apply in confidence by sending a cover letter, resume, 3 references and completed City employment application to Lona Lanter, HR Director, 100 N. 5th Street, Leavenworth KS 66048. For a detailed position description and City application, please visit the City's website at www.lvks.org and click on employment opportunities.

City Administrator, Greensburg

Award-winning, innovative community seeks City Administrator to advance vision of environmentally progressive "new" small town in rural America. Sustainability values guide rebuilding after an EF-5 tornado destroyed the town in 2007. "Green" pioneer spirit, lively civic associations, stunning new public facilities, and active cultural arts have combined to recreate a rewarding community to live and work. A \$3 million annual operating budget; 15 full-time employees. Position has responsibilities for finance, purchasing, employee supervision, and policy recommendations. Low range of

base salary \$60,000. Send cover letter with resume and salary history in one e-file, in confidence to recruitment advisor: Marla Flentje mflentje@austinpeters.com. Deadline is July 25. See Administrator Recruitment Brochure for qualifications at <https://goo.gl/C1cBWx>

How to Apply:

Send cover letter with resume and salary history in one e-file, in confidence to recruitment advisor: Marla Flentje mflentje@austinpeters.com. Deadline is July 25. See Administrator Recruitment Brochure for qualifications at <https://goo.gl/C1cBWx>.

Recreation Supervisor, Merriam

The City of Merriam Parks and Recreation Department is experiencing significant growth. Currently, the Department is designing a new 66,000 square foot community center with indoor/outdoor aquatics and is seeking an energetic, self-motivated Recreation Supervisor to plan and oversee city-wide special events, cultural, athletic, recreational, and educational year-round activities for the parks and recreation program. Responsibilities include initiate, plan and coordinate city-wide festivals and special events; solicit and coordinate special event sponsorship program with local businesses; investigate available

grant options for program funding; assist in the preparation of grant applications; evaluate year-round programs developed by recreation coordinators to identify new and innovative ways to deliver City services; research and evaluate new trends, technology or data to improve organizational performance and/or customer service; prepare information for publication and marketing flyers, social media, brochures, news releases, television and radio media; other related duties as necessary and assigned. Exercises direct supervision and authority over Recreation Coordinator and Community Recreation Coordinator. Has indirect supervisor of contract instructions, fitness attendants, program assistant, child watch attendants, Farmers' Market staff, athletic officials and volunteers.

Minimum Qualifications:

- Graduation from an accredited college or university with a bachelor's degree in Recreation, Park Resources, or Recreation Leisure Service;
- Five years progressively responsibility experience in the development of recreational programming and special event production, and five years of progressively responsible experience in the supervision and development of subordinate staff;
- Any equivalent combination of related education and experience will be considered;
- Certified Park and Recreation Professional designation or ability to obtain within one year of appointment;
- Current certification in CPR/AED and First Aid.

How to Apply:

Qualified applicants may apply at Merriam City Hall (9001 W. 62nd Street, Merriam, KS 66202) Mon. – Fri. from 8:00 a.m. – 4:30 p.m. Applications can be downloaded online at www.merriam.org. Applications may be submitted in person or by mail to: City of Merriam; Attn: Human Resources; 9001 W. 62nd Street, Merriam, KS 66202, or by fax (913) 322-5505. A complete job description is available upon request by emailing smapple@merriam.org. EOE/ADA/Drug Screen.

If reasonable accommodation is necessary to apply, or further information is needed, contact Sari Maple, Human Resources, smapple@merriam.org, Monday – Friday 8:00 a.m. – 4:30 p.m. No Phone Calls Please.



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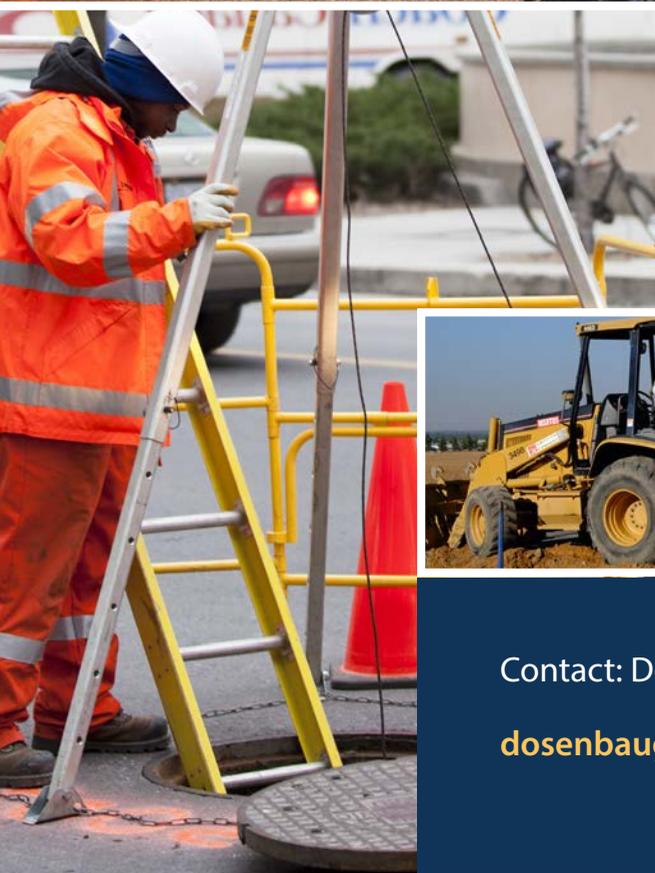
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Contact: Don Osenbaugh, KMIT Pool Administrator

dosenbaugh@cox.net or 316-259-3847

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PICKIN' ON THE PLAINS, COLBY

Pickin' on the Plains started 23 years ago in Colby. Several local musicians went to a festival in Walnut Valley and decided they needed to have a bluegrass Festival. It was then that the bluegrass music came to western Kansas. It was originally held at a campground; because of its growth it was later moved to the Thomas County Fairgrounds. Every year something more was added. Youth activities have grown into youth open stages and contests. Just a couple of food vendors turned into many vendors. One or two talented groups have turned into award-winning, Grand Old Opry playing acts. Each year's growth afforded the ability to add more headlining talent, which draws crowds from twenty plus states, even Hawaii.



The musicians are wonderful and very giving with their time. Headlining acts donate their time running workshops on mandolin, bass, banjo, fiddle, guitars, and more. The festival has a wonderful family atmosphere where many new friends are made. There is a Thursday night Pot Luck

to kick off the Festival. Many guests bring their camper, and some that stay in our wonderful motels. Come and plan to join us year-after-year! More information can be found at pickinontheplains.com and the Pickin' on the Plains Facebook page.

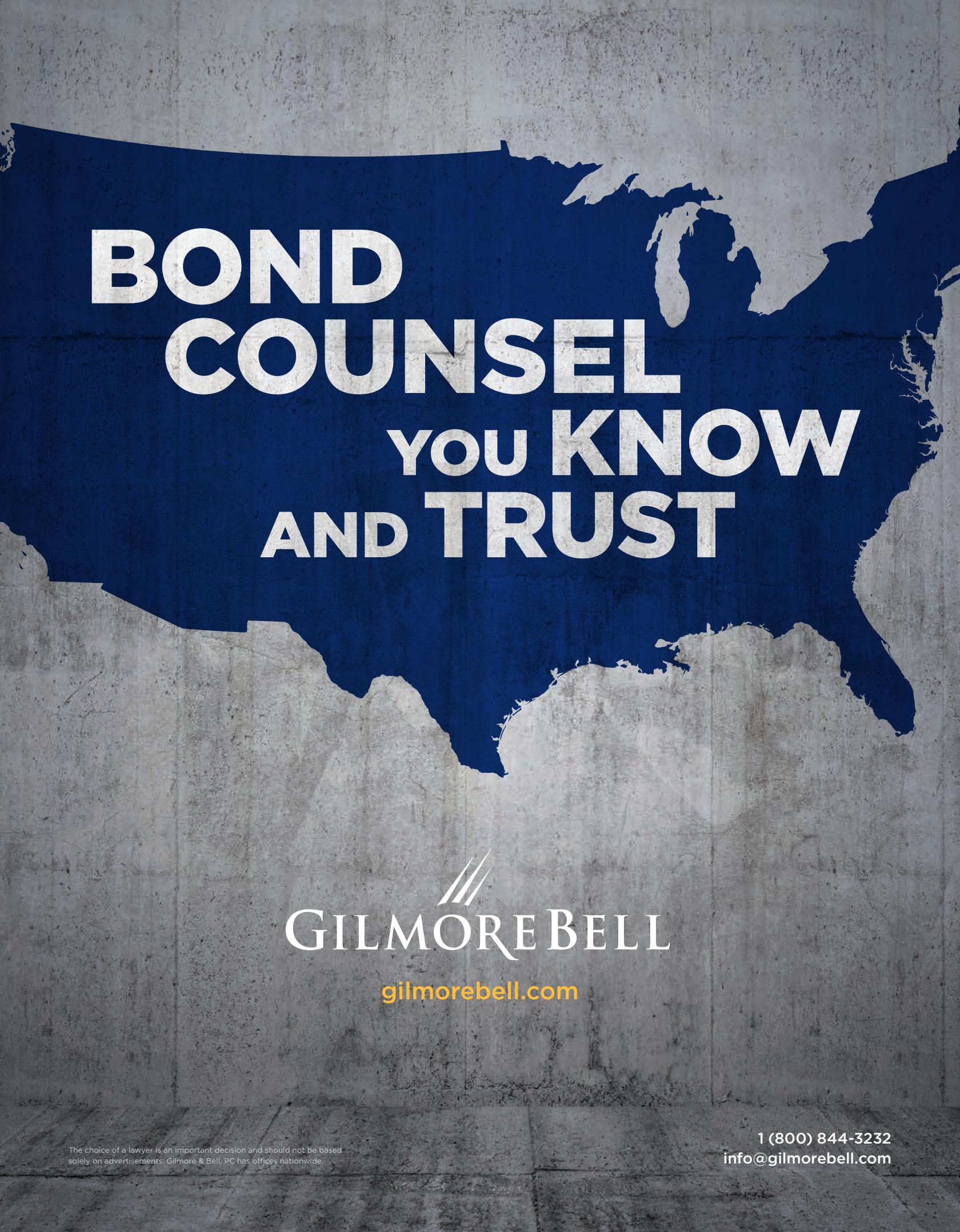
MUSIC THEATRE WICHITA, WICHITA

Music Theatre Wichita closes its summer season with a spectacular production of Disney's *The Little Mermaid*. In a magical kingdom beneath the sea, beautiful young mermaid, Ariel, longs to leave her ocean home to live in the world above. MTWichita is delighted to revisit this fanciful all-family musical, newly revised by its award-winning team to provide even more enchantment. The cast features the Broadway stars of today and tomorrow, and sets, props, and costumes are all handcrafted in Kansas. Performances run August 8-18. Of special interest to those with young children is a matinee at 2p.m. on Saturday, August 18.



Children as young as three may attend that performance only – at all other Music Theatre Wichita events patrons must be at least five years of age. Tickets are available

online at mtwichita.org, by calling (316) 265-3107, or at the Music Theatre Wichita box office inside Century II Performing Arts Center in downtown Wichita.



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