

# Kansas

GOVERNMENT JOURNAL

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JULY 2019

**STO & UPOC Changes for 2019**

**Swearing in Newly Elected Officials**

**KDOT Begins New Transportation Planning**



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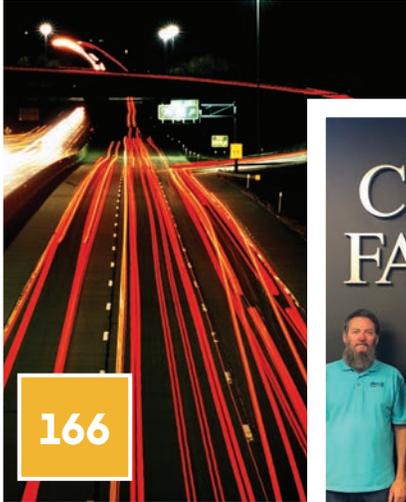
\*Source: Bloomberg, based on number of transactions \*\*Personal experience of Gregory Vahrenberg, Public Finance Managing Director.

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# Kansas

## GOVERNMENT JOURNAL

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### 2019 League Events Calendar

#### AUGUST

August 2..... MTI: KOMA/KORA (Lyons)  
 August 9..... MTI: KOMA/KORA (Liberal)  
 August 16..... MTI: KOMA/KORA (Burlington)  
 August 20..... Policy Cmte: Public Officers & Employees (Topeka)  
 August 22..... Policy Cmte: Utilities and Environment (Topeka)  
 August 27..... Policy Cmte: Finance & Taxation (Topeka)  
 August 29..... Policy Cmte: Legislative Policy (Topeka)

#### SEPTEMBER

September 6 ..... MTI: Harassment in the Workplace (Russell)  
 September 13..... MTI: Planning and Zoning (Winfield)

#### OCTOBER

October 13-14 ..... League Annual Conference (Overland Park)

Visit [www.lkm.org/events](http://www.lkm.org/events) for event registration.

## Obituaries

**Davis T. Moulden, 79**, Leavenworth, passed away June 11. Davis was born June 24, 1939 in Leavenworth. In 1966, Davis joined the Davis Funeral Chapel, the family-owned and operated funeral chapel as a licensed funeral director. He was the fifth-generation owner and operator of the family business. Davis dedicated his entire adult life to serving the needs of the people of Leavenworth and Lansing.

Davis believed strongly in giving back to the community. Davis was passionately concerned about revitalizing downtown Leavenworth and devoted a lot of his time and resources to improving downtown. Davis served on the Main Street Board of Directors to help coordinate the efforts to restore economic vitality to the down town area.

Davis was elected to the City Commission in 2009 and served until 2015. He was selected as Mayor for 2009-2010. He was named Citizen of the Year in 2003. Davis was a member of the Leavenworth-Lansing Chamber of Commerce, Cushing Hospital Board, Jaycees, Kiwanis Club, the Leavenworth County Historical Society, Lansing Historical Society, Shriners, Masonic Lodge, Fraternal Order of the Eagles, the Leavenworth Cruisers, and the Volks Marchers. He had a great love for the C. W. Parker Carousel Museum.

Davis was preceded in death by his parents and daughter, Hope Margaret Moulden. Davis leaves behind his wife Debbie Moulden, daughter Whitney Davis Moulden, and a large extended family.

# DIRECTOR'S FOREWORD

By Erik Sartorius

Why am I ever surprised when summer heat arrives and smacks me in the face? I know the drill: 4<sup>th</sup> Winter, 5<sup>th</sup> Winter, 90 degrees, 6<sup>th</sup> Winter, monsoons, four straight days with sun in the 80s, then...WHAM! Heat, humidity, and all the critters that have been growing up into miniature Grim Reapers with wings. I'm a slow learner, I guess.

However, once the hot weather appears, I do not forget three things: 1) Topeka Fiesta is right around the corner (and almost certainly the hottest week of the year); 2) feverish, final preparations are being made for upcoming county fairs; and 3) League Policy Committees are still accepting members for their August meetings!

With a bottom-up policy process, we need to have a diverse membership attending these meetings and guiding the policy development. You do not have to be a policy expert to participate, nor do you need to attend all four committees' meetings. Fresh perspectives are welcome, whether you are new to city government or are a long-time veteran. With 2020 being an election year for both state representatives and senators, plenty of legislative issues are certain to arise. Please join us by going to this page: <https://www.lkm.org/general/custom.asp?page=PolCommittees>.

Lately, I seem to be coming across quotes that are really sticking with me and making me think. Last month, I spoke to the power of the Athenian Oath and its call to public servants to have their endeavors leave their cities "greater and more beautiful" than how they found it. Recently, I rediscovered a quote from Heraclitus, a Greek philosopher in the 6<sup>th</sup> century BCE:

"The content of your character is your choice. Day by day, what you choose, what you think, and what you do is who you become. Your integrity is your destiny...it is the light that guides your way."

What a powerful declaration that "actions speak louder than words!" As elected or appointed officials, this guidance about our lives layers on top of the Athenian Oath. Not only are we called to leave our communities better than we found them, but how we reach the heights will be remembered, as well – without acts of "dishonesty or cowardice." For all of us, however, there are times where we feel let down by our choices and their reflection on our character.



"The content of your character is your choice. Day by day, what you choose, what you think, and what you do is who you become. Your integrity is your destiny...it is the light that guides your way."

Two Kansas women who were torchbearers in Kansas politics, one living and one recently passed, are people who epitomize Heraclitus's quote. Congresswoman Jan Meyers, who passed away in June (see full obituary on page 176) came to her position in Washington via local government. After service with various local organizations, Mrs. Meyers became the first woman to be appointed to the Overland Park City Council. She served from 1967 to 1972 and was president of the council from 1970 to 1972. Her "first" that is the greatest point of pride for us is that she was the first female president of the League in 1969.

I had limited interactions with Congresswoman Myers while I worked in Washington, D.C. and back here in Kansas, but knew her to be a fair legislator with integrity. Comments on her passing reflect that. A former state representative described her as "a combo of grace and smarts, all wrapped up in a bow of midwestern, no nonsense practicality." "Always professional and easy to deal with – even on the hard stuff," was how a reporter described her. The choices she made "day by day" were the pillars of her credibility.

Late in June, I had the honor to join alumni of Senator Nancy Kassebaum Baker's staff – "Kassebombers," as we were known from our softball forays against other congressional offices on the National Mall – in a reunion near Burdick. As dinner subsided and fantastic desserts were consumed (yea, Brookeville Hotel!), the floor was opened up to reminisce. There were plenty of fun stories shared, along with the office tradition of limericks. The majority of comments were about Senator Kassebaum – the person, not the legislator. People spoke of an inherent goodness in our boss's efforts on behalf of Kansans. Many noted how her demeanor and approach to constituents, staff, and colleagues had shaped how they have approached their own leadership roles. Much more so than your position, status, or power in your community – "what you do is who you become" – makes your character.

On the heels of my nostalgic trip, please dive into this month's magazine. There is great information about transportation and public works. See the story on Fairway, and how their public works department is the smallest one in the country to be accredited by the America Public Works Association. Also, be sure to take a look at our new infographic to assist you in implementing Senate Bill 105, which allows you to choose the timing of taking office for your council members and mayors elected this coming November.

Please share with me any questions, concerns, or comments with me at [esartorius@lkm.org](mailto:esartorius@lkm.org) or (785) 354-9565. 

# Getting to Where We Need to Go

## KDOT BEGINS NEW TRANSPORTATION PLAN

By Kansas Department of Transportation Staff

Transportation is at its best when it focuses on people. Our state's transportation system should support the ways Kansans choose to live - acting as a supporting strand in a thread of essential state services, much like education, health care, and public safety. It's not just about roads and bridges but getting people where they want and need to go - safely, conveniently, and with as much choice as possible.

With a boost from last year's Joint Legislative Transportation Vision Task Force, the Kansas Department of Transportation (KDOT) is moving forward, powered by a renewed interest and support for transportation from across the state. While Kansas has benefitted from a long history of well-funded, well-supported transportation programs, the last few years have provided significant challenges.

### WHERE WE'VE BEEN

Since 2010, approximately \$2 billion was removed from the State Highway Fund to help other (non-transportation) state services. KDOT anticipated about \$105 million would be transferred each year to help fund services like the Kansas Highway Patrol, but in recent years, those transfers reached extraordinary levels.

As a result of those transfers, 21 T-WORKS projects were put on hold and the amount of money available to preserve the existing system was drastically reduced. Those reductions in funding have had a significant negative impact on the state's transportation network.

The chart below illustrates Kansas' highway system health. When it's trending upward, years of service life are being added to the system. When it's trending downward, the system begins to break down - meaning that there will be increasing maintenance costs on the horizon.

Prior to 2015, Kansas' transportation system had largely been living off the investments of prior years (as shown by the increasing gold line), but transfers from the State Highway Fund led to lighter preservation actions which has led to pavement declining conditions, illustrated by the gold line dropping below the blue line. The problem is once that decline hits, the health of the pavement can get a lot worse, a lot faster, and without question it will take more money to bend that declining curve upward.

The decline and instability of transportation funding over the past few years has not only made it difficult to do needed work, it has also created barriers to planning for emerging needs. While funding decreased, Kansas' transportation needs didn't. During the Task Force meetings, stakeholders identified more than \$18 billion in transportation needs.

### CLOSING THE BANK OF KDOT

During this year's legislative session, under the leadership of Governor Laura Kelly, KDOT was able to keep \$166 million of sales tax in the State Highway Fund for fiscal year 2020. With that money, KDOT will be able to enhance safety, strengthen the highway system, take steps towards completing T-WORKS projects, invest in alternative modes, and provide needed resources to Kansas communities. Depending on revenue and expenditures, the Governor is striving to close the "Bank of KDOT" (as the transfers have broadly been called) by 2023.

KDOT also received an additional \$50 million at the end of the 2019 legislative session. The legislature approved this one-time transfer from the State General Fund to the State Highway Fund to be used on transportation projects where there is at least a 25% match from a city or county.

Continued on page 169

### The Health of Kansas' Transportation System is Declining:

Reductions in funding are having significant impact on the state's transportation network. Taxpayers notice the decline in condition. Beyond the visible wear and tear, often a larger issue exists below the surface.



# \$50 Million Allocation Plan

This is a one-time \$50M transfer from the State General Fund to the State Highway Fund. The Legislature approved use of this funding on transportation projects, but only if the investment can be grown with city and county contributions.

For a project to be eligible, there must be a minimum 25% match from the city or county.

Following is how KDOT plans to allocate the \$50M.

Amount	Enhancement	Additional Information
\$7M - \$42M	<p><b>Federal Grant Projects:</b> KDOT will use a portion of the \$50 million to provide State match for the following projects:</p> <ul style="list-style-type: none"> <li>• \$7M Turner Diagonal in KC (frees up funds for additional safety projects)</li> <li>• \$35M North Junction in Wichita, 119<sup>th</sup> &amp; I-35 Interchange in Olathe*</li> </ul> <p><i>*These projects have been submitted by their local community for federal grant funding. If selected, KDOT will provide the identified match.</i></p>	<p>The U.S. Department of Transportation administers discretionary grant programs to help fund transportation investments. Current programs include Better Utilizing Investments to Leverage Development (BUILD) and Infrastructure for Rebuilding America (INFRA).</p> <p>To be competitive in these grant programs, communities, the State, and sometimes private companies will commit to providing funds if the project is selected.</p> <p>These opportunities allow the State to address transportation needs by leveraging federal and local funds.</p>
\$5M	City Connecting Link Improvement Program (CCLIP) – Increased investment	<ul style="list-style-type: none"> <li>• A popular program with communities, the CCLIP program provides funds to address local needs on City Connecting Links, which are sections of the state highway system that are within City limits.</li> <li>• The program funds preservation projects and geometric improvements, which can address safety, capacity or operational needs.</li> <li>• This program requires a 50% local match – exceeding the requirements outlined for the additional \$50M.</li> </ul>
\$3 - \$38M	<b>Cost-Share Program</b> for State/Local Partnerships	<ul style="list-style-type: none"> <li>• The remaining money from the \$50M will be distributed through the Cost-Share Program, which was announced as part of the FY2020 budget.</li> </ul>

## What We Learned:

Since 2010, approximately \$2 billion has been removed from the State Highway Fund to help fund other (non-transportation) state services.





# Distribution of the \$166 M

Amount	Enhancement	Additional Information
\$50 M	Increases highway preservation investment from \$350 to \$400 million	<ul style="list-style-type: none"> <li>• Preservation was the top priority of The Joint Legislative Transportation Vision Task Force.</li> <li>• Adds 200 miles of preservation work and heavier actions.</li> <li>• Does not fully address preservation needs, but it allows KDOT to meet critical needs and begin restoring our system's health. Recommended level is \$500 million in preservation and at least \$100 million in modernization/expansion work.</li> </ul>
\$86.4 M	Move forward with 5 delayed T-WORKS projects: <ul style="list-style-type: none"> <li>• <b>US-54 in Seward County</b> <ul style="list-style-type: none"> <li>▪ Expansion Project. Let Fall 2019</li> </ul> </li> <li>• <b>US-169 in Anderson County</b> <ul style="list-style-type: none"> <li>▪ Modernization Project. Let Fall 2019</li> </ul> </li> <li>• <b>US-281 in Russell County</b> <ul style="list-style-type: none"> <li>▪ Modernization Project. Let Spring 2020</li> </ul> </li> <li>• <b>US-50 in Lyon County</b> <ul style="list-style-type: none"> <li>▪ Expansion Project. Let Spring 2020</li> </ul> </li> <li>• <b>US-75 in Montgomery County</b> <ul style="list-style-type: none"> <li>▪ Expansion Project. Let Fall 2020</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Task Force recommended completing delayed T-WORKS projects.</li> <li>• Legislature included an additional \$6.4 M for one additional project – US 75 in Montgomery County.</li> <li>• Projects address capacity, safety and preservation needs.</li> <li>• 16 more T-WORKS projects remain to be let.</li> </ul> <p><i>Note: The previously announced US-69 projects in Crawford County are already included in the FY2020 budget and will continue to move forward.</i></p>
\$5 M	Reinstate the Kansas Local Bridge Improvement Program	<ul style="list-style-type: none"> <li>• Task Force recommended reinstating the program.</li> <li>• 10% Local Funding match</li> <li>• Up to \$150K to replace or rehab eligible bridge</li> <li>• Additional \$50K to permanently remove/close additional eligible bridge</li> </ul>
\$11+ M	Cost-Share Program for State/Local Partnerships	<ul style="list-style-type: none"> <li>• Task Force recognized that local transportation needs exceed available resources.</li> <li>• New program will use state and local partnerships to address key needs.</li> <li>• Projects require a 25% local match</li> </ul>
\$10 M	Enhanced Safety Program	<ul style="list-style-type: none"> <li>• Task Force recognized the importance of improving safety.</li> <li>• Expands current safety program to address larger projects such as passing lanes, turning lanes and intersection improvements.</li> <li>• Allows KDOT to enhance safety in strategic, cost effective ways.</li> </ul>
\$2 M	City Connecting Link Maintenance Payments	<ul style="list-style-type: none"> <li>• Task Force recommended reviewing the amount paid to cities.</li> <li>• Will increase payments in FY 2020 from \$3,000 to \$5,000 per lane mile.</li> <li>• Program has not seen an increase since 1999.</li> </ul>
\$2 M	Statewide Bike & Pedestrian Plan and Infrastructure Improvements	<ul style="list-style-type: none"> <li>• Task force recommended increasing funding for modes.</li> </ul>

**\$166.4 M for FY 2020**

## MOVING FORWARD

KDOT is off to a strong start in 2019 and will continue to implement the recommendations from last year's Task Force. The Task Force recognized that it will take partnerships with communities and the state investing together to meet the emerging needs in our transportation system. With a stable, steady source of funding, KDOT will be able to deliver promised T-WORKS projects, address emerging needs and prepare for the future.

To help plan for the future, KDOT will host Local Consult meetings in August. These meetings are an important opportunity for stakeholders to share information about needed transportation projects and help shape the future of transportation in Kansas. Stakeholders, elected officials, and the public are invited to the three-hour meetings, scheduled in eight communities across the state. These meetings will focus on:

- **New projects.** During the first hour, KDOT will hear from stakeholders about new transportation projects that are needed.
- **Scenario planning.** In the second two hours, KDOT will work with all stakeholders to envision the future of Kansas by reviewing facts and trends, discussing risks and exploring alternative future possibilities. Using scenario planning approaches, participants will examine long-term and emerging trends, how they could impact Kansas' transportation system, and what infrastructure investments can be made to help future-proof our infrastructure and cultivate prosperous, healthy communities for all Kansans. Scenario planning is at the forefront of national planning practices and these discussions will provide valuable information for the next Kansas Long Range Transportation Plan (LRTP).



KDOT will host another round of Local Consult meetings later this fall. At those meetings, KDOT and stakeholders will build upon the discussions this summer to determine regional priorities for future transportation investments. Collaboration is at the heart of this process – just as it was for the development of the T-WORKS program. Much has changed in the last 10 years. It's time for the next transportation program to take full advantage of accelerating rate of change in technology and growing interest in transit, aviation, rail, broadband, and economic vitality.

KDOT looks forward to working with communities across the state to move Kansas' transportation system forward.

For more information on the Kansas Department of Transportation planning efforts, visit [www.ksdot.org/](http://www.ksdot.org/). 

Below are the dates and locations for the August Local Consult meetings. The same information will be discussed at each meeting. Stakeholders are welcome to attend the meeting most convenient for them.

### **Monday, August 19**

*North Central Region – Salina*

1:30 – 4:30 p.m.

Kansas Highway Patrol Academy

2025 East Iron

Salina, KS 67401

### **Tuesday, August 20**

*South Central Region – Hutchinson*

9:00 a.m. – 12:00 p.m.

Atrium Hotel & Conference Center

1400 North Lorraine St.

Hutchinson, KS 67501

### **Wednesday, August 21**

*Southeast Region – Independence*

9:00 a.m. – 12:00 p.m.

Independence Civic Center

410 N. Penn Ave.

Independence, KS 67301

### **Thursday, August 22**

*Kansas City Metro Region –*

*Overland Park*

9:00 a.m. – 12:00 p.m.

Matt Ross Community Center

8101 Marty Street

Overland Park, KS 66204

### **Monday, August 26**

*Northeast Region – Topeka*

1:30 – 4:30 p.m.

Capital Plaza

1717 SW Topeka Blvd

Topeka, KS 66612

### **Tuesday, August 27**

*Wichita Region – Wichita*

9:00 a.m. – 12:00 p.m.

Hughes Metroplex

5015 East 29th Street N

Wichita, KS 67260

### **Wednesday, August 28**

*Southwest Region – Dodge City*

9:00 a.m. – 12:00 p.m.

Dodge House Convention Center

2409 West Wyatt Earp Blvd.

Dodge City, KS 67801

### **Thursday, August 29**

*Northwest Region – Hays*

9:00 a.m. – 12:00 p.m.

Fort Hays State Memorial Union

700 College Drive

Hays, KS 67601

## 2019 Standard Traffic Ordinance and Uniform Public Offense Code Changes

By Amanda L. Stanley, General Counsel, League of Kansas Municipalities

The 2019 editions of the Standard Traffic Ordinance (STO) and the Uniform Public Offense Code (UPOC) are now available for cities to order. (Order copies online at [www.lkm.org](http://www.lkm.org).) This article describes the legislative changes to both publications and changes made by the editor.

### STO

In 2019, the legislature passed six bills – HB 2104, SB 63, SB 41, SB 17, HB 2125, and HB 2211 – affecting the STO.

HB 2104 amended the statute related to preliminary breath tests of DUI suspects and resulted in the removal of portions of STO, Section 30.2. Subsection (a), which contained language establishing that every driver of a vehicle was deemed to have given consent to a preliminary breath test. Subsection (c), which required an officer to give both written and oral notice to the suspect has also been deleted. Subsection (b), which will now be subsection (a), has been amended by deleting the word saliva and replacing it with the term oral fluid. The bill also removed the traffic infraction for refusing to submit to a preliminary breath test from the state statutes. The League removed that charge in the 2016 edition of the STO due to concerns with the constitutionality of the charge.

SB 63 resulted in eight changes to the STO, creating new sections and definitions, as well as amending existing sections. Section 76 of the STO requires a driver to stop at a railroad grade crossing under certain circumstances. The amended section has expanded the requirement to stop for a train and also for “other on-track equipment”. This bill also made changes to Section 114.1, Unlawful Operation of an All-Terrain Vehicle (ATV) and Section 114.5, Unlawful Operation of a Work-Site Utility Vehicle (UTV). The change is the same for both sections and concerns the operation of these vehicles when used for an agricultural purpose. Both ATV’s and UTV’s can now be operated on federal and state highways with a speed limit of 65 MPH or less if they are being used for an agricultural purpose and the operators meet other requirements. They are not authorized under this bill to operate within any city limits unless authorized by a city. If a city currently allows the operation of these vehicles within the city they can, if they choose, amend the city ordinance to allow the operation on a state or federal highway if all the requirements surrounding the agricultural purpose exemption are included.

The League introduced a bill this year concerning the regulation of electric-assisted scooters which was passed as a part of SB 63. This change required the addition of new STO Section 135.1, Electric-

Assisted Scooters, as well as an additional definition in Section 1 of the STO. The bill mandates that electric-assisted scooters are subject to the traffic regulations applicable to bicycles, found in Sections 127 to 133, of the STO. Cities have the ability to pass an ordinance to provide additional regulations and controls if there is a need. This new STO section contains an editor’s note reminding cities of this ability to further regulate the operation of these vehicles.

SB 63 also created the need for new STO Section 169.1, Transportation Network Lighting Devices, and an amendment to Section 169, Special Restrictions on Lamps. This change will allow ride share company drivers to place a light, of any color other than red, indicating they are on duty to make it easier for consumers to recognize the ride share vehicles. The bill states that a city can authorize this change by passing an ordinance. By adopting the 2019 STO, the city will be authorizing transportation network drivers to use these lights.

STO Section 181, One-Way Glass and Sun Screening Devices, is also amended by SB 63. The changes are related to the ability to place protective sun screening on the windshield of a vehicle. The sun screen must have a minimum light transmittance of 70%, be designed to reduce harmful ultraviolet A or B rays, and the driver or occupant of the vehicle must have a signed statement from a doctor indicating the sun screen is necessary for the health of the individual. This bill was brought to the legislature by the family of a young boy who is allergic to the sun and they were concerned he would never be able to drive a car because they could not legally place material on the windshield of a car to protect him from the sun’s harmful rays.

SB 41 amended the seat belt statute making a clear statement this is a traffic infraction. This change resulted in a need to edit STO Section 182.1 to add the traffic infraction language.

SB 17 makes changes concerning motorcycles and drivers license classification. Prior to the changes of SB 17, a person who did not have an M classification drivers license could operate a motorcycle that had a temporary license plate. The M classification was not required until the motorcycle had a permanent license plate. STO Section 192, Driver’s License, has been amended, based on SB 17, and now requires any person operating a motorcycle to have a class M driver’s license regardless of the motorcycle’s license plate status.

HB 2125 deals with providing a driver’s license to a law enforcement officer when requested. This bill was brought to the legislature by agencies having incidents of individuals refusing to

hand their license to an officer claiming that the law only required them to display the license. The statute now clearly states a driver is required to promptly deliver their license to an officer when requested. This change required an amendment to STO Section 193, Driver's License in Possession, to reflect the changes made by HB 2125.

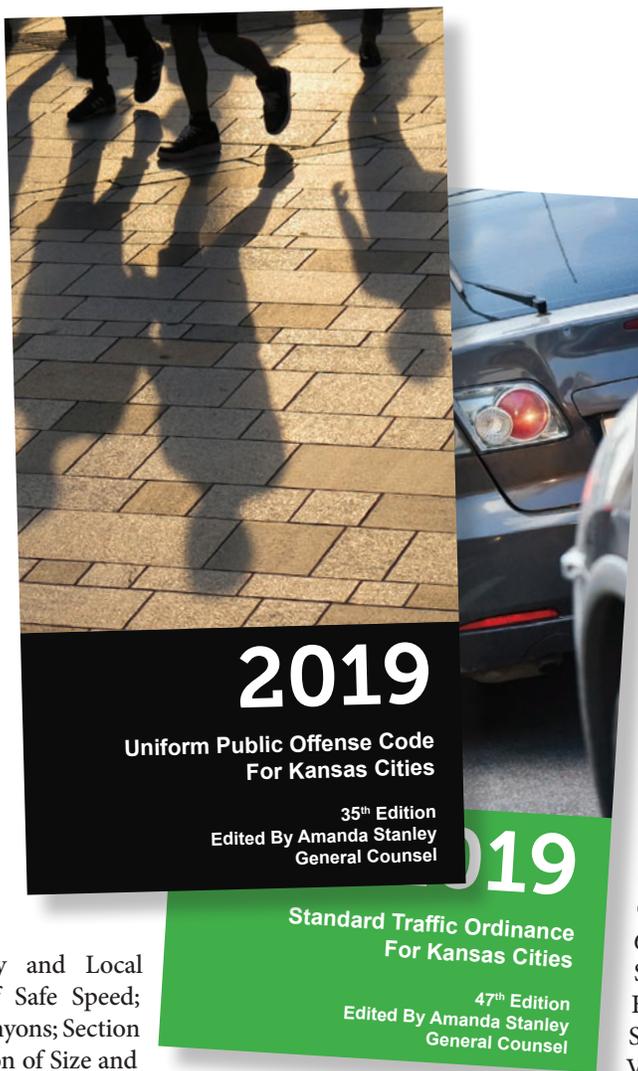
The final bill to change the STO this session was HB 2211. This bill allows a municipal court judge to waive the driver's license reinstatement fee upon showing of manifest hardship. This change required an amendment to STO Section 201.1.

In addition to the changes made by the Legislature, the editor decided it was time for a complete update of the STO to ensure it closely matched the Uniform Traffic Act in Kansas Statutes. This involved the addition of several new sections previous editors had decided to exclude. These sections include: Section 6.1., Road Construction Zone; Section 33.1., Special Speed Limitations Applicable to Certain Vehicles and Portions of Highways; Powers of Secretary and Local Authorities; Violations, Evidence of Safe Speed; Section 38.1., Driving in Defiles or Canyons; Section 105.1., Criminal Penalties for Violation of Size and Weight Laws; Exceptions; Section 105.2., Width of Vehicles and Loads Thereon; Section 105.3., Projecting Loads to the Front and Rear; Section 151.1., Air Conditioning Equipment; and Section 158.1., Lights; Lamps and Reflectors on Farm Tractors; Slow-moving Vehicle and Slow-moving Vehicle Emblem Defined; Requirements for Slow-moving Vehicles; Unlawful Acts; Exception.

The following sections were amended: Section 115., Unlawful Riding on Vehicles; Section 156., Lamps or Flags on Projecting Loads; and Section 158., Lamps on Other Vehicles and Equipment.

#### UPOC

The Legislative Session resulted in the UPOC having a few changes this year, with most of the changes related to marijuana and cannabidiol. SB 28 creates an affirmative defense for products containing THC, the hallucinogenic ingredient in marijuana. If a person is being prosecuted for marijuana possession because of the use of a cannabidiol treatment preparation, as defined by statute, and the individual has a statement from a licensed physician that the person suffers from a debilitating medical condition, the person would not be guilty of possession. This change in Kansas law has resulted in the amendment of UPOC Section 1.1., Definitions, with the addition of definitions for both cannabidiol treatment preparation and debilitating medical condition. UPOC Section 9.9.1., Unlawful Possession of Marijuana and Tetrahydrocannabinols, has been amended to provide the requirements for meeting the affirmative defense now available to individuals.



In addition to changes due to the 2019 session, the editor decided it was time for a complete update of the UPOC to ensure it closely matched the Kansas Criminal Code. This involved the addition of several new sections previous editors had decided to exclude. The following sections were added or modified: Section 3.1.1., Domestic Battery; Section 3.2.1., Sexual Battery; Section 3.4., Unlawful Interference with an Emergency Medical Services Attendant; Section 3.7.1., Interference with Custody of a Committed Person; Section 3.10., Hazing; Section 3.13., Stalking; Section 5.1.2., Unlawful Possession of a Visual Depiction of a Child; Section 5.1.3., Unlawful Transmission of a Visual Depiction of a Child; Section 5.3., Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverages; Section 6.1., Theft; Section 6.6., Criminal Damage to Property; Section 6.7.1., Trespassing on Railroad Property; Section 6.16., Giving a Worthless Check; Section 6.23.1., Unlawful Use of Recordings; Section 6.24., Commercial Fossil Hunting; Section 6.25., Counterfeiting; Section 6.26., Automobile Master Key Violation; Section 7.4., Interference with the Judicial Process; Section 7.15., Intimidation of a Witness or Victim; Section 7.16., Obstructing Apprehension or Prosecution; Section 8.2., Unlawful disclosure of Tax Information; Section 8.3., Unjustifiably Exposing a Convicted or Charged Person; Section 9.9.2., Possession of Drug Paraphernalia and Simulated Controlled Substances; Section 9.9.3., Unlawful Distribution of Controlled Substances; Section 9.9.4., Unlawful Possession of Controlled Substances; Section 9.9.5., Unlawful Possession of a Simulated Substance; Section 9.9.6., Distribution of a Non-controlled Substance; Section 10.2., Possession of a Firearm Under the Influence; Section 10.4., Failure to Register Explosives; Section 10.21., Selling Beverage Containers with Detachable Tabs; Section 10.28., Endangering the Food Supply; Section 11.1., Promoting Obscenity; Section 11.2., Promoting Obscenity to Minors; Section 11.9.1., Illegal Bingo Operation; Section 11.10., Possession of a Gambling Device; Section 11.11., Cruelty to Animals; Section 11.13., Unlawful Possession of Dog Fighting Paraphernalia; Unlawful Attendance of Dog Fighting; Section 11.14., Illegal Animal Ownership; Section 11.15., Permitting a Dangerous Animal to be at Large; and Section 11.16., False Membership Claim. 🍷

🍷 **Amanda L. Stanley** is the League's General Counsel. She can be reached at [astanley@lkm.org](mailto:astanley@lkm.org) or (785) 354-9565.



# City of Fairway Accreditation

By Bill Stogsdill, PWM, PWLF, Director of Public Works, City of Fairway, Kansas

Have you ever thought about trying to get your agency accredited? Do you think it would take too much time? Do you think that your staff is too small? Are you worried that it will be too daunting? The City of Fairway, Kansas had the same questions. With a landmass of just over one square mile and a Public Works staff of five, we didn't know if it was possible. We are here to share our lessons learned as well as the good, the bad, and the ugly. Lots of people ask, "is accreditation for us?". Accreditation is for every agency that wants to confirm that they are using the best practices in the most efficient way.

The City of Fairway, incorporated in 1949, is a beautiful residential community in northeast Johnson County. The city was named "Fairway" as it is bordered by two private golf courses. With nearly 4,000 residents and nearly 1,800 homes and 100 businesses, Fairway is a small, but significant city. Located within minutes of the Country Club Plaza and Downtown Kansas City, Fairway is a very popular residential area known as "the City of Trees."

Achieving Accreditation was important to the City so that we could confirm that even though we are a small department and community, we still follow the best practices available.

One of our biggest challenges was just getting started in earnest. The seed of accreditation was planted at PWX (Congress) in 2013 while attending a session on accreditation for small communities sponsored by the SC/RC (Small Cities/Rural Communities) Committee. We attended a Self-Assessment Workshop the following February and decided shortly after that this was something that we wanted to pursue. At our May 2014 City Council meeting we signed our accreditation contract and the clock started.

Things went quickly to begin with by focusing on the "Not Applicable" sections of the handbook. Once that was completed we hit a stretch of inactivity. As a small agency it is easy to put a project like this on hold. We were inundated with other assignments and projects that required immediate attention. A few of the larger ones:

- We demolished and rebuilt our pool/park complex in the off season of 2015;

- A space needs assessment for our Public Works facility was conducted and a new facility master plan was developed to rebuild on the current site. The new facility master plan was scrapped after finding an existing facility, rehabbing it to suit our needs, and ultimately moving into our new location 2015;
- Google and AT&T built out the backbone of their infrastructure throughout the city in 2016;
- A new location for City Hall was identified, remodeled to suit our needs, and moved into in 2017; and
- We transitioned through three different city administrators and two mayors.

Projects of this size and a change in leadership in a small city, with a small staff, made putting accreditation on the back burner very easy. Six months would come, six months would pass, and we would request another extension. In January of 2018 that came to a halt. American Public Works Association (APWA) staff emailed us to check in and see how our progress was going and if we would be ready for a site visit in 2018. We were not ready and requested another extension, but we were out of extensions.

APWA informed us we could get a final six-month extension for free or a one-year extension that would cost 25% of our original accreditation fee. The options were presented to our City Administrator and he encouraged us to find a way to get it completed within the six-month window. Now that we had a hard deadline we quickly organized to divide the work up amongst the team of three public works staff and one borrowed staff member from the City Administrator's office.

Our accreditation manager assigned the chapters to the team factoring in each of our current job duties and familiarity with the requested information from each chapter. With a small accreditation team, each member was responsible for multiple chapters. The team continued to meet monthly and the Director and the accreditation manager met bi-weekly. As each chapter was completed and uploaded to the website, our accreditation manager reviewed it for content and thoroughness and checked it off the list. This project was at the forefront and

# CITY OF FAIRWAY



took considerable time. Finally, after months of going through chapters and practices we were ready for our peer review and we felt confident about it.

Our confidence was shattered in the first 20 minutes of the peer review. While we did have most of our information uploaded, we did not have all of it dated. It is very important that all your supporting documentation is relevant – three years or newer – or have a memo from the department head stating that is the most current document or policy that your department follows. I can't stress this enough; our peer review team helped us tremendously. They gave us detailed information on what we needed to have cleaned up and modified for our site visit. Luckily, we gave ourselves about five weeks in between the peer review and the site visit just in case, and we needed it.

Thanks to our hard-working staff and our diligent peer review team, the site visit went better than expected. We finished earlier than anticipated and were able to get the site visit team home a little early (after enjoying some great Kansas City BBQ). We achieved full compliance on 346 practices, substantial compliance on two practices, and had one model practice.

## Do's, Don'ts, and Conclusion

**Do's-** Do go through the process to learn about your city, your department, and your staff. Do assign team members multiple chapters. We found that the more chapters you went through, the easier it became to complete. Do recruit the best peer review team possible. They will help make the site review process that much smoother. Do schedule plenty of time in between the peer

review and the site review to allow time for corrections and polish. Do empower your accreditation manager to be the one person with oversight and whose job is to review and make sure content matches and is similar across all the chapters as well. Do treat the site review team as guests, they are there to help. Do celebrate the accomplishment and invite the governing body to the plaque presentation.

**Don'ts-** Don't put the process off and run out of extensions, come up with a plan and a timeline and stick to it. Don't get defensive toward the site review team. They are there to try to understand your city, policies, and operations. Don't be afraid to reach out to other accredited cities to see what they used in a particular practice, it is okay to borrow ideas and policies.

**Conclusion-** I would recommend accreditation for any agency large or small. I have worked for the City of Fairway since 2001 and been Director since 2006. I learned several things about my city that I didn't know or had put aside. It is also a good internal look at your departments policies, procedures, operations, and efficiency. I know it's easy as a department head to say that there isn't time to dedicate to accreditation, but I promise you will find ways during the process to optimize or improve your department's operations. 🌟

🌟 **Bill Stogsdill** is the Public Works Director for the City of Fairway. He can be reached at (913) 722-2822 or [bstogsdill@fairwaykansas.org](mailto:bstogsdill@fairwaykansas.org).



# STAFF PROFILE

## Deborah Barnes, Staff Attorney

I joined the League in June 2019. I assist city staff and elected officials navigate the many rules and regulations that make up the legal framework cities must comply with in their delivery of services to their residents. I do this by answering questions when members call our office. I also contribute articles to the *Kansas Government Journal* and provide training in areas such as compliance with the Kansas Open Meeting and Open Records Acts. During the legislative session, I work with my colleagues to keep our members informed about matters of interest to cities that the legislators are considering, and work with legislators to discuss issues that affect our cities. I can be reached at [dbarnes@lkm.org](mailto:dbarnes@lkm.org).

### What do you think is the primary role of municipal government?

In the U.S., citizens can come together to form and govern a city. Cities are a way for residents to develop a community that provides the services they want and give practical form to the citizens' vision for their cities.

### What is your favorite thing about Kansas?

I really enjoy visiting the different communities throughout the state, especially the smaller ones. As an employee of the League, you are never a stranger anywhere in the state.

### Please share a little personal information about yourself.

I am originally from the United Kingdom, so don't be surprised when you hear a British accent answering your phone call!

### What is your favorite thing about your community?

I got to know my community a lot better when my husband ran for office a few years back and we went house to house, knocking on doors. Whatever their political persuasion, people were gracious and prepared to speak about what was important for them and why.

### What made you want to work with local government?

It's been a long journey to Staff Attorney at the League, coming via Moscow, Mongolia, Montevideo, and Montserrat (a small island in the Caribbean where I served as Governor). Before I came to the U.S., I worked as a public servant for the British government, including representing the United Kingdom overseas. I lived all over the world. I enjoyed this work; but was very pleased to come to the U.S. with my American husband, and to finally be living in a permanent home in Topeka. Studying law at Washburn gave me both a qualification and a perspective on U.S. society. It has been a fascinating ride, and it led me to consider how I could be part of my new Kansas community. While at law school I worked for various government-related organizations, including the League. Where better to serve than at the League? My job allows me to be part of the solutions the League works to provide for its members, and to be connected with and visit municipalities all over the state. 🌍



"I really enjoy visiting the different communities throughout the state, especially the smaller ones. As an employee of the League, you are never a stranger anywhere in the state."

# START DATES FOR TERMS OF CERTAIN LOCAL OFFICES



**SB  
105**

**Summary:** Senate Bill 105 authorizes a city to determine the start date of a regular term of office for a city officer by resolution of the city. The bill requires the start date be on or after December 1 following certification of the election and no later than the second Monday in January. If the city does not establish an alternative date, the bill specifies such term will begin on the second Monday in January. This law is effective on July 1, 2019.

## DO YOU NEED TO CHANGE YOUR ORDINANCE FOR SWEARING IN NEWLY ELECTED OFFICERS?

**STEP 1: DOES YOUR CITY'S ELECTION ORDINANCE (CHARTER OR ORDINARY) SET THE DATE FOR WHEN NEWLY ELECTED OFFICIALS TAKE OFFICE?**

**NO**

Action: Set new date by resolution. There is not a set format for resolutions in statute. Use your city's regular process.

**NOT SURE**



STOP. Read charter ordinance and then go back to Step 1.

**YES**

Amend Charter or Ordinary Ordinance to say:  
Date will be set by resolution

OR Amend Charter Ordinance to:

1. Charter out of K.S.A. 25-2120

AND EITHER

a. Set a date in charter ordinance

OR

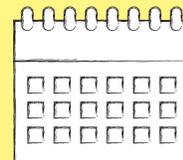
b. Set a date by ordinary ordinance

## THINGS TO CONSIDER WHEN PICKING A SWEARING IN DATE:

The date your city chooses can be any day on or after December 1, following the certification of the election but no later than the second Monday in January. Think about these items when choosing a date:

- Do you want a specific day?
- What happens if the date falls on a weekend?
- Do you want to pick the first regular meeting on or after December 1?
- Would it be best to choose a date that isn't specific (i.e. the first Tuesday in December)?
- Avoid major holidays.

Be sure to pick the best option for your city!



**SB 105 IS EFFECTIVE JULY 1, 2019. ANY RESOLUTION, CHARTER ORDINANCE, OR ORDINARY ORDINANCE PASSED BEFORE THAT DATE SHOULD BECOME EFFECTIVE ON JULY 1, 2019.**



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

## CONGRESSWOMAN JAN MEYERS

Vanguard, visionary, and vocal supporter of local government leaves legacy of public service and leadership.



**L**ongtime U.S. Representative Jan Meyers, the first Republican woman elected to the U.S. House from Kansas, died at the age of 90. Meyers, of Overland Park, represented the state's 3rd Congressional District from 1985 to 1997.

Jan was born in Lincoln, Nebraska, in 1928. She was an honors graduate of both William Woods College in Fulton, Missouri, and the University of Nebraska. In 1953, she married the love of her life, Louis "Dutch" Meyers. The couple lived in Lincoln, Nebraska before moving to Overland Park in 1956.

At home with two small children, Jan embarked on a self-created, five-point plan for self-improvement. One of the points was community activity, so she joined the Johnson County League of Women Voters. She served as President of the League of Women Voters and was active in the Johnson County Mental Health Association, the Johnson County Health-Welfare-Recreation Council, and the Citizens' Committee for a Johnson County Community College.

Jan Meyers served on the Overland Park City Council from 1967 to 1972; she was the first woman to be appointed to the Council in the history of Overland Park. She was the President of the Overland Park City Council from 1970 to 1972. While on the City Council, she served on several committees including administration, economic development, Overland Park Civic Center, police, parks and recreation, public works, and legal structure review.

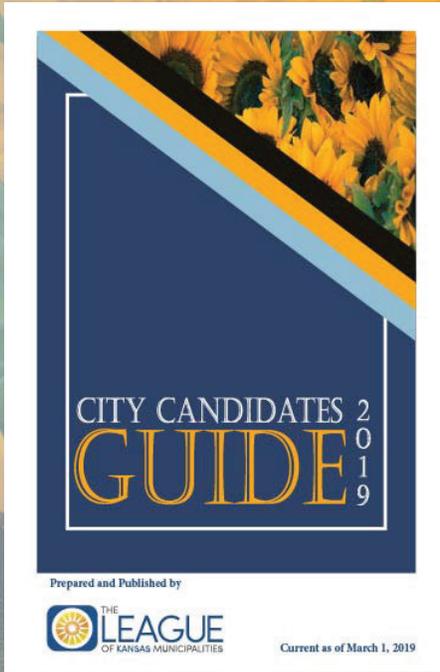
In 1969, she became the League of Kansas Municipalities' first female President. As a local government official, she served on the Board of the National League of Cities and chair of the Mid-America Regional Council.

In 1972 she was elected to the Kansas State Senate, where she sponsored bills to license home health agencies, increase penalties for drunk driving, and restrict the use of a rape victim's sexual history in court.

In 1984, she was elected to the U.S. House of Representatives. She became the first Republican woman to lead a House committee in more than 40 years when she became chairwoman of the House Small Business Committee in 1995. She was one of the driving forces behind the establishment of the Tallgrass Prairie National Preserve in Kansas. While she was a fiscal conservative, she advocated strongly for women's rights throughout her career.

After retiring from Congress, she traveled with Dutch, went on field trips with Audubon of Kansas, and served on the boards of Johnson County Community College and the Johnson County Library. She was a devoted caretaker to Dutch during his final illness, until his death in 2009. Even late in life, she occasionally made appearances at political gatherings and at the college's annual fund-raiser.

Jan is survived by her daughter, Valerie J. Meyers of Overland Park; son and daughter-in-law, Dr. Philip Meyers and Martha Ramirez of Santa Fe, New Mexico. 



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## Need Kansas Open Meetings & Open Records Training?

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Three training opportunities are available in August to receive the latest KOMA and KORA training from League staff.

Register today at [www.lkm.org/events](http://www.lkm.org/events).

August 2  
Lyons

August 9  
Liberal

August 16  
Burlington

# 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.

## *Need More Information?*

.....

Contact Trey Cocking, Deputy Director  
Email : [tcocking@lkm.org](mailto:tcocking@lkm.org)

### *Utilities & Environment : Tuesday, August 20<sup>th</sup>*

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.

### *Public Officers & Employees : Thursday, August 22<sup>nd</sup>*

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.

### *Finance & Taxation : Tuesday, August 27<sup>th</sup>*

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.

### *Legislative Policy : Thursday, August 29<sup>th</sup>*

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

**Sign up Today!**

<http://www.lkm.org/page/PolCommittees>



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Contact: Don Osenbaugh, KMIT Pool Administrator

[dosenbaugh@cox.net](mailto:dosenbaugh@cox.net) or 316-259-3847



# Derby Public Works Project Receives National Recognition

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

The City of Derby's Warren Riverview Park was named Project of the Year Award for "Small Cities/Rural Counties – Structures" from the Kansas Chapter of the American Public Works Association in May 2019. The project was then submitted to the American Public Works Association and was selected for national recognition.

Warren Riverview Park, located at 321 W. Market, opened October 20, 2018. It is located on the banks of the Arkansas River. The park is a four-acre city park with kayak/canoe access to the river, indoor special event space, a covered shelter, 15-foot ropes course and an area for organized camping for Girl Scouts and Boy Scouts. This park is the perfect place for those seeking adventure.

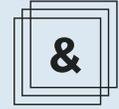
The park is named in memory of Ray & Virginia Warren, long-time advocates for Derby's growth and for scouting and community recreation. The park was designed with his family in mind and includes a one-of-a-kind totem pole that was hand carved by his son, Danny Ray Warren, that tells a story of their family. 🌳

🌳 For more information on Warren Riverview park, visit the City of Derby's website at <http://derbyks.com/warrenriverviewpark>.

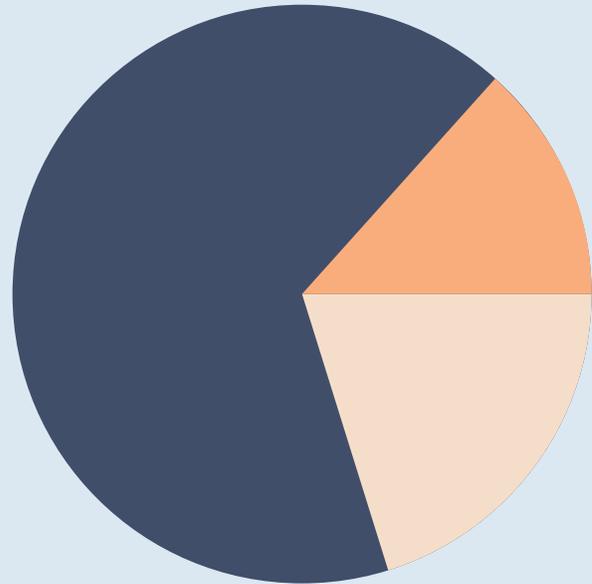


Project team members receive the Kansas Project of the Year Award for "Small Cities/Rural Counties Structures." Pictured are Brett Letkowsky, APWA Awards Chair; Carl Hiebsch, Project Superintendent for Snodgrass & Sons Construction; Steve White, Parks Director for the City of Derby; and Nick Staib, Landscape Architect.

# How much of your city's communication can we help with?



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## 2019 Annual Conference Hotel Accommodations & Reservation Procedures

October 12-14

Overland Park Convention Center &  
Sheraton Overland Park Hotel

**HEADQUARTER HOTEL:**  
Sheraton Overland Park Hotel\*\*

6100 College Blvd  
Overland Park, KS 66211  
(913) 234-2100  
Rate: \$146 + tax per night  
Cut-off date: September 12, 2019

**Online Reservations:**  
<https://bit.ly/2WQohyQ>

\*\*Sheraton Overland Park Hotel 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.

*Should the Sheraton sell out before the cut-off date, additional hotel blocks in close proximity to the convention center will be announced.*

### RESERVATION PROCEDURES:

- The League has made special arrangements with the hotel 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 1.
- 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 a room before making the reservation. Each reservation must be accompanied with the name for each room. There will be no multiple bookings under one name; all guest names are required at the time of booking. Name changes on guest room reservations will be accepted.

Remember, booking a room at the Headquarter Hotel ensures the League meets contract requirements, and won't be penalized by shortfalls or cancellations. Thank you for your cooperation!



Conference Registration is Now Open:  
[lkm.org/annualconference](http://lkm.org/annualconference)

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# NLC NATIONAL LEAGUE OF CITIES

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## Interested in Serving Cities on a National Level? Consider a Position with the NLC Board!

The League Awards Committee is in charge of 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 Kaitlyn Willis at [kwillis@lkm.org](mailto:kwillis@lkm.org) or 300 SW 8<sup>th</sup> Ave., #100, Topeka, KS 66603, (785) 354-9565 by 5:00 p.m. on Friday, September 6, 2019. The Awards Committee will review all requests for endorsement and make a recommendation to the League Governing Body for final action.

## 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 14, during the League's Annual Conference in Overland Park.

**In order to facilitate the process, we ask that all nominations be received by Friday, September 13 at 5:00 p.m. to the League of Kansas Municipalities, 300 SW 8<sup>th</sup> Ave., #100, Topeka, KS 66603. You can also go online and submit your form electronically at [www.lkm.org/GovBodyNomination](http://www.lkm.org/GovBodyNomination).**



## APWA — A Partner in Advocacy

### Using Advocacy to Promote Infrastructure Needs

By Calvin Clifton, APWA Government Affairs Committee Chair and Andrea Eales, APWA Director of Government Affairs

**T**he American Public Works Association (APWA) represents more than 30,000 public works professionals in North America with members serving in both the public and private sectors and across the entire public works spectrum of responsibilities. For APWA, one of our strategic priorities is to be “the voice of public works to government leaders and the media.” Achieving this goal requires educating leaders at the local, state, and federal levels about public works and its various functions and responsibilities within our communities across the country. It is also critical that we educate the public about what infrastructure and services are included under the public works umbrella and how this important infrastructure and services are funded, delivered, operated, and maintained to provide the high quality of life we expect as residents. Many of APWA’s members are employed at the city and county levels, and essential services are delivered by state and local governments. Therefore, APWA believes it is imperative that we work with our partner organizations representing local government to help formulate and shape public policy and educate the public about the real cost of providing quality vital services.

Just as the League of Kansas Municipalities identifies legislative priorities for advocacy at the state government level, APWA identifies public policy priorities for advocacy at the federal level. In our federal-level efforts, it is the APWA Government Affairs Committee (GAC) that is our membership’s lead in identifying, drafting, and promoting APWA member advocacy efforts to the U.S. Congress and the Executive branch. In order to best represent APWA’s federal level public policy goals, and to ensure that we are staying relevant and clear in our policy objectives, each

Congressional cycle (every two years) the GAC works with APWA’s Government Affairs staff to identify and draft public policy priority documents that speak to our policy objectives. Once the policy documents are drafted, they are presented to APWA’s Board of Directors for review and approval. After the policy priorities are approved, they serve as our policy directives for the following two years.

The GAC, APWA’s leadership, and Government Affairs staff work jointly to advocate on behalf of our members, and to engage our broader membership through our chapters. For the current 116th Session of Congress APWA’s public policy priorities are:

- Transportation
- Water Resiliency
- Emergency Management and Response

In order to be relevant and successful, and in addition to our public policy priorities, we need on-the-ground experiences of public works professionals being shared with lawmakers. These “real world” experiences are submitted through APWA’s “Tell Your Story” portal, which is a public space on APWA’s website for public works examples to be shared. Visit the APWA’s website, [www.apwa.net](http://www.apwa.net), under the “Government Affairs” tab for useful tools in supporting infrastructure and public works.

One of our biggest challenges is defining public works. Since public works can include many different services such as delivering clean and safe drinking water, properly addressing stormwater challenges, building and maintaining roads and bridges, clearing debris after a storm, managing parks, operating fleets and facilities, and designing, planning,

and building various facets of infrastructure in every size community across our nation, it is critical that APWA work with all levels of government to inform and advocate for sound public policy and consistent financial investment. APWA is a real partner for municipal, state, and federal personnel and officials. Together we can better address our infrastructure challenges.

In recent years there has been much public discussion about U.S. infrastructure and whether \$1 trillion or \$4 trillion dollars from the federal government is needed to ensure the safety of our infrastructure, as well as meet the 21st century needs of global commerce and the continual advancement of technology. President Trump and Congressional leadership publicly speak about how we should be defining infrastructure, and debate about how to pay for our needed infrastructure investment. State governments have been stepping up to pay for infrastructure investment, with more than half now having increased their gas taxes. In September 2020 the current surface transportation law, the Fixing America's Surface Transportation (FAST) Act will expire. Now is the time for officials, both in public works, and in local and state governments to be joining together to educate federal officials and the public about the true cost of planning, designing, building, operating, and maintaining our roads and bridges, and funding programs that state and local governments both depend on and are responsible for in serving their communities. The APWA GAC presently has a working group focused on reviewing the current FAST Act and drafting a policy statement regarding its reauthorization.

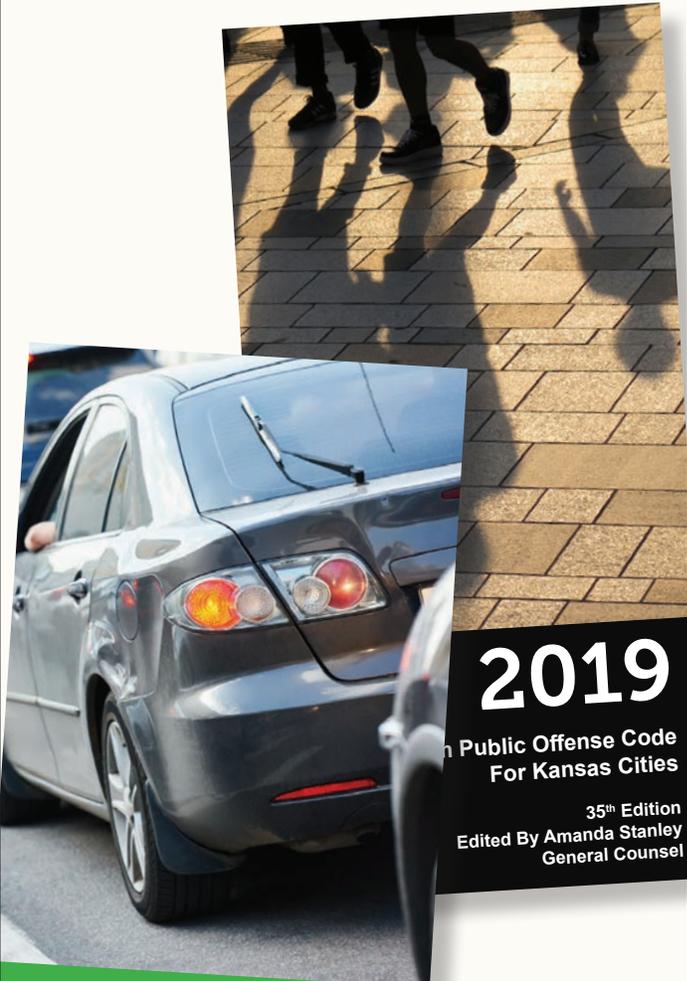
The APWA, city and county management associations, and municipal leagues across the U.S. are natural allies in addressing infrastructure challenges. Keeping public works and infrastructure on the forefront is imperative. It is important that each of our memberships connect with one another in their daily lives as well as in speaking to federal level officials about the challenges, needs, and successes in meeting our country's infrastructure requirements, and delivering essential services.

Over the past few years, APWA and the GAC have become recognized as a valuable source of information and many agency and congressional staff now know that we have subject matter experts available anytime to answer questions, provide data, and appear before committees if needed. This has provided serious credibility to APWA and with it the opportunity to further promote and advocate for the policies and issues that are important to our profession and the communities that we represent. APWA's Government Affairs Committee, and staff are available to assist with information, data, and guidance on matters of advocacy and stand ready to partner with other associations, municipalities, and individuals to help communicate an informative and consistent message. 🗣️

🗣️ For additional information about APWA's advocacy efforts, please contact Andrea Eales, APWA's Director of Government Affairs, at [aeales@apwa.net](mailto:aeales@apwa.net).

# Order Your 2019

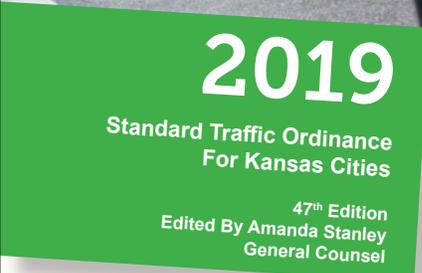
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# KANSAS GOVERNMENT

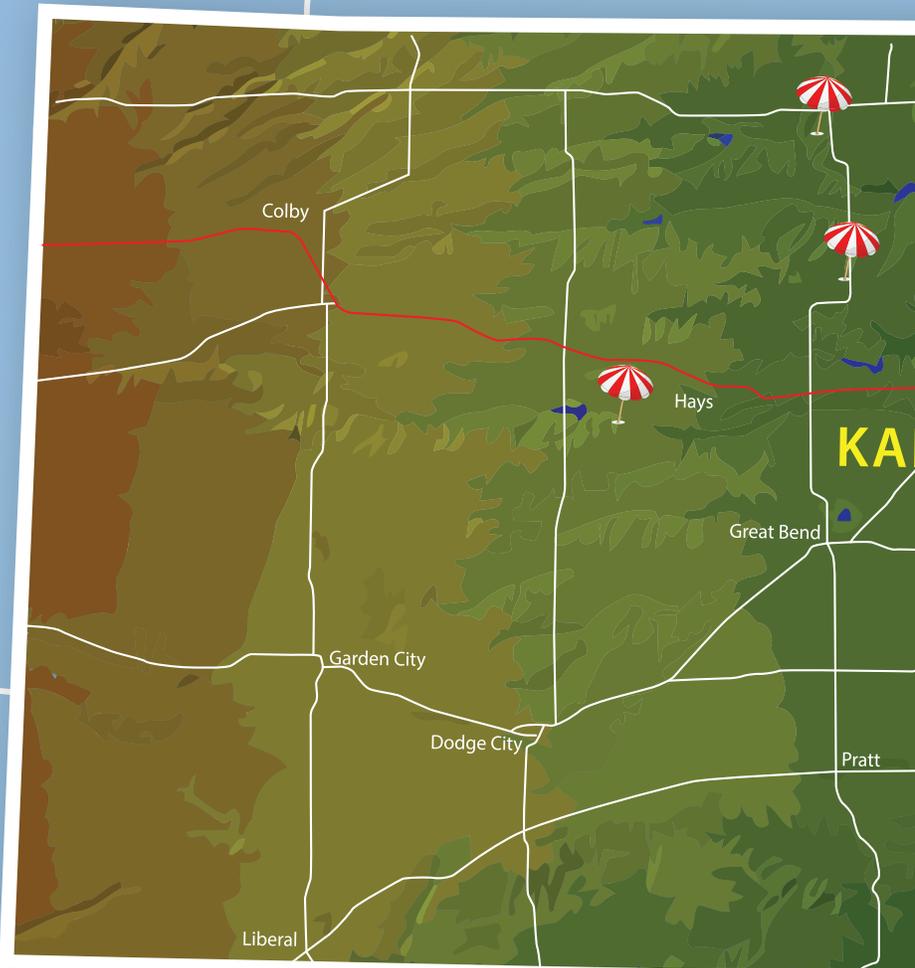
Cheyenne ★

## Department of Commerce Awards CDBG Funding for Neighborhood Centers

The Kansas Department of Commerce awarded a special series of Community Development Block Grants to 11 communities across Kansas for the construction or reconstruction of a city neighborhood center (specifically a city pool) and could have a maximum of two diving boards. Additional features (i.e. slides) were not included for funding but could be added after the project was finalized.

Grants are being awarded to the following communities:

- The City of Baxter Springs will receive \$960,000 to rebuild the city swimming pool and provide ADA improvements to the bathhouse. Matching funds will be provided in the amount of \$640,000 in city funds.
- The City of Blue Rapids was awarded \$763,411 to demolish and rebuild a zero-entry swimming pool. The City will use \$508,942 in bonds for their matching funds.
- The City of Caldwell is being granted \$961,000 to construct a fundamental pool. The City will supply \$672,143 in matching funds secured with bonds.
- The City of Caney will receive \$1,000,000 in funds to construct a 4,000 square-foot neighborhood center, including a bathhouse. Bonds will be used by the city to provide \$1,208,000 in matching funds.
- The City of Clyde will receive \$1,000,000 in CDBG funds to assure the bathhouse complies with ADA, as well as, the construction of a zero-entry pool. The City employees will demolish the existing structure with force account labor estimated at \$16,620 and \$682,980 in bonds will be used to complete the project.
- The City of Conway Springs will create their 19,250 cubic feet neighborhood center through a grant for \$892,121. Matching funds in the amount of \$594,748 will be made available. This improvement includes a diving board, lifeguard chairs, and ladders.
- The City of Ellis will receive \$1,000,000 to construct a new basic swimming pool with one diving board and fencing. The City is also contributing \$850,500 of their local funds.
- The City of Moundridge will use \$1,000,000 in funding to establish their 4,000 square-foot neighborhood center. The City will provide \$1,375,768 in bonds to match the grant funds.



- The City of Osborne is being awarded \$1,000,000 in funding to construct a pool with benches and shade canopies. The City will provide matching funds in cash for \$22,000. The total of \$1,108,109 was collected from fundraisers, donations, and other grants. In addition, the City employees will supply force account labor estimated at \$23,977.
- The City of Smith Center will receive \$1,000,000 in funding and provide \$700,206 in matching funds from the City. The monies will be used to demolish and reconstruct a 125,000-gallon, zero-entry pool.
- The City of Yates Center received \$1,000,000 in funding to complete a new swimming pool and bathhouse. This facility will meet all accessibility requirements. The City will provide matching funds in the amount of \$729,155.

# GOVERNMENT NEWS

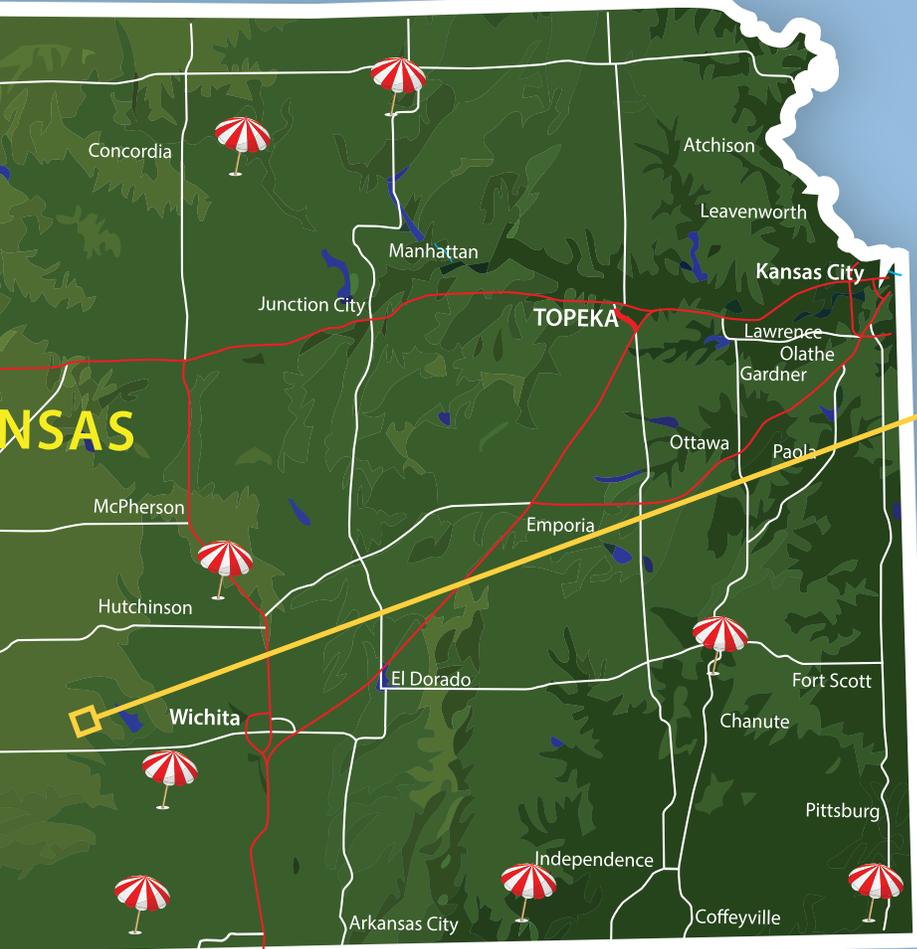
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We are always seeking content ideas for stories and briefs. Please send your ideas and thoughts for content or story ideas to Megan Gilliland at [mgilliland@lkm.org](mailto:mgilliland@lkm.org).

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## Pretty Prairie

### Pretty Prairie Water Treatment Plant Completed

The City of Pretty Prairie's new reverse-osmosis water treatment plant held a ribbon cutting on June 28. The plant should begin operating in July. For decades, the nitrate level in the City's municipal water supply has exceeded desired levels. The federal and state limit is 10 parts per million. The most recent test results showed Pretty Prairie's water sample at 23 parts per million. Under order to address the problem, the City authorized a reverse osmosis plant to treat the water, along with a new 150,000-gallon underground water storage tank and a new 50,000-gallon water tower.

The City will pay for the reverse osmosis system and the new tower using a state revolving loan through the KDHE. KDHE earlier approved a \$2.397 million loan at an interest rate of 1.91%, with a 30% loan forgiveness on the plant only. The City, with about 680 residents, also raised water rates in recent years to help finance improvements.

**Source:** *The Hutchinson News*

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# CLASSIFIED ADVERTISING

## **Independent Police Auditor – City Manager’s Office, Topeka**

The City of Topeka is seeking qualified applicants for an Independent Police Auditor position. This position will report directly to the City Manager and is responsible for evaluating and/or conducting investigations into allegations of Police misconduct, bias-based verbal abuse, and other allegations of misconduct as needed. Reviews compliance with internal investigation protocols and monitors quality assurance measures to ensure consistency, integrity, and overall quality of investigations and use of force standards to recommend improvements for efficiency to minimize risk factors.

Position requires a BA/BS degree in Social Science, Criminal Justice, Law, Management, or a closely related field. Must have at least five years of progressively responsible experience in conducting investigations and review of complaints or an equivalent combination of training and experience. Experience in a public agency and bi-lingual preferred.

Must possess and maintain a valid driver’s license and city insurable driving record, must obtain KS driver’s license within six months of hire date.

Entry salary up to \$75,800 DOQ. EEO

### **How to Apply / Contact**

The City of Topeka Employment Application is available online at [www.topeka.org/careers](http://www.topeka.org/careers)

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## **Computer Technician, Leavenworth County**

Under the direction of the Senior Technician, this employee responds to service requests from end users, which are channeled through the Help Desk. This employee works closely with end users and must demonstrate excellent customer service skills and timely resolution of assigned tasks including providing technical support for computer hardware and/or software and other

related equipment and installation of operating systems, client software, and application software.

### **How to Apply / Contact**

Please visit <http://www.leavenworthcounty.org/employment> asp to complete our Application for Employment. Once completed, email it to [hr@leavenworthcounty.org](mailto:hr@leavenworthcounty.org) or fax it to 913-684-1028. If you have a resume you would like to include, please send that along with the application.

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## **Building Inspector Specialist, Lawrence**

This position performs technical building construction permit plan reviews and inspections to ensure compliance with related building and land development codes/ordinances of the City of Lawrence. Coordinates, conducts, and documents building permit pre-construction meetings among project owners, designers, general contractors and various City staff as appropriate. Provides technical assistance to stakeholders in the building permitting and inspection process. Assists building permit project owners, designers and/or general contractors with appropriate solutions to issues that may arise during construction; takes lead role in coordination of building permit partial, temporary, conditional, and/or final certificate of occupancy inspections and approvals with/among the Building Codes Manager, other City departments and project general contractors and/or owners/tenants; and provides technical assistance to the Building Codes Manager in the operations and services of the Building Safety Division of the Planning & Development Services Department.

High school diploma or GED equivalent supplemented by specialized training in construction technology, code enforcement, or a related field is required, bachelor’s degree is preferred. At least two years of increasingly responsible experience working in the commercial/multi-family construction industry and at least two years of increasingly responsible

building inspection experience involving the full range of inspection duties is preferred. Possession of, or ability to obtain, various International Code Council certifications at 6, 12 months, as required by job assignment. The ideal candidate will possess knowledge of the National Electrical Code (NEC), ICC mechanical, plumbing, or fuel gas codes. This position requires a valid Kansas driver’s license. The successful candidate must pass the City background check, as well as the post-offer City physical and drug screen.

### **How to Apply / Contact**

Visit [www.LawrenceKS.org/JOBS](http://www.LawrenceKS.org/JOBS) to apply.

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## **Fire Chief, Garden City**

The Garden City Fire Department is responsible for department administrative services, fire prevention, code enforcement, fire suppression, technical rescue, hazardous material response, airport rescue and firefighting, vehicle extraction, fire investigations, and assisting Finney County Emergency Medical Services and providing mutual aid for neighboring fire departments.

The Fire Department provides full service to the City of Garden City and Finney County through two locations: Central Fire Station and Labrador Fire Station. Service to the Garden City Regional Airport is provided at the GCRA Aircraft Rescue and Firefighting Station.

The Fire Chief provides administrative direction and leadership for all Fire Department functions, operations, and personnel through the supervision of staff and a review of their activities. The Fire Chief is responsible for working with City officials in recommending and developing projects, policies, procedures, and guidelines for the protection of life and property in the City.

### **How to Apply / Contact**

Qualified individuals should submit a City application, cover letter, resume, and three work-related references to the

City website at [www.garden-city.org/](http://www.garden-city.org/) jobs. For questions please contact Allie Medina, HR Director, at (620) 276-1172.

The position will be open until filled. The application process will consist of a group of finalists to participate in an assessment center to identify the top candidate and to offer finalists an opportunity to fully evaluate the community so that they can better assess the professional and personal opportunity. EEO

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### **Assistant City Manager Hays, Kansas**

The Assistant City Manager has the primary responsibility of assisting the City Manager in overseeing the day-to-day operations of the City by working with the City Commission, department

heads, and residents. Other duties include researching issues, providing advice, & managing assigned projects. This position manages the preparation & administration of the annual budget. The assistant also assumes the City Manager's duties in their absence.

Hays has 181 full time employees with an annual budget of \$40 million. Hays is financially sound thanks to proper planning. City services include dispatch, convention & visitors bureau, fire, parks, police, public works, planning, solid waste, airport, water Supply, wastewater treatment, and administration.

Possession of bachelor's degree (master's degree desired) in a related field of study is required. Excellent supervisory, organizational, budgetary, administrative, and communication skills as well as a big picture approach is necessary. Candidates must be able

to demonstrate strong written and oral communications & have the ability to work with the general public. Being able to build relationships is key.

#### **How to Apply / Contact**

Resumes can be emailed to [hr@haysusa.com](mailto:hr@haysusa.com) or mailed to Human Resources, P.O. Box 490, Hays, KS 67601. Resumes must include a minimum of three references & a cover letter. Priority deadline for this position is August 9, 2019. Review of applications will begin after the priority deadline & continue until after the position is filled.



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