

Kansas

GOVERNMENT JOURNAL

VOLUME 105 - NUMBER 1

JANUARY 2019

**2019 Legislative
Preview**

**An Interview with
Gov. Laura Kelly**

**Cereal Malt
Beverage License
Changes**

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February

Personnel Management (Core)

February 1 (Olathe)

Municipal Finance (Core)

February 22 (Emporia)

March

Harassment in the Workplace (Elective)

March 6 (El Dorado)

Emergency Management (Elective)

March 1 (Minneapolis)

March 29 (Cimarron)

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Municipal Index

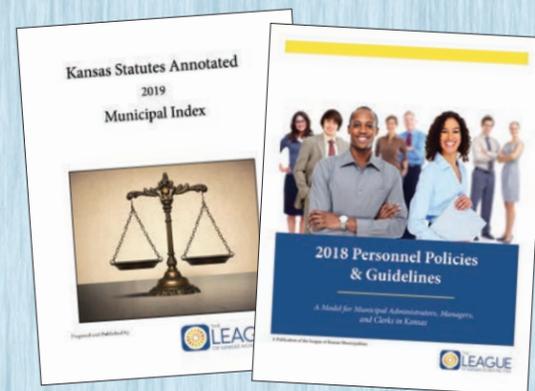
Kansas Statutes Annotated (2019)

This recently updated publication is a quick index to those sections of the Kansas Statutes Annotated (K.S.A.) which most commonly affect cities. All entries are listed alphabetically by subject, and are cross-referenced to related topics listed in the index. The index is not designed to list all statutes which may apply to a particular city and should not be used as a substitute for the research and advice of the city attorney.

Model Personnel Policies & Guidelines (2018)

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Good personnel management is essential for the efficient and effective functioning of city government. It is difficult to overestimate the importance of productive, competent employees in achieving the city's goals and policies. Personnel administration can also be an effective tool in city management. This manual presents a model set of personnel policies and guidelines for Kansas cities with new information relating to domestic violence, sexual orientation, and other legal updates.



Order publications online at www.lkm.org/publications.

Coming Soon!

The League's Home Rule Manual is in revision. Look for information this spring to order the completely revised Home Rule Manual for Cities – this will become your go-to guide for issues involving local control.



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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

FEBRUARY

February 1MTI: Personnel Management (Olathe)

February 22MTI: Municipal Finance (Emporia)

MARCH

March 1MTI: Emergency Management (Minneapolis)

March 6MTI: Harassment in the Workplace (El Dorado)

March 10-13NLC Congressional City Conference (Washington, D.C.)

March 15Governing Body Meeting (Topeka)

March 29MTI: Emergency Management (Cimarron)

Visit www.lkm.org/events for event registration.

Obituaries

Antone “Tony” L. Dusil, 91, of Kansas City passed away on December 25. Tony was born July 7, 1927 in Kansas City, Kansas and was a life-long resident of Wyandotte County. He was a 1945 graduate of Bishop Ward High School and a U.S. Army WWII Veteran. He married his wife Mary Catherine Miller Dusil in 1946. For 60 years he owned and operated Dusil Insurance Agency, retiring at 89 years of age. He was a past Fire Chief for the Bonner Springs Fire Department from 1965 to 1975 and he started the Bonner Springs Ambulance Department as Chief from 1975 to 1987.

Laurel Donniss McClellan, 70, of Anthony, passed away on December 22. He was a loving husband and father of four children. Laurel was born June 30, 1948 in Logan. After graduating from high school, he attended Kansas Wesleyan University and received his Jurist Doctorate with honors from The National Law Center at The George Washington University. After working a brief time in Washington D.C. for several senators and the Interstate Commerce Commission, he returned to Kansas where he met his beloved wife, Linda. Laurel continued to practice his love of law for 45 years. Laurel served his communities as a member of many civic organizations. He had a passion for woodworking, making many special items for family and friends. He will be remembered for his quick wit and compassion for anyone in need. Laurel will be deeply missed by his wife, Linda, his children, and a large, extended family

Daniel L. Williamson, 70, of Leavenworth passed away quietly on December 21. His wife Carla was by his side. Dan was born August 27, 1948, in Arlington, Virginia. Dan retired from the City of Leavenworth as the Finance Director in 2013 after 23 years of dedicated service. He leaves behind his wife of 18 years, Carla Williamson. He is also survived by two daughters, Ashley Williamson of Kansas City, Missouri, and Erin Williamson of Prairie Village, Kansas; a son, Joshua Williamson of Leavenworth; two step-children, Jessica Clifford of Overland Park, and Marc (Bethany) Clifford of Killeen, Texas. He had three grandchildren. He loved his children, cooking, and Duke basketball.

DIRECTOR'S FOREWORD

by Erik Sartorius

Happy New Year! I hope you all have exciting plans and inspiring goals for 2019. Here at the League, we aim to continue providing you quick answers to your questions, informative trainings that help you grow in your position, and effective advocacy protecting the constitutional Home Rule power of cities.

The legislative session's wheels will have begun slowly turning as this Kansas Government Journal reaches you. (See page 8 for a legislative preview.) As the 2019 legislature gets going, we offer our best wishes and hopes for a productive time for both the legislature and newly elected Governor Kelly.

Elections and the resulting new class of legislators always means a slower start to the legislative session. For freshman, every committee's purview is new to them. Some returning legislators have new committee assignments. For both groups, committee chairs generally look to spend the first few weeks receiving briefings on a plethora of topics prior to tackling bills assigned to their committees.

A new governor also means the legislative pace will be slow. Cabinet secretaries are new to their positions and are still familiarizing themselves with their agencies. What may have been a legislative priority for an agency just three months ago may be a distant memory, and new priorities of Governor Kelly may take some time to be fully formed. Speaking of the governor, she graciously granted our staff time for an interview shortly before Christmas. Excerpts from our conversation can be found on page 6.

As legislative veterans know, however, the speed (or lack thereof) at the beginning of a legislative does not offer guidance as to how (or when) a session will end. For the last several sessions, odd-numbered years have provided some of the longest terms on record. What does that mean for 2019? Maybe nothing, but no one should expect the legislature's work to be wrapped up in a tidy package delivered ahead of schedule.

One of the interesting, new committees created by Speaker of the House Ron Ryckman is the Rural Revitalization Committee. Though at press time committees have not met, Chairman Don Heineman and several committee members have suggested several topics they wish to tackle that may offer strategies for reinforcing our rural communities. This will most definitely be a committee to watch this year, and one where I believe the League will be quite active.



While the state is enjoying – maybe “experiencing” is a better word – near historically-low unemployment, not all indicators are pointing to a healthy economy. In speaking with members, several say unemployment has become too low in their area; qualified workers are nearly impossible to find. Actions at the federal level may have a larger effect on the Kansas economy compared to other years: trade disputes and tariffs and the federal government shutdown (if still going on when you receive this) stand to impact several Kansas industries, particularly agriculture.

Revenues for the state have been above projections, though one must keep in mind that revenue estimates had been revised downward several times. Revised estimates made in November were the first to show significant growth expected in revenues in some time. While overall revenues for the first half of this fiscal year are up 6.75% compared to the previous year, December's revenues were actually 1.75% below December 2017 receipts.

Thru December 2018, sales tax revenues have mostly not beaten monthly estimates, and have several times come in below receipts for the same month of the previous fiscal year. Sales tax revenues have missed estimates most months by 1-2% each month and have been down 1-3% year-over-year. For me, this causes some question as to the overall all strength of the economy and Kansans' trust in it.

While there may not yet be consensus on the issue, several financial experts and economists believe an increased likelihood for a recession will face the U.S. toward the end of this year. The stock market has been volatile, to say the least. We have experienced a bull market well beyond what is normally seen.

The League will have additional forecast data in our 2019 “Budget Tips” document, which will be published around May. Meanwhile, be paying close attention to local conditions and visiting with your managers, finance folks, and businesses around town to better understand the outlook for your city.

Finally, a quick note about news from the beginning of this month. You likely heard that U.S. Senator Pat Roberts announced he will not seek reelection in 2020. Though the time for thanks is a long way off, I would like to note Senator Roberts and his staff have always been very generous with their time for cities when visiting Washington, D.C., and have worked hard for the citizens of Kansas. There will be big changes in the Kansas congressional delegation in 2021, for sure!

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

As the 2019 legislature gets going, we offer our best wishes and hopes for a productive time for both the legislature and newly elected Governor Kelly.

Senator to CEO

Governor Laura Kelly Discusses Her Vision for Kansas

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

In December, then Governor-Elect Laura Kelly sat down for a quick question-and-answer session with the League to talk about her priorities for the immediate future, and how local government can be involved, as she takes the lead as the Sunflower State's 48th Governor.

Q: What issues are on your priority list for your first year as Governor and how do cities fit into that vision?

LK: My entire campaign was focused on bringing Kansans back together and fixing our state. We put ourselves on the road to recovery when the legislature overturned the veto of the tax experiment in 2017. I really see myself as the CEO of a company that needs to be put back on track. To do that, we are looking for, and seeking out, top-notch talent. We are looking for good managers with experience in their field. We need people who understand the issues and have the management skills to go into an agency and restructure, re-source, and then put the agency back on mission-track focus.

I can assure people that we are looking only for people who have talent and the skill set needed. We will not be focused on whether someone wants, needs, or deserves a job but rather if they can do the job. We must get good people in the state if we are going to turn this thing around.

We will be able to present a fiscally responsible, structurally sound budget to the Kansas Legislature going forward that will address some of the priorities. Clearly school funding needs to be addressed. We hope to be able to put on the table a Medicaid expansion plan that will be doable within our budget, might even be revenue-neutral. Then we will be focused on fixing some of the life-and-death issues over at the Department of Children and Families.

There are a ton of other things that need attention. We will probably approach this in a triage-style; we will go after the most critical areas first and then set up priorities and move through those as revenues and personnel allow.

Q: What are your thoughts on the current property tax lid imposed on local governments?

LK: I voted against the tax lid; it goes back to my belief in local control. You have duly elected officials in your cities. Your mayor or city council are the ones that ought to be making those decisions; they are the ones answerable to their voters. If locals have a problem with what they are doing, they hold them accountable. For the state-level to impose this, it is just not appropriate. In terms of the future of the tax lid, we'll see. I know there will likely be efforts brought up by the League and others, to repeal it, if not modify it significantly to take care of some of issues that have come up. I just don't believe it is our place to put handcuffs on local officials.



Q: Mental health is a major issue and is becoming a law enforcement issue affecting local governments. What are your thoughts on mental health needs for the state?

LK: My background is in mental health. I understand mental health systems well and have been working with other legislators and mental health care advocates over the past couple of years to craft a comprehensive mental health plan, so you are dealing with the entire continuum and allocating resources in a way that will fill in some of those gaps and best meet the needs. We will continue to look at those kinds of issues. I have always thought that what we ought to be doing is contracting with our community mental health centers, safety net clinics, and other mental health providers in our communities to work within the K-12 system so it is their clinical staff going into the schools and providing the services that are needed face-to-face and over the summer months. I think this is imperative; you can ward off hospitalizations if you can provide the intervention necessary.

A much longer-term focus of mine that I think will impact the mental health world significantly is early childhood education programs. I plan to work toward a public-private partnership model to provide for comprehensive early childhood education programming from birth to age five. There are programs now in Wichita that are phenomenal. These programs contract with families to begin to work with the centers. They do wrap-around services with the family; and then provide incredible early childhood stimulation to kids. By the time the kids are getting to kindergarten, they are not going into special education. Later, in their wonder years, they are not going into juvenile corrections. They have the data to show their progress. These programs produce more productive citizens and you

save the state a ton of money by not having to provide the services that otherwise might have been necessary.

I want to see a public-private partnership; I think our business community, more than anybody gets it, they really need these kids to come out of high school and be ready for the workforce. I think this will be a major focus of my Administration in the long-term.

Q: How can cities help the Kelly Administration?

LK: I have always thought city and county officials were pretty valuable. The state has reneged on its part of the deal to really be a partner with our local communities. I want to see the sense of partnership come back. I think I have a consistent record of supporting local control. I believe very firmly that local elected officials are elected by those people to do that job. It is not, should not be the role, of the State to micromanage what local officials do. That is one thing your membership can feel good about; we are not going to come down with a lot of controlling kinds policies. I would rather we sit around the table and work together; if there are issues that I feel need to be addressed at the local level, then I will bring those officials in to have that conversation and determine how we work together.

Everyone Has A Seat at the Table

Lynn Rogers, Lieutenant Governor of Kansas, Works to Connect Small Towns and State Government Through the Office of Rural Prosperity

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

Since beginning the transition from State Senator to Lieutenant Governor, Lynn Rogers has focused on making sure many voices are heard.

"We have a great bi-partisan team of republicans, democrats, and independents all helping to get in and find out what is going on in the different agencies," said Rogers. "We are finding that some of the problems go deeper than we may have imagined. There are a lot of concerns we have to address quickly."

Since his election as Lieutenant Governor in November, Rogers and the rest of the transition team, have been focused on key issues including public education, Medicaid expansion, and social service networks; however, the Governor's Office has their sights set on the entire 82,278 square-miles of our state.

"We really want to see government to work well," said Rogers. "We don't have a vision of expanding government; but we have a vision making sure the services our citizens need and deserve are delivered in an efficient and sound way."

Lt. Governor Rogers will be leading a new initiative, the Office of Rural Prosperity, focusing on rural revitalization in Kansas.

"I grew up on a farm, but my hometown has a population of about 920 people," said Rogers. "I travelled the state for over 30 years in my previous career as an agricultural banker. I was in-and-out of almost every county working with farmers and ranchers. During my time as a

Q: What is your favorite Kansas vista or view?

LK: I find a lot of Kansas very interesting. I have lived in a lot of other places and a lot of other terrains. I don't think anybody can overlook the beauty of the Flint Hills. It is just magical going through the Flint Hills; there is a subtle beauty there that is second to none.

Q: What is your favorite place to eat in Kansas?

LK: It probably would be Scheme Pizza in Salina. When we first moved to Kansas, we lived in Salina and found Scheme Pizza. It is the best pizza I have had west of the Mississippi; and I am a New Yorker by birth, so pizza is important to me. We spent every Thursday night at the Scheme and would often celebrate family milestones there.

Laura Kelly was inaugurated as the Governor of Kansas on January 14, 2019. The Governor's website is <https://governor.kansas.gov/>.

Megan Gilliland, Communications and Education Manager for the League of Kansas Municipalities, can be reached at mgilliland@lkm.org (785) 354-9565.

State Senator, I spent my time travelling back-and-forth from Wichita to Topeka. During the campaign I was able to get back to rural Kansas and was really amazed at how many rural businesses had closed and how many communities were a little worse for the wear."

This experience led the Kelly-Rogers Campaign to develop a Rural Prosperity Plan, a multi-faceted plan looking at housing, medical care, educational opportunities, and transportation in rural Kansas communities.

"We want to use this office as a lens to which we can focus policy initiatives and judge what kind of impact policies have on rural Kansas," said Rogers. "The focus is on quality of life in rural Kansas. It is not that these issues are not important in urban and suburban areas, but sometimes rural Kansas and smaller towns tend to have less resources than larger communities. We don't want to duplicate what is already being done but want to make sure small-town Kansas has a seat at the table for policy discussions that come from the Governor's Office."

Rogers said "prosperity" will have to be defined by the local community, not a top-down approach. He's looking for ways to make State government a partner with those communities that want to prosper.

The Office of Rural Prosperity will also seek ways to work with the House of Representative's new Committee of Rural Revitalization which was established by House Leadership for the 2019 legislative session.



KANSAS LEGISLATURE PREVIEW

Municipal Priorities Set for 2019 Session



By Trey Cocking, Deputy Director, League of Kansas Municipalities and League Legislative Staff

House Leadership

Speaker of the House:
Ron Ryckman,
R-Olathe

House Majority Leader:
Dan Hawkins,
R-Wichita

House Speaker Pro tem:
Blaine Finch,
R-Ottawa

House Majority Whip:
Blake Carpenter,
R-Derby

Assistant Majority Leader:
Les Mason,
R-McPherson

House Minority Leader:
Tom Sawyer,
D-Wichita

House Asst. Minority Leader:
Valdenia Winn,
D-Kansas City

House Minority Whip:
Jim Gartner,
D-Topeka

The 2019 legislative session will start on January 14 and will bring in a host of changes to Kansas state government. Kansas will once again see divided government with Democrat Laura Kelly taking the helm of the Governor's office and the executive branch of the state, as the legislature with its 34 new members remains solidly under republican control. The legislature will be focused on fiscal issues including responding to the latest ruling in the *Gannon* school finance case and finding a way to fund several items including transportation funding and KPERS.

Our legislative work at the League is guided by the Statement of Municipal Policy (SMP). The SMP is created by our members and adopted annually at the League's Annual Conference. After the adoption of the SMP League staff members begin putting together a plan to implement the Action Agenda of the SMP. This includes meeting with stakeholders including various lobbyists, legislators, and opposition groups. As session draws nears, League staff begins to work with legislators to draft bills and review legislation to create a plan to successfully implement the Action Agenda.

Property Tax Lid

This year the League's Action Agenda was amended to say, "we support the repeal of the tax lid." League staff will work with the legislature to, first and foremost, find a way to repeal the tax lid. The tax lid is having unintended consequences including some units of government choosing to keep their property tax levy at a higher level because they will not be able to increase it in the future. In the event repeal does not happen, League staff will advocate for a much-needed employee benefit exemption and an ability for city governments to consolidate with smaller units of government.

Remote and Electronic Sales/Use Tax

This summer, the United States Supreme Court ruled in favor of the State of South Dakota in *South Dakota v. Wayfair, Inc et al., 138 S. Ct. 2080 (2018)*. The ruling allows South Dakota and other states to require out-of-state vendors to collect and remit sales tax if they meet one of two safe harbor requirements. The safe harbor requirements are as follows: 1) a minimum of \$100,000 in transactions or, 2) a minimum of 200 total transactions in the state. Last year, the House Tax committee passed out an internet sales collection bill, however, it was not moved forward on the floor due to concerns from a legislator with an online auction business. In 2019, there seems to be growing momentum to require out-of-state vendors to collect and remit sales tax. There may be an effort to lower the state's portion of the grocery tax to offset any increase in tax dollars.

Alternative Property Valuation

Alternative Property Tax Valuation is when a business owner offers an alternative valuation for their property which is substantially lower than the county's appraised valuation. The alternative property valuation is often done using comparable sales that do not have the same, highest and best use as the owner's property. Although no bills were introduced during the 2018 session, the Senate Assessment and Taxation committee held informational hearings to gain an understanding of the issue. The League will continue to closely monitor this issue.

Budget Timeline

Many cities have been interested in exploring an alternative timeline for adoption of the annual budget. In the past, we have explored moving back the adoption of the budget and setting of the tax levy, however, county clerks and treasurers have objected to this because it would reduce the amount of time they have to produce property tax statements. A policy sub-committee reviewed this issue this summer and developed a recommendation to separate the adoption of the budget and the setting of tax levy. Under this proposal, cities would still be required to set their property levy by August 25 but would have until November 30 to adopt their operating budget. The proposal would allow for three additional months of sales tax collections and would allow a city to develop better estimates for the coming budget year.

Workers' Compensation

Several recent Kansas Court of Appeals decisions have called into question the constitutionality of the current workers' compensation statute. The Attorney General has asked the Supreme Court to review one of these decisions, *Johnson v. U.S. Food Serv., 56 Kan. App. 2d 232 (2018)*. The League will continue to watch this issue to ensure cities' interests are protected.

Senate Leadership

President of the Senate:
Susan Wagle,
R-Wichita

Vice President of the Senate:
Jeff Longbine,
R-Emporia

Senate Majority Leader:
Jim Denning,
R-Overland Park

Senate Minority Leader:
Anthony Hensley,
D-Topeka

Senate Assistant Minority Leader:
Oletha Faust-Goudeau,
D-Wichita



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2019 ACTION AGENDA

The prosperity of the State of Kansas is absolutely dependent upon the prosperity of our cities. Over 82% of Kansans live in an incorporated city. In an effort to promote healthy and sustainable communities, the elected and appointed city officials of Kansas hereby establish the following as our action agenda for 2019:

HOME RULE. Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

PROTECTION OF THE FIRST AMENDMENT. The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. We support cities' First Amendment right of freedom of association to work together to accomplish common goals.

TAX LID REPEAL. We support repeal of the property tax lid.

INTERNET SALES TAX COLLECTIONS. The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. The League supports state legislation establishing a program to help the state collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods for the state and local governments.

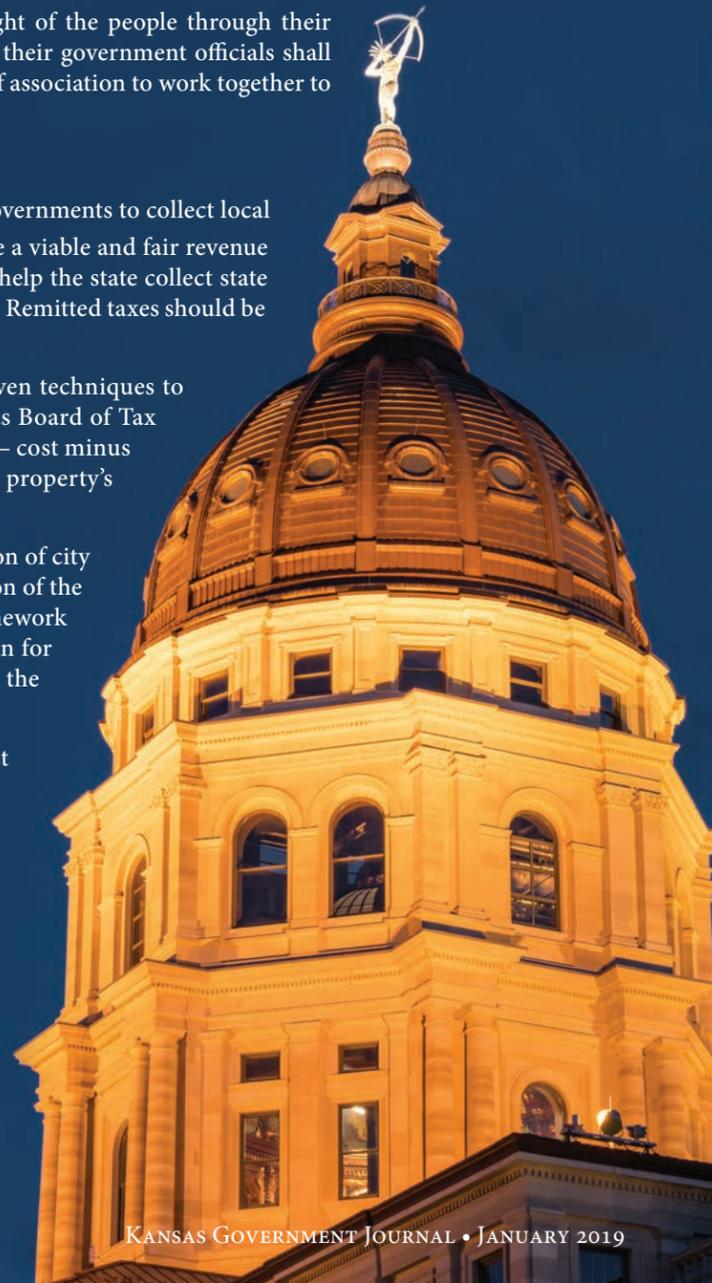
ALTERNATIVE PROPERTY VALUATION. We support proven techniques to define commercial properties at their highest and best use. The Kansas Board of Tax Appeals should be required to consider all three methods of valuation — cost minus depreciation, sales comparison, and income — when determining a property's true value.

BUDGET TIMELINE. We support legislation to allow the adoption of city budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed. The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year.

WORKERS' COMPENSATION. We support reasonable and just benefits for employees injured within the course and scope of their public employment, and effective enforcement of the Workers' Compensation Act.

Installation of Elected Officials. We support local decision-making in determining the proper time to install newly elected officials.

EMS/HOSPITAL FUNDING. Municipal hospitals and emergency medical services (EMS) are challenged in meeting their communities' needs. Between 2009 and 2014, city and county tax revenue budgeted for hospitals increased 33.3% to meet these needs. We support the expansion of Medicaid in Kansas to allow such entities access to federal funding, helping cities maintain and provide critical services for their citizens.



Installation of Elected Officials

The League will seek legislation that will allow cities to designate, before the filling deadline, when newly elected city official will take office. Under existing state law, all newly elected officials take office on the second Monday in January. The League is seeking legislation that will allow a range from December 1 through the second Friday in January.

EMS/Hospital Funding

The League supports Medicaid expansion, as the lack of expansion has increased pressure on local budgets. The expansion of Medicaid would provide additional federal funding to help maintain and provide critical services for residents. Currently, Kansas cities are being compelled to cover EMS and hospital funding with local tax dollars. During the 2018 session, the Senate Public Health and Welfare committee held a hearing for consideration of SB 38, which would have expanded Medicaid in Kansas. The committee recommended the bill be passed as amended to the Senate floor. The Senate Chamber never scheduled the bill for debate. The League will continue to closely monitor this issue.

Abandoned and Blighted Structures

The League has worked on this issue for many years and was able to move the bill out of the House and into the Senate in 2018. However, Senate leadership blocked the bill from moving out of the Senate Committee on Ethics, Elections, and Local Government. At this point, Senate leadership does not plan on allowing the bill to move forward in the Senate. The League will continue to work with leadership to build consensus to move a bill forward.

Transportation

The Joint Legislative Transportation Vision Task Force (Task Force) was created by the 2018 Kansas Legislature to evaluate the previous and current transportation programs and make recommendations for future transportation needs for the State. The Task Force met several times across the state from August to November, listening to presentations and gathering information from those interested in the future of transportation in Kansas. The League had two representatives on the Task Force and participated in a presentation before the Task Force. The presentation provided information concerning the contribution cities make to the state transportation system as well as how the current tax lid is impacting local transportation budgets. The League will provide further information when the Task Force issues its report to the Kansas Legislature.

Service Animals

Currently in Kansas, it is a class A, non-person misdemeanor under K.S.A. 39-1112 for any person to misrepresent that they have a disability entitling them to the use of as service animal. The statute focuses on punishing the individual for misrepresenting his/her right to be accompanied by a service animal. This makes the statute incredibly hard to enforce because the result is litigation over whether an individual has a disability not over whether the dog is a qualified service animal. The League is working to rewrite the statute to





include both provisions regarding the misrepresentation of an individual's need or entitlement to a service animal, as well as provisions as to the misrepresentations of animal's qualifications to be a service animal.

Body Cameras

Over the interim, the League served on a Judicial Council committee looking at body cameras. The result is a bill that attempts to find common ground with all stakeholders. It defines public interest and it establishes a balancing test for the court to sue when deciding if the release of a criminal investigation record is in the public's interest.

Expanded Gaming

If the Kansas Legislature authorizes expanded gaming by allowing sports wagering, cities should receive funds to offset the impact, similar to agreements for other gaming that occurs in Kansas. During the 2018 session, three bills were introduced and hearings were conducted; however, each bill died in committee. In May of 2018, the United States Supreme Court struck down the Professional and Amateur Sports Protection Act, lifting the federal prohibition on sports betting and giving states permission to expand gaming. In December, members of the Kansas Senate and House Federal and State committees held an informational hearing and requested all stakeholders to meet prior to session to build consensus on a bill for introduction.

Electric Rates & "Choice"

An issue picking up steam in the past few years has been electricity rates in the state. Some consumers, particularly larger, industrial consumers, believe that electric rates in Kansas are not competitive within our region. Other groups point to rates as a detriment to economic development efforts. Their solution is to let all consumers choose from where they get their electricity. Cities with electric utilities and other electricity providers are concerned about recovering their capital costs with an uncertain customer base. Additionally, concerns exist that "choice" would result in larger customers benefitting while leaving expenses to smaller and residential customers.

In 2018, the League's legislative team testified over 75 times during the 90-day session. The testimony, plus the on-the-ground efforts of our lobbyist team and the voices of elected and appointed officials across the state, resulted in several positive outcomes for cities in 2018. Our members and local government advocates across the state are a key factor in successful legislative efforts. Your help and engagement is greatly appreciated as we begin this next session. 🙏

🗣️ **Deputy Director Trey Cocking leads the League's legislative efforts. He can be reached at tcocking@lkm.org or (785) 354-9565.**

Relationships Are the Cornerstone of Effective Advocacy



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- Always be respectful and avoid personal attacks
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- Send legislators your newsletter/updates

Kansas Association of City/County Management Awards



City/County Management Professionals Gather in Pittsburg to honor and Celebrate Achievements.



Career Achievement Award:

- John Sweet, Lyons (retired April 2018)*
- Randall Oliver, Cheney (retired April 2018)*
- Meryl Dye, Hutchinson (retired Sept. 2018)*
- Craig Weinaug, Douglas County (retiring Dec. 2018)*
- Ray Hummert, KU (retired Dec. 2018)*
- Tom Markus, Lawrence (retiring Spring 2019; served 45 years in 7 cities in 5 states)*



Early Career Excellence Award
Austin St. John, City Administrator, Marysville



Early Career Excellence Award
Ethan Reimer, City Administrator, Halstead



Buford Watson, Jr. Award

Matt Allen, City Manager, Garden City (pictured with KACM Immediate Past President Don Cawby, City of Osawatomie, and Cherise Tieben, KACM President, City of Dodge City)

City Manager Matt Allen was named the recipient of the Buford Watson Jr. Award for Excellence in Public Management by the Kansas Association of City/County Management (KACM) during the association's annual conference in 2018.

Matt has been the City Manager of Garden City since 2008, before which time he served as the Assistant City Manager for six years. Allen's municipal government team has received state and national recognition for innovation in areas of public participation, local government social media, fiscal transparency, embracing diversity and healthy community design for rural communities.

The Buford Watson Jr. Award is the most prestigious award a city manager in Kansas can receive.

"From the moment I first learned about the award three years ago I couldn't imagine another manager in the state more deserving," said Jennifer Cunningham, Assistant City Manager for Garden City. "Matt is everything the award represents. We are lucky as staff to have him as our leader and lucky as a community to have someone that cares and is so deeply connected."

John Deardoff, City Manager of Hutchinson, nominated Allen for this award.

"Matt has been a strong voice for Southwest Kansas through his work on major regional transportation issues involving

Essential Air Service, Amtrak and highways," Deardoff wrote in his letter of nomination.

Deardoff wrote that he has known Allen for 25 years and has worked closely with him, seeing firsthand the leadership that Allen brought to Garden City and the Southwest Kansas Region.

"Allen's devotion to the profession of public management is evident in his involvement in the League of Kansas Municipalities, International City/County Management (ICMA) and KACM, as well as mentoring young professionals in the city management field," Deardoff wrote. "He is always willing to give advice or share experiences with young managers."

Mayor Roy Cessna said he was proud to see Allen honored with the award.

"Matt is very deserving of this recognition," Cessna said. "He provides outstanding leadership to the City of Garden City. He shares his knowledge that helps develop City staff and others in the community and region."

Allen was raised in Garden City and holds a Bachelor of Arts Degree from Bethany College as well as a Master of Public Administration from the University of Kansas. His first career opportunity in city management was as a part-time intern with Saline County, KS in 1994. Allen advanced his career with positions held in the City of Lenexa, City of Salina, City of Joplin, Mo. and City of Oakley before settling back in Garden City.



BEST PRACTICES



Tips for Testifying

Compiled by League Legislative Staff

Providing testimony on behalf of your city, whether written or oral, is a wonderful way to get involved in the legislative process. Testifying before a legislative committee can be intimidating to those not accustomed to speaking before a legislative body. The following are some tips for what to expect when testifying and how to make your testimony as meaningful as possible.

Protocol & Etiquette

- Arrive early at the State Capitol, usually 20-to-30 minutes before the committee is scheduled to begin taking testimony.
- Committees take testimony from those who sign up in advance. Contact the committee assistant via phone or e-mail. You will be asked if you are testifying as a proponent, an opponent, or as a neutral party. A neutral party is one who doesn't have a position either for or against the object of testimony.
- If possible, you should provide enough written copies of your testimony for each member of the committee. Committee members appreciate having a copy for future reference or to mark if they have a question about your position. You should provide copies, along with an electronic PDF to the committee assistant, 24 hours in advance of your testifying.

- At the beginning of your testimony, thank the chairperson and the committee members for the opportunity to testify on the issue before the committee, then introduce yourself, indicate where you are from, and why you are there.
- When your formal testimony is complete, the chairperson will ask if any of the committee members have questions for you. In response, you speak through the chairperson: "Madame Chairman (or Mr. Chairman), the answer to the question is...." If you do not have the information on hand, tell the chairperson that you will provide the requested information as soon as possible. Providing follow-up information is an excellent technique for ensuring your testimony is fully considered and provides you with additional contact with the committee.

Testimony Presentation

- Be brief and to the point. Often there are other witnesses present, and the Committee will appreciate your cooperation in allowing everyone to have an opportunity to be heard.
- Avoid repeating a previously made point. If the point you want to make is made by a witness before you, think of a new angle from which to make your point, or frame it a little differently from the way those who testify before have done. If you are with a group, each person should address a different point, rather than repeat each other's testimony.
- If you want to tape record the Committee proceedings, either on audio or video, you must first get permission from the Committee Chairperson.
- While at the State Capitol, be sure to visit your district representatives. It is important that your Senator and Representative know that you are testifying about an issue. Visiting with them is the best way to let them know your concerns and that you want to be included in future discussions of issues affecting your municipality. Provide them with copies of your testimony.
- Finally, relax and enjoy giving your testimony. Legislators want to know what is the municipal perspective on issues, and they want to hear your personal experience or position. Every Committee member is an elected official who appreciates the sacrifice you are making to participate in the committee process. Just as you are a conduit for your community to the Legislature, you are also a conduit for the Legislature to your community.

Arrival at the Capitol

- Before traveling to Topeka, be sure to find out where the committee is holding its hearing.
- A parking garage is located under the State Capitol and is accessed from 8th Street. Additional garages are located east of the State Capitol on 8th and 9th Street. Metered parking is also available around the State Capitol.

By using these tips when preparing your testimony, you can make your legislative committee experience rewarding and provide additional confidence in your statement. League members can track legislative issues at our website, www.lkm.org/legislative, or in our weekly e-newsletter League News. 🗞️

Legislative Resources & Services Provided

Kansas Legislature

www.kslegislature.org

- Full Text of Bills
- Bill Tracking
- House and Senate Calendars

Legislative Hotline

Toll Free (800) 432-3924

Topeka (785) 296-2149

- Bill Status/Hearing Schedule
- Leave a message for a legislator to call you back via state KANS-A-N network

Legislative Document Room

Room 58-S, State Capitol, Topeka

(785) 296-4096

- Copies of bills and calendars

Legislative Research

Room 68-W, State Capitol, Topeka

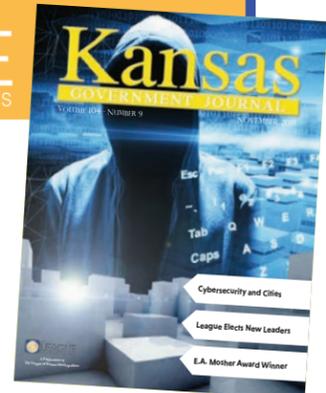
(785) 296-3181

- Legislative staff for committees

Kansas Legislative Handbook/Government Research Service

214 SW 6th, Topeka

(785) 232-7720



Each year, the League sends sets of the *Kansas Government Journal* off to a bindery that preserves the issues into a hardbound cover. To have your city's *Kansas Government Journals* bound, contact us by March 1.

All 10 copies of the 2017 *Kansas Government Journal* will be bound in book form with the name of the magazine, the year, and the volume stamped on the cover and spine for just \$45 per volume, plus shipping. Missing copies of the magazine? The League will supply any copy of the *Kansas Government Journal* for \$5 per issue, except for March, which is \$10.

Please have all your magazines sent in no later than July 10, 2018. **Questions?** Please contact Megan Gilliland, Communications and Education Manager, for the League at (785) 354-9565.

2019 League Calendar

JANUARY

- 1 New Year's Day, League Office Closed
- 14 2019 Legislative Session Begins
- 11 MTI – Municipal Finance, Eudora
- 18 MTI – Ethics & Civility, Newton
- 21 Martin Luther King Day, League Office Closed
- 23 Local Government Day, Topeka
- 24 Governing Body Meeting, Topeka

FEBRUARY

- 1 MTI – Personnel Management, Olathe
- 22 MTI – Municipal Finance, Emporia

MARCH

- 1 MTI – Emergency Management, Minneapolis
- 6 MTI – Harassment in the Workplace, El Dorado
- 10-13 NLC Congressional City Conf., Washington D.C.
- 15 Governing Body Meeting, Topeka
- 29 MTI – Emergency Management, Cimarron

APRIL

- 5 MTI- City Clerk Fundamentals, Garnett
- 12-13 Leadership Summit and Kansas Mayors Conference, Salina

MAY

- 3 MTI – Advanced Municipal Finance, Ottawa
- 17 MTI – Social Media for Cities, Valley Center
- 27 Memorial Day, League Office Closed

JUNE

- 7 Governing Body Meeting, Topeka
- 13 MTI – Valuing Diversity, Kingman
- 14 CAAK Spring Meeting, Wichita
- 21 MTI – Advanced Municipal Finance, Garden City

JULY

- 4 Independence Day, League Office Closed

AUGUST

- 2 MTI – KOMA/KORA, Lyons
- 9 MTI – KOMA/KORA, Liberal
- 16 MTI – KOMA/KORA, Burlington
- TBA League Policy Meetings, Topeka

SEPTEMBER

- 2 Labor Day, League Office Closed
- 6 MTI – Harassment in the Workplace, Russell
- 13 Governing Body Meeting, Pittsburg
- 13 MTI – Planning & Zoning, Winfield

OCTOBER

- 11 CAAK Fall Meeting, Overland Park
- 12 Governing Body Meeting, Overland Park
- 11-14 League Annual Conference, Overland Park
- 12 MTI – Economic Development (Conference)
- 12 MTI – Cybersecurity for Cities (Conference)
- 12 MTI – Mini Governing Body Institute (Conference)
- 12 MTI – Personnel Management (Conference)
- 15 League Holiday – Office Closed
- 20-23 ICMA Conference, Nashville, TN
- TBA Regional Suppers – six locations

NOVEMBER

- 1 MTI – Ethics & Civility, Lindsborg
- 14-15 CCMFOA Institute, Wichita
- 28-29 Thanksgiving, League Offices Closed

DECEMBER

- 4-6 KACM Annual Conference, Garden City
- 6 Governing Body Meeting, Topeka
- 24 Christmas Eve, League Office Closes at Noon
- 25 Christmas Day, League Office Closed

***All dates subject to change. Check our website at www.lkm.org for more information on League events.*



LEGAL FORUM

CMB Changes Coming to Grocery and Convenience Stores

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

In 2017, the Kansas Legislature amended the cereal malt beverage (CMB) laws to allow retailers with a CMB license to also sell beer containing not more than 6% alcohol by volume. The businesses will still apply to the city for a CMB license but, beginning April 1, 2019, the CMB license issued by the city will allow the businesses to sell CMB and beer containing not more than 6% alcohol by volume. As with any change in the law, there have been some questions.

In most situations, if you ask people the difference between CMB and alcoholic liquor, they would say CMB is 3.2% beer and alcoholic liquor is beer with an alcoholic content of over 3.2% and other spirits such as wine and whiskey. In reality, the definitions are more complicated, and cities need to understand the differences in order to make some sense of the change coming in April 2019.

Pursuant to K.S.A. 41-2701(a), CMB “means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute or any flavored malt beverage, as defined in K.S.A. 41-2729, and amendments thereto, but does not include any such liquor which is more than 3.2% alcohol by weight.” So, CMB can be several different beverages that contain undistilled liquor with an alcohol content of not more than 3.2% by weight. Notice the term “beer” is not in the definition of CMB.

“Beer” is defined in K.S.A. 41-102(d), as “a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of

barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.”

Using these two definitions, we can now talk about what impact the change in the CMB licensing law will have on cities. Cities will still issue a CMB license to retailers located within the city limits who qualify to sell CMB. The requirements for qualifying for a CMB license have not changed. What has changed is what can be sold by a business with a CMB license. In addition to CMB, these businesses will also be able to sell “beer containing not more than 6% alcohol by volume.”

If we refer to the definition of beer, you will see all of the products that a CMB business will now be able to sell in addition to CMB. Licensees will be able to sell any of the products defined in the definition of beer if it contains not more than 6% alcohol by volume.

Frequently Asked Questions

Does this change only apply to businesses with a CMB license to sell CMB in the original package for consumption off premises?

No, if a business has a CMB license for consumption on premises they will also be able to sell beer containing not more than 6% alcohol by volume.

Will a business with a CMB license be able to sell wine after April 1, 2019?

No, they will only be able to sell CMB and beer containing not more than 6% alcohol by volume as defined above and wine does not meet this definition.

Can an 18-year-old employee still sell or dispense CMB and beer containing not more than 6% alcohol by volume?

Yes, the rules related to the operation of a business with a CMB license have not changed.

Can a retail liquor store now sell CMB?

Yes, beginning on April 1, 2019, liquor stores will be able to sell CMB and any other goods and services not to exceed 20% of the retailer’s total gross sales.

When can beer containing not more than 6% alcohol by volume be placed into a CMB licensed business?

The Director of the division of alcoholic beverage control has created rules to allow the beer to be located in the businesses after March 1, 2019. The



beer must be secured in a manner to assure there are no sales prior to April 1, 2019.

How will this effect local sales tax collection?

In the past, any CMB sale was subject to local and state sales tax with the state collecting the total and then distributing the local portion back to the city. Retail liquor sales were subject to the state liquor enforcement tax and not state and local sales tax. When the change allowing the sale of beer containing not more than 6% alcohol by volume by CMB licensed businesses was originally passed in 2017, the statutes would have required the beer containing not more than 6% alcohol by volume to be subject to the liquor enforcement tax and not local and state sales tax. The League was successful in pursuing a change in 2018 to the sales tax issue. The statutes now provide that the sale of beer containing not more than 6% alcohol by volume made by a business with a CMB license is subject to state and local sales tax.

What about city ordinances?

The League’s legal staff reviewed the sample ordinance for CMB regulation that we have provided in the past. After a complete review and, considering the changes going into effect April 1, 2019, the League has drafted a new sample ordinance to address the change to the ability to sell higher alcohol content beer with a city issued CMB license. The new sample ordinance can be downloaded on the League website at www.lkm.org/cmb-2019-changes.

The statute changes to allow for the sale of beer containing not more than 6% alcohol by volume by a business licensed to sell CMB, made no change to the process for a city to issue a CMB license. There was concern of possible confusion because a city would issue a CMB license with no reference to the ability to also sell beer containing not more than 6% alcohol by volume after April 1, 2019. To make it clear and, avoid any confusion, we have defined CMB and beer containing not more than 6% alcohol by volume as “Enhanced Cereal Malt Beverage”. We have also provided a section making it clear that the CMB license issued by the city authorizes the sale of both CMB and beer containing not more than 6% alcohol by volume.

In addition to the changes discussed above, the sample ordinance has been modified to make it clear the language on the restriction of the location of a CMB licensed business is optional and not required by statute unlike retail liquor stores who are subject to

restrictions on where they can be located. We have also provided an optional subsection for cities that have authorized Sunday sales with the proper language for the hours of sales in those jurisdictions. There have been a few other changes made to bring the ordinance into compliance with current regulations for CMB businesses.

In conclusion, what a city needs to be aware of is the fact that the license they issue to a business allowing the sale of CMB will also allow the sale of beer containing not more than 6% alcohol by volume beginning on April 1, 2019. The city application process for a CMB license has not changed and the requirements that must be met to qualify for a CMB license have not changed either. The city does not have to change when a CMB license is issued. If a license is issued prior to April 1, 2019, the business will be able to sell CMB as they always have, and then on April 1, 2019, the same business with the same license will be able to sell CMB and beer containing not more than 6% alcohol by volume. 🍷

👤 Eric Smith is the Deputy General Counsel for Member Services and Operations. He can be reached at esmith@lkm.org or (785) 354-9565.



View the full model ordinance on The League’s website at www.lkm.org/cmb-2019-changes

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Ending Exploitation

State, Local Governments Working to Address Human Trafficking

By Davianna Humble, Management Intern, League of Kansas Municipalities

Human trafficking is defined the recruitment, transport, harboring, transfer, sale, or receipt of a person through coercion, force, fraud, or deception for the purpose of placing the person in situations of slavery-like conditions, forced labor, or services.¹ The issue of human trafficking has been exacerbated by poverty, lack of economic opportunities for women, the low status of women in some cultures, unemployment, lack of adequate laws, and the rapid growth of organized crime.²

For many, the concept of human trafficking more closely resembles a film plot. A young, teenage girl is ripped from her home, shipped across the world, and forced to a secret, harsh reality. All forms of government and agencies come together to find the young girl before any harm comes to her, just in the nick of time. Unfortunately, this is not the reality of human trafficking. Often, it is not just teenage girls; human trafficking affects all ages and genders.

Human trafficking has been in existence from some of the earliest records of humanity and society. However, it was named something else: slavery. Trafficking and slavery are similar concepts because individuals removed from their homes, sometimes by coercion, forced into some form of arduous work in poor conditions without any form of payment.

Local, state, and federal governments are continuing to work diligently in remedying this issue, especially in Kansas. Recently, the Office of the Attorney General and local municipalities have been doing their part in the fight against human trafficking.

AG's Office Response

The Attorney General's Office has done much to provide information to the state about human trafficking in Kansas. Information about current state statutes, the demand, traffickers, and victims of human trafficking. Information has been disseminated in

the form of presentation to local governments and law enforcement. The Attorney General's Office discusses the demand of trafficking. The age range of buyers are 18-89 years old with the median age being 42.5 and they are usually married with children. Furthermore, 99% of buyers are male, 20% work with children³, and 22% are in positions of authority.⁴

The Attorney General's Office also collected information about trafficker characteristics. Traffickers are usually between 19-45 years old, 90% had a criminal record, and made \$220,000-\$500,000 a year from trafficking.⁵ Additionally, 30% of traffickers are female⁶ and their persuasion techniques can make them appear as a role model for other girls and women. Attorney General Schmidt further discusses at-risk populations such as runaways, victims of sexual and physical abuse, immigrants, impoverished people, and children with disabilities or mental illnesses to name a few.

In summary, the Office of the Attorney General has been able to provide in-depth and insightful information that discusses the position of Kansas in the fight to end human trafficking and to Kansans. The Office has also done tremendous work in advocating for victims, something that can be forgotten in investigations.

Local Government Response

The State of Kansas has launched a sex trafficking-specific awareness campaign that targeted the demand for commercial sex in the state called *Demand an End*.⁷ It focuses on sex buyers, which is the crux of the problem, who perpetuates the industry to eliminate the demand of sex trafficking specifically.

During an interview with Detective Derrick Wilczek with the Overland Park Police Department and an FBI Task Force Officer, he discussed the position of Kansas and the metropolitan area.

"We are in a good spot compared to other states. We have an advisory board that pushes legislation and is made up of individuals from multiple disciplines," Detective Wilczek stated.

Due to stringent legislation, the state of Kansas has raised its grading from an F to an A from 2011 to 2018. This framework for this comes from the organization, Shared Hope International, who focuses the rescue and restoring of women and children enslaved in sex trafficking.⁸ The framework consists of the criminalization of domestic minor sex trafficking, criminal provisions addressing demand, criminal provisions for traffickers, criminal provisions for facilitators, protective provisions for the child victim, and criminal justice tools for investigation and prosecution. Legislation such as the Human Trafficking Act, Aggravated Human Trafficking, Commercial Sexual Exploitation of a Child, Buying Sexual Relations serve as examples. Overall, Kansas is in the Top 10 for states that have the best scores in the United States. According to Detective Wilczek, this well-thought out legislation greatly serves law enforcement in training, identifying trafficking, and providing support to victims.

In addition to legislation, another mitigating factor to human trafficking in the state is victim support and services and restorative justice. In fact, there are 31 agencies that provide support and services such as counseling, therapy, translation/interpretation, advocacy, and shelter. Wilczek notes that the FBI provides opportunities for victim services outreach and resources for local law enforcement. This allows support systems for victims, minimize re-victimization, and to provide necessary services. The FBI also assists in coordination with other states, cites Wilczek. Moreover, the federal government assists with resources and may even adopt cases federally.

When questioned about the impact of municipalities becoming involved in ending human trafficking, Wilczek admitted that it can be difficult due to staffing, manpower, and resources. However, cities can consequential influence by using minimizing demand as a tool for involvement. This can be done through signing petitions and disseminating information. Furthermore, cities must analyze what their mission is and can it be measured. City involvement does not have to be extensive by dedicating law enforcement resources immediately. Rather, cities can encourage signing petitions, start a program, establish a working group, found a support group, and so much more.

What's Next?

A barrier that prevents the progression of anti-trafficking efforts is misconceptions. It is crucial that these misconceptions are being acknowledged and actively combatted. For example, various forms of trafficking exist and the most indiscernible is labor trafficking. This is because, at face value, it just looks like a normal person going to work and trying to make a living. Labor trafficking includes debt bondage, forced labor, or child labor. Another barrier to acknowledge to encourage progress is the latent nature of trafficking. This makes metrics all the more difficult to substantiate yet even estimates provide a sense of reality to the issue. These are just a couple of examples of misconceptions that hinder the advancement of anti-trafficking movements.

STATE STATS



KANSAS

2018	SCORE	GRADE	10	22	14.5	9.5	23	15
	94	A	10	25	15	10	27.5	15
2011	50.5	F	5	8	11	5.5	13.5	7.5
			10	25	15	10	27.5	15

- Criminalization of Domestic Minor Sex Trafficking (10)
- Criminal Provisions Addressing Demand (25)
- Criminal Provisions for Traffickers (15)
- Criminal Provisions for Facilitators (10)
- Protective Provisions for Child Victims (27.5)
- Criminal Justice Tools for Investigation and Prosecution (15)



Detective Wilczek emphasizes that education is important. If cities do not know the problem exist, change cannot be made. Continuing education creates increasing awareness, displays that the issue is a priority, and generates support. 🗣️

🗣️ Davianna Humble is the League's Management Intern from The University of Kansas. She is a first-year Masters of Public Administration graduate student.

Sources:

- 1 U.S. Congress. House. Commission on Security and Cooperation in Europe. 1999. The Sex Trade: Trafficking of Women and Children in Europe and the United States. 106th Cong., 1st sess., 28 June.
- 2 U.S. Congress. Senate. Committee on Foreign Relations. 2000. International Trafficking in Women and Children. 106th Cong., 2d sess., 22 February-4 April.
- 3 Schmidt, D. (2018). Human Trafficking [PowerPoint slides].
- 4 Ibid.
- 5 Ibid.
- 6 Ibid.
- 7 Ibid.
- 8 Shared Hope International. (2018). About Us. Retrieved from <https://sharedhope.org/about-us/>
- 9 Ibid.

American Council of Engineering Companies Awards

Local governments receive recognition for infrastructure projects.



City of Topeka: 10th Avenue Reconstruction, Fairlawn Road to Gage Boulevard

The City of Topeka is the winner of the Above 50,000 Population category, for the 10th Avenue Reconstruction project. The engineering firm on the project was Professional Engineering Consultants, PA, and the general contractor was Amino Brothers Company, Inc. The project was financed through KDOT Federal Fund Exchange. The total project came to an approximate cost of \$4,248,000.

The 10th Avenue Reconstruction project involved a mile-long project that converted a two-lane rural section without shoulders to a three-lane urban arterial. The route provides access to Gage Park, home of the Topeka Zoo, Blaisdell Pool, and the Kansas Children's Discovery Center. The route also serves a neighborhood commercial center, multiple senior living facilities, and residential properties. New pedestrian and bicyclist connectivity were provided with a five-foot sidewalk on the south and a 10-foot joint-use path on the north, adjacent to the park.

Other completed street components of the project included provision for transit stops, pedestrian crosswalks with beacons, and energy-efficient LED street lighting. To provide access to the adjoining properties, a six-phase, two-year construction sequencing program was developed with input from local neighborhood voices.



City of Mission: Foxridge Drive Rehabilitation: 51st to 56th

Foxridge Drive Rehabilitation has been selected to receive a City Public Improvement Award from the American Council of Engineering Companies of Kansas in the 5,000 to 19,999 population category. This \$1,088,153 project provided design improvements to the residential corridor providing access to numerous apartment complexes from Metcalf Avenue and the heavily used commercial area of Mission. The Engineering firm GBA updated the roadway's neglected infrastructure and provided pedestrian access along the corridor by narrowing the extremely wide street and reallocating the space for pedestrians. The general contractor for the project was Kansas Heavy Construction.

GBA also rehabilitated a 72" CMP in disrepair with a Snap-Tite pipe lining, which saved unneeded repair costs to the headwalls and street above the pipe. The project included milling and overlaying the pavement with driveway approaches, storm sewer and curb replacement. More streetlights were added to the road, which is another safety feature.

Surrounding organizations like Special Olympics Kansas have seen changes that positively impact how they operate. The City of Mission Public Works Director also noted that going from dirt trails to sidewalk connectivity is a huge improvement. The project was funded by the City of Mission and Johnson County Assistance Road Systems (CARS).



City of Ellinwood: US-56 Corridor Enhancement

The City of Ellinwood has been awarded the American Council of Engineering Companies of Kansas City Public Improvement Award for a city with the population less than 5,000 for its US-56 Corridor Enhancement project. This \$14,731,000 project was funded by the Kansas Department of Transportation.

US-56 Highway through Ellinwood was in very poor condition, requiring frequent patching and cold mix overlays by KDOT maintenance forces. The storm drainage infrastructure was severely undersized to handle the amount of runoff to US-56, which resulted in frequent flooding of the highway and city streets. Calculations indicated that the existing storm sewer system would handle less than a one-year storm, so KDOT desired to improve the system to accommodate a 10-year storm.

The project replaced the pavement of US-56 through the entire city with concrete pavement which resists rutting by the heavy trucks that travel through town. The storm sewer system was greatly improved to significantly reduce the frequency and severity of flooding that occurs along US-56 in town. The traffic signal at Main Street was upgraded, sidewalks and ramps were improved, signs and pavement markings were all replaced. This project also included relocating water and sanitary sewer mains along US-56, which has eliminated the safety risk posed to city employees who previously had to access sewer manholes in the middle of the highway as well as the risk for the city to excavate the highway in the event of a line blockage or break.

The US-56 Corridor Enhancement project through Ellinwood presented a significant challenge in maintaining access through town during construction, but the new concrete pavement and storm drainage infrastructure has been a great improvement for the travelling public and citizens of Ellinwood. The consulting engineering firm for the project was Kirkham Michael & Associates, Inc. and the general contractor for the project was Smoky Hill, LLC (Salina, KS).



City of Dodge City: Warrior Biogas Project

The City of Dodge City has been awarded the American Council of Engineering Companies of Kansas Public Improvement Award (PIA) for cities in the 20,000 to 49,999 population category. Dodge City won for its Warrior Biogas project. This \$9,000,000 project was funded through KDHE Kansas Water Pollution Control Revolving Loan Fund. SRF loan funds remained from the Dodge City North WRF project, and the City was able to use these funds and increase the total SRF loan value to cover the biogas treatment system project.

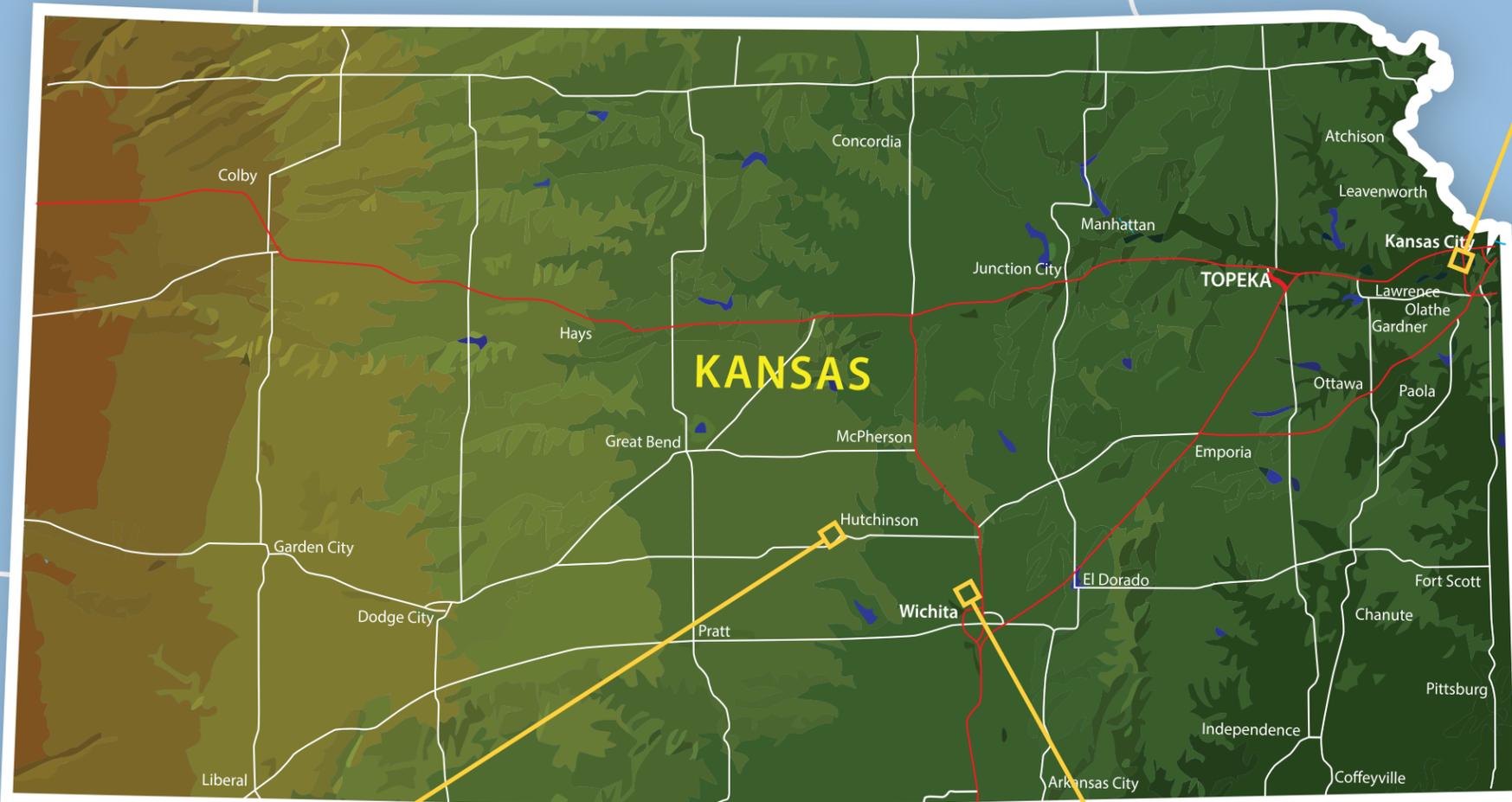
Since the completion of its South Wastewater Treatment Plant expansion, Dodge City explored ways to use the raw biogas the plant created. With the completion of the Warrior Biogas project, the City's treatment plant cleans raw gas turning it into an environmentally-friendly fuel. This process is the first of its kind in the State of Kansas. According to Ray Slattery, Dodge City Director of Engineering, the sale of the biogas is expected to generate about \$3 million a year and the City expects the expense of adding the process to be paid off in five years.

The City partnered with Norther Natural Gas that has a pipeline within a mile of the facility to transport the gas product via convection o their existing natural gas conveyance infrastructure and ultimately to customers throughout the United States. The consulting engineering firm for the project was Professional Engineering Consultants, PA (Wichita, KS), and the general contractor was UCI (Wichita, KS).

KANSAS GOVERNMENT NEWS



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.



16 Kansas Counties Receive Funding to Address Opioid Crisis

Kansas Department of Health and Environment (KDHE) awarded \$900,000 to county health departments to address the opioid crisis in Kansas. The funding comes from the Centers for Disease Control and Prevention's Opioid Overdose Crisis Response Cooperative Agreement. The counties that will be receiving funding are: Barton, Crawford, Finney, Franklin, Geary, Harvey, Johnson, Labette, Mitchell, Neosho, Pottawatomie, Rawlins, Reno, Riley, Sedgwick, and Stevens.

Cristi Cain, KDHE's Director of Local Health Program said, "A local response is critical to addressing opioids and other substance abuse issues. We look forward to continuing cooperation with the county health departments to attack this epidemic."

The local health departments will be implementing numerous strategies which include:

- Providing community education about adverse childhood experiences, trauma informed systems of care and Mental Health First Aid
- Providing trainings to health care providers on best practices for prevention and treatment strategies
- Creating/implementing media campaigns to raise public awareness of the risks associated with prescription opioids
- Educating professionals about the Screening, Brief Intervention, and Referral to Treatment process (SBIRT) and facilitating implementation in Kansas communities
- Engaging local emergency departments to identify and implement promising emergency department opioid overdose protocols, policies, and procedures
- Implementation of an innovative and effective model of community-level coordination

Olathe



New 3D Crosswalk Installed in Downtown Olathe

The City of Olathe has installed a new 3D crosswalk located on Cherry Street, between Park and Loula, in downtown Olathe. This crosswalk utilizes a painting technique that gives the illusion of boxes on the street. 3D crosswalks help draw drivers' attention to pedestrians crossing the street. Drivers approaching the crosswalk will see an illusion of raised boxes in the street for a moment, beginning from roughly 40-to-50-feet away. This helps drivers slow down to a safe speed if pedestrians are present. Additionally, the 3D crosswalk paint has glass beads in it to enhance nighttime visibility. For pedestrians using the crosswalk, it will simply look like blobs of colored paint.

Pedestrian safety is of the utmost importance to the City of Olathe. The low speed limit and clear visibility on Cherry Street made this location a good fit for the City's first 3D crosswalk. Moving forward, City staff will look at additional locations in Olathe that may benefit from the new 3D crosswalk.

Hutchinson

Police Providing "Safety Bands"

Citizen safety is always a top priority for local law enforcement. In Hutchinson, the Police Department is providing reflective "safety bands" for bicyclists who can be hard to see. The safety bands can be picked up at the Law Enforcement Center.

Junction City

City Begins Neighborhood Revitalization Program in 2019

The City of Valley Center approved a new housing program designed to provide incentives for homeowners to fix up their properties. The Neighborhood Revitalization Program, which will run from 2019 through 2022, gives qualified owners of single-family residences a property tax rebate.

The program applies to certain properties determined to be in need of help. To be eligible, homeowners must spend at least \$5,000 or 10% of existing assessed value, whichever is greater, on the improvements. The five-year, 100% rebate is for the city portion of the increase in property tax that results from the improvement.

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CLASSIFIED ADVERTISING

Performance Analyst, Topeka

The City of Topeka is seeking qualified candidates for a Performance Analyst. This position will lead in the transformation of performance management data and information collection, reporting and process improvement. Responsibilities include:

- Leads the Open Data Topeka initiative by working with departments to identify, define and collect data for reporting purposes and to improve data integrity.
- Defines data sets for the use, extraction, and manipulation driven by the business need for knowledge and decision making.
- Collects Key Performance Indicators and metrics required for the Strategic Plan.

Minimum qualifications: Graduation from an accredited four-year college or university with a bachelor's degree in accounting, business, public administration, computing science, computer engineering or related field. Completion of an MBA or MPA is an asset. Must have at least two (2) years of related financial, computer science or analytical experience and two (2) years of project management experience with the ability to manage multiple projects. Preference given to a candidate with experience in Microsoft Office software, especially with Excel.

How to Apply / Contact

City of Topeka employment application required. Employment application and position description online at <https://www.topeka.org/careers>. EOE

Deputy Finance Director, Bonner Springs

Under general supervision of the Finance Director, the Deputy Finance Director is an exempt full-time position under FLSA. This position performs accounting, payroll, treasury, secretarial and administrative duties and functions of variable complexity in maintaining the fiscal records and systems of the City. Assumes the duties of the Finance Director in his/her absence.

Examples of Essential Duties:

- Provides general management assistance and recommendations to the Director of Finance and acts as Director of Finance in their absence. Serves as Treasurer of the City.
- Supervises the administration of utility billing, receipt collections and service requests, accounts payable, and purchasing functions.
- As City Treasurer, performs administration in receiving, receipting, accounting for and custody of City cash; keeps detailed account of all monies received by the City, prepares bank deposits and reconciles accounts with accounting personnel. Prepares quarterly treasurer reports.
- Submits and tracks delinquent accounts in the State Setoff program.
- Oversees the processing of the City payrolls.
- Oversees payment of payroll related disbursements; taxes, retirement, insurance, and all other employee benefits and withholdings.
- Prepares analysis, journal entries and reconciliation of account balances with appropriate records
- Prepares monthly reconciliation of bank accounts and financial statements.
- Monitors sales tax collections
- Assists in the investment of idle city funds.
- Oversees capital improvement and major equipment purchasing requiring bidding; Monitors compliance with the City's purchasing policy. Works with City Clerk to distribute and publish public notices. Ensures SAM/DUNS registration and reporting requirements are met.
- Assists in development and coordination of the department and City budget; assists departments in budget preparation and training. Responsible for Salary and Benefits portion of the budget in concert with Human Resources.
- Processes monthly reimbursement for Public Housing Authority.

- Assists the department director with a variety of special projects as assigned.
- Performs other duties as assigned.

One to three years of accounting experience including maintenance of financial and accounting records and reports with knowledge of fund accounting techniques, concepts, practices and procedures preferred, or an equivalent level of experience. Supervisory experience preferred.

Bachelor's degree in accounting, business administration or a related field with emphasis in accounting.

How to Apply / Contact

Apply online at www.bonnerrsprings.org.

Executive Director, Franklin County Economic Development Council

The Franklin County Development Council is seeking a qualified candidate to fill the position of Executive Director. The Franklin County Development Council is a public-private, partially membership based non-profit organization serving as the primary economic development organization for Franklin County, Kansas.

Franklin County is a growing semi-rural county of approximately 26,000 people located on the Southwestern edge of the Kansas City metro region. The region is the home to a variety of economic development drivers including direct access to Interstate 35 and the NAFTA trade corridor, an established large industrial and commercial base including large-scale warehouse and distribution and manufacturing businesses, close proximity to BNSF's newest rail-to-truck intermodal facility in Edgerton, Kansas and access (within an hour) to the Kansas City International Airport and other Kansas City transportation corridors.

An ideal candidate for this position would have at least 5 years economic development experience and management experience with the organizations they have served. Candidate should also have a bachelor's degree, preferably in a business-related field, from an accredited university.

CLASSIFIED ADVERTISING

Candidates with formal economic development training (OU EDI/IEDC) are preferred.

Candidate should also possess the following skillsets:

- Ability to manage complex public and private relationships including relationships with valued local, state and regional economic development organizations
- Proven experience managing large scale economic development projects including all facets of business location and business expansion projects
- Experience providing business retention and expansion services at the local level
- Experience providing staff management for economic development boards

- Budgeting and non-profit management expertise

- Excellent communication and presentation skills

- Experience providing economic development leadership to elected bodies and public officials

- Willingness to serve as a team member in community based economic development projects

- An ideal candidate would also have experience in public industrial land development and public-private land development projects.

How to Apply / Contact

To apply for this position, send cover letter with salary history, resume, and three professional references to Economic

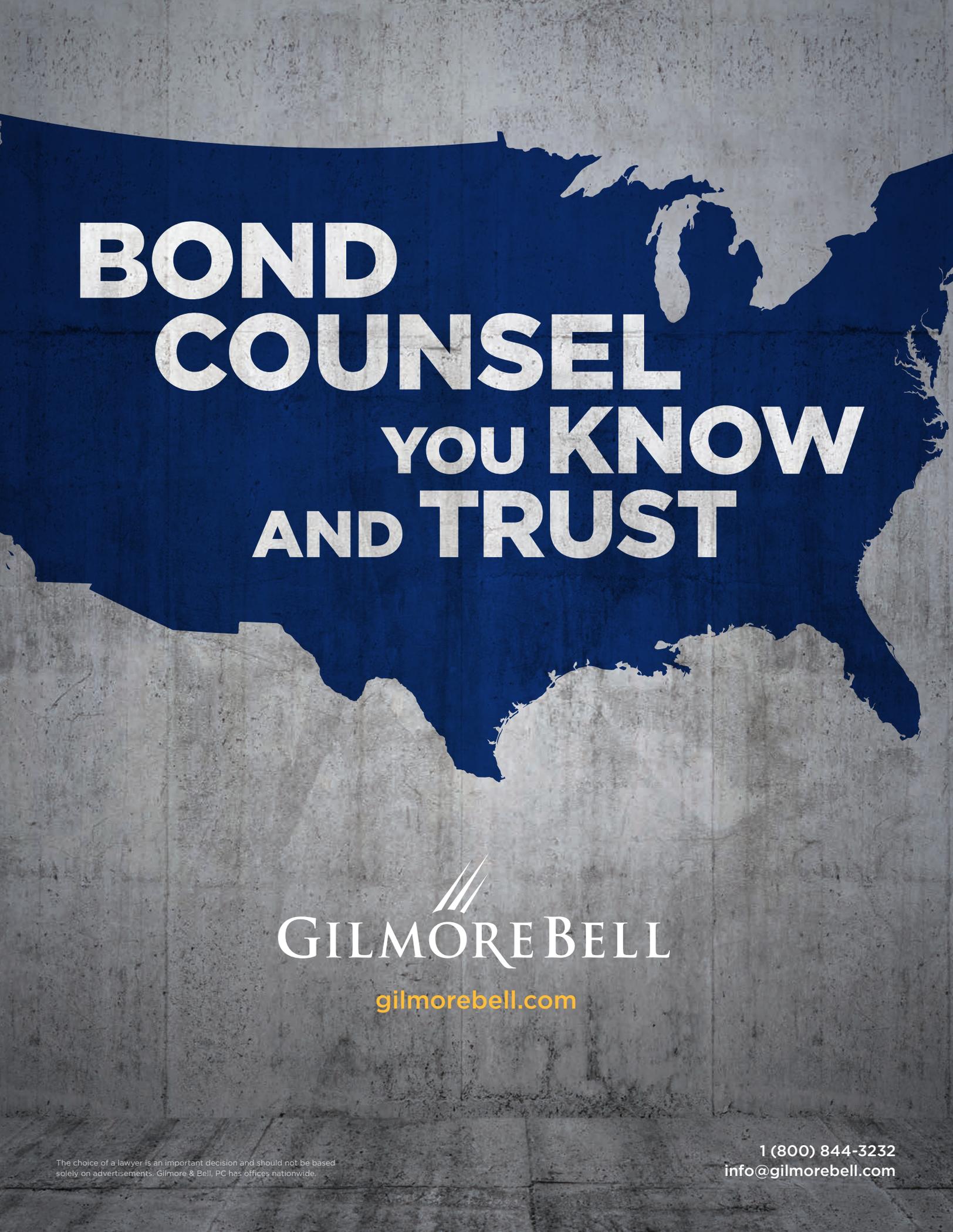
Development Director Recruitment, Attn: Michelle Stegman mstegman@ottawaks.gov or mail to Attn: Michelle Stegman, City of Ottawa, 101 South Hickory, Ottawa, Kansas 66067. For additional information on Franklin County and the Franklin County Development Council please visit the Franklin County Development Council website at www.ThinkFranklinCo.org. EOE

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